

**ORDINANCE # 12.08**

**ORDINANCE REPEALING AND RECREATING § 12.08 (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) & (13) OF THE CODE OF THE VILLAGE OF GRESHAM, SHAWANO COUNTY, WISCONSIN**

**BE IT ORDAINED**, by the Village Board of the Village of Gresham, Shawano, County, Wisconsin, that 12.08 of the Municipal code of the Village of Gresham are here by repealed and recreated to read as follows:

**12.08 REGULATION AND LICENSING OF DOGS/CATS.** (1) **DOG/CAT LICENSES REQUIRED.** It shall be unlawful for any person in the Village to own, harbor or keep any dog/cat more than 5 months of age without complying with the provisions of this section and §§ 174.05 through 174.10, Wis. Stats., relating to the listing, licensing and tagging of same.

(2) **LICENSE FEE.** The license fee for a dog/cat shall be as follows:

- (a) *Unneutered Male Dog/Cat*                      \$10.00
- (b) *Unsprayed Female Dog/Cat*                      \$10.00
- (c) *Neutered Male Dog/Cat*                      \$ 5.00
- (d) *Spayed Female Dog/Cat*                      \$ 5.00

In the event a dog/cat becomes 5 month of age after July 1, ½ of the appropriate fee shall be charged.

(3) **LATE FEES.** The Village Clerk shall assess and collect a late fee of \$5 from every owner of a dog/cat 5 months of age or older if the owner failed to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of a licensable dog/cat, or if the owner failed to obtain a license before the dog/cat reached licensable age.

(4) **KENNEL LICENSE OPTION.** The owners of kennels may opt to pay a kennel license fee of \$35 for a kennel of 12 dogs or less plus \$3 for each dog in excess of 12 in lieu of the fees provided in sub. (2) above and the Village Clerk shall issue tags for each dog owned by the kennel owners. No kennel may be located in a residential district.

(5) **RABIES VACCINATION REQUIRED.** It shall be unlawful for any person to keep a dog/cat in the Village which is over 5 months of age and has not received a rabies vaccination as required by §95.21 (2), Wis. Stats. No dog/cat license shall be issued until a certificate of rabies vaccination issued by a veterinarian has been presented. A rabies vaccination tag shall be attached to the collar of all licensed dogs/cats at all times, except as provided in §95.21 (2)(f), Wis. Stats.

(6) **DEFINITIONS.** In this section, unless the context of subject matter otherwise require, the terms used shall be defined as follows:

(a) *Owner.* Any person owning, harboring or keeping a dog/cat and the occupant of Any premises on which the dog/cat remains or to which it customarily returns daily for a period of 10 days is presumed to be harboring or keeping the dog/cat within the meaning of this section.

(b) *At Large.* A dog/cat which is off the premises of the owner and not under the control of some person competent to handle the animal either by leash or otherwise, but animal with an automobile of any other person with the consent of the animal's owner shall be deemed to be upon the owner's premises.

(c) *Kenel*. Any establishment where in dogs are kept for the purpose of breeding, sale or sporting purposes.

(7) **RESTRICTIONS ON KEEPING OF DOGS/CATS.** It shall be unlawful for any person within the Village to own, harbor or keep any dog/cat which:

(a) Habitually pursues vehicles upon any street, alley or highway.

(b) Molests passerby or assaults or attacks any person with provocation.

(c) Is at large within the limits of the Village.

(d) Habitually barks or howls to the annoyance of any person or persons. This paragraph shall not apply to hospitals conducted for the treatment of small animals or to the premises occupied or used by the Village Pound.

(e) Kills, wounds or worries any domestic animal

(8) **DOG/CAT RUNNING AT LARGE AND UNTAGGED DOGS/CATS.** (a) *Dogs/cats running at large.* A dog/cat is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person, as defined in sub. (6) (b) above.

(b) *Untagged Dogs/Cats.* A dog/cat is considered to be untagged if a valid license tag is not attached to a collar which is kept on the dog/cat whenever the dog/cat is outdoors unless the dog/cat is securely confined in a fenced area.

(c) *Dogs/Cats Subject to Impoundment.* Police officers or other officers appointed by the Village Board shall attempt to capture and restrain any dog/cat running at large and any untagged dog/cat.

