

(Revised 09/09/2003)

(Revised 07/10/2007)

## **DOG CONTROL ORDINANCE**

ORDINANCE # 2001-02

### **CONCERNING THE CONFINEMENT OF DOGS**

The Town Board of the Town of Prairie Lake, Barron County, Wisconsin, does ordain as follows:

#### **SECTION 1 – TITLE**

This ordinance shall be named the Dog Control Ordinance; any previous ordinances enacted by the Town of Prairie Lake that may be in conflict with any provisions hereto are herewith repealed.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.
- 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/vehicle of its owner or in an automobile/vehicle of any person with the consent of the dog's owner shall be deemed to be upon the owner's premises.

#### **SECTION 3 – GENERAL LICENSING OF DOGS**

It shall be unlawful for any person in the Town of Prairie Lake to own, harbor, or keep any dog more than five (5) months of age without complying with Chapter 174.05 through 174.07 of Wisconsin Statutes.

#### **SECTION 4 – RESTRICTIONS OF KEEPING OF DOGS**

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

- a) Is at large within the Town of Prairie Lake.
- b) Habitually pursues any vehicle or person upon any public street or highway in the Town of Prairie Lake.
- c) Assaults or attacks any person off the premises of the owner.
- d) Habitually barks, yowls or yelps to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities.
- e) Kills, wounds, or worries any domestic animal.
- f) Is known by the owner to have been exposed to an animal infected with rabies and such owner fails to quarantine the dog as required by Section 95.21 Wis. Statutes.

**SECTION 5 – INCORPORATION OF RABIES CONTROL PROGRAM**

Section 95.21 of Wis. Statutes is hereby incorporated by reference and made a part of this ordinance. In addition, any Barron County statutes or ordinances regarding rabies are also hereby incorporated.

**SECTION 6 – PENALTIES**

Any owner who violates any provision of this ordinance shall forfeit not less than fifty (\$50) nor more than one hundred (\$100) dollars plus costs for the first violation. The penalty for subsequent violations shall be a forfeiture of not less than one hundred (\$100) nor more than two hundred (\$200) dollars plus costs. Each violation and/or each day that a violation continues or occurs may constitute a separate offense.

**SECTION 7 – IMPOUNDMENT OF DOGS**

In addition to any penalty herein provided for in this ordinance the following may occur:

- a) The Constable or *Enforcement Officer* or any Police Officer or Humane Officer may and is hereby empowered to enter onto any premises to seize and impound any dog which habitually violates any portion of this ordinance. In order for an animal to be impounded, the impounding officer must see or hear the violation of this ordinance or have in his/her possession a signed statement of a complaining witness alleging the facts regarding the violation and containing an agreement to reimburse the Town of Prairie Lake for any damages it sustains for improper or illegal seizure. The owner shall otherwise be liable for all other charges regarding the impoundment.
- b) Impoundment shall take place at the Barron County Humane Shelter or any other appropriate location. The dog shall be released when the following stipulations have been met:
  - 1) The person claiming the dog presents proof of ownership satisfactory to the animal shelter personnel.
  - 2) The person provides evidence that the dog is properly licensed.
  - 3) The person pays the dog's boarding and service charges.
  - 4) And the person submits a signed form from the Constable, *Enforcement Officer*, Clerk or Treasurer of the Town of Prairie Lake stating that all associated penalties have been paid.
- c) If the dog is not claimed within 7 days, the caretaker may dispose of the dog as provided for in Section 174.13 of Wis. Statutes.

**SECTION 8 – EFFECTIVE DATE OF ORDINANCE**

This ordinance shall take effect upon passage and posting as provided by law.

**SECTION 9 – LISTING OFFICIAL FOR LICENSING AND COMPLAINTS**

The Town Board of the Town of Prairie Lake hereby designates the elected Treasurer as the listing official for dog licensing purposes. *Said elected Treasurer, as well as the elected Town Board members and the Town Clerk, are also empowered to initiate or forward any and all complaints dealing with dogs to the enforcement officer for action. Such action to be as heretofore described in §§ 3, 4, 5, 6 and 7 of this ordinance.*

(Revised 09/09/2003)

(Revised 07/10/2007)

The foregoing ordinance, as revised, is hereby adopted at the regular meeting of the Town of Prairie Lake on the 9<sup>th</sup> day of September, 2003. (Revisions occur §§ 7(a) & 7 (b)(4) - shown in *italics*.)

The foregoing ordinance, as revised, is hereby adopted at the regular meeting of the Town of Prairie Lake on the 10<sup>th</sup> day of July, 2007. (Revisions occur § 9 - shown in *italics*.)

ATTEST:

\_\_\_\_\_  
Al Morley, Chairman

\_\_\_\_\_  
Karn Moe, Clerk

\_\_\_\_\_  
Janice Rustong, Supervisor

\_\_\_\_\_  
Almar Larson, Supervisor