

TOWN OF ONALASKA

CODE #1

PROVIDING FOR REGULATION OF THE CARE, MAINTENANCE AND CONTROL OF DOGS, AND PROVIDING FOR ITS ENFORCEMENT, AND PROVIDING PENALTIES, AND THESE REGULATIONS ARE DECLARED TO BE IN THE INTEREST OF PUBLIC HEALTH, SAFETY, WELFARE AND CONVENIENCE.

The Town Board of the Town of Onalaska, La Crosse County, Wisconsin, acting under the powers of a Village Board, does hereby ordain as follows:

SECTION 1. DOG LICENSE. No person shall own, keep, harbor or have custody of any dog which is not duly licensed under the laws of the State of Wisconsin.

SECTION 2. DOG COLLAR. Any person owning, keeping, harboring or having custody of dogs over five months of age are hereby required to place and keep on said dogs a collar bearing the name and address of the owner of said dog plainly stamped on said collar with its license tag attached hereto. No person, excepting the owner or his authorized agent, shall remove a dog collar containing name of owner or license number from any dog.

SECTION 3. LIMIT OF DOGS. No individual owner or family unit living together, firm or corporation, shall keep more than:

Four (4) dogs over the age of five (5) months on properties Zoned Transitional Ag, Exclusive Ag, Agriculture B, or Agriculture A (except AgA parcels in platted subdivisions). Owners with more than four dogs must obtain a Kennel/Commercial Animal Operation permit through La Crosse County.

Within areas zoned for residential use (Residential A, B or C, or Mobile Home Park) or within platted subdivisions, no person(s) shall keep more than two (2) dogs over the age of five (5) months on their property. Pending careful consideration regarding impact on public health, safety and welfare, the Town Board of the Town of Onalaska reserves the right to approve or deny a request for variance for one (1) additional dog.

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The Town Board reserves the right to deny any and all owners with excessive or severe complaints the privilege to keep any dogs on their premise.

Licensed animal hospitals in which dogs are confined within a completely enclosed building are excepted from this regulation.

SECTION 4. CARE OF DOGS. All dogs shall be cared for, maintained and handled in a sanitary manner and in such a way as to prevent noises, barking, fighting or howling or other disturbances of the peace and quiet of the neighborhood and shall not be permitted to run at large, and during breeding season shall be kept closely confined.

SECTION 5. DAMAGE BY DOGS. Any dog doing damage may be seized by a Humane Officer or any other person and impounded or disposed of in accordance with Section 11 of this Ordinance. Said dog shall not be released until owner has paid for damages.

SECTION 6. DANGEROUS DOGS. No person shall keep, own or harbor any dog of either sex which is notoriously vicious or dangerous; and any dog known to have been bitten by any dog, supposed to be rabid, shall be destroyed forthwith. When any dog is know to have bitten a person or persons, the Humane Officer shall so notify the owner or person in charge of said dog, in person, and it shall then be unlawful to permit such dog to run at large and the owner or person in charge of said dog shall keep said dog securely tied and confined so as to prevent said dog from all contact with children or others for a period of not less than ten (10) days.

SECTION 7. MUZZLING OR CONFINEMENT OF DOGS. It shall be the duty of the Town Chairman/Administrator, whenever in his/her opinion that danger to the public safety from rabid dogs is great and imminent, to publish an order requiring all persons owning, keeping or harboring any dog of either sex, to muzzle the same or to confine the same not less that sixty (60) days from the date of such order, by good and sufficient means, to house, stable, outhouse or yard wherein such person may reside, and upon the issuing of such order by the Chairman/Administrator, it shall be the duty of all persons owning, keeping or harboring any dog of either sex,

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during the term specified in such manner, to confine the same by good and sufficient means, within the yard, house, stable or outhouse or have the same properly and securely muzzled, and in case of any dog of either sex shall be found at large without being so muzzled, it shall be the duty of the Humane Officer or other peace officer to cause the same to be destroyed forthwith, without further notice to the owner or keeper thereof. It shall be the duty of all animal owners to give said animals a rabies booster inoculation.

SECTION 8. ANIMAL WASTE. The owner, keeper, walker or person in charge of any dog, cat or other animal shall not permit solid fecal matter of such animal to deposit on any street, alley, or other public or private property, unless such matter is immediately removed therefrom by said owner or person in charge. This section shall not apply to a person who is visually or physically handicapped.

SECTION 9. DISPOSITION OF DOGS. It shall be the duty of the Humane Officer or any other peace officer to seize all dogs of either sex found running at large or kept contrary to the provisions of this Ordinance, and to dispose of the same in the manner set forth in Section 11 of this Ordinance.

SECTION 10. PENALTIES. The penalty for violation of any provision of this ordinance including the molesting, hindrance or interference with the Humane Officer or any other peace officer when in the discharge of any duty prescribed by this Ordinance, shall, upon conviction thereof, be not less than Twenty-Five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars for each and every offense and the costs of prosecution including attorney's fees, and in the case of default of payment of such forfeiture and costs shall be imprisoned in the County jail until payment of such forfeitures and costs of prosecution, including attorney's fees, not exceeding thirty (30) days for each violation.

SECTION 11. DOG POUND AND DISPOSITION OF DOGS. (1) The Humane Officer or other peace officer shall, upon seizure of any dog, turn the same over to the county animal shelter, who shall hold the dog until claimed by the owner or until directed to destroy the dog by said Humane Officer or other peace officer. Such

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animal shelter shall be entitled to impoundment fee and boarding fee as established by said pound.

(2) It shall be the duty of such Humane Officer or other peace officer to ascertain if possible the identity of the owner of each dog seized by him/her and to notify such owner of the fact that such has been seized. Any such owner may receive the release of such dog upon payment of the impoundment and boarding fees and any and all expenses of keeping such dog during the time it was impounded.

(3) After any dog has been kept for seven (7) days, and the owner thereof cannot be ascertained, by exercise of reasonable diligence, said Human Officer or other peace officer is authorized and empowered to order said dog destroyed, but no dog which has bitten any person shall be destroyed until the ten (10) days rabies quarantine has passed.

SECTION 12. REPEAL OF FORMER ORDINANCES. All previous ordinances relating to the care, maintenance and control of dogs are hereby repealed in their entirety.

SECTION 13. EFFECTIVE DATE. This Ordinance shall take effect from and after passage and publication.

Dated this 28th day of April, 2008.

Signed:

Stan Hauser, Town Chairman

ATTEST:

Sue Schultz, Town Clerk

Passed: 4-28-08

Published: 5-1-2008