(d) *Penalties.* If the owner of a dog or cat, negligently or otherwise, permits the dog or cat to run at large, or permits a dog/cat to be untagged, the owner shall forfeit \$10 for the first offence and \$20 for subsequent offenses.

(9) **DUTY TO REPORT ANIMAL BIT.** Every person, including the owner or person harboring or keeping a dog/cat or other animal, who knows that such animal has bitten any person shall immediately report such fact to the Police Department.

(10) **QUARANTINE OR SACRIFICE OF ANIMALS SUSPECTED OF BITTING A PERSON OR BEING INFECTED WITH RABIES.** (a) *Quarantine or Sacrifice of Animal.* The County Health Officer or a police officer may order a dog/cat or other animal quarantined if he has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If a quarantine cannot be imposed because the animal cannot be captured, the officer may kill the animal. The officer may kill an animal only as a last resort or if the owner agrees. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.

(b) *Quarantine Order.* If a quarantine is ordered, the owner of the dog/cat shall be subject to the provisions of §95.21 (5), (6) and (8), Wis. Stats.



(11) **SETTING ANIMALS AT LARGE PROHIBITED.** No person shall open any door or gate of any private premises for the purpose of setting any dog, cat or other animal at large, including the owner of such animal.

(12) **IMPOUNDING AND DISPOSTION OF DOGS.** (a) *Impounding of Dogs/Cats.* A police officer or other person restraining a dog running at large shall take such animal to a pound designated by the Village Board. The keeper of the Pound shall attempt to identify the dog/cat and notify the owner and shall keep a public record of all such dogs/cats impounded.

(b) *Release of Dog/Cat to Owner or Representative.* The keeper of the Pound may release the dog/cat to the owner or his representative if the owner or representative:

1. Gives his name and address and present identification verifying same.
2. Presents evidence that the dog/cat is licensed and vaccinated against rabies.
3. Pays the dog's/cat's service fee of \$25.

(d) *Release of Dog/Cat to Person Other Than Owner.* If the owner of the dog/cat is unknown or does not reclaim the dog/cat within 7 days, the keeper of the Pound may release the dog/cat to a person other than the owner if such person:

1. Gives his name and address and presents identification verifying same.
2. Signs a statement agreeing to license the dog/cat and have the dog/cat vaccinated against rabies.

(13) **PENALTIES.** In addition to other penalties provided in this section, the following penalties and imposed.

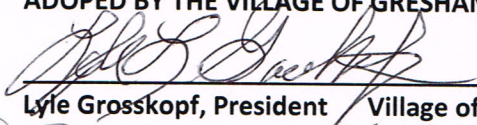
(a) *Failure to Obtain Rabies Vaccination.* A. dog/cat owner who fails to have a dog/cat vaccinated against rabies, as provided in this section, shall upon conviction, forfeit not less than \$50 nor more than \$100.

(b) *Refusal to Comply With Quarantine Order.* An owner of a dog ,cat or other animal who refuses to comply with an order issued under the section to deliver the animal to a police officer, the pound designated by the Village Board, or veterinarian or who does not comply with the conditions of an order that the animal be quarantined, shall, upon conviction, forfeit not less than \$100 nor more than \$500.

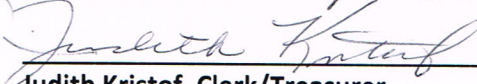
**12.09 KEEPING OF VICIOUS DOGS** (1) **DEFINITIONS.** The terms used in this section are defined as follows:

(a) *Vicious Dog.* 1. Any dog or hybrid dog with a propensity, tendency or disposition to attack, assault, cause injury or otherwise endanger the safety of human beings or other domestic animals as evidenced by its habitual or repeated chasing or snapping, or barking and/or snarling in a threatening manner.

**ADOPTED BY THE VILLAGE OF GRESHAM, VILLAGE BOARD THE 14<sup>TH</sup>. DAY OF NOVEMBER, 2017**

  
Lyle Grosskopf, President Village of Gresham

11-14-17  
Date

  
Judith Kristof, Clerk/Treasurer

11-14/2017  
Date