

## **CHAPTER 53**

### **DOGS (LICENSING AND CONTROL)**

**53.01 PURPOSE.** The purpose of this Chapter is to establish the licensing, control, and rabies vaccination requirements for dogs located within St. Croix County consistent with state law.

**53.02 DEFINITIONS.** As used in this Chapter, unless the context indicates otherwise:

- (A) “Collar” means a band, strip or chain placed around the neck of a dog.
- (B) “Collecting official” is any city, village, or town treasurer, or any person deputized by the treasurer, to collect dog license taxes.
- (C) “County” means St. Croix County.
- (D) “Domestic animal” includes livestock, dogs and cats.
- (E) “Listing official” means the municipal clerk in a city or village who keeps documentation and lists each dog maintained in the assessment district. In a town, the town board shall designate a person to be the listing official.
- (F) “Livestock” means any horse, bovine, sheep, goat, pig, domestic rabbit or domestic fowl, including game fowl raised in captivity.
- (G) “Officer” means a peace officer, local health officer, humane officer, warden or an employee designated by the governing body of this County or of any city, village or town within St. Croix County.
- (H) “Owner” includes any person who owns, harbors or keeps a dog.
- (I) “Veterinarian” means a practitioner of veterinary medicine who is duly licensed by the examining board.
- (J) “Veterinary technician” means a person duly certified by the examining board to work under the direct supervision of a licensed veterinarian.

**53.03 AUTHORITY.** This Chapter is enacted under the authority granted to the County, pursuant to Wis. Stat. § 95.21 and Ch. 174.

#### **53.04 DOG LICENSING.**

- (A) The owner of a dog more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year, shall annually pay the dog license tax and obtain a license. The owner shall state at the time application is made for such license their name, address, and the name, breed, color, and sex of each dog owned or kept by him. Further, the

owner shall present evidence that the dog(s) is/are currently immunized against rabies.

- (B) The license year commences on January 1 and ends on the following December 31.
- (C) Dog licenses shall be issued by the appropriate municipality or township officer. Payment shall be made of a dog license tax of not less than \$3.00 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed; and not less than \$8.00 for an unneutered male dog or unspayed female dog.
- (D) Any person who keeps more than one dog may, instead of the license tax for each dog required by this Chapter, apply to the collecting official for a multiple dog license for the keeping of the dogs. Such person shall pay for the license year a license tax of \$35.00 for 12 or fewer dogs and an additional \$3.00 for each dog in excess of 12. Upon payment of the required multiple dog license tax and upon presentation of evidence that all dogs over five (5) months of age are currently immunized against rabies, the collecting official shall issue the multiple dog license and a number of tags equal to the number of dogs authorized to be kept by the person.
- (E) Every collecting official shall pay all dog license taxes collected above annually to the County Clerk by December 31<sup>st</sup>. At the same time, the collecting official shall report in writing to the clerk the licenses that have been issued. The collecting official may retain 25 cents for each license issued as compensation for the service, if the collecting official is not a full-time, salaried municipal employee. If the collecting official is a full-time, salaried municipal employee, this compensation shall be paid into the treasury of the town, village, or city.
- (F) Pursuant to Wis. Stat. § 174.054, there is an exemption for owners of dogs kept for educational or scientific purposes. The dog tax license does not apply to a person who owns dogs that are kept only for educational or scientific purposes.
- (G) Pursuant to Wis. Stat. § 174.055, every dog that is a service animal is exempt from the dog license tax and every person owning such a dog shall receive annually a free dog license from the local collecting official upon application.

#### **53.05 ISSUANCE OF LICENSES AND COLLAR TAGS.**

- (A) Upon proper and complete application as outlined above, the collecting official shall complete and issue to the owner a license for the dog bearing a serial number, an expiration date, the owner's name and address, and the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog. The collecting official shall keep a duplicate copy of the license on file.
- (B) After issuing the license, the collecting official shall deliver to the owner a tag of durable material bearing the same serial number as the license, the words "St. Croix County," and the year in which it was issued. Licenses and tags shall be applied for annually by the owner. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn.

- (C) In case a dog tag is lost or destroyed, a duplicate will be issued by the collecting official upon presentation of a receipt showing the payment of the license fee for the current year. The collecting official may charge a fee for the duplicate dog tag.
- (D) Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or if the owner leaves the County before expiration of the license period.
- (E) The collecting official shall annually by December 31 return to the County Clerk all unused tags of the current license year, together with license books and all duplicate licenses of the current year. The County Clerk shall charge each collecting official with all tags and license forms furnished or delivered and credit those returned.

#### **53.06 LISTING OF DOGS.**

- (A) Every town, village and city shall annually, by September 1, ascertain by diligent inquiry the dogs owned or kept within the assessment district.
- (B) A listing official who is not a full-time, salaried municipal employee shall receive as compensation 50 cents for each dog listed. A listing official who is a full-time, salaried municipal employee shall be required to pay the compensation into the town, village, or city treasury.
- (C) Every person shall answer frankly and fully all questions asked by the listing official relative to the ownership or keeping of dogs within the assessment district.
- (D) The listing official shall enter in the records for personal property assessments, or in a separate record, all dogs in the district subject to the tax, to whom they are assessed, the name, number, sex, spayed or unspayed, neutered or unneutered, breed and color of each dog.
- (E) The listing official shall, by September 15, deliver one copy of the list to the County Clerk and retain one copy for their files.

