

Animal Control

Chapter 1 Animal Control

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Chapter 1 Regulation of Animals

Sec. 7-1-1 Restrictions on Keeping of Dogs, Cats, Fowl and Other Animals

(a) **County Responsibility.**

- (1) **Responsibility.** The control and supervision of animal problems in the County shall be the primary responsibility of the town, village or city in which they occur.
- (2) **County Responsibility.** Whenever a municipality is unable to resolve an animal problem arising in its jurisdiction, the Sheriff can be summoned for assistance and the County becomes secondarily responsible for the solution to such animal problem only when the Sheriff becomes involved in resolving such problem or when the Sheriff recommends the use of the area animal center.
- (3) **More Restrictive Ordinances Allowed.** Any city, town or village within the County of Bayfield may adopt ordinances relating to the same subjects as this Chapter which are more restrictive than the County's regulations.

(b) **Animals Running at Large.** No dog shall be permitted to run at large off the premises of its owner unless such dog is working, hunting, showing or otherwise under the control or supervision of its owner or another person in charge of such dog. No dog shall be permitted to run at large on the premises of its owner if such dog is causing injury to annoying another person or animal or is chasing a vehicle.

(c) **Chapter 174, Wis. Stats., Incorporated.** The terms and provisions set forth in Ch. 174, Wis. Stats., as now stated and as hereinafter amended, are hereby incorporated herein by reference as though fully set forth herein, except that Sections 174.05(2), 174.053(1), and 174.06(3) of said chapter are replaced with the following provisions:

- (1) **Tax.** The minimum dog license tax is \$5 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed, and \$12 for an unneutered male dog or unspayed female dog, or one-half of these amounts if the dog became 5 months of age after July 1 of the license year.
- (2) **Multiple dog license option.** Any person who keeps more than one dog may, instead of the license tax for each dog required by this chapter, apply to the collecting official for a multiple dog license for the keeping of the dogs. Such person shall pay for the license year a license tax of \$55 for

12 or fewer dogs and an additional \$5 for each dog in excess of 12. Upon payment of the required multiple dog license tax and upon presentation of evidence that all dogs over 5 months of age are currently immunized against rabies, the collecting official shall issue the multiple dog license and a number of tags equal to the number of dogs authorized to be kept by the person.

- (3) **Listing official compensation.** A listing official who is not a full-time, salaried municipal employee shall receive as compensation \$1 for each dog listed, to be audited and allowed by the county board as other claims against the county and to be paid out of the dog license fund. A listing official who is a full-time, salaried municipal employee shall receive this compensation from the county board but shall be required to pay the compensation into the town, village, or city treasury.
- (d) **Section 95.21, Wis. Stats., Incorporated.** The terms and provisions set forth in Sec. 95.21, Wis, Stats., as now stated and as hereinafter amended, are hereby incorporated herein by reference as though fully set forth herein.

Sec. 7-1-2 Animal Control Agency.

- (a) Bayfield County may contract with or enter into an agreement with such person, persons, organization or corporation to provide for the operation of an animal shelter, impoundment of stray animals, confinement of certain animals, disposition of impoundment animals and for assisting in the administration of rabies vaccination programs.
- (b) Bayfield County does hereby delegate to any such animal control agency the authority to act pursuant to the provisions of this Section.
- (c) The County Board hereby designates the Chequamegon Animal League located in the City of Ashland, Ashland County, Wisconsin, to provide a pound for stray and unwanted dogs of this County as permitted by Ch. 174, Wis. Stats. The impoundment fees and expenses for an animal impounded shall be paid to the Chequamegon Animal League to help defray its expenses.

Sec. 7-1-3 Barking Dogs.

“No person owning, possessing or having charge of a dog shall permit or allow such dog to bark or howl under circumstances where such barking or howling reasonably disturbs another.”

Sec. 7-1-4 Providing Proper Food and Drink to Confined Animals.

- (a) No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water as prescribed in this Section.
- (b) The food shall be sufficient to maintain all animals in good health.
- (c) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.
State law reference(s)--Sec. 951.13, Wis. Stats.

