

TITLE 7

Licensing and Regulation

Chapter 1	Licensing of Dogs; Regulation of Animals
Chapter 2	Fermented Malt Beverages and Intoxicating Liquor
Chapter 3	Cigarette License; Soda Water Beverage License
Chapter 4	Transient Merchants
Chapter 5	Mobile Homes and Mobile Homes Parks, Licensed and Regulated
Chapter 6	Regulation and Licensing of Fireworks
Chapter 7	Street Use Permits
Chapter 8	Licensing of Junk Dealers; Junk Storage and Motor Vehicle Salvage Business
Chapter 9	Massage Establishments and Massage Technicians
Chapter 10	Explosives and Blasting
Chapter 11	Regulation of Nonmetallic Mining
Chapter 12	Licensing and Regulation of Amusement Parks
Chapter 13	Asphalt and Tar Mix Plants, Concrete Ready-Mix Plants and Target Ranges
Chapter 14	Tattoo Parlors
Chapter 15	Licensees to Pay Local Claims; Appellate Procedures
Chapter 16	Residential Property
Chapter 17	Adult Oriented Establishments
Chapter 18	Pawnbrokers and Secondhand Dealers

CHAPTER 1

Licensing of Dogs; Regulation of Animals

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
7-1-1	Dog Licenses Required; Definitions; Adoption of Statutes		
7-1-2	Rabies Vaccination Required for License		
7-1-3	Issuance of Dog Licenses, Kennel Licenses, and Dog Fancier Residence Permits	2001-15 2001-03 2003-03 2005-22	12-4-01 2-19-01 4/1/03 11/16/05
7-1-4	Late Fees	2005-22	11/16/05
7-1-5	Rabies Quarantine		
7-1-6	Restrictions on Keeping, of Dogs, Cats, Fowl and Other Animals		
7-1-7	Impoundment of Animals		
7-1-8	Dogs and Cats Restricted on Cemeteries and Other Grounds		
7-1-9	Duty of Owner in Cases of Dog or Cat Bite		
7-1-10	Animal Feces		

7-1-11	Injury to Property by Animals		
7-1-12	Barking Dogs or Crying Cats.		
7-1-13	Prohibited and Protected Animals, Fowl, Reptiles and Insects	2000-11 2006-13	5/2/00 12/05/06
7-1-14	Sale of Rabbits, Chicks or Artificially Colored Animals		
7-1-15	Providing Proper Food and Drink to Confined Animals	2006-13	12/05/06
7-1-16	Providing Proper Shelter	2006-13	12/05/06
7-1-17	Neglected or Abandoned Animals		
7-1-18	Cruelty to Animals and Birds Prohibited		
7-1-19	Trapping of Animals		
7-1-20	Dognapping and Catnapping		
7-1-21	Vehicle Accidents		
7-1-22	Display of Birds in Food Establishments		
7-1-23	Keeping of Bees		
7-1-24	Care of Horses	2006-13	12/05/06
7-1-25	Number of Dogs Limited	2001-03	2-19-01
7-1-26	Penalties		
7-1-27	Variance	2001-09	6-19-01

SEC. 7-1-1 DOG LICENSES REQUIRED; DEFINITIONS; ADOPTION OF STATUTES.

- (a) **License Required.** It shall be unlawful for any person in the Town of Caledonia to own, harbor or keep any dog more than five (5) months of age after July 1 of the license year without complying with the provisions of this Chapter relating to the listing, licensing and tagging of the same.
- (b) **Definitions.** In this Chapter, unless the context or subject matter otherwise require:
- (1) "Owner" shall mean any person owning, harboring or keeping a dog or cat and the occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of ten (10) days. An occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of ten (10) days is presumed to be harboring or keeping the dog or cat within the meaning of this Section.
 - (2) "At large" means to be off the premises of the owner and not under the control of some person by leash, but a dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of said dog or cat, shall be deemed to be upon the owner's premises.
 - (3) "Dog" shall mean any canine, regardless of age or sex.
 - (4) "Cat" shall mean any; feline, regardless of age or sex.
 - (5) "Neutered" as used herein as describing a dog or cat shall mean a dog or cat having nonfunctional reproductive organs.
 - (6) "Animal" means mammals, reptiles and birds.
 - (7) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
 - (8) "Law Enforcement Officer" has that meaning as appears in Sec. 967.02(5), Wis. Stats., and includes a humane officer under Sec. 58.07, Wis. Stats., but does not include a conservation warden appointed under Sec. 23.10, Wis. Stats.