#### **53.07 CLAIMS FOR DAMAGES BY DOGS TO DOMESTIC ANIMALS.**

- (A) The owner of any domestic animal, which is attacked, chased, injured or killed by a dog, must within three (3) days after the owner has knowledge thereof file a Claim for Damage by Animals report with the clerk of the town, village, or city, or town chairperson or village president where the damage occurred.
- (B) Within thirty (30) days of filing the claim, the governing body must investigate the claim and may subpoena witnesses, administer oaths, and take testimony relative to the claim. The governing body shall certify and return to the County Clerk the claim, a report of investigation, and the amount of damages suffered by the owner of the domestic animal(s). It is the responsibility of the governing body of the town, village, or city to state the fair and reasonable market value of said animals and indicate such on the Affidavit of Investigating Committee.

A claim shall include the estimated monetary damage for any and all animals injured or killed by a dog or dogs per incident.

- (C) The County Clerk will submit the completed Claim for Damage by Animals and Affidavit of Investigating Committee to the County Administrator for review. The County Administrator, after review of the documents, will then complete an Approval of Owner's Claim for Damages to Animals. The County will pay the fair market value of the animals or the actual damages, whichever is less.
- (D) On appeal from the action of the County Administrator, the trial shall be by the court without a jury, pursuant to Wis. Stat. § 174.11(2)(d).
- (E) The claims shall be solely against the dog license fund and shall create no other liability on the part of the County.

#### **53.08 DOG LICENSE FUND.**

- (A) The dog license taxes so paid to the County Treasurer shall be kept in a separate account and shall be known as the "dog license fund."
- (B) In accordance with Wis. Stat. § 174.09, expenses necessarily incurred by the County in purchasing and providing books, forms, and other supplies required in administering the dog license law and expenses incurred by the county under Wis. Stat. §§ 95.21(4)(b) and (8) may be paid out of the dog license fund. The amount remaining in the fund after deducting these expenses shall be available for and may be used for paying claims allowed by the County to the owners of domestic animals due to damages done by dogs during the license year for which the taxes were paid. Any surplus in excess of \$1,000 which may remain from the dog license taxes of any license year shall on March 1 of the succeeding year be paid by the County Treasurer to the towns, villages, and cities of the county for their use in the proportion in which the towns, villages, and cities contributed to the fund out of which the surplus arises.
- (C) Pursuant to Wis. Stat. § 174.11(5), the County limits the maximum amount of any claim brought under Wis. Stat. § 174.11 to \$1,000.00. A claim shall be defined as any single occurrence in which an animal or animals are killed or injured by any single dog or group of dogs.
- (D) The Corporation Counsel may file an action, pursuant to Wis. Stat. § 174.12, to sue and recover from the owner of the dog or dogs doing the damage the full amount paid out of the dog license fund to an owner whose domestic animals were attacked, chased, injured or killed by a dog(s).

#### **53.09 DOGS RUNNING AT LARGE AND UNTAGGED DOGS PROHIBITED.**

- (A) A dog is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person.

- (B) A dog that is actively engaged in a legal hunting activity, including training, is not considered to be running at large if the dog is monitored or supervised by a person and the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or train a dog.
- (C) A dog is considered to be untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.
- (D) Any dog running at large or untagged is subject to impoundment. An officer shall attempt to capture and restrain any dog running at large and any untagged dog.
- (E) Under this section, if the owner of a dog negligently or otherwise permits the dog to run at large or be untagged, the owner shall forfeit not less than \$25 nor more than \$100 for the first offense and not less than \$50 nor more than \$200 for subsequent offenses.

#### **53.10 RABIES VACCINATION REQUIREMENT.**

- (A) The owner of a dog shall have the dog vaccinated against rabies by a veterinarian or a veterinary technician at no later than five (5) months of age and revaccinated within one year after the initial vaccination. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian veterinary technician before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within three (3) years after the previous vaccination.
- (B) The person who administers the vaccine shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the department stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog, the date of the vaccination, the type of rabies vaccine administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the center for disease control of the U.S. department of health and human services and the city, village or town where the dog is required to be licensed.
- (C) The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog is revaccinated whichever occurs first.
- (D) After issuing the certificate of rabies vaccination, the person who administers the vaccine shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given and the name, address and telephone number of the supervising veterinarian.
- (E) The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog at all times but this requirement does not apply to a dog during competition or training, to a dog while hunting, to a dog securely

confined indoors, to a dog securely confined in a fenced area or to a dog while actively involved in herding or controlling livestock if the dog is under the control of its owner.

**53.11 AMENDMENTS TO CHAPTER.** Any future amendments, revisions, or modifications of Wis. Stat. § 95.21 and/or Ch. 174 incorporated herein are intended to be made part of this Chapter as such amendments, revisions, or modifications are made to said statutes.

**53.12 EFFECTIVE DATE.** This Chapter shall take effect on January 1, 2025, and be in force after its proper passage and publication pursuant to Wisconsin law.

Ordinance No. 72 (83) – May, 1983

Repealed and Recreated: Ordinance No. 938 (2024)