Sec. 7-1-5. Providing Proper Shelter.

- (a) **Proper Shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this Section. In the case of farm animals, nothing in this Section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (b) **Indoor Standards.** Minimum indoor standards of shelter shall include:
 - (1) **Ambient temperatures.** The ambient temperature shall be compatible with the health of the animal.
 - (2) **Ventilation.** Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (c) **Outdoor Standards.** Minimum outdoor standards of shelter shall include:
 - (1) **Shelter from sunlight.** When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph, "caged" does not include farm fencing used to confine farm animals.
 - (2) Shelter from inclement weather.
 - a. Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal.
 - b. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog shall be provided.

- c. Dogs kept outdoors for more than one (1) hour at a time must be provided with moistureproof and windproof shelter of a size which allows the animal to turn around freely and to easily sit, stand and lie in a normal position and keep the animal clean, dry and comfortable. Whenever the outdoor temperature is below forty (40) degrees Fahrenheit, clean bedding material shall be provided in such shelters to insulation and to retain the body heat of the animal.
- (d) **Leashes.** If animals are kept leashed on their premises, there shall be provided at least six (6) feet of free, untangled leash.
- (e) **Space Standards.** Minimum space requirements for both indoor and outdoor enclosures shall include:
 - (1) **Structural strength.** The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
 - (2) **Space requirements.** Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.
- (f) **Sanitation Standards.** Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash so as to minimize health hazards.
State law reference(s)--Sec. 951.14, Wis. Stats.

Sec. 7-1-6 Neglected or Abandoned Animals.

- (a) **Neglected or Abandoned Animals.**
 - (1) No person may abandon any animal.
 - (2) Any law enforcement or animal control officer may remove, shelter and care for an animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such animal to another person to be sheltered, cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer, or other person, having possession of the animal shall have a lien thereon for its care, keeping and medical attention and the expense of notice.
 - (3) If the owner or custodian is unknown and cannot, with reasonable effort, be ascertained or does not, within five (5) days after notice, redeem the

animal by paying the expenses incurred, it may be treated as a stray and dealt with as such.

- (4) Whenever, in the opinion of any such officer, an animal is hopelessly injured or diseased so as to be beyond the probability of recovery, it shall be lawful for such officer to kill such animal and the owner thereof shall not recover damages for the killing of such animal unless he/she shall prove that such killing was unwarranted.
 - (5) Section 951.16, Investigation of Cruelty Complaints, and Sec. 951.17, Wis. Stats., Expenses of Investigation, are hereby adopted by reference and made a part of this Chapter.
- (b) **Injured Animals.** No person who owns, harbors or keeps any animal shall fail to provide proper medical attention to such animal when and if such animal becomes sick or injured. In the event the owner of such animal cannot be located, the County or any animal control agency with whom the County has an agreement or contract shall have the authority to take custody of such animal for the purpose of providing medical treatment, and the owner thereof shall reimburse the person or organization for the costs of such treatment.
State law reference(s)--Sections 951.15, 951.16 and 951.17, Wis. Stats.

Sec. 7-1-7 Cruelty to Animals Prohibited.

- (a) **Acts of Cruelty Prohibited.** No person shall cruelly beat, frighten, overburden or abuse any animal or use any device or chemical substance whereby pain, suffering or death may be caused, whether belonging to himself/herself or another, except that reasonable force may be used to drive off vicious or trespassing animals. This provision does not prohibit training techniques or husbandry practices which are acceptable under state law. No person shall abandon any animal or transport any animal in a cruel manner.
- (b) **Leading Animal From Motor Vehicle.** No person shall lead any animal upon a County road from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle.
- (c) **Use of Poisonous and Controlled Substances.** No person may expose any pet animal owned by another to any known poisonous substance or controlled substance listed in Ch. 961, Wis. Stats., whether mixed with meat or other food or not, where it is reasonable to anticipate the substance may be eaten by such animal or for the purpose of harming the animal. This Subsection shall not apply to poison used on one's own premises and designed for the purpose of rodent and pest extermination, nor the use of a controlled substance used in accepted veterinarian practice or in research by persons or organizations regularly engaged in such research.