- (9) "Farm Animal" means any warm-blooded animal normally raised on farms in the United States and used for food or fiber.
 - (10) "Pet" means an animal kept and treated as a pet.
 - (11) "Leash" means a cord, thong or chain not more than ten (10) feet in length by which a dog is controlled by the person accompanying it.
- (c) **Incorporation of Statutory Regulation.** Sections 174.01 through 174.046 of the Wisconsin Statutes, and such sections as they may hereafter be amended and/or renumbered, are hereby incorporated by reference with respect to restraining action against dogs, the imposition of forfeitures for violations of such regulations and other regulations of dogs imposed under this Code, and the impoundment and subsequent delivery, treatment and disposition of dogs, provided, however, that this Section shall not be construed to restrict or limit any authority heretofore granted to the Police Department with respect to the regulation of dogs and shall not operate to reduce any forfeitures or other penalties which might otherwise be imposed under this Code.

State Law Reference: Sections 174.05 through 174.10, Wis. Stats.

SEC. 7-1-2 RABIES VACCINATION REQUIRED FOR LICENSE.

- (a) **Rabies Vaccination.** The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within thirty (30) days after the dog reaches four (4) months of age and revaccinated within one (1) year after the initial vaccination. If the owner obtains the dog or brings the dog into the Town of Caledonia after the dog has reached four (4) months of age, the owner shall have the dog vaccinated against rabies within thirty (30) days after the dog is brought into the Town unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian before the date of that immunization expires as stated on the certificate of vaccination or, if no date is specified, within two (2) years after the previous vaccination. The certificate of vaccination shall meet the requirements of Section 95.21(2), Wis. Stats.
- (b) **Issuance of Certificate of Rabies Vaccination.** A veterinarian who vaccinates a dog against rabies shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the Town 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 vaccination 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 Town.
- (c) **Copies of Certificate.** 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) **Rabies Vaccination Tag.** After issuing the certificate of rabies vaccination, the veterinarian 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 veterinarian.

- (e) **Tag to be Attached.** 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 to a dog securely confined indoors. The substitute tag shall be of a durable material and contain the same information as the rabies vaccination tag. The requirements of this paragraph do not apply to a dog which is not required to be vaccinated under Subsection (a).
- (f) **Duplicate Tag.** The veterinarian may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies vaccination. The veterinarian shall then indicate the new tag number on the certificate and keep a record in the file.
- (g) **Cost.** The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag.

SEC. 7-1-3 ISSUANCE OF DOG LICENSES, KENNEL LICENSES, AND DOG FANCIER RESIDENCE PERMITS.

- (a) **Dog Licenses.**
 - (1) It shall be unlawful for any person in the Town of Caledonia to own, harbor or keep any dog more than five (5) months of age without complying with the provisions of Section 174.05 through Section 174.10, Wisconsin Statutes, relating to the listing, licensing and tagging of the same.
 - (2) The owner of any 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, or on or before the date the dog becomes five (5) months of age, pay a license tax and obtain a license.
 - (3) The license year shall be from January 1 through December 31. The minimum license fee shall be \$15.00 for spayed female dogs or neutered male dogs. The minimum fee for unspayed female dogs or unneutered male dogs shall be \$25.00. If a puppy becomes 5 months of age after July 1 during the license year, the appropriate fee shall be reduced by half.
 - (4) Upon payment of the required license tax and upon presentation of evidence that the dog is currently immunized against rabies, as required by Section 7-1-2 of this Chapter, the Town Treasurer shall complete and issue to the owner a license for such dog containing all information required by state law. The Town Treasurer shall also deliver to the owner, at the time of issuance of the license, a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year.
 - (5) The owner shall securely attach the tag to a collar and the collar with the tag attached shall be kept on the dog for which the license is issued at all times, except as provided in Section 7-1-2(e). The owner shall keep the license readily available for check by law enforcement officers if the dog is involved in an at-large and/or biting incident.
 - (6) The fact that a dog is without a tag attached to the dog by means of a collar shall be presumptive evidence that the dog is unlicensed. Any Town police or humane officer shall seize, impound or restrain any dog for which dog license is required which is found without such tag attached. Notwithstanding the foregoing, every dog

