

**TOWN OF ST. JOSEPH
ST. CROIX COUNTY, WISCONSIN**

ORDINANCE NO. 2026-02

**AN ORDINANCE AMENDING CHAPTER 64 OF THE MUNICIPAL CODE OF THE
TOWN OF ST. JOSEPH, WISCONSIN**

The Town Board of the Town of St. Joseph, St. Croix County, Wisconsin, does ordain that Municipal Code Chapter 64 is amended to read as follows.

Chapter 64

ANIMALS

§ 64-1.	Purpose and intent.	§ 64-6.	Nuisances; impoundment.
§ 64-2.	Adoption of statutory provisions.	§ 64-7.	Quarantine.
§ 64-3.	Definitions.	§ 64-8.	Animal Control Officer.
§ 64-4.	Care and confinement.	§ 64-9.	Fees; violations and penalties.
§ 64-5.	Licenses and permits.	§ 64-10.	Severability.

[HISTORY: Adopted by the Town Board of the Town of St. Joseph 5-13-2021 by Ord. No. 2021-06;¹ amended in its entirety 9-8-2022 by Ord. No. 2022-07. Subsequent amendments noted where applicable.]

§ 64-1. Purpose and intent.

- A. The purpose of this chapter is to regulate and control the keeping of animals in the Town of St. Joseph, St. Croix County, Wisconsin, in order to promote the public health, safety, prosperity, aesthetics, quality of life and general welfare in the Town.
- B. The specific intentions of this chapter are to:
- (1) Ensure that animals in the Town are humanely and properly housed, fed and cared for;
 - (2) Protect residents, their animals and property;
 - (3) Prevent the harboring or keeping of wild animals in the Town; and
 - (4) Provide for the licensing of dogs in the Town.

§ 64-2. Adoption of statutory provisions.

The provisions of Chapters 95, 174 and 951 of the Wisconsin Statutes are adopted and made a part hereof by reference, except as otherwise provided herein.

1. Editor's Note: This ordinance also repealed former Ch. 64, Animals, adopted 2-6-1997, as amended.

§ 64-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANIMAL — Any nonhuman, living warm-blooded creature, reptile or amphibian, either domestic or wild.

ANIMAL CONTROL OFFICER — The Town Board shall be empowered to appoint an Animal Control Officer(s) or humane organization(s) whose duties shall include enforcement of this chapter and who or which shall have authorization to issue citations for violations thereof.

ANIMAL SHELTER — Any premises designated by the Town Board for the purpose of impounding and caring for animals held under the authority of this chapter.

COMMERCIAL KENNEL — Any person, partnership, corporation, or other business entity engaged in the business of breeding, buying, selling or boarding dogs or cats, provided that such person, partnership, corporation, or business entity is customarily the owner or custodian of more than three dogs or six cats over five months of age.

EXOTIC ANIMALS —

- A. Any animal, fowl, insect, or reptile that is not normally domesticated in Wisconsin or is inherently wild by nature.
- B. Exotic animals include, but are not limited to, any or all of the following orders, families and/or species, whether bred in the wild or in captivity, and also hybrids with domestic species. The animals, fowl, insects, and reptiles listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list nor to limit the generality of each group of animals, fowl, reptiles or insects:
 - (1) Non-human primates and prosimians, including chimpanzees (Pan); monkeys (Cercopithecidae); gibbons (Hylobates); gorillas (Gorilla); orangutans (Pongo); siamangs (Symphalangus); and baboons (Papoi, Mandrillus).
 - (2) Canidae, excluding nonhybrid domesticated dogs, including wolves (Canis lupus); coyotes (Canis latrans); and all foxes and jackals.
 - (3) Felidae, excluding domesticated cats, including cheetahs (Acinonyx jubatus); jaguars (Panthera onca); leopards (Panthera pardus); lions (Panthera leo); lynxes (Lynx); pumas (Felis concolor) which are also known as cougars, mountain lions or panthers; snow leopards (Panthera uncia); tigers (Panthera tigris); and ocelots.
 - (4) Ursidae, including all bears.
 - (5) Crocodilians (Crocodilia) 30 inches in length or more, including alligators, caimans, and crocodiles.
 - (6) Proboscidea, including elephants (Elephas and Loxodonta).
 - (7) Hyaenidae, including all hyenas.
 - (8) Artiodactyla, including hippopotami (Hippopotamidae) and giraffes (excluding camels, cattle, swine, sheep and goats).
 - (9) Procyonidae, including coatis (raccoons excluded).
 - (10) Marsupialia, including kangaroos (opossums excluded).

