

**Chapter 5**  
**Public Peace and Good Order**

**5.01 Animal Control.**

[1] **Authority.** This section is adopted pursuant to authority conferred by Chapters 60 and 174, Wis. Stats.

[2] **Purpose.** The purpose of this section is to promote the public health, safety and general welfare of the Town of Maple Creek by requiring owners to control dogs and livestock, by requiring reasonable restrictions on the keeping of dogs and establishing administrative procedures.

[3] **Definitions.** For the purpose of this ordinance, the following terms are defined.

[a] **At Large.** Any dog or livestock 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 some other person.

[b] **Domestic Animal.** A domestic animal is any dog, cat or livestock.

[c] **Harboring or Keeping a Dog.** Harboring or keeping a dog is to afford it lodging, to shelter it or give it refuge.

[d] **Kennel.** Any establishment wherein or whereon dogs are kept for the purpose of breeding, sale or sporting purposes.

[e] **Livestock.** Any horse, bovine, sheep, goat, pig, elk or other deer raised in captivity, llama, alpaca, domestic rabbit, farm raised deer as defined in section 95.001(1)(a) Wis. Stats., or domestic fowl including game fowl raised in captivity.

[f] **Officer.** A designated officer appointed by the Town of Maple Creek.

[g] **Owner.** Any person who owns, harbors or keeps a dog or livestock.

[h] **Untagged Dog.** A dog is untagged if a valid license 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.

[4] **General Provisions.**

[a] **Livestock At Large Prohibited.** It shall be unlawful and a violation of this ordinance for any person owning, harboring or keeping livestock to permit, allow or cause such livestock to run at large in the Town of Maple Creek.

- [b] **Dogs At Large Prohibited.** It shall be unlawful and a violation of this ordinance for any person owning, harboring or keeping a dog to permit, allow or cause such dog to run at large in the Town of Maple Creek.
- [c] **Restrictions on Harboring or Keeping Dogs.** It shall be unlawful and in violation of this ordinance for any person to harbor or keep a dog which habitually pursues any vehicle on a public right-of-way; which assaults or attacks any person off the premises; which habitually barks or howls as to constitute a reasonable annoyance to other persons; which kills, wounds or worries any livestock or other domestic animal; which exceeds six months of age but has not been issued a valid license; which is known or reasonably known to be infected with rabies or bitten by an animal known to have been infected with rabies but not confined and quarantined; or which is untagged.
- [d] **Complaint.** Complaints shall be made to the Town Constable in writing and shall be signed by the complainant.
- [e] **Dog Bites.** All dog bites shall be reported to the Town of Maple Creek Constable. The dog shall be confined by the owner. The dog shall not be released by the owner until the Constable approves the release.
- [f] **Surrender of Dogs.** Dogs shall be surrendered upon demand by the Town of Maple Creek Constable.

[5] **Impoundment and Disposition of Dogs.**

- [a] **Impoundment and Disposition.** Dogs that are apprehended and confined shall be impounded at a facility approved by the Town Board. If the dog has been confined by the Town Constable, there shall be a charge of \$25.00 per day for confinement up to three (3) days. After that time period, if the dog has not been released to the owner, the dog will be transported to the Humane Society in Appleton or the Wolf River Vet Clinic in New London where, as determined by the facility or veterinarian, the dog will either be sold for case costs or it will be euthanized in a careful, proper and humane manner.
- [b] **Penalties.** If the owner of a dog negligently or otherwise permits the dog to run at large or to be untagged, the owner shall forfeit not less than \$50.00 for the first offense; not less than \$100 for the second offense; and not less than \$200.00 for the third or subsequent offenses.

[6] **Release of a Dog.** The officer or facility to whom a dog is delivered may release the dog to its owner or a representative of the owner only if:

- [a] The owner or representative gives his or her name and address;

- [b] The owner or representative presents evidence that the dog is licensed, and presents evidence that the dog is vaccinated against rabies, or a receipt from a licensed veterinarian for prepayment of a rabies vaccination; and
- [c] The owner or representative pays all confinement and impoundment costs.

[7] **Impoundment and Disposition of Livestock.**

- [a] **Impoundment and Disposition.** Any livestock apprehended and confined shall be impounded at a facility approved by the Town Board. If the livestock have been confined by the Town Constable, there shall be a charge of \$25.00 per day, or the actual cost, whichever is greater, for confinement up to three (3) days. After that time period, if the livestock have not been released to the owner, the livestock shall be transferred to a facility deemed appropriate by the Constable, where the livestock will either be sold for care costs, or shall be disposed of in a careful, proper and humane manner.
- [b] **Penalties.** If the owner of livestock negligently or otherwise permits the livestock to run at large, the owner shall forfeit not less than \$50.00 for the first offense; not less than \$100.00 for the second offense; and not less than \$200.00 for the third or subsequent offenses.
- [c] **Release of Livestock.** The officer or facility to whom the livestock are delivered may release the livestock to its owner, or a representative of the owner, only if the owner or representative gives his or her name and address, and the owner or representative pays all confinement and impoundment costs.

[8] **Dog License Tax.**

- [a] **Requirement.** The owner of a dog more than 5 months of age on January 1 of any year, or 5 months of age within the license year, shall annually, or on or before the date the dog becomes 5 months of age, pay the dog license tax and obtain a license.
- [b] **Tax.** The minimum dog license tax is \$3.00 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed, and \$8 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.
- [c] **License Year.** The license year commences on January 1 and ends on the following December 31.
- [d] **Fine for Late Payment.** There shall be assessed an additional late fee on any Town of Maple Creek dog owner who receives a statutory fine for late payment pursuant to Wis. Stats. §174.05(5) (as may be amended from time to time). The additional late fee shall consist of the billing and postage costs for additional

notices connected with the late payment together with interest at the rate of 1 % per month on the total unpaid fees and fines until the total payment is received.

- [e] **Listing.** The Town shall annually, by September 1, ascertain by diligent inquiry the dogs owned or kept within the Town. Every person shall answer frankly and fully all questions relative to the ownership and keeping of dogs within the Town.
- [f] **Collection.** Collection of the assessed fees and fines, including interest, may be accomplished in the same manner as previously (or subsequently) allowed for collection, including adding the monies owed to the real estate tax roll of the delinquent dog owner.

Adopted and approved this 10th day of November, 2014.

Ayes   3                        Nays   0  

ATTEST:

\_\_\_\_\_  
Lynette Gitter, Town Clerk

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Glenn Janke, Town Chair

\_\_\_\_\_  
Jim Young, Supervisor

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Larry Morrison, Supervisor