

VILLAGE OF HEWITT
Hewitt, Wisconsin 54441

ORDINANCE NO. 18.01
Amended January 13, 2009
Amended July 11, 2013

An ordinance to regulate dogs within the Village of Hewitt, Wood County, Wisconsin.

The Village Board of the Village of Hewitt, Wood County, Wisconsin does ordain as follows:

DEFINITIONS: As used in this ordinance, unless the context indicates otherwise:

- 1) "Collar" means a band, strip or chain placed around the neck of a dog.
- 2) "Kennel" means any establishment wherein or whereon dogs are kept for the purpose of breeding, sale or sporting purposes.
- 3) "Animal Control Officer" means a person designated by the Village of Hewitt Board to be responsible for enforcing and upholding this ordinance.
- 4) "Pound" means a place designated by the Village of Hewitt Board where dogs found as specified under Section 1 shall be housed awaiting disposition.
- 5) "Owner" means any person who owns, harbors, or keeps a dog.
- 6) "Leash" means a device used to restrain a dog.

SECTION 1 – DOGS RUNNING AT LARGE

- 1) Dogs running at large. A dog 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 other designated person. On public thoroughfares dogs must be restrained by leash.
- 2) Untagged dog. A dog is considered to be untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is off its owners premises.
- 3) Female animals in season Any female in season shall be kept confined in a building or secure kennel enclosure, veterinary hospital or boarding kennel during the duration of the season.

- 4) Dog running at large or untagged dog is subject to fine and/or impoundment. The animal control officer shall attempt to capture and restrain dog running at large and any untagged dog. If the dog cannot be captured for impoundment purposes, a fine may be levied against the dog's owner if such owner is known.
- 5) Warnings: A letter of warning may be issued to dog owners having a dog running at large when observed for the first time.
- 6) Owners of dogs found to be running at large will be subject to a fine from \$10 to \$500 for each offense. The Animal Control Officer and/or Village Board retain the right to determine the exact amount of the fine dependent on circumstances surrounding the incident(s). An impoundment fee of \$25.00 per offense shall be issued for any dog that is impounded. Owner of said impounded dog will be responsible for all boarding costs associated with impoundment. Such costs to be paid to the Village Clerk/Treasurer per Section 3, paragraph 2.
- 7) Dog licensing and regulations:
 - A. This ordinance shall adopt Wisconsin statutory provisions as listed under SECTION 7 of this ordinance pertaining to licensing. Regulation: No license shall be issued without proof of vaccination against rabies for any dog over the age of 5 months that is kept within Village limits. A photocopy of the rabies vaccination certificate is required before a license is issued.
 - B. Failure to comply with Section 7 (174.07) by April 1st shall result in a fine of \$25.00 per animal for any resident who resides within the Village limits January 1 to March 31 of any given year.

SECTION 2 – IMPOUNDMENT

- 1) As stated in section 1, paragraph 4, any such animal shall be impounded at the *Village's designated impoundment site* until disposition is made according to Section 3, paragraph 2 and 3.

SECTION 3 – NOTIFICATION AND DISPOSITION

- 1) Notification. The animal control officer shall notify the owner of any licensed dog either personally or by US mail if this/her name and address are known or can be ascertained, and if such owner be unknown or cannot be ascertained, the animal control officer shall put notice of such impoundment in one public place as required by Sec. 170.02, WI Stats., giving a description of the dog, stating where it is impounded and the conditions of its release. If after 10 days after such notice, the owner does not claim the dog, the Village animal control officer shall attempt to find a suitable home for such dog or have it disposed of in a humane manner according to chapter 948.09, WI Stats. The animal control officer shall keep a record of every dog given away or otherwise disposed of describing the dog with reasonable certainty of identification and listing the name and address of the party to who delivered or the manner otherwise disposing of the dog.

- 2) Release - To Owner or Representative. An impounded animal may be released to its owner or a representative of the owner provided:
 - A. All fees are paid to the Village Clerk/Treasurer to include:
 - All fines
 - All impoundment fees
 - All boarding fees
 - B. Current license and rabies vaccination are validated.
If not current on licensure or vaccination, a warning citation will be issued with a 10 day grace period for compliance (\$25.00 fine if owner fails to comply within grace period)
 - C. Clerk/Treasurer will issue a receipt for payment of all fees, which upon presentation of said receipt to pound, dog may be released to owner.

- 3) Release - To Person other than the Owner. The animal control officer or pound to which an animal is delivered may release the animal to a person other than the animal's owner if the person provides the same information stated in Section 2. Items A-E. No animal shall be delivered to any person other than the owner unless the owner is unknown or does not claim the animal within seven (7) days after the animal is delivered to the animal control officer or pound.

SECTION 4 - BITTEN PERSONS

- 1) The Wisconsin rabies control law requires that a dog or cat which has bitten a person must be delivered to a Veterinarian within twenty-four (24) hours after notification by the Village Health Officer or Village Marshall for the examination and quarantine of not less the 10 days at the expense of the owner.

If the animal is currently immunized against rabies as evidenced by a valid vaccination certificate, the animal may be quarantined on the premises of the owner (following the initial examination by a veterinarian). An animal that is quarantined at home shall be returned to a veterinarian for additional examinations on the 10th day following the bite and on one intervening day.

If no valid evidence of vaccination can be displayed, the dog or cat shall be impounded by the veterinarian or at an isolation facility for at least 10 days at the owner's expense.

On the 10th day, a final examination shall be conducted by a veterinarian who will complete the veterinarian certificate. Failure to comply with the quarantine order shall result in a fine of not less than \$100 nor more than \$1,000. The recommendations of the veterinarian shall determine whether the dog or cat shall be released or destroyed.