- (11) Perissodactyla, including rhinoceroses (*Rhinocerotidae*) and tapirs, excluding horses, donkeys and mules.
 - (12) Edentata, including anteaters, sloths and armadillos.
 - (13) Viverridae, including mongooses, civets and genets.
 - (14) Game cocks and other fighting birds.
 - (15) Varanidae, including only water monitors and crocodile monitors.
 - (16) Any other type of dangerous or carnivorous wild animal, fowl, or reptile.
- C. Llamas, ostriches and emus kept for purposes of husbandry and sale are not considered to be exotic animals and are instead treated as livestock and as animal units under all applicable provisions of Wisconsin Statutes and the Administrative Code.

LICENSE — A numbered metallic tag to be issued to the owner upon payment of the license fee and exhibition of proof of rabies shot.

OFFICER — Any law enforcement officer of the Town, county or state or person designated by the Town Board Chair or two members of the Town Board to assist in the enforcement of this chapter.

OWNER — Any person, partnership, corporation or other business entity owning, possessing, harboring or keeping an animal or animals.

PET SHOP and ANIMAL RESCUE AND ADOPTION ORGANIZATIONS — Any person, partnership, corporation or other business entity engaged in the business of breeding, buying, selling or boarding animals of any species, except those used for agricultural purposes.

PRIVATE KENNEL — Any person, partnership, corporation or other business entity who or which is customarily the owner or custodian of more than three dogs or six cats over five months of age, who or which is not in the business of breeding, buying, selling or boarding of dogs or cats.

RESTRAINT — An animal is under restraint within the meaning of this chapter if it is controlled by a leash, at heel beside a competent person and obedient to that person's commands, on or within a vehicle being driven or parked on the streets or roads or within the property limits of its owner or keeper.

VETERINARY HOSPITAL — Any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals.

VICIOUS ANIMAL — Any animal that constitutes a threat to human beings or to other domestic animals due to its intrinsic characteristics or by virtue of a known history to endanger life by an unprovoked assault or bite so as to cause bodily harm.

- A. Upon due cause, an animal may be declared vicious by the Animal Control Officer, County Sheriff, or Town Board. The owner of the animal declared vicious shall be served personally, or by certified mail with return receipt, with an order declaring the animal vicious and citing the relevant portion of this chapter that may apply. Any animal owner aggrieved by said order may petition the Town Board for a review of the order. Upon receipt of the petition, the Town Board shall schedule and conduct a hearing. At least five days prior to the hearing, the Town Board shall provide written notice of the time, date and place of the hearing to the aggrieved owner. The Town Board shall notify the owner or keeper of the animal, in writing, of its determination. If the owner or keeper contests the determination, he may, within 30 days, seek review of the decision by the Circuit Court.
- B. A dog will not be deemed dangerous if:
 - (1) It bites, attacks or menaces anyone assaulting the owner.

- (2) It bites, attacks or menaces anyone assaulting the owner.
- (3) It bites, attacks or menaces any person or other animal who or which has tormented or abused it.
- (4) It is otherwise acting in defense of an attack from a person or other animal upon the owner or other person
- (5) It is protecting or defending its young or other animal.

WILD ANIMAL — Any live monkey or ape, raccoon, skunk, fox, snake or other reptile, leopard, panther, tiger, lion, lynx or any other animal or any bird of prey which can normally be found in the wild state.

WOLF-DOG HYBRID — Any offspring resulting from the breeding of a wolf and a dog or from the breeding of a wolf and a wolf-dog hybrid or from the breeding of a wolf-dog hybrid and a wolf-dog hybrid.

§ 64-4. Care and confinement.

