

CARE, MAINTENANCE AND CONTROL OF DOGS, CATS AND PETS ORDINANCE

Section I. Title/Purpose. This Ordinance is entitled “Care, Maintenance and Control of Dogs, Cats and Pets Ordinance.” The purpose of this Ordinance is as follows:

To promote the safety, health and general welfare by regulating the care, maintenance and control of dogs, cats and pets in the Town of Shelby.

Section II. Adoption of Ordinance. The Town Board of the Town of Shelby hereby adopts the following

A. Definitions.

1. “Animals” shall mean any living vertebrate, domestic or wild, except a human being.
2. “Pets” shall mean any animal kept for pleasure rather than utility.

B. Licenses and Rabies Immunization. Every person who owns, keeps or harbors a dog or cat in the Town of Shelby above the age of three (3) months shall cause the dog or cat to be immunized against rabies and shall procure a license for said dog or cat in accordance with Wisconsin Statutes Section 174.05 and following. No dog or cat license shall be issued unless evidence is presented that the pet has a current rabies inoculation. The fee for such license shall be prescribed by La Crosse County, plus a Two Dollar (\$2.00) service charge to be made to the Town of Shelby, or such fee as determined by the Town Board.

C. Dog Collars and Cat Collars. The owners of all dogs and cats over three (3) months of age are hereby required to place and keep on said dogs and cats a collar bearing the name and address of the owner of said dogs and cats plainly stamped on said collar, with its license tag attached thereto. No person, except the owner or his agent, shall remove a dog or cat collar to which a dog tag or cat tag is affixed.

D. Limit of Dogs. No individual owner, or family unit living together, shall keep more than two (2) dogs over the age of three (3) months within a residential district; excepting, however, animal hospitals in which dogs are confined within a completely enclosed building. Any person may apply to the Town for this issuance of a license for a third dog over the age of three months. The applicant shall submit the form and pay the fee as prescribed by the Town Board. The Town board shall hold a hearing upon the application, and shall consider the evidence presented in favor and against the issuance of the license. After consideration of the evidence presented, if the Board determines that the issuance of a license is not against the public interest and does not interfere with the safety, health and general welfare of the community, the license may be issued to the applicant, in the Board's discretion. The applicant must re-apply in accordance with the provisions of this Section for each subsequent renewal of the license for the third dog. The burden is upon the applicant to show that re-issuance of the license meets the requirements of this Section.

E. Care of Pets.

1. All pets in the Town of Shelby shall be cared for, maintained and handled in a sanitary manner and so as to prevent undue and excessive barking, howling or other noises constituting a disturbance of the peace and quiet of the neighborhood.
2. No person shall deposit or cause to be deposited in or on any public street, water or ground, or in any other place, any dead animal, garbage, filth, offal or substance that will tend to contaminate the area, or to create a strong odor or nuisance, or to endanger public health or safety. Owners of pets are to clean up after their pets.

F. Control of Pets.

1. All pets in the Town of Shelby shall be confined to the premises of the owner at all times, provided, however, that any pet may lawfully be taken from the premises of the owner if under the control of its owner, any member of the owner's family or any adult person by means of a leash, chain or rope.
2. Section II.F.1, above, shall not apply to working farm dogs, or dogs while being lawfully used for hunting purposes.

G. Impoundment of Animals.

1. Unrestrained animals, including dogs, cats and other pets, may be taken by any police officer and impounded at the La Crosse County Humane Society and there confined in a humane manner. Impounded animals shall be kept for not less than seven (7) days. The only exception shall be if the animal is claimed by the owner, or a veterinarian determines that the animal's suffering cannot be prevented while waiting for an owner to be identified. If by a license tag, or other means, the owner can be identified, the La Crosse County Humane Society staff shall, within forty-eight (48) hours, Sundays and holidays excepted, notify the owner by telephone or mail of the impoundment of the animal.

2. Animals not claimed by their owners within five (5) days shall be deemed as being surrendered to, and may be disposed of by, the La Crosse County Humane Society in a humane manner and the original owner shall have no further claim against such animal. Unclaimed animals shall be made available for adoption to suitable new homes. Those dogs and cats not placed in suitable new homes after a reasonable length of time, or those animals deemed as being unsuitable for adoption, shall be humanely euthanized by the La Crosse County Humane Society or by an agency delegated by the La Crosse County Humane Society to exercise that authority.