- (7) specifically trained to lead blind or deaf persons is exempt from the dog license tax, and every person owning such a dog shall receive annually a free dog license from the Town Treasurer upon application therefor.
- (b) **Kennel Licenses.**
- (1) Definitions. In this Section “kennel” means a permanent shelter for more than three dogs that are more than five months of age, except for those shelters for which a dog fancier residence permit is issued under Section 7-1-3(c).
- (2) Required. Any person who provides permanent shelter for more than three dogs that are more than five months of age shall be required to obtain a kennel license unless such person has a dog fancier residence permit under Section 7-1-3(c).
- (3) Restrictions. No kennel license shall be issued to any person for any residentially zoned lot, except to those persons currently holding a kennel license, provided that all of the other provisions of this ordinance are complied with.
- (4) New License. A public hearing for a new license shall be held by the Legislative and Licensing Committee of the Town Board to ensure that the issuance of the license is not contrary to the public's health, safety or welfare.
- (5) Issuance of New Licenses.
- a. After a public hearing, and, upon recommendation by the Legislative and Licensing Committee, and payment of the appropriate fee, the Town Board may approve the issuance of a kennel license.
- b. Upon presentation of evidence to the Town Treasurer that all dogs over 5 months of age are currently immunized against rabies, the Town Treasurer shall issue the kennel license and a number of tags equal to the number of dogs authorized to be kept in the kennel.
- c. Any such license shall be subject to compliance with ss.7-1-10 and 25 of the Caledonia Code of Ordinance and s.22-112 of the Racine County Zoning Code.
- (6) Renewal.
- a. The renewal application of each kennel license must be reviewed and approved by the Legislative and Licensing Committee. Upon recommendation by the Legislative and Licensing Committee, and payment of the proper fee, the renewal license may be issued.
- b. Any such license shall be subject to compliance with ss.7-1-16 and 25 of the Caledonia Code of Ordinance and s.22-112 of the Racine County Zoning Code.
- (7) Fee. Applicants for any kennel license covering up to 12 dogs shall pay an annual fee of \$75. The fee for each dog in excess of 12 shall cost an additional \$3.00.
- (8) Revocation. In the event of complaints regarding a current kennel license, the Legislative and Licensing Committee may discuss the complaint at a public hearing and take appropriate action up to, and including revocation.
- (9) Tags Required. The owner or keeper of a kennel shall, at all times, keep a kennel license tag attached to the collar of each dog over 5 months old except during competition of a show dog, a dog securely confined indoors or to a dog securely confined in a fenced area.

- (10) Transfer of Tags. Tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel, however, the rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times except on a show dog during competition or if a dog is securely confined indoors.
- (11) Strays. No dog bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel unless the dog is on a leash, or on a temporary basis for the purposes of hunting, breeding, trial, training, or competition.
- (12) Fenced in Area. Kennel owners shall provide adequate housing and care for the animals, including a fenced-in run area sufficient to accommodate the number of dogs in the kennel.

State Law Reference: Sec. 174.053, Wis. Stats.

(c) **Dog Fancier Residence Permit.**

- (1) Definitions. In this Subsection “residential lot” means a parcel of land zoned residential or otherwise lawfully used as residential property.
- (2) Permit Required.
 - a. Any person who resides on a residential lot with an area of at least one acre but not more than three acres, may apply for a dog fancier permit to allow such person to provide permanent shelter for up to five dogs on such residential lot.
 - b. Any person who resides on a residential lot with an area in excess of three acres may apply for a dog fancier permit to allow such person to provide permanent shelter for up to seven dogs on such residential lot.
- (3) Public Hearing. A public hearing for a new dog fancier residence permit shall be held by the Legislative and Licensing Committee of the Town Board to ensure that the issuance of the permit is not contrary to the public’s health, safety or welfare.
- (4) Issuance of New Permit.
 - a. Upon the favorable recommendation of the Legislative and Licensing Committee following a public hearing, the Town Board may approve the issuance of a dog fancier residence permit upon such conditions as it deems appropriate.
 - b. Upon approval by the Town Board and presentation of evidence to the Town Clerk that each dog to be covered by the dog fancier residence permit is properly licensed under Subsection (a), the Town Clerk may issue a dog fancier residence permit.
 - c. All dog fancier residence permits, whether new or renewed, shall be subject to compliance with all applicable provisions of this Code, as well as any applicable provisions of the Racine County Code of Ordinances.
 - d. The permit year shall be from January 1st through December 31st. However, a new permit issued after September 30th of any given year shall be good through December 31st of the next calendar year.
- (5) Renewal.
 - a. Dog fancier residence permits shall be renewed annually.

