

## **DOG ORDINANCE**

An ordinance regulation and licensing of dogs for the government and good order of the Town of Eaton, Brown County, Wisconsin, and for the preservation of the public health;

Be it ordained by the Town Board of the Town of Eaton, Brown County, Wisconsin:

### **SECTION I LICENSE REQUIRED**

- (a) It shall be unlawful for any person in the Town of Eaton to own, harbor, or keep any dog more than six months of age without complying with the provisions of Section 174.10, Wisconsin Statutes, relating to the listing, licensing, and tagging of the same.
- (b) The fact that a dog is without a license attached to a collar shall be presumptive evidence that the dog is unlicensed. No action shall be maintained for an injury to or the destruction of a dog without a tag unless it shall appear that a tag has been properly attached to the collar of the dog and has been lost or removed without the knowledge of the owner.
- (c) The Pound Master or Constable or a duly authorized humane society officer shall seize, impound, or restrain any dog found running at large; any such officer shall enter the premises of the owner to seize, restrain, impound, or kill any dog found in any place without a license.

### **SECTION II DEFINITIONS**

In this section, unless the context or subject matter otherwise require:

- (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 it 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" means to be off the premises of the owner and not under the control of some person, either by leash or otherwise, but a dog within an automobile of its owner or in an automobile of any other person with the consent of the dog's owner shall be deemed to be upon the owner's premises.

**SECTION III  
RESTRICTIONS ON KEEPING DOGS**

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

- (a) Habitually pursues any vehicle upon any public street, alley, or highway of the Town.
- (b) Assaults or attacks any person.
- (c) Is at large within the limits of the Town.
- (d) Habitually barks or howls to the annoyance of any person or persons.
- (e) Kills, wounds, or worries any domestic animals.
- (f) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.

**SECTION IV  
DUTY OF OWNERS IN CASES OF DOG BITE**

Every owner or person harboring or keeping a dog, who knows that such dog has bitten any person, shall immediately report such fact to the Health Officer and shall keep such dog confined for not less than 14 days or for such period of time as the Health Officer shall direct. The owner or keeper of any such dog shall surrender the dog to the Health Officer or any Town police officer upon demand for examination.

**SECTION V  
LIMITING NUMBER OF DOGS ON RESIDENTIAL OR AGRICULTURAL LOT**

- (a) The keeping of a large number of dogs in a residential or agricultural district for a considerable period of time detracts from and, in many instances, is detrimental to the healthful and comfortable life for which such areas were created. The keeping of a large number of dogs is, therefore, declared to be a public nuisance.
- (b) "Dog" shall mean any canine, regardless of age or sex.
- (c) "Residential lot" shall mean a parcel of land zoned as residential or agricultural, occupied or to be occupied by a dwelling, platted or unplatted, and under common ownership. For the purpose of this ordinance, any vacant parcel or

parcels adjoining a dwelling and under the same ownership shall constitute one lot.

- (d) No person shall own, harbor, or keep in his possession more than three (3) dogs on any lot zoned as residential or agricultural, with the exception that a litter of pups or a portion of a litter may be kept for a period of time not exceeding eight (8) weeks from birth. If more than one family resides on any particular lot, then the party exceeding the limitation imposed by this ordinance is in violation thereof.
- (e) Any person with more than three (3) dogs on any lot zoned as residential or agricultural land must have a kennel license which must be obtained from the Town Board.
- (f) The provisions of Wisconsin Statutes Section 174.06 shall apply to licensing of kennels. The annual license tax shall be \$20.

#### **SECTION VI PENALTY**

(a) Any person, firm, or corporation who shall violate any provision of this ordinance shall be punished by a forfeiture of not less than \$10 nor more than \$25, and upon failure to pay said forfeiture shall be confined to the county jail for not more than five (5) days.

(b) Any person, firm, or corporation found guilty of violating any provisions of this ordinance, who shall previously have been convicted of a violation of said ordinance, shall, upon conviction thereof, forfeit not less than \$10 nor more than \$200 for each such offense, together with the costs of prosecution, and in default of payment of forfeiture and costs shall be imprisoned in the county jail until said forfeiture and costs of prosecution are paid, but not to exceed six (6) months.

#### **SECTION VII**

This ordinance shall take effect upon its passage and publication according to law.