

**TOWN OF TROY**  
St. Croix County, Wisconsin

Ordinance No. 2020-1 (Chapter 8)

Amending Town of Troy Ordinances Chapter 8  
Animals

The Town Board of the Town of Troy does hereby amend the Town of Troy Animals Ordinance and does ordain as follows:

1. Chapter 8 is hereby deleted in its entirety is hereby re-created to read as follows:

[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.

**DOMESTIC ANIMAL**— includes, but is not limited to, bovine, horse, sheep, goat, mule, llama, alpaca, pig/hog, farm raised deer, donkey, geese, domestic rabbit, duck, cat and domestic fowl.

**OWNER** — Any person owning, harboring or keeping a dog or domestic animal. 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 or domestic animal 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) or domestic animal(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. Impoundment and redemption of dogs and domestic animals.**

- A. Any dog or domestic animal found in violation of this chapter may be taken by the Animal Control Officer and impounded in the designated animal shelter and there confined in a humane manner for a period of not less than seven days. If not claimed prior thereto by its owner, it shall thereafter become the property of the town and may be disposed of in a humane manner or sold to an individual desiring to purchase the animal as a pet. If a dog is destroyed pursuant to this chapter, the license for such dog shall expire.
- B. Immediately upon the impounding of a domestic animal or dog wearing a current license, tattoo or other identification, the Animal Control Officer shall make reasonable effort to notify the owner of such impoundment and of the conditions whereby the owner may regain custody of the animal. Any verbal notices shall be confirmed in writing by the Animal Control Officer.
- C. Notwithstanding anything contained herein to the contrary, if a critically injured dog or domestic animal is at large pursuant to this chapter, it may be destroyed by the Animal Control Officer but only after reasonable efforts have been made to contact its owner.
- D. Any dog or domestic animal impounded hereunder being held for suspected disease (except rabies) may be reclaimed by the owner within seven days upon payment of the owner to the Town any applicable forfeitures in addition to the costs for keeping such an animal during the impoundment, providing that the licensing requirements of this chapter are complied with.
- E. Impoundment and redemption fines and forfeitures: see Ch. 39, Citations.
- F. An impounded dog that is returned to its owner may be automatically licensed by the Town of Troy as per § 8-3 of this chapter. License fees shall be billed to the owner, and if the owner does not pay the fees within 14 days, it shall be a violation of this chapter and subject to all enforcement and collection methods of this chapter.

**§ 8-8. Interference with Animal Control Officer.**

- A. No person shall interfere with, hinder or molest the Animal Control Officer in the performance of the duties of his/her office or seek to release any animal in the custody of the Animal Control Officer except as herein provided. This includes:
  - (1) Knowingly providing false or misleading information.
  - (2) Refusing to answer questions regarding dogs kept or harbored at a residence pertaining to number, rabies vaccination status, etc.
- B. Any such action shall constitute a violation of this Chapter.

**§ 8-9. Violations and penalties.**

- A. 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, plus costs incurred by the Town as described in Subsection B. Each day during which a violation exists is a separate offense.
- B. In addition to any forfeiture imposed pursuant to Subsection A above, or any deposit amount established under Ch. 39, Citations, an animal owner who allows an animal to run at large or to otherwise be in violation of this chapter shall be required to pay all costs the Town incurs in enforcing this chapter, including but not limited to costs for animal pickup, kenneling, boarding, impound fees, or other costs related to dealing with animals which is in violation of this chapter. If costs are not paid pursuant to judgment of conviction or citation, the Town shall bill the owner for all costs incurred by the Town. If the animal owner does not pay said costs within 30 days, pursuant to its authority under Wis. Stat. § 66.0627, the Town shall impose said costs as a special charge against any real estate owned by the animal owner in the Town of Troy. Said special charge shall become a lien upon the property for collection along with real property taxes.

**§ 8-10. 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.

Adopted this 12 day of March, 2020.

Daniel Pearson  
Daniel Pearson, Town Chair

Date: 4/21/2020

Attest:

Gail Anderson  
Gail Anderson, Town Clerk/Treasurer

Date: 4/21/2020