- A. No owner shall fail to provide any animal with sufficient, good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and humane care and treatment. No person shall beat, cruelly ill-treat, torment or otherwise abuse any animal or cause or permit any dogfight, cockfight, bullfight or other combat between animals or between animals and humans.
- B. No owner of a domestic or domesticated animal shall abandon such animal.
- C. Every female animal in heat shall be confined in a building or other secure enclosure in such manner that such female animal cannot come into contact with another animal, except for planned breeding purposes. This subsection shall not apply to any female animal which shall have been spayed or otherwise rendered sterile. A written statement by a licensed veterinarian shall be considered proof of such condition.
- D. Disposition of all animal waste shall be in a manner that is consistent with maintaining human and animal health. Disposition of animal waste shall not pollute nor contaminate the groundwater or soil. The owner is responsible for picking up and disposing properly of any animal waste deposited anywhere other than the dog owner's property.
- E. All animals, except nondomesticated wildlife, shall be kept under restraint.
- F. No wild animals may be kept within Town limits except under such conditions as shall be set by the Town Board or Animal Control Officer, provided that wild animals may be kept for exhibition purposes by circuses, zoos or educational institutions, in accordance with such regulations as shall be established by Town, county or state law. The Town Board may place conditions on the keeping of wild animals as it deems necessary or advisable under the circumstances to protect the health, safety and welfare of the Town.
- G. Confinement of certain dogs and other animals. The owner shall confine within a building or secure enclosure every fierce, dangerous or vicious animal and shall not take such animal out of such building or secure enclosure unless such animal is securely muzzled and leashed. Every fierce, dangerous or vicious animal must at all times be securely confined indoors or confined in a securely and totally enclosed and locked pen with a top and sides. The floor of the enclosure must be a concrete slab, and the enclosure must be securely attached to the slab. The enclosure must be suitable to prevent the entry of young children.

H. (Reserved)

- I. Confinement of wolf-dog hybrids. The owner of all wolf-dog hybrids in the Town shall confine such dogs within buildings or secure enclosures and shall not take such dogs out of such buildings or secure enclosures unless such animal is securely muzzled and leashed. Every wolf-dog hybrid animal must at all times be securely confined indoors or confined in a securely and totally enclosed and locked pen with a top and sides. The floor of the enclosure must be a concrete slab, and the enclosure must be securely attached to the slab. The enclosure must be suitable to prevent the entry of young children.
- J. Permits for wolf-dog hybrids. A Department of Natural Resources permit is required for ownership of wolf dogs in the State of Wisconsin. A copy of this permit shall be filed with the Town Clerk/Treasurer by any owner of wolf dogs in the Town.
- K. The raising and housing of exotic animals is not permitted in the Town. Llamas, ostriches and emus kept for purposes of husbandry and sale are not considered to be exotic animals and are instead treated as livestock and as animal units under all applicable provisions of Wisconsin Statutes and the Administrative Code.

§ 64-5. Licenses and permits.

A. Kennels and other commercial animal operations.

- (1) A license shall be required for any commercial kennel, private kennel or pet shop. This license shall cover all animals kept during the year and shall be issued by the Town Clerk/Treasurer upon approval of the application by the Town Board, proof of rabies vaccination for all dogs and cats on the premises and payment of the fee.
- (2) Proof of rabies shots for each dog and cat over five months of age in the kennel shall be provided to the Town and shall be posted at the kennel. Kennel operators are not required to license individual animals. Commercial kennels which board dogs must verify proof of rabies shots for each dog it boards prior to accepting such animal into its custody.
- (3) A permit shall be required for any person, partnership or corporation owning, operating or managing any establishment engaged in the business of promoting or conducting legitimate contests of skill, speed, strength or endurance between, among or using horses, dogs or any animals. Such permit shall be issued by the Town Clerk/Treasurer upon approval of the application by the Town Board and payment of the fee. Factors the Town Board will consider in deciding whether to issue such permit include proper zoning, adequate liability and other applicable insurance, all required state and federal licenses or permits, adequate parking and any other factors the Board deems necessary to protect the health, safety and welfare of the Town and its residents.

B. Dogs. It shall be unlawful for any person in the Town of St. Joseph to own, harbor or keep any dog more than five months of age without complying with the provisions of Chapter 174 of the Wisconsin Statutes relating to the listing, licensing and tagging of the same.

