

**VILLAGE OF POTTER, COUNTY OF CALUMET**  
**Ordinance #2006-2**

**Ordinance to Regulate Dogs and Other Animals for Village of Potter**

(This Ordinance Revises/Amends No. 1981-3, Village of Potter, Calumet County, Wisconsin)

The Village Board of the Village of Potter does hereby ordain:

Section I. **Licensing of dogs.** No person, residing in the Village, shall own, keep, harbor, or have custody or possession of any dog, which is more than five months of age; unless a license has been obtained for the dog. A license shall be obtained for each dog prior to the date on which it becomes 5 months of age, which license shall remain in effect until December 31 of the year in which it is obtained. The license shall be renewed on an annual basis thereafter, prior to January 31 of each succeeding year.

(a) A certificate, issued by a licensed veterinarian, indicating that the dog has been currently inoculated for Rabies and Distemper shall be supplied to the Village Clerk-Treasurer along with the appropriate license fee.

(b) Every person, residing in the Village, who owns, keeps, harbors or has custody or possession of any dog required to be licensed in accordance with this section shall insure that the dog, when away from the person's premises, is wearing a collar to which a current license tag and current Rabies vaccination tag are attached.

(c) Fees. License fees shall be established by Calumet County.

(d) Issuance of License. Upon receipt of the required fee and certificate of inoculation, the Clerk-Treasurer shall issue to the owner a license to keep such dog during the current license year.

Section II. **Animals Not Permitted to Be at Large.** Animals are not permitted to be at large within the Village at any time. Any animal is considered to be "at large" if it is off the premises of the owner and not under the owner or keeper's control by means of a leash, animal transport cage or other similar device, or confined within a vehicle owned or controlled by the owner or keeper. The owner or keeper of any animal, tied outdoors by means of a leash, chain or similar device, shall prevent the animal from being present on public property or the private property of other persons.

(a) Harboring Certain Animals Prohibited. No person shall own, keep, have in their possession, or harbor any animal which;

1. Habitually pursues any vehicle upon any public street, alley or highway, or

2. Is vicious. A showing that an animal has bitten, attacked, or injured any person shall constitute a prima facie showing that such animals are vicious, or

3. Habitually or frequently barks, yelps, howls or makes any other noise which would unreasonably disturb or annoy a person of ordinary sensibilities, or

4. Has not been licensed as required by this section, or

5. Which, while away from the owners or keeper's premises, causes property damage or injury to any dog, cat domestic animal, or other desirable wildlife.

(b) **Impoundment and Disposition.** Dogs are impounded humanely and securely in the following manner:

1. Any Village Board member may apprehend any dog, which is at large within the Village.
2. The Village Board member will make a reasonable effort to notify the owner of the apprehension of the dog if the identity of the owner can be readily determined from the information shown on the dog's license tag. If the identity of the owner can not be readily determined, the Village Board member may take the stray dog to be impounded at a bona-fide kennel for a maximum of seven (7) days. If the rightful owner does not reclaim any dog within seven days, the dog may be sold for all or portion of the amount of incurred in apprehending, keeping and caring for the dog, or it may be destroyed in a proper and humane manner. The Village Clerk-Treasurer or a keeper of a bona-fide kennel shall collect the amount incurred in apprehending, keeping and caring for the dog if the owner can be ascertained and located. The Clerk-Treasurer shall be authorized to commence a civil action order to collect such amount.
3. The owner or keeper of any dog so confined may reclaim the dog at any time before it is disposed of upon payment of all costs and charges incurred in apprehending, keeping, caring for and licensing the dog. Such costs and charges may include expenses for inoculations or other medical treatment of the dog. The owner or keeper's payment of cost and charges incurred in apprehending, keeping, caring for and licensing the dog shall be made directly to the Village Clerk-Treasurer or to the keeper of bona-fide kennel.

(c) **Removal of Animal Defecation From Public and Private Properties.** An owner or keeper of any animal shall not allow the animal to defecate on any public or private property within the Village other than the premises of the owner or keeper of the animal unless such defecation is immediately removed. The foregoing provisions of this paragraph shall not apply to any person being assisted by a seeing-eye dog. All pens, yards, structures, or areas where animals are kept shall be maintained in a reasonably safe and sanitary condition. Maintenance shall include the regular removal and disposal of defecation, so as not to attract insects or rodents, or to become unsightly or cause objectionable odors, or to result in any other condition recognized as a nuisance by this municipal code or statutory law.

(d) **Maximum number of Dogs and Cats.** The maximum number of dogs and cats shall be as follows:

1. Single Family Residential Areas. No person shall, either individually, or in combination with one or more other persons, keep, possess, harbor or routinely allow the presence of more than 3 dogs over 5 months of age or 3 cats over 5 months of age, or any combination of such dogs and cats exceeding four (4), within the residential unit in which the person resides or upon the lot or portion of a lot upon which such residential unit is located, within a zoning district classified as either R-1 Single Family Residential District or R-2 One and Two Family Residential District.
2. Multi-Family Residential Areas. No person shall, either individually, or in combination with one or more other persons, keep, possess, harbor, or routinely allow the presence of more than two (2) dogs over 5 months of age, or two (2) cats over 5 months of age, or any combination of such dogs and cats exceeding 3, within the residential unit is located, within a zoning district classified as R-2 Multiple Family Residential District.

(e) **Providing Proper Food and Drink to Confined Animals.** No person owning or responsible for confining or impounding any animal may fail to supply the animal with a sufficient supply of food and potable water. In order to be sufficient, the supply of food and potable water must be adequate to maintain the animal in good health. In order to be sufficient, a supply of potable water shall be provided daily to the animal, fresh and in sufficient quantities for the health of the animal to be maintained.

(f) **Providing Proper Shelter to Confined Animals.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with property shelter from sunlight and inclement weather. Proper shelter from sunlight shall require that when sunlight is likely to cause heat stress or exhaustion of an animal tied or caged outdoors, sufficient shade by natural or artificial means provided to protect the animal from direct sunlight. Sufficient ventilation shall be provided to prevent any animal confined within a vehicle from suffering heat stress or exhaustion. If a dog or cat is tied or confined unattended outdoors under weather conditions which are likely to adversely affect the health of the animal, a shelter of suitable size to accommodate the animal shall be provided which is sufficient to protect the animal from such weather conditions.

(g) **Penalties.** Any person violating any provision of this section shall forfeit not less than \$25.00 nor more than \$50.00 for the first offense and not less than \$50.00 nor more than \$100.00, plus court costs, for each subsequent offense within a calendar year.

Section III. This ordinance shall take effect and be in full force upon passage and publication as provided by law.

This ordinance adopted the 10<sup>th</sup> day of May, 2006.

President:     Doug Lau    

Attest:     Dennis Gruett    

Posted: 05/11/06

Village of Potter, County of Calumet

Notice is hereby given on this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

To owner of (property address)\_\_\_\_\_:

The Village of Potter, in compliance with Ordinance #2006-2 regarding Regulation of Dogs and Other Animals in the Village of Potter is giving you written notice that the said ordinance must be adhered to. A copy of this ordinance is available for viewing through any Village of Potter Board member or the Village of Potter Clerk.

**Penalties.** Any person violating any provision of this ordinance shall forfeit not less than \$25.00 nor more than \$50.00 for the first offense and not less than \$50.00 nor more than \$100.00, plus court costs, for each subsequent offense within a calendar year.

Directive Comments:\_\_\_\_\_

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