

TOWN OF LAFAYETTE
DOG AND KENNEL LICENSING
ORDINANCE 10 - 06

The Town Board of the Town of LaFayette, Walworth County, Wisconsin does hereby ordain as follows:

SECTION 1.0 PURPOSE

The purpose of this ordinance is to promote and protect the health, safety and welfare of the members of the community, to protect the citizens from the ravages and damages caused by dogs, particularly those owned by people who fail to respect the rights of others and to regulate by tag and penalty the care, treatment and control of dogs in the Town of LaFayette.

SECTION 2.0 AUTHORITY

This ordinance is enacted pursuant to the authority set forth in § 174.05 through 174.10, WI Statutes.

SECTION 3.0 DEFINITIONS

- A. "Owner" shall mean any person owning, harboring or keeping a dog or any person occupying any premises on which a dog remains or to which it customarily returns daily for a period of ten (10) days.
- B. "Dog" shall mean any canine, regardless of age or sex.
- C. "Altered" as used herein as describing a dog shall mean a dog having nonfunctional reproductive organs.
- D. "Non-altered" as used herein as describing a dog shall mean a dog having functional reproductive organs.
- E. "Law Enforcement Officer" or "Officer" has that meaning as appears in § 967.02(5), WI Statutes, and includes a humane officer appointed under § 173.03, WI Statutes., but does not include a conservation warden appointed under § 23.10, WI Statutes.

SECTION 4.0 RABIES VACCINATION

The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within thirty (30) days after the dog reaches five (5) months of age and revaccinated upon expiration of the immunization. If the owner obtains the dog or brings the dog into the Town after the dog has reached five (5) months of age, the owner shall have the dog vaccinated against rabies within thirty (30) days after the dog is brought into the Town unless the dog has been vaccinated as evidenced by a current Certificate of Rabies Vaccination by a licensed veterinarian before the date of that immunization expires as stated on the certificate. The certificate of vaccination shall meet the requirements of § 95.21(2), WI Statutes.

SECTION 5.0 LICENSE REQUIREMENTS

It shall be unlawful for any person in the Town to own, harbor or keep any dog more than five (5) months of age on January 1 of any year, or five (5) months of age without complying with the

provisions in § 174.05 through 174.10, WI Statutes, relating to the listing, licensing and tagging of the same.

- A. Certificate of Rabies Vaccination. Every owner or keeper of a dog more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year, shall annually apply for a license for said dog. No license shall be issued unless a current Certificate of Rabies Vaccination accompanies the license application.

Current Certificate of Rabies Vaccination shall include:

1. Veterinarian's name and address
 2. Dog owner name and address
 3. Dog name
 4. Dog sex and status: altered or non-altered
 5. Dog breed and color
 6. Date of vaccination
 7. Type of rabies vaccination administered with the manufacturer's serial number
 8. Expiration date of immunization as specified for that type of vaccine by the Center for Disease Control of the US Department of Health and Human Services
- B. Cost. Fees for dog licenses and late fees will be adopted by resolution and a copy kept on file with this ordinance. The license year shall commence January 1 and end December 31. Fees will be different for altered and non-altered dogs. All fees will be paid by the owner.
- C. Late Fees. Assessment will be made for each license beginning April 1 of each year for each dog whose owner resided in the Town before April 1, but did not apply for a license before that date.
- D. Tag Issuance. Upon payment of the required license fee and upon presentation of evidence that the dog is currently immunized against rabies, the Town treasurer shall complete and issue to the owner a license for such dog containing all information required by state law. The Town treasurer shall also deliver to the owner at the time of issuance of the license, a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year.
- E. Failure to License Dog. The failure to license a dog determined to be owned by a resident of the Town of LaFayette is subject to a forfeiture of not less than ten dollars (\$10) and no more than one-hundred dollars (\$100).
- F. Tags to be Attached. The owner shall security attach the tag to a collar and the collar with the tag attached shall be kept on the dog for which the license is issued at all times. This requirement does not apply to a dog during competition or training, to a dog securely confined indoors or to a dog securely confined in a fenced area, law enforcement officer dogs or other authorized personnel and in location of lost or missing persons. The owner of the dog(s) holds the Town harmless while the dog is under exemptions listed in this paragraph. A dog without a license tag attached to its collar shall be presumptive evidence that the dog is unlicensed. Any enforcement agency or humane officer may seize, impound or restrain any dog for which a dog license is required which is found without such tag attached.

- G. Duplicate Tag. If the dog license tag is lost within the year it was issued, the Town treasurer will replace the tag at no charge to the owner upon application. A new license will be issued bearing the number of the new tag and records will be updated.
- H. Dogs for the Blind and Deaf Exempt. Every dog specially trained to lead blind or deaf persons is exempt from the dog license fee and annually upon application; such dogs shall be issued a free dog license from the Town. Proof of exemption must be supplied with annual application.
- I. Number of Dogs Limited. No occupants of any property shall own, harbor or keep in its possession more than four (4) dogs, except:
 - 1. A litter of pups or a portion of a litter may be kept for not more than twelve (12) weeks from birth.
 - 2. An occupant and premises have been approved to operate as a kennel under the Walworth County Zoning regulations. Proof of such approved zoning and/or conditional use must be filed with the Town treasurer.
- J. Change in Ownership. If there is a change in ownership of a licensed dog or kennel during the license year, the new owner may have the current license transferred to his name upon payment of a transfer fee as adopted by resolution of the Town Board.
- K. License for Single Animal Only. No person shall use for any animal a license receipt or license tag issued for another animal.

SECTION 6.0 KENNEL LICENSES

Any person who keeps or operates an approved kennel as described in Section 5.0 I.2., shall apply for a kennel license. Each dog in the kennel must comply with the rules as set forth in this ordinance in Section 5.0.

SECTION 7.0 FEES

Fees for dog licenses, kennel licenses and late fees will be adopted by resolution and a copy kept on file with this ordinance. The license year shall commence January 1 and end December 31. Late fees will be assessed beginning April 1 of each year for each dog whose owner resided in the Town before April 1, but did not apply for a license before that date.

SECTION 8.0 DOGS NOT TO RUN AT LARGE

No owner of any dog shall permit such a dog to run at large.

SECTION 9.0 HARBORING CERTAIN DOGS PROHIBITED

No person shall own, harbor or keep any dog which:

- 1. Habitually pursues any vehicle upon any public street, alley or highway
- 2. Assaults or attacks any person
- 3. Is vicious. A showing that the dog has bitten, attacked or impaired any person shall constitute a prima facie showing that such dog is vicious
- 4. Habitually barks or howls to be annoying to any two (2) or more persons
- 5. Is required to be licensed but is not

SECTION 10.0 EFFECTIVE DATE

This ordinance shall be in full force and effect at the issuance of the 2010 dog tags.

This Ordinance adopted by the Town Board of the Town of LaFayette on this 14th day of October 2009.

Daniel Cooper, Chair

Passed this day: October 14, 2009

Barbara A Fischer, Town Clerk-Treasurer

Filed this day: October 14, 2009