

Keeping of Dogs

AN ORDINANCE REPEALING AND RECREATING CHAPTER 2 OF THE TOWN OF RUTLAND CODE OF ORDINANCES RELATING TO THE KEEPING OF DOGS.

The Town Board of the Town of Rutland does ordain as follows:

SECTION 1. Chapter 2 of the Town of Rutland Code of Ordinances as enacted by Ordinance No. 96-08 is hereby repealed and recreated to read as follows:

CHAPTER 2 – KEEPING OF DOGS

(1) JURISDICTION. Any Animal Control Officer as defined in this chapter shall have the power to issue citations for violations of this chapter.

(2) DEFINITIONS. As used in this chapter, the following words have the meanings indicated:

(a) “Animal Control Officer” means the Town Constable and any other person appointed as an Animal Control Officer by the Town Board.

(b) “Animal Shelter” means the shelter facilities of the Dane County Humane Society or any other holding facility lawfully established as an impoundment area for stray, abused and unwanted animals.

(c) “Humane Officer” means any employee of the Dane County Humane Society, designated by the County Executive as a humane officer.

(d) “Owner” means any person who owns, harbors or keeps a dog.

(3) RABIES CONTROL

(a) The owner of a dog shall have the dog vaccinated against rabies by a veterinarian at the times required by §95.21, Wis. Stats. and acts amendatory thereto.

(b) The owner of the dog shall attach a rabies vaccination tag to the dog in the manner and at the times required by §95.21, Wis. Stats.

(c) The owner of any animal which is suspected of having bitten a person, of being infected with rabies or of having had contact with a rabid animal, or any other person having such information shall report that fact as soon as possible to the Animal Control Officer.

(d) The owner of any dog which is suspected of biting a person, of being infected with rabies or of having been in contact with a rabid animal shall obey the lawful orders of any Humane Officer quarantining the dog pursuant to the authority of §95.21, Wis. Stats.

(e) No person shall remove any quarantined animal from isolation without the express written consent of a Humane Officer.

(4) DOG LICENSING

(a) Every owner of a dog over 5 (five) months of age shall obtain a dog license for the dog as required by state statute.

(b) The owner of a dog shall securely attach the tag which is furnished at the time of issuance of the dog license to a collar which, in turn, shall be kept on the dog at all times, except when provided otherwise by §174.07, Wis. Stats.

(5) OWNERS TO CONTROL DOGS

(a) An owner of a dog shall not permit the dog to run at large. A dog is considered to be running at large if it is off the premises of its owner and not under the direct and effective control of the owner or some other person.

(b) An owner of a bitch during its heat period shall confine the dog so as to completely limit access by unneutered male dogs, unless the owner introduces a male dog into the area solely for breeding purposes.

(6) STRAY DOGS AND IMPOUNDMENT

(a) Dogs running at large or untagged dogs are subject to impoundment. Any Animal Control Officer shall attempt to capture and restrain any dog running at large and any untagged dog.

(b) Any bitch in heat not confined so as to completely limit access by unneutered male dogs may be impounded by any Animal Control Officer.

(c) Any person who capture an untagged dog or any dog running at large shall immediately notify an Animal Control Officer.

(d) Any offending dog impounded by an Animal Control Officer shall be promptly delivered to the Humane Society.

(e) If the person who owns or harbors the offending dog can be reasonably ascertained, said individual shall be notified in person or by United States mail that said dog is impounded.

(f) If such person owning the impounded dog cannot be ascertained, then the Animal Control Officer shall post written notice within 48 hours after said impoundment in 3 (three) conspicuous places in the Town of Rutland.

(7) KEEPING OF VICIOUS DOGS PROHIBITED

No person shall keep or harbor a dog of vicious disposition. A dog shall be deemed to be of a vicious disposition if, within any 12 month period, it intentionally causes physical injury to any person or persons on 2 (two) or more occasions, or inflicts serious injury to any 1 (one) person, in unprovoked circumstances. A dog shall also be deemed to be of vicious disposition if it intentionally inflicts serious injury on any other domesticated animal off the premises of the dog's owner.

(8) KEEPING OF BARKING DOGS PROHIBITED

(a) No person, firm or corporation owning, renting, leasing, operating, having charge of, or occupying any building or premises shall keep or allow to be kept any dog

which shall habitually by any noise disturb the peace and quiet of any person in the vicinity thereof.

(b) A dog shall be deemed as habitually disturbing the peace and quiet of persons within the vicinity if the dog is found to have caused unnecessary noise on at least two occasions within any 30 (thirty)-day period which resulted in one or more complaints from a total of 3 (three) or more separate complainants.

(c) No person, firm or corporation shall be found to be in violation of this section unless first notified by an Animal Control Officer of one or more complaints prior to the incident resulting in the complaint which forms the basis for the issuance of a citation or summons.

(9) PUBLIC NUISANCE DECLARED.

Any dog kept in violation of §§(3)(a), (d), (e), (5)(a), (6)(a), (8)(a) or (10) of this chapter is hereby declared to be a public nuisance, and any Animal Control Officer may take any action authorized by law to abate the nuisance.

(10) NUMBER LIMITED. (a) No owner or occupant of any parcel of land of less than two (2) acres shall keep, or allow to be kept, thereon more than three (3) dogs at any time. The limitation in this section shall not apply to:

1. Dogs currently licensed on the effective date of this chapter; or
2. Dogs less than twelve (12) weeks of age.

(b) No kennel license shall be issued for any property other than those permitted to operate a kennel pursuant to the applicable zoning district regulations and any conditional use permit required under the applicable ordinances.

SECTION 2. EFFECTIVE DATE

This ordinance shall take effect on the day after its enactment and publication as provided by law.

SECTION 3. SEVERABILITY. The various sections, subsections, paragraphs, sentences and clauses of this chapter are intended to be severable. In the event that any such provision shall be determined to be invalid or unenforceable, it is intended that all remaining provisions of this chapter shall continue in full force and effect.

The above and foregoing ordinance was duly adopted by the Town Board of the Town of Rutland at a regular meeting held on the 3rd day of January, 2007

APPROVED:

S/Dale Beske
Dale Beske, Chairman

ATTESTED TO:

S/Dawn George
Dawn George, Clerk