- b. The renewal application for each dog fancier residence permit must be reviewed and approved by the Legislative and Licensing Committee. Upon the favorable recommendation of the Legislative and Licensing Committee and payment of the proper fee, the renewal permit may be issued.
- (6) Amendment to Permit. The Town Clerk may issue an amended dog fancier residence permit if the holder of the permit requests to delete and/or add a dog to the permit, provided the number of dogs does not exceed the total allowed by the permit and provided evidence is presented to the Town Clerk to show that any dogs to be added to the permit are properly licensed under Subsection (a).
- (7) Application Fee. Applicants for any dog fancier residence permit shall pay a nonrefundable, annual fee of \$35.
- (8) Revocation. In the event there are complaints regarding a current dog fancier residence permit, the Legislative and Licensing Committee may schedule a public hearing on the matter and take appropriate action up to and including revocation of the permit.
- (9) Adequate Housing and Care Required. A holder of a dog fancier residence permit shall provide adequate housing and care for the animals.
- (10) Miscellaneous.
 - a. A dog fancier residence permit may not be issued to a person for a residential lot on which a multiple-family dwelling unit is present.
 - b. A person owning multiple, adjacent residential lots where only one such parcel has a residence upon it may combine the acreage of such adjacent parcels for purposes of this Subsection.
 - c. A dog fancier residence permit may not be issued to a person for a residential lot upon which no dwelling unit has been constructed.
 - d. No dog fancier residence permit shall be required of any person on a residential lot currently holding a kennel license, provided that the kennel license is continuously maintained and provided that the holder complies with all of the other provisions of this Code.

SEC. 7-1-4 LATE FEES.

The Town Treasurer shall assess and collect a late fee of Twenty-Five Dollars (\$25.00) from every owner of a dog five (5) months of age or over if the owner failed to obtain a license prior to April 1 of each year, or within thirty (30) days of acquiring ownership of a licensable dog or if the owner failed to obtain a license on or before the dog reached licensable age. Said late fee shall be charged in addition to the required license fee.

SEC. 7-1-5 RABIES QUARANTINE.

- (a) **Dogs and Cats Confined.** If the Chief of Police or veterinarian determines that a dog or other domestically owned animal found in the Town is infected with rabies or hydrophobia, the Chairperson may order that all dogs and cats be muzzled. If a district is quarantined for rabies, all dogs and cats within the Town shall be kept securely confined, tied, leashed or

muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The Town Clerk shall promptly post in at least three (3) public places in the Town notices of quarantine.

- (b) **Exemption of Vaccinated Dog or Cat from Town Quarantine.** A dog or cat which is immunized currently against rabies, as evidenced by a valid certificate of rabies, vaccination or other evidence, is exempt from the Town quarantine provisions of Subsection (a) if a rabies vaccination tag or substitute tag is attached to the dog's or cat's collar.
- (c) **Quarantine or Sacrifice of an Animal Suspected of Biting a Person or Being Infected or Exposed to Rabies.**
 - (1) Quarantine or sacrifice of dog or cat. A law enforcement officer or the Health Officer shall order a dog or cat quarantined if the officer has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If a quarantine cannot be imposed because the dog or cat cannot be captured, the officer may kill the animal. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.
 - (2) Sacrifice of other animals. An officer may order killed or may kill an animal other than a dog or cat if the officer has reason to believe that the animal bit a person or is infected with rabies.
- (d) **Suspected Infections.** Any person who shall suspect that any dog or other domestically owned animal within the Town is infected with rabies or hydrophobia shall report his or her suspicion to the Police Department, describing the dog or other domestically owned animal and giving the name of the owner, if known.
- (e) **Quarantine of Dog or Cat.**
 - (1) Quarantine Procedure. Upon notice from a law enforcement officer or health officer, the owner of any dog or other domestically owned animal which has bitten any person shall immediately cause such dog or domestically owned animal to be securely confined on the owner's premises and kept out of contact with other animals for a period. Thereafter; the dog or domestically owned animal shall be confined and isolated by the owner for a period of ten (10) days within the Town of Caledonia, at the owner's expense, to determine whether or not the dog or domestically owned animal is infected with rabies. If the owner of the animal cannot be determined, the expense of the confinement and subsequent examination will be borne by the Town. The dog or other domestically owned animal shall only be released from isolation after the ten (10) day confinement period after a veterinarian's determination and determination that it is free from rabies. Following such examination, the owner of the animal shall immediately file with the Town Health Officer a Proof of Examination form. Failure to file the Proof of Examination form with the Health Officer shall result in the imposition of a penalty as prescribed in Section 1-1-6. The animal's owner shall be responsible for the costs of any confinement and examinations required by this Chapter. Any dog or other animal found to be infected with rabies shall be surrendered to the Police Department or Health Officer upon demand.

