

Chapter 8

ANIMALS

[HISTORY: Adopted by the Town Board of the Town of Troy as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Citations — See Ch. 39

ARTICLE I

Dogs

[Adopted 12-14-1992 by Ord. No. 92-4; amended in its entirety 8-11-2003, amended 3-13-2014]

§ 8-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AT LARGE — To be off the premises of the owner and not under the restraint of the owner or some person designated by the owner. A dog actively engaged in hunting activity, including training, that is monitored or supervised by a person and that is on land open for hunting or on which the person has obtained permission to hunt is not considered to be at large.

OWNER — Any person owning, harboring or keeping a dog. The occupant of any premises on which a dog resides or to which it customarily returns daily for a period of 10 days is presumed to be harboring or keeping the dog

RESTRAINT -- An animal is under restraint within the meaning of this article if it is controlled by a leash, at heel and immediately obedient to that person's commands, on or within a vehicle being driven or parked on the streets or roads or within the property limits of its owner or keeper.

§ 8-2. Enforcement

The Town's Animal Control Officer, Park Rangers or any St. Croix County Sheriff's Deputy are authorized to enforce this article and are authorized to issue citations for violations thereof.

§ 8-3. License required; rabies vaccination.

It is unlawful for any person in the Town of Troy to own, harbor or keep any dog more than five months of age without complying with the provisions of Ch. 174, Wis. Stats., concerning the licensing of and responsible management of dogs. Licenses are available from the Town Clerk-Treasurer. A valid license tag must be attached to a collar which is kept on the dog at all times when the dog is outdoors. All dogs shall have a rabies vaccination by the age of five months, and all provisions of § 95.21, Wis. Stats., shall be in force in the Town.

§ 8-4. Requirements for keeping dogs

- A. It shall be unlawful for any person in the Town of Troy to keep any dog in the Town that:
- (1) Pursues, assaults or attacks any person.
 - (2) Is at large, abandoned or astray in the Town.
 - (3) Habitually pursues any vehicle upon any public road in the Town.
 - (4) Habitually barks or howls completely unreasonably to the annoyance of any person or persons, on more than one occasion.
 - (5) While on premises owned or occupied by someone not its owner, kills, wounds or worries domestic animals or livestock.
- B. Every owner shall provide his or her dog(s) with sufficient quantities of wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. No person shall beat, cruel ill treat, torment, abandon, or otherwise abuse any animal or cause or permit any dogfight.

§ 8-5. Duty of owner in cases of dog bites.

Any person or owner harboring or keeping a dog who knows that such dog has bitten any person shall comply with § 95.21, Wis. Stats.

§ 8-6. Restraining action.

- A. A person may take restraining action with respect to a dog if that dog assaults or causes injury to a person or if the dog assaults, injures or causes injury to livestock while off the property of its owner. If a person suspects that a dog is infected with rabies or has been exposed to rabies, the person shall notify any member of the Town Board or the St. Croix County Sheriff's Department who shall take appropriate action as required.
- B. Restraining action with respect to a dog includes notifying the Town's Animal Control Officer and requesting that the Animal Control Officer contact the owner and/or take such dog into custody if also abandoned or stray. When a stray or abandoned dog is taken into custody by the Town's Animal Control Officer, it shall be promptly delivered to a humane officer under contract with the Town, to a law enforcement officer or to a pound. The Town's Animal Control Officer is authorized to harm or destroy dogs only where threatened with serious bodily harm by the dog, immediate action is necessary and other restraining actions have been tried and have failed.

§ 8-7. Violations and penalties

The penalty for violation of any provision of this article shall be a forfeiture in an amount as set by the Town Board, plus the actual costs of prosecution. The amount of the forfeiture shall be as set forth in Chapter 39, Citations, of this Code. Each day during which a violation exists is a separate offense.

§ 8-8. Severability.

A judicial determination that any portion of this article is invalid shall not invalidate the entire article but only the portion identified by the court. Any such determination of invalidity shall not operate retroactively.

The Town Clerk/Treasurer shall properly post this Ordinance as required by Wis. Stats. §60.80.

Adopted this _____ day of _____, 2014.

Town Chairman:

Attest:

Jennifer Clark, Clerk/Treasurer

Posted pursuant to Wis Stats. § 60.80(1)(b) on March 14, 2014, in the following three locations; Town Hall, Glover Park, Town Recycling Center.