

**TOWN OF CLYMAN  
ORDINANCE NO. 2008-003  
REGULATION AND LICENSING OF DOGS**

(1) **License Required.** It shall be unlawful for any person in the Town of Clyman to own, harbor or keep any dog more than six months of age without complying with the provisions of §174.05 through §174.10, Wisconsin Statutes, relating to the listing, licensing and tagging of the same.

(2) **Definitions.** In this section, unless the context or subject matter otherwise require:

(a) "Owner" shall mean any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains or to which it customarily returns daily for a period of ten days is presumed to be harboring or keeping the dog within the meaning of this section.

(b) "At large" means to be off the premises of the owner and not under the control of some person either by leash or otherwise, but a dog within an automobile of its owner or in an automobile of any other person with the consent of the dog's owner shall be deemed to be upon the owner's premises.

(3) **Restrictions on Keeping of Dogs.** It shall be unlawful for any person within the Town of Clyman to own, harbor or keep any dog which:

(a) Assaults or attacks any person.

(b) Habitually, by any noise, disturbs the peace and quiet of any person or persons. If a complaint is received by the Town officials on three or more separate occasions the animal will be deemed a nuisance.

(e) Kills, wounds or worries any domestic animal.

(f) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.

(g) Is known to be of vicious disposition. An animal is deemed to be of vicious disposition if it bites or inflicts serious injury to a person in unprovoked circumstances off the owner's premises.

(h) **Keeping of More than Five Dogs Prohibited.** No person shall own, harbor or keep more than five dogs over the age of three months on any residential lot within the limits of the Town of Clyman except that a litter of pups, or a portion of the same may be kept for a period of time not exceeding three months from birth.

(i) **Kennel Licenses.**

1) Any person who keeps or harbors multiple dogs may, instead of the license tax for each dog, apply for a kennel license for the keeping or harboring multiple dogs. Such person shall pay for the license year a license tax of \$35.00 for twelve (12) or fewer dogs plus an additional \$10.00 for each dog in excess of twelve (12). Upon payment of the

required kennel license tax and, if required by the Town Board, upon presentation of evidence that all dogs over five (5) months of age are currently immunized against rabies, the Town Treasurer shall issue the multiple dog license and a number of tags equal to the number of dogs authorized to be kept.

- 2) The owner or keeper of multiple dogs shall keep at all times a kennel license tag attached to the collar of each dog over five (5) months old kept by the owner or keeper under a multiple dog license but this requirement does not apply to a show dog during competition, to a dog securely confined indoors or to a dog securely confined in a fenced area. These tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. The rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times but this requirement does not apply to a show dog during competition, to a dog securely confined indoors or to a dog securely confined in a fenced area. No dog bearing a multiple dog tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel unless the dog is in leash or temporarily for the purposes of hunting, breeding, trial, training or competition.
- 3) The term "kennel" means any establishment wherein or whereon six (6) or more dogs are kept.
- 4) No kennel licenses shall be issued to the keeper or operator of a kennel who fails to provide proper food and drink and proper shelter for the dogs in said kennel or who neglects or abandons said dogs. Designated officials shall investigate any complaints regarding the failure to maintain proper standards or investigate any kennel premises upon his/her initiative. Expressly incorporated by reference in this Section as minimum standards for kennel keepers or operator are the relevant provisions of Ch. 951, Wis. Stats.
- 5) A condition of a kennel license shall be that the licensed premises may be entered and inspected at any reasonable hour by appropriate Town officials without any warrant, and the application for a license hereunder shall be deemed consent to this provision. Any refusal to permit such inspection shall automatically operate as a revocation of any license issued hereunder and shall be deemed a violation of this Section. Should any kennel be found to constitute a public nuisance, the license shall be revoked and the nuisance abated pursuant to Town ordinances.

State Law Reference: Sec. 174.053, Wis. Stats.

(4) **Rabies Inoculation Required.** It shall be the duty of every dog owner to have such dog inoculated against rabies by a veterinarian.

(a) The vaccinating veterinarian shall furnish certificates in triplicate form, together with a corresponding dog tag for distribution. The certificate shall contain provisions for inserting information including name and address of the owner of the dog, date of vaccination, number of dog tag, breed, age, color and sex of dog and such other information as may be required. The veterinarian shall also furnish a corresponding tag of durable material to be attached to the collar or harness of the dog as evidence of such inoculation and such tag shall be numbered and shall contain the year of issuance.

(b) It shall be the duty of each veterinarian after inoculating a dog to insert in each triplicate certificate the information required thereby; to present one copy to the owner of the dog, who

shall furnish by mail or deliver one copy to the Town Treasurer within fifteen days after inoculation; and give the tag as aforesaid to the owner of the dog and said owner shall immediately attach the same to the collar or harness of said dog, which shall be worn by the dog at all times.

(c) It shall be unlawful to own, harbor or keep any dog which does not carry the tag as provided by subsection (b) hereof.

**(5) Duty of Owner.**

(a) In cases of Dog Bite. Every owner or person harboring or keeping a dog who knows that such dog has bitten any person shall immediately report such fact to the Health Officer and shall keep such dog confined for not less than fourteen days or for such period of time as the Health Officer shall direct. The owner or keeper of any such dog shall surrender the dog to the Health Officer or any police officer upon demand for examination.

**Impounding or Killing of Dogs.**

(a) In addition to the penalties hereinafter provided for violation of this section, any person or any police officer may impound any dog which does not carry the rabies inoculation tag as provided by subsection (4) hereof, and any person may impound or any police officer may dispose of in a humane manner any dog which assaults or attacks any person, is at large within the Town, habitually by any noise disturbs the peace and quiet, kills, wounds or worries any domestic animal or is infected with rabies.

(b) Repossession of dog. The repossession of any dog impounded or seized may be obtained by payment of all fees for the board of said animals during the time they are impounded, provided, that an impounded dog shall not be released until proof has been furnished to the police officer or Town Treasurer that the dog has been inoculated with anti-rabies vaccine in accordance with the terms of this ordinance. The resident will be charged for the cost of pick up and housing of the dog.

(c) After a dog has been impounded for a period of seven days without it having been reclaimed by its owner or anyone in behalf of the owner, the dog or cat may be destroyed in a humane manner under the direction of the Town officials. Notice of impounding shall be given to the owner of the dog if known by the person or officer in the possession of the dog within 24 hours of impounding.

(d) Any authorized town official, police officer or health officer who shall dispose of or impound any dog shall make a report stating when and under what conditions he seized and impounded such dog and the owner's name if known.

**(6) Dog License Fees.** A fee of \$5.00 per dog for spayed and neutered dogs and \$10 for female and unneutered dogs shall be collected as determined by the Town Board.

(a) No Fee for Guide Dogs. The license provisions of this section shall not apply to specially trained dogs used to assist physically or mentally challenged persons. A person owning a specially trained dog used for this purpose shall receive a free annual license from the Town Treasurer upon application.

Adopted by the Town of Clyman this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
David Blank, Town Chairman

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Nancy Schlender, Town Supervisor

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Chuck Burkholz, Town Supervisor

Attest:

\_\_\_\_\_  
Kris Kohlhoff, Town Clerk

Posted: \_\_\_\_\_