

CHAPTER 12

LICENSES AND PERMITS

- 12.01 Licenses Required
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Amendments - #4, § 2, 3-7-95; Am. #46, § 2, 11-12-03; Am. #102-13, 11-12-13
#121, §12-18-2019

12.01 - LICENSES REQUIRED (Ord. No. 179 - Am. #4, § 2, 3-7-95; Am. #46, § 2, 11-12-03; Am. #102-13, 11-12-13; Am. #121, § 12-18-19)

- (1) Subject to payment of the following fees, the owner of each dog 5 months of age or older as of January 1 of any year or 5 months of age within the license year shall annually, on or before the date the dog becomes 5 months of age, obtain a license therefor as provided in this section.
 - (a) Neutered males and spayed females - \$8.00
 - (b) Unneutered males and unspayed females - \$20.00
 - (c) Multiple license:
 - For up to 12 dogs - \$60.00
 - For each dog in excess of 12 dogs - \$3.00
- (2) The license year shall mean the period commencing on January 1 and ending on the following December 31. The owner of each dog for which a license is required shall on or before the first day of January of each year obtain a license, from the Treasurer or other authorized collecting official of the municipality in which each such dog is kept.
- (3) The owner of each dog in the County over the age of 5 months shall have it vaccinated by a licensed veterinarian to prevent rabies. The owner shall be responsible to ensure that evidence of such anti-rabies inoculation is attached to a substantial collar kept on the dog. Such evidence of inoculation shall be removed by the owner when the effect of the vaccine as stated by the veterinarian expires.
- (4) Upon receipt of payment of the required fee and evidence of current immunization against rabies, the collecting official shall complete and shall deliver or mail to the applicant a license for the dog bearing a serial number, stating the date of its expiration, the owner's name and address, and name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog. After issuing the license the collecting official shall deliver or mail to the owner a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year. License tags shall be attached by the owner to a substantial collar and worn during the term of the license which shall at all times be kept on the dog for which the license was issued.
- (5) When the permanent ownership of a dog is transferred the license may be transferred by the Treasurer or collecting official upon notification by notation on a license record giving the name and address of the new owner. A license tag issued for one dog, however, may not be transferred to another dog, except in the case of a multiple license tag.
- (6) Requirements of licensing dogs shall not apply to a dog if:
 - (a) The dog is in transit through the County only;

- (b) It is during the first 30 days of residency in the County by the owner; or
 - (c) It is housed temporarily in an animal grooming shop.
- (7) Subject to (8) below, for each license purchased on or after April 1, or purchased later than 30 days after acquiring ownership of a licensable dog or after the dog reached licensable age the owner shall be subject to the payment of a late fee of \$5.
- (8) If a dog becomes 5 months of age or older after July 1 of the license year, the fee shall be ½ of the appropriate amount set forth in (1) above.

12.02 - GENERAL PROVISIONS AS TO LICENSES

- (1) **TERMS INTERCHANGEABLE.** The words "license" and "permit" as used throughout this chapter shall be interchangeable.
- (2) **LICENSE REQUIRED.** No person shall engage in any business or activity enumerated in §12.01 without a license therefor as provided by this chapter.
- (3) **LICENSE FEES.**
- (a) Fees to Accompany Application . License fees imposed under §12.01 shall accompany the application, unless otherwise exempt by State law.
 - (b) Refunds . No fee paid shall be refunded unless the license is denied or the applicant withdraws his application prior to license issuance. Under no circumstances will publication fees be refunded.

12.03 - ANIMAL CONTROL REGULATIONS

- (1) **PURPOSE.** (Ord. No. 179, Am. #46, § 2, 11-12-03) The purpose of this section is to regulate and control dogs, cats and other domestic animals within the limits of the County, to safeguard and protect property and the general public and to provide regulations to prevent cruelty to all animals.
- (2) **DEFINITIONS.** Unless the context requires otherwise, the following definitions shall apply:

Animal. A living creature, not human and being either domestic or wild.

Animal shelter. The animal shelter operation of the County Humane Society which is the designated place for the proper care of impounded animals held under the authority of this section.

At large. An animal off the premises of the owner. An animal properly licensed as required by this section shall not be deemed at large if such animal:

- (a) Is on the premises of the owner.
- (b) Is under the control of a person competent to restrain and control the animal, either by leash, cord, chain, operational electronic leash, fence or other

restraint, or properly restrained within a motor vehicle. (Ord 179, Am. # 121 § 12-18-2019)

- (c) Is properly housed in a veterinary hospital or licensed kennel, pet shop or the designated animal shelter.

Cat. All members of the Felis Domestica species, male or female, altered or unaltered.

Competent person. A person of such maturity as to be able to exercise control over an animal.

Dog. Includes members of the canine species, male or female, altered or unaltered.

Domestic animal. A dog, cat or livestock, including but not limited to horse, bovine, goat, pig, domesticated rabbit or domesticated fowl, including game fowl raised in captivity. (Ord. No. 179, Am. #4, § 2, 3-7-95)

Kennel. Any establishment wherein or whereon dogs are kept for breeding, raising, training, buying, selling, boarding or sporting purposes.

Livestock. Any horse, bovine, sheep, goat, pig, elk or other deer raised in captivity, llama, alpaca, domestic rabbit, farm raised deer or domestic fowl, including game fowl raised in captivity. (Ord. No. 179, Am. #46, § 2, 11-12-03)

Multiple dog license option. Any person who keeps more than one dog may, instead of the license tax for each dog required by this chapter, apply to the collecting official for a multiple dog license for the keeping of the dogs. (Ord. No. 179, Am. #46, § 2, 11-12-03)

Municipality. This shall include town, village and city. (Ord. No. 179, Am. #4, § 2, 3-7-95)

Owner. Any person owning, keeping or harboring a dog, cat or other animal.