- (1) No person shall own, keep or harbor any dog within the Town limits unless such dog is licensed as herein provided. A valid license tag must be attached to the collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.
- (2) Licenses are available from the Town Clerk/Treasurer. Written application for such license shall be made to the Town Clerk/Treasurer and shall state the name and address of the owner and the name, breed, color and sex of the dog and proof of rabies vaccination. The license fee shall be paid at the time of making application and a numbered receipt given to the applicant. A

numbered metallic tag shall be issued to the owner upon payment of the license fee.

- (3) The yearly license fee shall be according to a schedule of fees set by the Town Board. All dog licenses shall be issued for one year beginning with the first day of January. There shall be no prorating of the license fees for less than one year.
- (4) In the event that the metallic license tag issued for a dog shall be lost, the owner may obtain a new tag. The fee for such new tag shall be set by the Town Board.
- (5) If there is a change in the ownership of a dog during the license year, the owner shall notify the Town Clerk/Treasurer to have the license transferred to the new owner's name.
- (6) No person shall use for any dog the license receipt or license tag issued for another dog.
- (7) No license shall be issued for any dog without proof of current rabies vaccination having been made to the Town Clerk/Treasurer.
- (8) In accordance with § 174.055, Wis. Stats., dogs used by blind, deaf and/or mobility-impaired persons are exempt from the dog license tax, and such persons shall receive annually a free dog license.
 - (a) The owner must still apply using normal procedures.
 - (b) The owner must still provide proof of rabies vaccination.

§ 64-6. Nuisances; impoundment.

A. It shall be the obligation and responsibility of the owner or custodian of any animal in the Town, whether permanently or temporarily therein, to prevent such animal from committing any act which constitutes a nuisance.

- (1) It shall be considered a nuisance for any animal to:
 - (a) Unreasonably annoy or disturb a person(s) or neighborhood by frequently and habitually howling, yelping, barking or making other such noises;
 - (b) Emit objectionable odors;
 - (c) Frequent school grounds, parks or public beaches;
 - (d) Chase vehicles;
 - (e) Molest or annoy any person if such person is not on the property of the owner or custodian of such animal;
 - (f) Molest, defile or destroy any property, excepting that of the owner or custodian, and whether such property is public or private; or
 - (g) Kill or wound domestic animals, livestock, deer or game birds or the nests or eggs of game birds.
- (2) Notwithstanding Subsection A(1)(g) above, normal hunting during hunting season is not prohibited.
- (3) Failure on the part of the owner or custodian to prevent his animal or animals from committing an act of nuisance shall be subject to the penalty hereinafter provided.

- B. Dogs may not run at large and must be restrained. Unrestrained animals may be taken by any officer, impounded in an animal shelter and there confined in a humane manner. Impounded animals shall be kept for not less than seven days unless reclaimed by their owners. If by any means the owner can be readily identified, the Animal Control Officer or other representative of the Town shall notify the owner by telephone, mail or personal contact of such impoundment. Animals not claimed by their owners within seven days become the property of the Town and may be humanely destroyed or given for adoption by any person or agency delegated by the Town Board to exercise such authority. An animal owner who allows a dog to run at large shall be required to pay all costs the Town incurs in enforcing this chapter, including but not limited to costs for animal pickup, kenneling, boarding, impound fees, or other costs related to dealing with the dog which is in violation of this chapter.
- C. An owner reclaiming an impounded animal shall first pay to the Town Clerk/Treasurer, or agent, a reclaiming fee, plus the impounding fees. The first time reclaiming fee will be set by resolution of the Town Board. For the second or additional offenses per year, the owner shall pay a fee of twice the first time reclaiming fee plus the impounding fees. The owner shall be subject to all other penalties for violation of this chapter.
- D. Notwithstanding the provisions of Subsection B, if an animal is found at large and its owner can be readily ascertained and located, such animal need not be impounded but may, instead, be taken to the owner. Additionally, the owner shall be responsible for payment of the Animal Control Officer's fee together with the Town's fee for processing of the Animal Control Officer's invoice, as set forth in the Town's fee schedule.