3. The owner of any animal, which has been impounded as a result of being at large or stray, shall pay a reclaiming fee in order to regain possession of their animal. This fee shall be set by the La Crosse County Humane Society and shall cover all costs involved in the pickup and impounding of such animal. The owner is responsible for the cost specified in this paragraph even if not reclaimed. The costs assessed pursuant to this Section G.3 are in addition to any penalties pursuant to Section III.

4. The La Crosse County Humane Society shall collect the Township redemption fees and fees for animal control.

5. Animals being retained by the La Crosse County Humane Society shall have a proper La Crosse County license and a current rabies vaccination tag or the owner shall secure a proper license and rabies vaccination. The owner shall show proof that they have secured such license and rabies tag to the La Crosse County Humane Society within seven (7) days

after the animal's release. Failure to show to the La Crosse County Humane Society that the owner has obtained such a license and rabies tag within five (5) working days would be a violation of this section. If the owner cannot show proof of a current rabies vaccination, the owner shall show a receipt from a licensed veterinarian for prepayment of a rabies inoculation before the dog or cat may be released.

H. Animal Bites.

1. The owner of any dog, cat or other animal which has bitten any person shall, upon demand of the Town Police Officer or La Crosse County Health Department, produce and surrender up such dog, cat or other animal to be held in quarantine for a minimum of ten (10) days. During quarantine, the animal shall be securely confined and kept from contact with any other animal. The animal shall be examined by a licensed veterinarian within twenty-four (24) hours of the bite incident. All dog, cat or other animal bites of humans shall be immediately reported to the La Crosse County Health Department.

a. An animal which does not have a current anti-rabies vaccination, must be quarantined at a veterinary hospital of the owner's choice for a period of ten (10) days. Charges for boarding of such animal during the quarantine period shall be assumed by the owner of such animal. If the owner is unwilling or unable to arrange a veterinary clinic quarantine, the animal will be ordered to impounding by the Town Police Officer and will be held at the designated County holding facility. No owner shall fail to produce and surrender any animal pursuant to his section.

b. The animal which has a current anti-rabies vaccination may, at the discretion of the La Crosse County Health Department, be held in quarantine on the premises of the owner for a period of ten (10) days. Failure on the part of the owner to obey all condition and direction of the La Crosse County Health Department pertaining to the quarantine period, shall result in the immediate impoundment of the animal in a veterinary hospital for the remainder of the quarantine period. Charges for boarding such animal shall be paid by the owner prior to the animal's release. The owner shall return proof of release from the

quarantine within seven (7) days of the end of the quarantine.

2. An animal, which unprovoked, attacks two (2) other animals or bites two (2) persons off the owners property, shall, by this action, be deemed as being of a vicious disposition, and the Township may pursue a court order for the destruction of the animal.

3. The owner of any dog, cat or other animal which has contracted rabies, been subjected to same or is suspected of having rabies, shall immediately notify the Town Police Officer or La Crosse County Health Department. The owner shall produce or surrender such animal to the Town Police Officer, or be held in quarantine at a veterinary hospital for a period needed by the veterinarian to determine if it is rabid. The owner shall assume the charge for boarding such animal during the quarantine period.

4. No person shall knowingly harbor or keep any animal infected with rabies or any animal knows to have been bitten by a rabid animal, or fail to report to the Town Police Officer or La Crosse County Health Department the existence of an animal which they know to be so infected.

5. No person shall fail to produce and surrender any animal pursuant to the section. The Town Police Officer or the La Crosse County Health Department shall have the authority to impound such animal.

Section III. Enforcement and Penalties. Any person violating this Ordinance shall be subject to a forfeiture of Forty Dollars (\$40.00).

Section IV. Severability. The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the provision of this Ordinance irrespective of whether one or more provisions may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

ORDINANCE 2.09

Section V. Effective Date. This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 22, 2010

Lynnetta P. Kopp, Town Chair

Randall R. Knapp, Town Supervisor

John O. Zahn, Town Supervisor

ATTEST:

Catherine Brott, Town Clerk