

TOWN OF COOKS VALLEY
CHAPTER 12
ANIMAL CARE AND LICENSES ORDINANCE

(1) DEFINITIONS.

- (a) Animal includes every living, warmblooded creature except a human being.
- (b) Cruel means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
- (c) Law enforcement officer has the meaning assigned under §967.02(5), Wis. Stats., and includes a humane officer under §58.07 but does not include a conservation warden appointed under §23.10.
- (d) Farm animal means any warmblooded animal normally raised on farms in the United States and used or intended for use as food or fiber.
- (e) Kennel means any establishment wherein or whereon dogs are kept for the purpose of breeding, selling, buying or boarding.
 - 1. *Commercial kennel* means any premises where 4 or more animals over the age of 6 months are kept for the primary purpose of commercial breeding, boarding, or selling of animals. A commercial kennel does not include animal hospitals, clinics, and other premises operated by a licensed veterinarian exclusively for the care and treatment of animals.
 - 2. *Non-commercial kennel* means any premises where 12 more animals over the age of 6 months are kept but not for the primary purpose of commercial breeding, boarding, or selling of animals.
- (f) Owner includes every person who owns, harbors or keeps an animal.

(2) CONSTRUCTION AND APPLICATION: This section shall not be interpreted to cover any law regulating animal trapping, the use of live animals in dog trials or in the training of hunting dogs, or the slaughter of animals by persons acting under State or federal law.

(3) MISTREATING ANIMALS. No person may treat any animal, whether belonging to him/her self or another, in a cruel manner. This subsection does not prohibit bona fide experiments carried on for scientific research or normal and accepted veterinary practices.

(4) TAKING WITHOUT OWNER'S CONSENT. No person may take a dog from one place to another without the owner's consent or cause such dog to be confined or carried out of this State or held for any purpose without the owner's consent, except when such animal is taken by a law enforcement officer as designated above.

(5) TRANSPORTATION OF ANIMALS. No person may transport any animal in or upon any vehicle in a cruel manner.

(6) USE OF POISONOUS AND CONTROLLED SUBSTANCES. No person may expose any domestic animal owned by another to any known poisonous substance or controlled substance listed in §161.14, Wis. Stats., whether mixed with meat or other food or not, so that the substance is liable to be eaten by the animal and for the purpose of harming the animal. This subsection does not apply to poison used on one's own premises and designed for rodent or pest extermination, nor to the use of a controlled substance in bona fide experiments carried on for scientific research or in accepted veterinary practices.

(7) PROPER FOOD AND DRINK TO CONFINED ANIMALS. No person owning or responsible for confining or impounding any animal shall refuse or neglect to supply the animal with sufficient food and water as prescribed in this subsection.

(a) *Food.* The food shall be of sufficient quantity and nutritive value to maintain the animal in good health.

(b) *Water.* If potable water is not accessible to the animal at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

(8) PROPER SHELTER. No person owning or responsible for confining or impounding any animal shall fail to provide the animal with proper shelter as prescribed in this subsection. In the case of farm animals, nothing in this subsection shall be construed to impose shelter requirements or standards more stringent than normally accepted husbandry practices.

(a) *Indoor Standards.* Minimum indoor standards of shelter shall include:

1. Ambient temperatures which shall be compatible with the health of the animal.

2. Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.

(b) *Outdoor Standards.* Minimum outdoor standards of shelter shall include:

1. Shelter from sunlight. When sunlight is likely to cause heat exhaustion of an animal tied or confined, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight.

2. Shelter from inclement weather.

- a. *Animals Generally.* Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal.

- b. *Dogs.* If a dog is tied or confined unattended outdoors, a moisture proof and windproof shelter of suitable size to accommodate the dog shall be provided.

(c) *Space Standards.* Minimum space requirements for both indoor and outdoor enclosures shall include:

1. Structural Strength. The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.

2. Space Requirements. Enclosures shall be constructed and maintained to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.
 - (d) Sanitation Standards. Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash to minimize health hazards.
- (9) **ABANDONMENT.** No person may abandon any animal.
- (a) Animal Control Agency. Any law enforcement officer may remove, shelter and care for any animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such an animal to the animal control agency, Dogcatcher, or County Humane Society or such other designated person to be sheltered, cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer or animal control agency, or such other designated person having possession of the animal, shall be entitled to payment for all expenses dealing with its care, maintenance, and medical attention, as well as all other expenses.
 - (b) Treated as Stray. If the owner or custodian is unknown and cannot with reasonable effort be ascertained or does not redeem the animal by paying the expenses incurred, the animal may be treated as a stray.
- (10) **VACCINATION.**
- (a) Rabies Control. Every owner of a dog 5 months of age shall have his animal inoculated with an antirabies vaccine by a licensed veterinarian. The tag received shall be firmly attached to the collar of the animal.
 - (b) Exceptions. No dog shall require the vaccination if a licensed veterinarian has examined the animal and certified that at such time vaccination would endanger its health because of age, infirmity, debility, illness or other medical consideration. Such exempt animal shall be vaccinated as soon as health permits.
- (11) **REVACCINATION.**
- (a) Dogs. Every owner of a dog shall have his dog revaccinated within one year of the initial vaccination and thereafter within every 3 years.
- (12) **BITES BY DOMESTIC ANIMALS.**
- (a) Report. Any person bitten or scratched by any stray or unknown animal shall report the fact within 12 hours to the Town Board or Dogcatcher and/or a physician.
 - (b) Quarantine. Any animal that bites a person shall be captured, confined and observed for 10 days by a veterinarian or at the animal shelter at the expense of the owner, or if the owner can provide evidence of a valid

