

Chapter 75

ANIMALS

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

GENERAL REFERENCES

Nuisances — See Ch. 168.

Parks — See Ch. 174.

ARTICLE I

Dogs

[Adopted 7-7-1986]

§ 75-1. Restraint of vicious dogs.¹

No owner of or person harboring or keeping a vicious dog or bitch in heat shall suffer the same to run outside an enclosure in which the dog shall be kept unless attached to a leash of sufficient strength to restrain the dog, held by a person competent to control the dog. For purposes of enforcing this section, a dog shall be deemed as being of a vicious disposition if, within any twelve-month period, it bites two or more persons or inflicts serious injury to one person in unprovoked circumstances off the owner's premises.

§ 75-2. Running at large.²

No owner of or person harboring or keeping a dog shall suffer the same to run at large within the Town of Summit on the public highways, alleys, grounds or parks, or off the premises of the owner or keeper of such dog, except in an "Agricultural District" as defined by Chapter 235, Zoning, of the Code of the Town of Summit, as amended to date. It shall be the duty of every police officer to apprehend any dog so running at large and to confine such dogs when apprehended in the Town pound.

§ 75-3. Open gates or doors to set dogs at large.

All persons except the owners are hereby prohibited from opening any door or gate or otherwise enticing or enabling any dog to leave any private premises within which such dog may be for the purpose of setting such dog at large.

§ 75-4. Howling dogs prohibited.³

A. It shall be unlawful for any person, partnership, or corporation owning, keeping,

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: See also § 168-1C(7) of Ch. 168, Nuisances.

3. Editor's Note: See also § 168-1E(7) of Ch. 168, Nuisances.

possessing, or harboring any dog to suffer or permit such dog or dogs to disturb the peace and quiet of the neighborhood by excessive, continuous, or untimely barking, yelping, howling or crying at any time of the day or night.

- B. Prosecution may be commenced by the issuance of the appropriate citation by the Police Department or by a verified complaint. Nothing in this article shall be so construed as to prevent a warning citation being issued for a first offense at the discretion of the Police Department after review of the facts and circumstances of the individual case.

§ 75-5. Dogs with rabies; dogs which have bitten.

- A. Any person who shall have in his or her possession a dog which has contracted rabies, or which has been subject to same, or which is suspected of having rabies or which shall have bitten any person, shall upon demand of the Police Department, or the Health Officer of the Town of Summit, produce and surrender up such dog to the said Police Department or Health Officer of the Town of Summit, and if upon examination by the Health Officer, or the Wisconsin Humane Society, or any of its agents, the dog shall prove in fact to be infected with said disease the dog may be disposed of in the most humane manner by any such officer.
- B. No person shall keep or harbor any dog known by such person to be infected with rabies, or to have been bitten by a dog so infected, or after demand of the Police Department or the Health Officer of the Town of Summit to produce and surrender up such dog.

§ 75-6. Impounding of dogs.

- A. Any Police Officer or the Wisconsin Humane Society, or any of its agents, may enter upon the premises of the owner or keeper of any unlicensed dog as defined in Ch. 174, Wis. Stats., or of a dog so infected with rabies or known to have been bitten by a dog so infected, or of a dog for surrender and possession of which demand has been made by the Police Department or Health Officer of the Town of Summit.
- B. The possession of any dog impounded pursuant to the provisions of this article may be obtained by paying to the Clerk/Treasurer of the Town the current daily fee for each day, or fraction thereof, during which said dog has been impounded.⁴

§ 75-7. Dog licensing and regulations.⁵

- A. Number permitted. The number of dogs permitted to be kept, harbored or housed per household or residential unit shall be as set forth in the district regulations of Chapter 235, Zoning, of the Code of the Town of Summit.
- B. Licensing required. Every person residing in the Town of Summit, who owns or has

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

in their possession a dog which is more than five months of age on January 1 or any year shall annually, at the time and in the manner prescribed by the Wisconsin Statutes for the payment of personal property taxes, obtain a license for each dog. The fee for such license shall be as prescribed by the Town Board. A late fee of \$5 shall be assessed the owner of each dog five months of age or over who fails to obtain a dog license by April 1 of each year or within 30 days of acquiring ownership of a licensable dog. No license shall be issued for any dog under this section unless that dog has received a rabies vaccination within two years of the date the license is requested to be issued. Failure to have such dog so vaccinated shall constitute a violation under this section. The provisions of Ch. 174, Wis. Stats., are hereby incorporated herein and made a part of this section and subject to all the penalties of Town ordinances.

§ 75-8. Violations and penalties.⁶

Any person guilty of violation of any of the provisions of this article shall, upon conviction thereof, be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Town of Summit.

⁶. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).