

Town of Navarino
Shawano County, Wisconsin
Ordinance 2010-1 Dogs

WHEREAS, the Town of Navarino Town Board has been granted village powers by the electors at a duly noticed annual town meeting, in accordance with Wisconsin Statutes Section 60.10 (2) (c), and has the power granted to villages in accordance with Wisconsin Statutes Section 60.22 (3).

WHEREAS, it is in the public interest and welfare to regulate dog control in the Town of Navarino, as provided herein.

NOW, THEREFORE, the Town Board of Supervisors of the Town of Navarino, Shawano County, Wisconsin, does ordain as follows:

Section 1 Title / Purpose

The title of this ordinance is the Town of Navarino Dogs Running at Large ordinance. The purpose of this ordinance is to regulate, by tag and penalty, the care, treatment, and control of dogs in the Town of Navarino.

Section 2 Definitions

A. "Owner" shall mean any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains or to which it customarily returns daily for a period of ten days, is presumed to be harboring or keeping the dog within the meaning of this section.

B. "Running at Large" means to be off the premises of the owner and not under the control of some person either by leash or other 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 owners premises.

C. "Officer" shall mean a designated officer appointed by the Town Board of the Town of Navarino to enforce this ordinance. This shall include the Town Chairman, the Town Supervisor and any member of the Shawano County Sheriff's Department.

D. "Dog" includes all domesticated members of the Canis Familiaris, male or female.

Section 3 Licensing

Pursuant to Section 174.052 Wisconsin Statutes, notice is hereby given to all owners of dogs in Shawano County that rabies vaccinations and dog licenses are required under the statutes. Vaccination by a veterinarian against rabies of all dogs is required (Section 95.21 (2)) within 30 days after the dog reaches 5 months of age and revaccinated within one year after the initial vaccination. Older vaccinated dogs must be revaccinated when the certificates expires or within 3 years of the previous vaccination. Presentation of evidence that the dog is currently immunized against rabies must be presented when obtaining dog licenses. All dogs 5 months of age or older require a license. The minimum license fee for neutered males or spayed females is \$3.00 upon presentation or evidence attesting to the same and \$8.00 for the unneutered male 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. These minimums may be supplemented by local municipal action. The fee for a multiple dog license is \$35.00 for the first 12 dogs. There is an additional fee of \$3.00 for each dog over 12 dogs.

PENALTIES

A late fee of \$5.00 shall be assessed the owner of each dog 5 months of age or over who fails to obtain a dog license by April 1 of each year.

An owner who fails to have a dog vaccinated against rabies as required by statute may be required to forfeit not less than \$50.00 nor more than \$100.00.

Dog licenses may be obtained from the town of Navarino treasurer.

Section 4 Authority

The town board of the Town of Navarino has the authority under its village powers under s. 60.22, Wis. stats., and the specific authority under s. 60.23 (30), and Chapters 173 and 174, Wis. stats., to adopt this ordinance.

A. Law enforcement officers employed by the Town Board and Shawano County are authorized to take into custody animals in the Town, including dogs, under s. 173.13, Wis. Stats.

B. Any person, including town officers and employees, may take into custody any dog running at large in the Town but shall timely deliver the dog to the Shawano County Humane Society, its designated agent, or a person contracting with the Town under s. 173.13, Wis stats.], to provide care, treatment, or disposal of animals.

C. If the identity of the owner of a dog taken into custody under this ordinance is not known or cannot be determined with reasonable diligence, the dog shall be considered a stray.

D. The Town and its officers and agents shall comply with Chapters 173 and 174, Wis stats.

E. All persons in the Town shall fully cooperate with the Town regarding dogs in the Town and shall answer frankly, fully and truthfully all questions of the Town relative to dog ownership, possession, and keeping of a dog or dogs within the Town.

Section 5 Restrictions on Dogs

Except as provide in Section 6, no person may do any of the following:

A. Allow any dog owned by that person to be Running at large. It shall be unlawful for any person owning, keeping, or harboring any dog, to permit such dog to run at large within the limits of the Town of Navarino, Shawano County, Wisconsin, at any time. 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 outdoors unless the dog is securely confined in a fenced area.

B. Allow any dog owned by that person to be abandoned in the Town.

C. Allow a dog or dogs on the legal premise of its owner to continue to frequently or habitually howl, yelp, bark or make other loud noises that serve to greatly annoy or disturb an adjacent owner or occupant of land or serve to greatly annoy or disturb any considerable number of persons within the Town, as determined by the Town Board of the Town or its designee, after receipt of written notice from the Town Board of the Town or its designees to the owner of the dog or to the owner of the legal premise where the dog is kept that the noise from the dog or dogs must be eliminated.

D. Keep, harbor, maintain, or house certain breeds of dogs that are known as vicious dogs or dogs that have shown a tendency to attack, or have previously attacked, people or other animals.

Section 6 Exemptions from Section 5 Coverage

A. A dog that is actively engaged in the Town in a legal hunting activity, including training, is not considered to be running at large if the dog is monitored or supervised by a person, and the dog is on land in the Town that is open to hunting or land on which the person has obtained permission to hunt or train a dog. Training may include dog trials or other dog related outdoor events occurring in the Town where these events have been approved by the Town Board or its designee.

B. A dog that is used by a law enforcement agency as defined in s. 165.83 (1) (b), Wis. stats., in the Town to perform law enforcement functions is not considered to be running at large or untagged for purposes of this ordinance.

C. A dog that is untagged and is kept in the Town for the blind, deaf, and mobility impaired as determined by the town board of the Town shall not be considered untagged for purposes of this ordinance.

Section 7 Enforcement

A. The enforcement of this ordinance shall be carried out by any Town of Navarino Official or Shawano County Sheriffs Deputy.

B. The Town of Navarino shall utilize the Humane Society of Shawano County, Inc., located at 1290 Jaycee Court Shawano, WI 54166.

C. Any person violating such ordinance may receive a warning or violation by registered or certified mail. After the warning or violation the dog may be impounded or a fine will be issued by the Shawano County Sheriffs Department to the owner

Section 8 Liability

The owner of a dog is liable for the full amount of damages caused by the dog, causing injury to a person, domestic animal or property.

Section 9 Intent.

It is the intention of this ordinance 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.

Section 10 Ordinance Repealed

All ordinances, in whole or in part, which conflict with the provisions of this ordinance, are hereby repealed

Section 11 Adoption of Ordinance

The town board of the Town, by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the town board present and voting, provides the authority for the Town to regulate the care, treatment, and control of dogs in the Town of Navarino. This ordinance shall become effective upon passage and publication as required by law.

Passed and adopted this 11th day of May, 2010.

Town Chairman, Kevin Conradt

Town Supervisor, James Johnson

Town Supervisor, Steve Schinke

Town Clerk, Judy Krull