

Chapter 7

DOGS

[HISTORY: Adopted by the Town Board of the Town of Linn 11-13-1995 (Ch. 7 of the 1995 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 5.

Animals — See § 6-23.

§ 7-1. Public policy.

It is hereby declared necessary in the interests of public health, safety and welfare that the keeping of dogs within the Town be regulated in order to prevent them from becoming public nuisances.

§ 7-2. Dogs running at large.

It shall be unlawful for the owner or keeper of any dog to permit the dog to run at large at any place within the Town unless accompanied by and under the control of the owner or keeper of the dog. This section does not prohibit any person from allowing any dog to run at large upon premises owned or occupied by the owner or keeper of the dog.

§ 7-3. Dog license. ¹ [Amended 1-10-2005; 11-13-2006 ²]

Every owner or keeper of a dog more than five months of age shall annually, at the time and in the manner provided by law, pay a dog license tax and obtain a license therefor as required by the Wisconsin Statutes. The license must be obtained by April 1 of each year. The amount of the license tax shall be set by the Town Board. In the event that the license has not been obtained by April 1 of the license year, the owner or keeper shall pay a five-dollar penalty for each dog not licensed.

§ 7-4. Impoundment and enforcement.

- A. Confinement of dogs. It shall be the duty of the Town police to apprehend any dog running at large within the Town not on the premises of its owner or keeper and not accompanied by or under the control of its owner or keeper and confine the same in a suitable dog pound.
- B. Enforcement. The Town police shall have the power and authority to apprehend and confine dogs as provided in this chapter and shall have the power and authority to enforce this chapter, including the right to commence actions for the collection of

1. Editor's Note: See also Ch. 6, § 6-23C, Inoculation for dogs and cats.

2. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

any forfeiture imposed. Such action shall be brought in the name of the Town.

- C. Disposition of unclaimed dogs. The keeper of the dog pound where any dog is confined pursuant to the terms of this chapter shall keep all dogs apprehended as hereinbefore provided for a period of seven days, and if any dog is not reclaimed by the rightful owner within such time, it may be disposed of in a proper and humane manner.
- D. Owner or keeper to pay cost. The owner or keeper of any dog so confined may reclaim such a dog at any time before the same is disposed of as herein provided, upon payment of all costs and charges incurred in the apprehension, keeping and care of the dog. Such costs and expenses shall be set by the Walworth County Humane Society. Payment of such fees and expenses shall be made to the Walworth County Humane Society before the dog is released.
- E. Disposition of injured or sick dogs. The Walworth County Humane Society shall have the right to destroy any dog in a humane manner without the confinement thereof as provided in Subsection A of this section, which dog in the opinion of the Walworth County Humane Society is injured or sick to the extent that the death of the dog is imminent.

§ 7-5. Duty of owner in case of dog bite. ³

Every owner or person who keeps or harbors a dog who knows that such dog has bitten any person shall immediately report such fact to the County Health Officer and the Chief of Police and shall keep such dog confined for not less than 10 days or for such period of time as a Health Officer shall direct. The owner or keeper of any such dog shall surrender the dog to a Health Officer upon his demand for examination.

§ 7-6. Vicious dogs.

- A. It shall be unlawful to keep a vicious dog within the Town. A showing that a dog has bitten, attacked or injured any person or has attacked or killed any domestic animal shall constitute a prima facie showing that such dog is vicious.
- B. In addition to the penalties provided for below, any Town police officer may, for violation of this section, dispose of said dog in a proper and humane manner.

§ 7-7. Barking dogs.

No person shall keep or harbor any dog which by frequent or habitual howling, yelping, barking, or making of other noises is greatly annoying or disturbing the neighborhood or any considerable number of persons within the Town.

§ 7-8. State laws adopted. [Added 8-11-2003; amended 5-10-2004]

Except as otherwise provided in this chapter, all provisions of Ch. 951, Wis. Stats.,

3. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

including any future revisions or amendments thereto, describing and defining regulations with respect to the treatment of animals, including penalties to be imposed and procedures for prosecution, are hereby adopted and by reference made part of this chapter as if fully set forth herein.

§ 7-9. Tethering or chaining of dogs restricted. [Added 8-11-2003; amended 5-10-2004]

- A. A dog may be restrained by a fixed point chain, trolley system or tether for no more than 10 hours in a twenty-four-hour period.
- B. No chain or tether shall weigh more than 1/8 of the dog's body weight.
- C. Any chain or tether shall be at least 10 feet in length and have swivels at both ends.
- D. Any chain or tether must be attached to a properly fitting collar or harness worn by the animal.

§ 7-10. Violations and penalties.

Any person who shall violate any provisions of this chapter shall be subject to a penalty as provided in Chapter 1, § 1-4 of this Code together with any costs provided therein.