- (3) **RUNNING AT LARGE PROHIBITED.** No owner of any dog shall allow such animal to run at large within the limits of the County. The owner of such dog shall be held responsible and subject to a penalty.
- (4) **HARM OR INJURY.** (Ord. No. 179, Am. #4, § 2, 3-7-95) No dog, cat or any other domestic animal shall attack persons, other domestic animals or destroy property other than the property of the owner of such animal. No owner of a dog, cat or other domestic animal shall permit such dog, cat or other domestic animal to attack persons or domestic animals or to place any person in reasonable fear of attack or injury.

(5) CRUELTY TO ANIMALS PROHIBITED.

- (a) No person shall torture, torment, deprive of necessary subsistence, mutilate, cruelly beat or cruelly kill any animal; fail to provide the same with proper food, drink, shelter or protection from the weather; cruelly abandon same; or commit any other act or omission by which unjustifiable pain, distress, suffering or death is caused or permitted to any animal, either maliciously, willfully or negligently. This section does not apply to normally accepted animal husbandry practices, such as and including, but not limited to, dehorning, castration and confinement. This section does not apply to normal hunting and trapping practices licensed by the State.
- (b) No person may expose any domestic animal owned by another to any known poisonous substance or controlled substance listed in §961.14, Wis. Stats., whether mixed with meat or other food or not, so that the substance is liable to be eaten by the animal and for the purpose of harming the animal. This section shall not apply to poison used on one's own premises and designed for the purpose of rodent or pest extermination nor to the use of a controlled substance in bona fide experiments carried on for scientific research or in accepted veterinary practices. (Ord. No. 179, Am. #46, § 2, 11-12-03)
- (c) Every facility to house multiple dogs, including all places of confinement and all other facilities therein, shall be maintained in a clean and sanitary condition and no refuse or waste material shall be allowed to accumulate thereon which is detrimental to the animal in the multiple facility. All animals kept thereon having any disease shall be properly isolated and treated and shall not be sold. Any animal having to be destroyed shall be destroyed in a humane manner. It shall be a condition of licensure that each multiple facility shall be subject to inspection at any time by the Sheriff or his/her designee. In the event that the owner or occupant of any multiple facility fails or refuses to grant permission to the Sheriff or his designee to enter the premises, it shall constitute cause to procure a special inspection warrant pursuant to §66.0119, Wis. Stats. (Ord. No. 179, Am. #4, § 2, 3-7-95; Ord. No. 179, Am. #46, § 2, 11-12-03)

(6) ANIMAL NUISANCES. (Ord. No. 179, Am. #4, § 2, 3-7-95) The owner of any dog, cat or other domestic animal shall not permit such dog, cat or other domestic animal to become a nuisance to the public by any of the following:

- (a) Being an annoyance or disturbance to any person other than the owner by frequent and habitual barking, howling, yelping, hissing, meowing or fighting.
- (b) Defacing, scratching or marring any personal or real property other than that of the owner of the animal.
- (c) Trespassing upon any property where food or drink is sold, unless provided for otherwise under statutes.

- (7) **OWNER OR PERSON IN CHARGE OF ANIMAL TO KEEP FEMALE DOGS IN HEAT CONFINED.** The owner of any female dog in heat shall confine the animal in a building which is completely enclosed; housed in a veterinary hospital or licensed kennel; or within the owner's yard enclosed by a fence or other structure having a height of at least 42". Nothing in this section, however, shall be construed as prohibiting any competent and responsible person from walking such dog with a leash, cord or chain or from transporting such dog within a motor vehicle under proper restraint.
- (8) **ANIMAL NAPPING.** (Ord. No. 179, Am. #4, § 2, 3-7-95) No person shall take a dog, cat or other domestic animal of another from one place to another without the owner's consent or cause such animal to be confined or carried out of the County or held for any purpose without the owner's consent. This section does not apply to enforcement officials, including the County law enforcement officers engaged in the exercise of their duties under this section or animal control officers.
- (9) **APPREHENSION AND IMPOUNDMENT.**
- (a) The Animal Control Officer or other designated official shall cause to be taken up and impounded any dog found to be at large within the County contrary to the provisions of this section.
- (b) No person shall abandon or knowingly allow their dog or cat to remain unclaimed at the animal shelter.
- (c) No person shall abandon any domestic animal. Any law enforcement officer may shelter and care for any animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such animal to another person to be cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer or other person having possession of the animal shall have a lien thereon for its care, keeping and medical attention and the expense of notice. (Ord. No. 179, Am. #4, § 2, 3-7-95)
- (d) If the owner or custodian is unknown and cannot with reasonable effort be ascertained or does not within 5 days after notice redeem the animal by paying the expenses incurred, it may be treated as a stray and dealt with as such.
- (e) Whenever in the opinion of any such officer an animal is hopelessly injured or diseased so as to be beyond the probability of recovery, the officer may kill such animal and the owner thereof shall not recover damages for the killing of such animal unless he shall prove that such killing was unwarranted.

- (10) PICK-UP, IMPOUNDMENT AND DISPOSAL FEES. (Ord. No. 179, Am. #46, § 2, 11-12-03)
- (a) Pick-up, impoundment, boarding and disposal fees shall be established and collected as may be determined from time to time by the provider of services.
 - (b) Fees charged to Pepin County for the transportation of an animal to the designated Pepin County animal shelter may be charged back to the known owner of the animal.

12.10 - PENALTY

Except as otherwise provided in this chapter, any person found to be in violation of any provision of this chapter shall be subject to a penalty as provided in §25.04 of this chapter.