§ 64-7. Quarantine.

- A. All bite incidents occurring in the Town of St. Joseph in which any animal bites a person or is suspected of biting a person shall be reported within 24 hours to the Animal Control Officer.
- B. Any animal which bites a person shall be quarantined for such time as may be directed by the Animal Control Officer. For dogs or cats, this quarantine shall be at least 10 days, per Wisconsin Statutes Chapter 95. During quarantine, the animal shall be securely confined and kept from contact with any other animal. If required by the Animal Control Officer, the owner shall surrender the animal for the quarantine period to an animal shelter or shall, at his own expense, place it in a veterinary hospital. The owner of the animal is responsible for all expenses incurred in connection with the quarantine.
- C. No officer or other person shall kill or cause to be killed any animal suspected of being rabid except in an emergency and where it is clearly necessary to kill such animal(s) to protect the safety of a person, other animals or property and upon probable cause that such animal is rabid. If, after the animal has been placed in quarantine, the diagnosis of rabies is made by a licensed veterinarian, the animal shall be humanely killed and disposed of in a sanitary manner. Nothing in this section which is contrary to the Wisconsin Statutes pertaining to dogs (Chapter 174 or any other section therein) or animal health (Chapter 95 or any other section therein) shall apply but shall be void and without effect.
- D. When any dog or other dog that has been declared dangerous or vicious and that has previously bitten or attacked a person bites or attacks the same or another person in a second incident, that dog must be surrendered to an Animal Control Officer designated by the Town.
 - (1) The Animal Control Officer is ordered to humanely and quickly euthanize such animal without court order if:

- (a) The dog cannot be captured;
 - (b) The dog has bitten someone; and
 - (c) The officer has reason to believe that the dog has rabies or has been in contact with a rabid animal.
- (2) If no evidence of rabies is noted, the Animal Control Officer is ordered to impound such animal without release until the Town Board can obtain a court order to euthanize said animal.

§ 64-8. Animal Control Officer.

- A. The Town Board may from time to time appoint the Animal Control Officer, who must comply with all state or federal licensing or permit requirements. Such person shall have police powers, and no person shall interfere with, hinder or molest him in the exercise of such powers.
- B. Knowingly providing false or misleading information, or refusing to answer questions regarding dogs kept or harbored at a residence pertaining to number, rabies vaccination status, etc., shall constitute interference under this chapter.

§ 64-9. Fees; violations and penalties.

- A. Any person violating any of the provisions of this chapter or knowingly aiding or abetting another in the violation thereof, in addition to the penalties hereinbefore prescribed, shall, upon conviction, pay a forfeiture as set by the Town Board of not less than \$50 nor more than \$500 per animal per incident and the costs and attorney fees in prosecution. If any violation is continuing, each day's violation shall be deemed a separate violation.
- B. Any person violating any of the provisions of this chapter, or knowingly aiding or abetting another in the violation thereof, for a second or subsequent time, in addition to the penalties hereinbefore prescribed, shall, upon conviction, pay a forfeiture as set by the Town Board of not less than \$100 nor more than \$1,000 per animal per incident and the costs and attorney fees in prosecution. If any violation is continuing, each day's violation shall be deemed a separate violation.
- C. Failure to have provided proper rabies vaccination shall result in forfeiture as set by the Town Board of not less than \$100 nor more than \$500 per animal per incident and the costs and attorney fees in prosecution. If any violation is continuing, each day's violation shall be deemed a separate violation.
- D. The amount of forfeiture and costs shall be as set forth in Chapter 6, Citations, and shall be subject to annual review.
- E. Fees. All fees for this chapter shall be set by a separate fee schedule as determined by the Town Board and passed by resolution.

§ 64-10. Severability.

The provisions of this chapter are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this chapter.

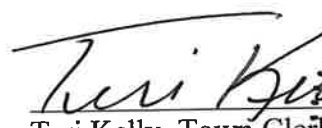
Effective Date. This Ordinance shall be effective upon adoption and publication as required by law.

Passed and Adopted: April 9, 2026

APPROVED:


Theresa Johnson, Town Board Chair

ATTEST:


Teri Kelly, Town Clerk

