

12.04 DOGS AND CATS.

(1) LICENSE REQUIRED. Every person residing in the Village who owns a dog or cat which is more than 5 months of age on January 1 of any year or 5 months of age within the license year, shall annually pay the license fee and obtain a license.

(2) FEES. License fees shall be paid at the time a license is obtained. All fees shall be handled in accordance with §174.08 and §174.09, Wis. Stats.

(3) ISSUANCE OF LICENSE. Upon payment to the Village Finance Director/Treasurer of the required fee and presentation of evidence that the animal is currently immunized against rabies, the Finance Director/Treasurer shall issue to such person a license to keep such dog or cat for one year. Upon procuring the license, such person shall place the tag furnished by the Village Finance Director/Treasurer or the County Clerk upon the collar of the dog or cat.

(4) STATE REGULATIONS. Ch. 174, Wis. Stats., pertaining to licensing dogs, is made a part of this section by reference.

(5) DOGS AND CATS NOT TO RUN AT LARGE. It is unlawful for any person owning or possessing any dog or cat to permit the same to run at large. For the purpose of this section, "running at large" means the presence of a dog or cat at any place except upon the premises of the owner. A dog or cat shall not be considered to be running at large if it is on a leash and under control of a person physically able to control it. No dog or cat shall be permitted in any cemetery.

A dog/cat shall not be considered to be running at large if it is not on a leash in public areas, such as Village-owned lands and parks, which are clearly marked by signs permitting dogs/cats to be off leash.

Dogs or cats are permitted to run unleashed only in these posted areas and under the following conditions:

(a) The owner of the dog or cat must be physically present, able to take immediate physical control of the dog or cat if it should suddenly assault, attack, worry, or otherwise bother another person.

(b) The dog or cat must be under the control of the owner at all times. "Control" in this context means the owner must be physically present, not farther than 150 feet from the dog or cat while the dog or cat is unleashed, the dog or cat must be visible at all times to the owner, and the dog or cat must respond immediately to human voice control.

(6) HARBORING CERTAIN DOGS AND CATS PROHIBITED. No person shall own, harbor or keep any dog or cat which:

(a) Habitually pursues any vehicle upon any public street, alley or highway.

(b) Assaults or attacks any person.

(c) Is vicious. A showing that a dog or cat has bitten, attacked or injured any person shall constitute a prima facie showing that such dog or cat is vicious.

(d) Habitually barks, howls or meows to the annoyance of any 2 or more persons.

(7) DOG KENNELS PROHIBITED. No person shall operate or maintain a dog kennel within the Village limits. The term "dog kennel" as used herein means an establishment where dogs are kept for sale, breeding or sporting purposes. An establishment is presumed to be a kennel if more than 3 dogs are kept or maintained therein.

(8) ANIMAL CONTROL OFFICER.

(a) The Village Board shall appoint a public officer who is a resident of the Village, to be known as the Animal Control Officer, who shall, upon complaint, seize and restrain any dog or cat for the keeping of which no license has been issued and for which one is required or, upon complaint, seize and restrain any dog or cat running at large, and otherwise enforce the provisions of this chapter. Such dogs or cats seized or restrained shall be disposed of according to Ch. 173, Wis. Stats. The fact that a dog or cat is without a license attached to a collar shall be presumptive evidence that the dog or cat is unlicensed.

(b) After the Animal Control Officer has taken a dog or cat into possession, he/she shall file a report with and transfer custody of the animal to the Oregon Police Department. The Department shall turn the animal over to the Dane County Humane Shelter if the owner does not appear and pay the required boarding fee and any required deposit within 24 hours, 48 hours on weekends or holidays.

(c) Procedure for Animal Ordinance Violations. The Animal Control Officer is authorized to issue citations for violations of the provisions of this Municipal Code relating to animals and animal control. The Village Board shall from time to time by resolution establish written procedures for impounding of animals and animal control and establishing boarding fees and deposit schedules approved by the Municipal Judge. A copy of such resolution and any amendments thereof shall be permanently on file in the office of the Village Clerk and at the Village Police Department. Copies of such procedures shall be available at the office of the Village Clerk for a fee per §12.01.

(9) CONTROL OF RABIES.

(a) Observation Required If Rabies Suspected. Any person who has in his/her possession a dog or cat which is suspected of having rabies or which has bitten any person shall, upon demand of the Animal Control Officer, produce and surrender such dog or cat to the Animal Control Officer to be held for observation and treatment for a period of 10 days. If it is found that such dog or cat has rabies, it shall be disposed of in the manner provided in sub. (8) above.

(b) Vaccination of Dogs and Cats Required.

1. Every dog or cat owner shall have his/her dog or cat inoculated with an avianized rabies vaccine by a veterinarian 30 days after the dog or cat reaches

4 months of age, revaccinated against rabies by a veterinarian one year after the initial vaccination and revaccinated against rabies by a veterinarian before the date the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 2 years after the previous vaccination. Every dog or cat owner shall be provided with a tag and certificate to be shown to the Village Clerk indicating that the inoculation has been performed. Dogs or cats born or acquired after July 1 of any calendar year that have not been previously inoculated in accordance with the provisions of this section need not be inoculated until the succeeding calendar year.

2. The certificate provided by the veterinarian shall contain provisions for inserting the following information: the name and address of the owner of the dog or cat, the date of the vaccination, the number of the tag, the breed, age, color and sex of the dog or cat and such other information as may be required. The veterinarian shall also provide a tag of durable material to be attached to the collar or harness of the dog or cat as evidence of such inoculation. Such tag shall be numbered and shall contain the year of issuance. The tags and certificates shall be purchased by the veterinarian. Each certificate shall be in triplicate, with a corresponding tag.

3. After inoculating a dog or cat, each veterinarian shall insert in each triplicate certificate the information required, shall retain a copy for his/her records and give 2 copies to the owner, who shall deliver one copy to the Village Finance Director/Treasurer within 5 days after inoculation.

4. No person shall own, harbor or keep any dog or cat which does not carry the tag as provided by subpar. 2.

5. In addition to the penalties provided for violation of this chapter, the Animal Control Officer or any police officer of the Village may seize and restrain any dog or cat which does not carry the tag as provided in subpar. 2 and notice of such seizure shall be given in the manner provided in sub. (8)(a). Such dog or cat shall not be released until proof has been furnished to the Animal Control Officer that the dog or cat has been inoculated with rabies vaccine in accordance with the terms of this section. After the dog or cat has been restrained for a period of 7 days without having been reclaimed by its owner or anyone in behalf of the owner, the dog or cat shall be disposed of in the manner provided in sub. (8)(a).

(10) OWNERS DUTY TO REMOVE REFUSE. The owner or the person in charge of an animal shall immediately remove and deposit into proper refuse containers, all refuse, dirt, foods, and/or excretions expelled, caused by or left by any animal on any public property or private property, other than that of the owner.

(11) DEFINITIONS.

(a) "AT LARGE" means to be off the premises of the owner and not under the control of some person by means of a leash. A dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of the dog or cat, shall be deemed to be upon the owner's premises.

(b) "CAT" means any feline, regardless of age or sex.

(c) "DOG" means any canine, regardless of age or sex.

(d) "OWNER" means any person owning, possessing, harboring or keeping a dog or cat. The occupant of any premises on which a dog or cat remains, or to which it customarily returns daily for a period of ten days is presumed to be harboring or keeping the dog or cat within the meaning of this chapter.