rabies vaccination, such animal can be confined and observed at the home of the owner.

1. After such quarantine period, animals that have not previously been vaccinated must be vaccinated and proof sent to the Town Board or Dogcatcher within 72 hours of release.

2. A domestic animal that has been exposed to rabies shall be held in quarantine for 6 months.

3. A domestic animal that has been vaccinated, but is exposed to rabies, shall be quarantined for 60 days.

- (c) Destruction of Animal. If the owner of the animal does not wish to have the animal quarantined, the owner may have the animal destroyed and tested for rabies.

(13) BITES BY WILD ANIMALS.

(a) Any person bitten or scratched by any wild animal shall report the fact within 12 hours to the Town Board or Dogcatcher or the attending physician.

(b) Any wild animal that bites or scratches a person shall be killed at once (without unnecessary damage to the head) and the brain examined for evidence of rabies.

(14) LICENSES.

(a) Fees. Every owner of a dog more than 5 months of age on January 1 of any year or 5 months of age within the license year shall annually or within 30 days from the date such dog becomes 5 months of age, at the time and in the manner provided by law for the payment of property taxes, pay his dog license tax and obtain a license therefor. The license fees shall be: \$10.00 for any unspayed or unneutered male or female, \$5.00 for any spayed or neutered dog. The license year commences on January 1 and ends on December 31.

(b) Additional Fees. If application is made after April 1, a penalty of \$20 shall be added to the license fee. The additional fees provided hereunder for dogs shall be paid to the Town Treasurer. (Statute 174.05 sub 5)

(15) KENNELS.

(a) License Required.

1. Any person with 12 or more dogs over the age of 6 months obtain either a commercial or a non-commercial kennel license.

2. Subject to the licensing and fee requirements of F below, any person wishing to operate or maintain a commercial kennel or a non-commercial kennel must apply for a kennel permit with the Town Clerk and pay a one time required application fee of \$10.00. Board approval is required for all kennel permits. Each kennel permit shall be posted on the premises of the kennel.

(b) Application. The application for kennel permits shall state the name and address of the owner of the proposed kennel, the location and

where the kennel is to be kept, and the number of animals proposed to be kept.

- (c) Kennel Construction and Operation. These provisions apply to commercial kennels and non-commercial kennels. The regulations for animal shelter standards as set out in sub. (8) also apply to commercial kennels and non-commercial kennels. No permit shall be granted to any owner for the operation of an outdoor kennel unless the area within which the animals are to sleep, eat or exercise shall be enclosed completely with a wire mesh fence with appropriate height and strength to insure the confinement of said animals. Every kennel shall be maintained and operated in a neat and sanitary manner. All refuse, garbage and animal waste shall be removed at regular intervals so as to keep the surrounding area free from obnoxious odors. No owner of the kennel shall permit any of the animals to create an unusual noise from barking, howling, or create any disturbance or nuisance of any kind which unduly impairs the quiet and peaceful enjoyment of the surrounding area by other residents.
 - (d) Inspection. All kennels are subject to inspection by the Town Board or Dogcatcher at reasonable hours upon request. All kennels must comply with all building and zoning codes.
 - (e) Revocation. The Board may revoke any kennel permit for violation of this section after reasonable notice and opportunity to be heard is given to the permit holder.
 - (f) Fees: The annual Kennel Permit fees shall be: \$5.00 for non-commercial kennel, \$50.00 for commercial kennel.
 - (g) Proof of Insurance Requirement. Before being granted a commercial kennel license by the Town, the applicant is required to show proof of liability insurance in the amount of One Million Dollars (\$1,000,000.00) to the Town Board.
- (16) **STATE REGULATIONS.** The provisions of Ch. 174, Wis. Stats., pertaining to licensing of dogs are made a part of this section by reference thereto, except where the amount of such license fee is increased herein.
- (17) **DOGS NOT TO RUN AT LARGE.** No person shall own, keep or harbor a dog which runs at large within the limits of the Town. Under the provisions of this subsection, a dog shall be considered as running at large when it is not on the premises of its owner or under control of its owner.
- (18) **VICIOUS ANIMALS.** The owner of any vicious animal shall keep such animal securely enclosed on the owner's premises away from the proximity of sidewalks, paths or alleys and shall keep it muzzled when exercising it.
- (19) **FEMALE ANIMALS IN SEASON.** Any female dog in season shall be kept under control by its owner.

