

ORDINANCE OF THE TOWN OF HIGHLAND

The Town Board of the Town of Highland Hereby Ordains as follows:

Dog and Animal Control

1.01 Definition of Terms

a) OWNER shall be intended to mean any person or persons, firms or association or corporation owning, keeping or harboring an animal or animals on the premises to which the animal returns or is kept for 10 consecutive days or more.

b) AT LARGE shall be intended to mean off the premise of the owner and not under the control of the owner or a member of his or her immediate family or person designated by the owner either by leash, chain or otherwise, to run at large unattended, unaccompanied, or in any other manner uncontrolled within the limits of the Town of Highland.

c) KENNEL shall be intended to mean any person, partnership or corporation engaged in the business of breeding, buying, selling, or keeping animals for profit.

1.02 Dog License and Registration Required

All dogs kept, harbored or maintained by their owner in the Town of Highland shall be licensed and registered if over 6 months of age. Dog licenses shall be issued by the Town Treasurer or his/her designee upon payment of a license tax based on existing fees and certificate of vaccination.

The owner shall state, at the time of application upon printed forms provided for such a purpose, his or her name and address, the name, breed, color and sex of each dog owned or kept by him or her. The provisions of this section shall not be intended to apply to dogs whose owners are non-residents temporarily within the town, providing dog is licensed in another municipality and vaccinations are current. Nor, to "seeing eye" dogs properly trained to assist blind persons when such a dog is actually being used by blind persons for the purpose of aiding them in going from place to place.

Kennel License – Anyone maintaining a kennel shall have a Kennel license. The fee for a kennel license shall be \$10 per year, licenses to be renewed on the 31st day of December each year.

1.03 Care of Animals

Every animal owner shall treat his animals in a humane manner. No person may treat any animal, whether belonging to himself or another, in a cruel manner. This ordinance does not prohibit normal and accepted veterinary practices. No owner or person responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water.

- a) Food. The food shall be sufficient to maintain all animals in good health.
- b) Water. If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

1.04 Tag and Collar Required

Upon payment of the license fee, the Treasurer or designee shall issue to the owner an annual license certificate and a metallic tag for each dog so licensed, stamped with the year for which it was issued which corresponds with the number on the certificate. Each owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate will be issued by the Treasurer or designee without charge. Dog tags shall not be transferred from one dog to another, and no refunds shall be made on any dog license fee.

1.05 Running at Large Regulated

No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon private property in such a manner as to damage property, shall be deemed a nuisance with its owner subject to penalty as per Chapter 1.11.

1.06 Impounding

Unrestrained dogs may be taken by any law enforcement office, the Town Constable, Humane Society or any other person, and impounded and confined in a humane manner. Impounded dogs shall be kept for not less than seven (7) days unless reclaimed by their owners. If a dog may be identified by tag or otherwise, the Town Constable shall immediately notify the owner of the impoundment of the animal. Dogs not claimed by their owners within seven (7) days shall be transported to the Douglas County Humane Society or humanely disposed of by the Town Constable or an agency delegated by him to exercise that authority.

The Town Constable upon picking up any dog shall make a complete report, entering the breed, color and sex of each dog, whether licensed, and circumstances of pickup. Notwithstanding the provisions of this section, if an owner is known and located, such animal need not be impounded but may be taken to the owner. In such case, any pickup fee must be paid to the Town Constable

prior to release of the animal. All monies will be turned over to the Treasurer monthly and the Town Clerk will receive a copy of all reports monthly.

1.07 Notice to Owner and Redemption

Immediately upon the impounding of any dog, the owner shall be notified, or if the owner of the dog is unknown, written notice shall be posted for seven (7) days at the Town Hall and at one other place, describing the dog and the time of and place of taking. The owner of any dog so impounded may reclaim such dog upon payment of the license fee if unpaid, and all costs and charges incurred by the Town of Highland for impounding and maintenance of said dog. Charges shall be set at \$25 for the first offense, \$50 for the second offense, and \$200 for subsequent offenses. An impoundment fee of \$3 per day plus any additional costs incurred may be charged to the owner before the animal is released.

1.08 Disposition of Unclaimed or Infected Dog

It shall be the duty of the Town Constable to keep all dogs impounded for a period of seven (7) days. If at the expiration of seven (7) days from the date of notice to the owner or posting of notice, such dog shall not have been reclaimed, it may be destroyed. Any unlicensed dog required by law to be licensed, or any dog which is suffering from rabies, hydrophobia, mange or other infectious or dangerous disease shall not be released but may be forthwith destroyed.

1.09 Confinement of Certain Dogs

No dog of fierce, dangerous or vicious propensities and no female dog in heat, whether licensed or not shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running at large, it shall be taken up and impounded, and shall not be released except upon payment of fees as provided above. However, if a dangerous, fierce or vicious dog so found at large cannot be safely taken up and impounded, such dog may be slain by any law enforcement officer pursuant to Wisconsin State Statute 174.02.

1.10 Animals Prohibited

The Town Constable is authorized and instructed to keep all livestock, horses, cows, hogs, chickens, etc. off the public highways, town roads, public and private property within the corporate limits of the Town of Highland EXCEPT ON UNPLATTED OR OPEN AREAS WITH WRITTEN APPROVAL OF ADJACENT PROPERTY OWNERS AND APPROVAL OF THE TOWN BOARD. Any owner failing to comply shall be subject to penalties as per Chapter 1.11.

1.11 Penalty

Any person violating any of the provisions of this ordinance shall upon conviction, therefore, be subject to a forfeiture of not more than \$200.

1.12 Court Order to Kill a Dog

The Town of Highland may commence a civil action to obtain a judgment from a court ordering an officer to kill a dog pursuant to Wisconsin State Statute 174.02 (3). The court may grant the judgment if the court finds both the following:

a) The dog caused serious injury to a person or domestic animal on 2 separate occasions off the owner's property, without reasonable cause.

b) The owner of the dog was notified or knew prior to the 2nd injury, that the dog caused the first injury.

1.13 Immediate Action

No part of this ordinance is intended to prevent a town official or other person from intentionally killing a dog while being threatened with serious bodily harm where immediate action is necessary pursuant to Wisconsin State Statutes 174.01 (1).

Amended this 12th day of January, 2009.

Janice Johnson, Chairperson

Charles S. Khalar, Supervisor

Sherrie Craft, Supervisor
Town Clerk

Attested by: Nora Anne Moss,