

SECTION 1.0

INTRODUCTION

Section 1.01. Title. This ordinance shall be known as, referred to, or cited as the Dog Control Ordinance, Town of Silver Cliff, Marinette County, Wisconsin.

Section 1.02. Purpose and Intent. The purpose of this ordinance is to regulate and control the keeping of dogs in the town of Silver Cliff, pursuant to Wisconsin State Statutes 174.00 through 174.15. The Town of Silver Cliff also adopts Wisconsin State Statutes, Chapter 174.

Section 1.03. Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair, or interfere with any existing agreements, rules, regulations, or permits previously adopted or issued pursuant to law. However, when this ordinance imposes greater restrictions, the provisions of this ordinance shall govern

Section 1.04. Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town of Silver Cliff, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

Section 1.05. Severability. If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 1.06. Effective Date. This ordinance shall be effective after a public hearing, adoption by the Town Board of Silver Cliff, and publication or posting as provided by law.

SECTION 2.0

RULES AND DEFINITIONS

Section 2.01. Rules. In the construction of this ordinance, the rules and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise.

(1) Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular.

(2) The word “shall” is mandatory and not discretionary.

(3) The word “may” is permissive.

(4) The masculine gender includes the feminine and neuter.

Section 2.02. Definitions.

At large. Means to be off the premises of the owner and not under the control of the owner or member of his immediate family. However, a dog within an automobile of its owner or in an automobile of any other person with the consent of the dog's owner shall be deemed to be upon the owner's premises.

Multi-dog license. Means a license issued for the keeping of up to and including twelve dogs.

Owner. Means any person owning, harboring, or keeping a dog.

SECTION 3.0**GENERAL PROVISIONS**

Section 3.01. State of Wisconsin Requirements. Pursuant to Sections 95.21(2)(a) and 174.05(1), Wisconsin Statutes, notice is hereby given to all owners of dogs in the Town of Silver Cliff that rabies vaccinations and dog licenses are required under the State Statutes.

(1) Vaccination by a veterinarian against rabies of all dogs is required (Section 95.21(2)(a)) within thirty days after the dog reaches four months of age, and dogs must be revaccinated within one year after the initial vaccination. Older vaccinated dogs must be revaccinated when the proof of vaccination certificate expires. Certificates of current vaccination must be presented when obtaining a dog license.

(2) All dogs five months of age or older require a license. The license fee for neutered males and spayed females is \$3.00, upon presentation of evidence attesting to the same, and \$8.00 for an unneutered male or unspayed female dog. Multi-dog licenses are \$35.00.

(3) Dogs brought into the State of Wisconsin temporarily, for a period not to exceed thirty days, shall be exempt from this section, provided dogs are kept confined to premises of dogs' owner(s) and restrained at all times while in public.

SECTION 4.0**RESTRICTIONS ON KEEPING OF DOGS**

It shall be unlawful to own, harbor, or keep any dog in the Town of Silver Cliff which:

- 1) Assaults, chases, or attacks any person.
- 2) Habitually barks or howls to the annoyance of any person.
- 3) Kills, wounds, or harasses any domestic animal.
- 4) Is at large within the town boundaries.

- 5) Is unvaccinated. (Subject to the provisions of Section 3.01(1))
- 6) Is unlicensed. (Subject to the provisions of Section 3.01(2))

SECTION 5.0

STRAY OR UNLICENSED DOGS

Section 5.01. Enforcement. Enforcement of this ordinance shall be carried out by the Town Board's designated representative. The Town Representative may seize and impound any dog which is kept in violation of Section 4.0 of this ordinance, and the Town Representative may enter the premises of the owner to seize dogs kept in violation of Sections 4.0(1) and 4.0(3). In addition, a dog found to be in violation of Section 4.0(1) or Section 4.0(3) may be impounded to be returned or disposed of in a proper and humane manner at the discretion of the Silver Cliff Municipal Court.

Section 5.02. Impoundment of licensed dogs. A daily fee of ten dollars (\$10) shall be assessed for all dogs impounded in the Town of Silver Cliff. An impounded dog shall not be released to its owner until the total amount of the fees has been paid.

Section 5.03. Impoundment of unlicensed dogs. In addition to the ten dollar (\$10) daily fee, a seventy-five dollar (\$75) deposit shall be paid to the Town of Silver Cliff before an unlicensed dog shall be released to its owner. Within fourteen days, the dog's owner shall provide the Town Representative with proof of a valid license for that dog and shall pay any fees and/or fines owed the Town of Silver Cliff for violation of the ordinance, and the deposit shall be refunded.

Section 5.04. Impoundment of unwanted dogs. If the owner of an impounded dog is identified and declines to claim his dog, the owner shall pay the daily fee owed for the care of said dog as well as a disposal fee of \$75, and the Town Representative shall dispose of the dog in a proper and humane manner. All fees are due at the time the owner relinquishes his claim to the dog. Unwanted dogs shall be held no later than three days after dog's ownership has been determined.

Section 5.05. Notification. The Town Representative shall forthwith notify, either personally or through the mail, the owner of any dog impounded, if such owner be known to the Town Representative or can be ascertained with reasonable effort. If the owner of the offending dog cannot be ascertained, the Town Representative shall post written notice within forty-eight hours after said seizure; these notices shall be placed in three conspicuous places in the Town of Silver Cliff, one of which shall be the bulletin board on the Town Hall. The notice shall be dated, and if the owner does not reclaim the dog within seven days, Sundays excepted, the dog shall be disposed of in a proper and humane manner.

SECTION 6.0

PENALTY

Town Representative may fine any dog owner who keeps a dog in violation of this ordinance. Each day that a dog is kept in violation of this ordinance may constitute a separate violation. Fine amounts for violation of this ordinance are set by the Town of Silver Cliff Municipal Judge.

SECTION 7.0

ADOPTION

The foregoing ordinance is hereby adopted by the Town Board of the Town of Silver Cliff on this 9th day of October, 2012.

Signed: _____ Town Chairman

_____ Town Supervisor

_____ Town Supervisor