- (20) **HOWLING ANIMALS.** No person shall own, keep, have in his/her possession or harbor any animal within the Town which, by frequent or habitual howling, yelping or barking, causes a serious disturbance to persons or a neighborhood, provided this subsection shall not apply to licensed animal hospitals conducted for the treatment of small animals or to the premises used and occupied by the Town for impounding animals.
- (21) **INJURED ANIMALS.**
- (a) Medical Attention. No person who owns, harbors or keeps any animal shall fail to provide proper medical attention to such animal when such animal becomes injured. If the owner of such injured animal cannot be located, the Town, or any animal control agency with whom the Town has an agreement or contract, shall have the authority to acquire such animal for the purpose of providing medical treatment and the owner thereof shall be responsible for reimbursement of medical costs.
 - (b) Accidents. The operator of any vehicle involved in an accident resulting in injury to or death of any domestic animal shall stop such vehicle at the scene of the accident, or as close thereto as possible, and, if possible, remove the animal to the side of the roadway and notify the Dogcatcher, Town Board, or the Town's contracted animal control agency.
- (22) **RABID ANIMALS.**
- (a) Report Of. Any person who suspects that any dog or other domestic animal in the Town is infected with rabies shall report his suspicion to the County Sheriff's Department and to the Town Board or Dogcatcher, describing the dog or other domestic animal and giving the name of the owner, if known. Any person who observes that a dog or other domestic animal has bitten any person shall give a similar report to the Sheriff's Department.
- (23) **IMPOUNDING OF DOGS OR OTHER DOMESTIC ANIMALS.**
- (a) Running At Large. Any unlicensed dog or domestic animal running at large shall be impounded at the place provided by the Town or the County Humane Association.
 - (b) Care of Dogs or Other Domestic Animals. All dogs or other domestic animals impounded under this subsection shall be cared for and fed by the local Dogcatcher until transported to the County Humane Association.
 - (c) Notice to Owner. As soon as practicable after a dog or other domestic animal is impounded, the Dogcatcher or Town Board or such other person designated by the Board, shall cause notice to the Owner that such dog or domestic animal is impounded.
 - (d) Redeeming Impounded Dogs or Other Domestic Animals. An impounded dog or other domestic animal may be redeemed by paying the Dogcatcher or Township of Cooks Valley retrieval fee for his/ her services and any and all fees which were incurred by the Chippewa County Humane

Association for care and treatment of the animal. Payment form services provided by the Chippewa County Humane Society shall be collected by them.

- (e) Disposing of Impounded Dogs or Other Domestic Animals. If an impounded dog or other domestic animal is not redeemed within the guidelines set forth by the Chippewa County Humane Association, such dog or other domestic animal may be disposed of in a proper and humane manner or it may be sold or given away to any person who would be a proper owner. In the case of a sale of a dog or other domestic animal, such payment shall be made to the Humane Association who shall issue a receipt to the new owner and may then secure the release of such dog or other domestic animal from the Humane Association.

(24) **LIABILITY.** The Town and/or its designated agents shall not be liable to any person for the death, destruction, injury or disease caused to any animal that has been impounded pursuant to this section.

(25) **PENALTIES.** Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a forfeiture. Violations of this ordinance occurs when an owner allows a dog to run at large or the dog is untagged. Any person who violates any provision of this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not less than \$50.00 and not more than \$200.00. In addition, the person convicted shall also pay all costs and expenses involved in the case, including the Town's Attorneys Fees for prosecution of such action. Each day such violation continues shall be considered a separate offense with a separate penalty.

(26) **EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as provided by law. This ordinance supersedes any and all resolutions, ordinances and the like that may have been in effect.

Adopted this 12th day of March, 2007.

The foregoing Ordinance was duly adopted by the Town Board at a regular meeting of the Town Board of the Town of Cooks Valley on 12th March, 2007.

TOWN BOARD-TOWN OF COOKS VALLEY

Ronald Fanetti
Ronald Fanetti, Chairman

David Clements
David Clements, supervisor

Gary R. Yakesh
Gary R. Yakesh, Supervisor

Attest:

Victoria Trinko
Victoria Trinko, Clerk

Filed this 17th day of March, 2007.

I further certify that copies of this Ordinance were posted in at least three (3) public places in the Town of Cooks Valley on the 31st day of March, 2007.

Victoria Trinko
Victoria Trinko, Town Clerk

Publication: March 21, 2007