

\$0.20
original

**ORDINANCE
RELATING TO DOG CONTROL
TOWN OF ELBA**

The Town Board of Supervisors of the Town of Elba, Dodge County, Wisconsin, does ordain as follows:

SECTION 1 - TITLE

This ordinance shall be named the Dog Control Ordinance.

SECTION 2 - DEFINITIONS

In this ordinance, unless the context or subject matter requires otherwise, the following definitions shall be applicable:

- a. "Owner" shall mean any person owning, harboring or keeping a dog. The occupant of any premises on which a dog remains or to which the dog customarily returns daily for a period of ten (10) days is presumed to be harboring or keeping a dog within the meaning of this section.
- b. "At large" shall mean to be off the premises of the owner and not under the control of some person either by leash or physical means of restraining a dog, but a dog within an automobile of its owner or in an automobile of any person with the consent of the dog's owner shall be deemed to be upon the owner's premises.
- c. "Officer" shall mean a designated officer appointed by the Town Board of the Town of Elba to enforce this ordinance.

SECTION 3 - GENERAL LICENSING OF DOGS

It shall be unlawful for any person in the Town of Elba to own, harbor or keep any dog more than 5 months of age without complying with Sec. 174.05 Wisconsin Statutes.

The collecting official shall assess and collect a late fee of \$10 from every owner of a dog five (5) months of age or over if the owner fails to obtain a license prior to April 1 of each year.

Out of the dog license tax, the collecting official shall receive \$.50 for each dog tag issued.

SECTION 4 - RESTRICTIONS ON KEEPING OF DOGS

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

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

known by the owner to be infected with rabies, and such owner fails to quarantine the dog as required by Section 95.2, Wisconsin Statutes.

SECTION 5 - INCORPORATION OF RABIES CONTROL PROGRAM

Sec. 95.21 of the Wisconsin Statutes is hereby incorporated by reference and made a part of this ordinance.

SECTION 6 - PENALTY

Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than Fifty dollars (\$50.00) nor more than Two Hundred Dollars (\$200.00) together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until costs and forfeitures are paid, but not exceeding thirty (30) days. Each violation and each day a violation continues or occurs shall constitute a separate offense. The owner of any dog which is picked up by the Town for being in violation of provisions of Section 4, shall reimburse the Town for any expense of pick up and kenneling incurred by the Town.

SECTION 7 - EFFECTIVE DATE OF ORDINANCE

This ordinance shall take effect upon publication and posting as provided by law.

SECTION 8 - LISTING and COLLECTING OFFICIAL

The Town hereby designates the elected Treasurer as the listing and collecting official pursuant to Sec. 174.06 and 174.065, Wisconsin Statutes.

The foregoing ordinance was adopted at a regular meeting of the Town Board on the 18 day of January, 1999.

Russell A Farr Chairman
Russell A. Farr, Chair

Donald M. Lee
Donald Lee, Supervisor

Allan Link
Allan Link, Supervisor

Attest: Fay M. Pergande
Fay Pergande, Clerk