

**TOWN OF PINE LAKE
ONEIDA COUNTY
ORDINANCE #2**

ANIMAL ORDINANCE

THE TOWN BOARD OF THE TOWN OF PINE LAKE, ONEIDA COUNTY,
WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1. ANIMALS TO BE LICENSED. Every owner of a Dog more than (5) months of age on January 1, or five (5) months of age within the license year, shall annually or within thirty (30) days from the date such animal becomes five (5) months of age, at the time and in the manner provided by law for the payment of personal property taxes, pay an animal license tax and obtain a license therefore.

SECTION 2. DEFINITION. "Owner" means every person who owns, harbors or keeps an Animal.

SECTION 3. LICENSES FEES. The annual license fee shall be \$5.00 for each neutered male dog and spayed female dog and \$8.00 for each unneutered male dog and unsprayed female dog. The Town Treasurer shall assess and collect an additional \$5.00 from every owner who fails to obtain a license prior to April 1, or within thirty (30) days of acquiring ownership of a licensable dog or cat or where such owner has failed to obtain a license within thirty (30) days after a dog has reached licensable age.

SECTION 4. STATE LAW ADOPTED. The provisions of Chapter 174, Wisconsin Statutes, so far as applicable, are adopted by reference and made a part of this Code.

SECTION 5. CERTAIN ANIMALS PROHIBITED. No person shall own, harbor or keep any animal which:

A. Habitually pursues any vehicle upon any public street, road, alley or highway in the Town.

B. Assaults or attacks any person.

C. Runs at large within the limits of the Town. An animal shall be deemed to be running at large when it is on any public street, road or alley or on any premise other than its owners, unless such animal is under the complete control, within the immediate presence of, or is securely attached to a leash no longer than twelve (12) feet held by the owner or a competent and properly qualified servant or member of his family.

D. In the case of an unsprayed female animal over nine (9) month of age, during the periods of oestrus is not confined inside of a building, or securely attached to a leash not longer than twelve (12) feet held by the owner or a competent and property qualified servant or member of this family.

E. Creates a public or private nuisance.

SECTION 6. ANIMALS INFECTED WITH HYDROPHOBIA.

A. The Town Constable or health officer may kill or impound any animal which he believes, from the appearance or conduct of such animal, to be infected with the disease known as hydrophobia or rabies.

B. Any person who shall suspect that any animal is infected with hydrophobia or rabies shall report his or her suspicion to the Town Constable or health authorities, describing the animal and giving the name of the owner, if known. Any such animal shall, upon the demand of the Town Constable or health officer, be delivered to such officer. If upon examination by the health authorities the animal shall prove in fact to be infected with said disease, the animal may be killed by any such officer.

C. No person shall knowingly harbor or keep any animal infected with hydrophobia or rabies shall fail to report to the Town Constable or health authorities the existence of an animal which he or she knows to be infected with hydrophobia or rabies.

SECTION 7. ANIMALS WHICH BITE PERSONS. Every owner or keeper of an animal and every other person who knows that an animal has bitten any person shall immediately, in writing, report such fact to the Town Constable or health officer, and such owner or keeper shall immediately confine said animal for a period of at least fourteen (14) days thereafter and shall not release such animal except with the written approval of the health officer. Any such animal shall be surrendered to the Town Constable or health officer upon demand.

SECTION 8. UNLICENSED ANIMALS. No unlicensed animal shall run at large, and any person may seize or impound any such unlicensed animal found at large, and the fact that an animal is without proper license tag attached to its collar shall be presumptive evidence that it is unlicensed.

SECTION 9. PAYMENT OF COST OF IMPOUNDING ANIMAL. The possession of any animal impounded or seized may be obtained by purchasing the requisite animal license and for paying all costs which the Town has incurred while impounding said animal.

SECTION 10. PENALTIES. Any person who shall violate any of the provisions of this ordinance, shall, upon conviction of such violation, be subject to a penalty, which shall be as follows:

A. **FIRST OFFENSE:** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$100.00 together with the costs of prosecution.

B. **SECOND OFFENSE:** Any person found guilty of violating this ordinance, who shall have previously been convicted of a violation of the same provision of said ordinance shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$200.00 for each such offense, together with the costs of prosecution.

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SECTION 11. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, publication and posting as provided by law.

Offered in Passage By: Timothy Oestreich

Seconded by: Brian Gehrig

Passed at a regular Town Board Meeting held Jan, 17, 2008.

Richard Hunter
Richard Hunter Chairman

James G. Berard
James Berard, Supervisor

Brian Gehrig
Brian Gehrig, Supervisor

Tammy Flory
Tammy Flory Supervisor

Timothy K. Oestreich
Timothy Oestreich, Supervisor

Filed in the Office of Town Clerk

This 17th day of
January, 2008

Charles F. Wittrock
Charles F. Wittrock, Clerk