

## **Town of Hartland/Shawano County/State of Wisconsin**

### **Ordinance #2018- 01**

The Town Board of Supervisors of the Town of Hartland, Shawano County, Wisconsin, does hereby ordain as follows:

#### **SECTION 1 - TITLE:**

This ordinance shall be named the Dog Control Ordinance; any previous ordinances enacted by the Town in conflict herewith are repealed.

#### **SECTION 2 - DEFINITIONS:**

In this ordinance, unless the context or subject matter requires otherwise, the following definitions shall be applicable:

- a. "Owner" shall mean any person owning, harboring, or keeping a dog and the occupant of any premises on which a dog remains or to which the dog customarily returns daily for a period of ten (10) days, is presumed to be harboring or keeping the dog within the meaning of this section. This includes immediate family and household members where appropriate.
- b. "At large" shall mean to be off the premises of the owner and not under the control of some person either by leash or physical means of restraining a dog, but a dog within an automobile of its owner or in an automobile of any person with the consent of the dog's owner shall be deemed to be upon the owner's premises.
- c. "Officer" shall mean the Town Board or a board designated officer of the Town to enforce this ordinance. Shawano County has also passed a dog control ordinance, and the Town Board wishes to encourage cooperation between enforcement officers of both governments.

#### **SECTION 3 - GENERAL LICENSING OF DOGS:**

It shall be unlawful for any person in the Town to own, harbor or keep any dog more than six (6) months of age without complying with Chapter 174 of Wisconsin Statutes.

#### SECTION 4 - RESTRICTIONS ON KEEPING OF DOGS:

It shall be unlawful for any person within the Town to own, harbor, or keep any dog which:

- a. Is at large within the Town, off the owner's premises;
- b. Habitually pursues any vehicle upon any public street or highway in the Town;
- c. Assaults or attacks any person, except if defending its except if defending its owner's family at the owner's premises;
- d. Habitually barks or howls to reasonable annoyance of any person(s);
- e. Kills, wounds or worries any domestic animal, deer, game birds or their nests when not legitimately hunting with a licensed owner;
- f. Is known by the owner to be infected with rabies, or has been bitten by an animal known to have been infected with rabies, and such owner fails to quarantine the dog as required by Wis. Stats., s. 95.21;
- g. Violates any other Section of this ordinance.

#### SECTION 5- INCORPORATION OF RABIES CONTROL PROGRAM:

Section 95.21 of Wisconsin Statutes is hereby incorporated by reference and made a part of this ordinance. Any provisions of this ordinance shall be read in conjunction with said s. 95.21, however; it is the intent to make this ordinance more restrictive pursuant to s. 95.21(9).

#### SECTION 6 - KENNEL PERMITS:

The Town Board shall approve kennel permits after review. In connection with the same, the Town Board may impose reasonable conditions as to the granting of the same, including specifications as to security of enclosures, insurance requirements, and restrictions on number of dogs that may be kenneled.

#### SECTION 7 - PENALTY:

Any owner, person, firm or corporation who shall violate any provision of this ordinance shall forfeit not less than \$50 nor more than \$500, plus current court costs and any fees of dog boarding or care. In the event of nonpayment, imprisonment in the jail of up to 30 days may be authorized. Each day of violation constitutes a separate offense. Citation enforcement by an officer is authorized for enforcement. The board also has authority to seek a court injunction for repeat violators, seeking forfeiture of any right to have a licensed dog where more than one violation of this ordinance has occurred, or otherwise pursuant to chapter 174 of the Wisconsin Statutes.

#### INITIAL DEPOSIT SCHEDULE:

First violation, \$150 plus all applicable court costs;

Second or subsequent violation within 2 years, \$300 plus all applicable court costs.

SECTION 8 - EFFECTIVE DATE:

This ordinance shall take effect from after its passage and publication as provided by section 60.80(3) Wis. Stats.

Introduced: Tom Riehl

Seconded: Al Tauchen

Passage by unanimous Vote of Town Board.

Robert Woldt  
Chairman Robert Woldt

Tom Riehl  
Supervisor Tom Riehl

Alan Tauchen  
Supervisor Alan Tauchen

Attestation

This is to certify that the above is a true and correct copy of the above Dog Control Ordinance was passed by the Town Board of the Town of Hartland, Shawano County, Wisconsin, at the Town Board meeting held on: August 6, 2018.

It is further certified that publication has been completed in accordance with Wisconsin Statutes via the publication of a Class 1 legal publication in the Shawano Leader newspaper on: August 15, 2018.

Dated this 9<sup>th</sup> day of August, 2018.

Sharon Riehl  
Sharon Riehl - Town Clerk