

AN ORDINANCE REPEALING ORDINANCE NUMBER 6.02 AND ITS AMENDING ORDINANCES NUMBERED 6.021 and 6.022 AND SUBSTITUTING THEREFORE, AN ORDINANCE PROVIDING FOR THE REGULATION OF THE CARE, MAINTENANCE AND CONTROL OF DOGS, AND PROVIDING FOR ITS ENFORCEMENT, AND FOR PENALTIES, ALL IN THE INTEREST OF PUBLIC HEALTH, SAFETY, WELFARE AND CONVENIENCE.

The Town Board of the Town of Medary, La Crosse County, Wisconsin, acting under the powers of a Village Board does ordain as follows:

1. Ordinance No. 6.02 and its amending Ordinances numbered 6.021 and 6.022 are hereby repealed and Ordinance No. 6.02 is recreated as follows:

Section 1. License and Collars. No person shall keep a dog that is not duly licensed under the laws of the State of Wisconsin. The owners of all dogs over three months of age are required to place and keep on said dogs a collar bearing a current license tag. No person, excepting the owner or his authorized agent, shall remove a collar from any dog.

Section 2. Limit of Dogs. No individual owner or family unit living together, firm or corporation, shall keep more than two (2) dogs over the age of three (3) months within any residential district, excepting, however, bona fide animal hospitals in which the dogs are confined within a completely enclosed building. The term "residential district" as used in this section shall be defined as those certain areas on which there are two (2) or more residences within a distance of six hundred (600) feet of each other.

An resident, either owning or renting his or her residence and having more than two (2) dogs at the inception of this ordinance (May 7, 1969), shall be immediately exempted from the enforcement of this Section of the Ordinance until such time as the renter or ownership of said property changes.

Section 3. Care of Dogs. All dogs in the Town of Medary shall be cared for, maintained and handled in a sanitary manner so as to prevent undue howling, barking or other noises constituting a disturbance of the peace and quiet of the neighborhood and shall be confined to the premises of the owner at all times of the year; provided, however, that any dog may be taken from the premises of the owner if under the control of its owner, any member of the owner's family, or any adult person, by means of a leash chain or rope; provided, further, that during the breeding season all dogs shall be closely confined on the premises of the owner.

This section shall not apply to farm dogs in the performance of agricultural or farm duties, or dogs while being lawfully used for hunting purposes.

Section 4. Damage by Dogs. Any dog doing damage may be seized by a constable or any other person and impounded or disposed of in accordance with Section 7 of this Ordinance. Said dog shall not be released until the owner has paid for any damage done.

Section 5. Dangerous Dogs. No person shall keep, own or harbor any dog of either sex which is notoriously vicious or dangerous, and any dog

known to have been bitten by any dog or any other animal supposed to be rabid shall be confined at a veterinary clinic for at least ten (10) days.

When any dog is known to have bitten a person or persons, said dog shall be confined to a veterinary clinic for at ten (10) days.

Section 6. Muzzling or Confinement of Dogs. It shall be the duty of the Town Chairman, whenever in his opinion the danger to the public safety from rabid dogs is great and imminent, to publish an order requiring all persons owning, keeping or harboring any dog of either sex, to muzzle the same or to confine the same for not less than sixty (60) days from the date of such order, by good or sufficient means, to the house, stable, outbuilding or have the same properly and securely muzzled and, in case any dog of either sex shall be found at large without being so muzzled, it shall be the duty of the constable or other peace officer to cause the same to be killed forthwith, without further notice to the owner or keeper thereof.

Section 7. A. Any constable or other peace officer of said Town shall impound any dog, found in violation of the above sections, at the Town dog pound, if any, or private veterinary pound, for a period of not less than five (5) days, and shall give notice to the Town Clerk of such impoundment, including a description of such dog and the name and address of the owner, if known to such constable or peace officer.

B. If any dog impounded as provided herein shall be claimed within five (5) days from the time that notice of impoundment shall have been given to the Town Clerk as provided herein, and such person shall pay to the Town Clerk or veterinary pound the reasonable cost of taking, impounding, feeding and caring for such dog during its impoundment, as determined by the Town Board, such dog shall be released to the person paying such charges.

C. If any such dog impounded as provided herein shall not be claimed by any person within five (5) days from the time that notice of impoundment shall have been given to the Town Clerk as provided herein, such constable or other peace officer shall provide herein, such constable or other peace officer shall provide for the humane disposition of such dog without further notice.

Section 8. It shall be the duty of such constable, or other peace officer to ascertain, if possible, the identity of the owner of each dog seized by him, and to notify such owner of the fact that such dog has been seized.

The owner of any dog may obtain the release of such dog upon payment of the appropriate penalty to the Town Treasurer as set forth in Section 9 below, and upon payment of any and all expenses attendant upon such impoundment. The veterinary pound shall require proof of payment of fines.

Section 9. Penalties: Any person violating any provision of this ordinance shall be subject to a forfeiture, or fine, as follows:

A mandatory fine in the amount of Twenty-five Dollars (\$25.00) for the first offense, and a minimum mandatory fine in the amount of Fifty Dollars (\$50.00) for a second, or subsequent, violation, but in no event more than the sum of Two Hundred Dollars (\$200.00), together with the cost of prosecution and, in the event of default in payment of such fine, by imprisonment in the County Jail for not more than thirty (30) days.