SECTION 5 – PIT BULLS AND OTHER DANGEROUS ANIMALS

- 1) Keeping of Dangerous Animals Prohibited. It is unlawful to keep, harbor, own or in any way possess within the corporate limits of the Village of Hewitt:
 - A. Any wild or exotic animal including but not limited to non-human primates, raccoons, skunks, foxes and wild and exotic cats;
 - B. Any animal having poisonous bites;
 - C. Any pit bull dog except that pit bull dogs registered with the village on the day the ordinance codified in this chapter becomes effective may be kept within the village subject to the standards and requirements set forth in subsection B of this section. "Pit bull dog" as that term is used in this section is defined to mean:
 - The Staffordshire bull terrier breed of dog;
 - The American pit bull terrier breed of dog;
 - The American Staffordshire terrier breed of dog;
 - The Rottweiler, Akita, and Chow;
 - Any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, or a combination of any of these breeds.

- 2) Keeping of Registered Pit Bulls. The provisions of subsection A of this section are not applicable to owners, keepers or harborers of pit bull dogs registered with the Village of Hewitt on the first date the ordinance codified in this chapter becomes effective. Keeping, owning or harboring of such dogs is, however, subject to the following conditions:
 - A. Leash and Muzzle. No person shall permit a registered pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs on a leash outside the animal's kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
 - B. Confinement. All registered pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel except when leashed and muzzled as provided in subsection (2)(A) of this section. All pens or kennels shall comply with all zoning and building regulations of the village and shall be kept in a clean and sanitary condition.
 - C. Confinement Indoors. No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

- D. Signs. All owners, keepers or harborers of registered pit bull dogs within the village shall within ten days of the effective date of the ordinance codified in this chapter display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign is required to be posted on the kennel or pen of such animal.
- E. Insurance. All owners, keepers or harborers of registered pit bull dogs must within thirty (30) days of the effective date of the ordinance codified in this chapter provide proof to the village clerk or treasurer of public liability insurance in a single incident amount of fifty thousand dollars (\$50,000.00) for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten days written notice is first given to the village clerk or treasurer.
- F. Registration. All owners, keepers or harborers of pit bull dogs shall within thirty (30) days after the effective date of the ordinance codified in this chapter register such dog with the village by filing with the village clerk or treasurer two color photographs of the dog clearly showing the color and approximate size of the dog.
- G. Reporting Requirements. All owners, keepers or harborers of registered pit bull dogs must within ten days of the incident, report the following information in writing to the village clerk or treasurer:
- The removal from the village or death of a registered pit bull;
 - The birth of offspring of a registered pit bull dog;
 - The new address of a registered pit bull dog should the dog be moved within the Village of Hewitt;
 - If the registered pit bull dog is sold, the name and address of the new owner.
- H. Animals Born of Registered Dogs. All offspring born of pit bull dogs registered within the village must be removed from the village within six weeks after the birth of such animal.
- I. Failure to Comply. It is unlawful for the owner, keeper or harborer of a pit bull dog registered with the village to fail to comply with the requirements and conditions set forth in this section.

SECTION 6 – INJURY TO PROPERTY BY ANIMALS

- 1) Keeping The owner or person in charge of any animal has a duty to prevent the animal from leaving the person's property except while under the person's control and to prevent the animal from entering any public property or any other person's property without the permission of the owner, and to prevent the animal from damaging any plants or property of any person or defecating on any property other than the owner's property. Any person who breaches that duty shall be liable hereunder.

SECTION 7 – BARKING DOGS

1) Complaints:

A. First Time: The Animal Ordinance Officer shall upon receiving a complaint about a continuous barking dog(s) notify the owner of said dog(s) about the complaint requiring that the owner take steps to assure resolution of the situation.

B. Succeeding Complaints: The Animal Ordinance Officer shall upon receiving a succeeding complaint regarding the same dog(s) continuous barking shall send a written notice to the owner of said dog(s) and shall levy a fine as outlined below.

2) Penalties:

A. Second time offense - \$25.00.

B. Each offense thereafter an additional \$25.00 not to exceed \$200 within 12 months.

C. Failure to comply will result in the owner of said dog(s) to be required to forfeit their dog ownership to the Wood County Humane Society.

SECTION 8 – RESTRICTIONS ON KEEPING DOGS

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

- 1) Assaults or attacks any person.
- 2) Kills, wounds or worries any domestic animal or fowl.
- 3) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
- 4) An owner fails to have a dog vaccinated against rabies 30 days after the dog reaches four months of age.
- 5) An owner habitually fails to license their dog(s).

SECTION 9 – STATUTORY & COUNTY PROVISIONS

The following enumerated sections of the WI Stats and Wood County are hereby adopted and by reference made a part of this Ordinance as if fully set forth herein to include act required to be performed or is prohibited.

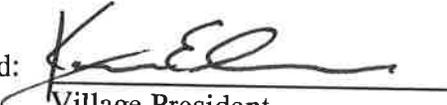
WI State Statutes:

- 174.05 Dog License Tax
- 174.055 Exemption of Dogs for the Blind
- 174.056 Dogs for the Blind Admitted to Public Places
- 174.06 Listing
- 174.07 Dog Licenses and Collar Tags
- 174.15 Penalties
- 174.01 Restraining Action Against Dogs
- 174.02 Owner's Liability for damage caused by dogs
- 174.065 Collection

Wood County

- 280 Wood County Ordinance-Humane Officers Ordinance

Amendment Adopted June 11, 2013 on a vote of 4 Yes 0 No

Signed: 
Village President


Village Clerk