- (2) Health risk to humans. If a dog, cat or other domestic animal is ordered to be quarantined because there is reason to believe that the animal bit a person, the custodian of an isolation facility or the owner shall keep the animal under strict isolation under the supervision of a veterinarian for at least ten (10) days after the incident occurred. In this paragraph, "supervision of a veterinarian" includes, at a minimum, examination of the animal on the last day of isolation. If the observation period is not extended and if the veterinarian certifies that the animal has not exhibited any signs of rabies, the animal may be released from quarantine at the end of the observation period, provided that the Proof of Examination form is immediately filed with the Health Officer.
- (3) Risk to animal health.
 - a. If a dog or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal and if the dog or cat is not currently immunized against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for one hundred eighty (180) days. The owner shall have the animal vaccinated against rabies between one hundred fifty-five (155) and one hundred sixty-five (165) days after the exposure to a rabid animal.
 - b. If a dog or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal but if the dog or cat is immunized against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for sixty (60) days. The owner shall have the animal revaccinated against rabies as soon as possible after exposure to a rabid animal.
- (4) Sacrifice of a dog or cat exhibiting symptoms of rabies. If a veterinarian determines that a dog or cat exhibits symptoms of rabies during the original or extended observation period, the veterinarian shall notify the owner and the officer who ordered the animal quarantined and the officer or veterinarian shall kill the animal in a humane manner and in a manner which avoids damage to the animal's head. If the dog or cat is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician.
- (f) **Delivery of Carcass; Preparation; Examination by Laboratory of Hygiene.** An officer who kills an animal shall deliver the carcass to a veterinarian or local health department. The veterinarian or local health department shall properly prepare and package the head of the animal in a manner to minimize deterioration, arrange for delivery by the most expeditious means feasible of the head of the animal to the State Laboratory of Hygiene and dispose of or arrange for the disposal of the remainder of the carcass in a manner which minimizes the risk or exposure to any rabies virus. The Laboratory of Hygiene shall examine the specimen and determine if the animal was infected with rabies. The State Laboratory, of Hygiene shall notify the Town, the veterinarian or local health department which prepared the carcass and, if the animal is suspected to have bitten a person, that person or the person's physician.
- (g) **Cooperation of Veterinarian.** Any practicing veterinarian who is requested to be involved in the rabies control program by an officer is encouraged to cooperate in a professional capacity with the Town, the Laboratory of Hygiene, the local health

department, the officer involved and, if the animal is suspected to have bitten a person, the person's physician.

- (h) **Responsibility for Quarantine and Laboratory Expenses.** The owner of an animal is responsible for any expenses incurred in connection with keeping the animal in an isolation facility, supervision and examination of the animal by a veterinarian, preparation of the carcass for laboratory examination and the fee for the laboratory examination. If the owner is unknown, the Town is responsible for these expenses.
- (i) **Penalty.** Owners of animals who fail to comply with quarantine or confinement orders notices under this Section shall be subject to a forfeiture pursuant to Section 7-1-26(a) with each day in violation constituting a separate offense.

Cross-Reference: Section 7-1-9.

SEC. 7-1-6 RESTRICTIONS ON KEEPING OF DOGS, CATS, FOWL AND OTHER ANIMALS.

- (a) **Restrictions.** It shall be unlawful for any person within the Town of Caledonia to own, harbor or keep any dog or cat which:
 - (1) Habitually pursues any vehicle upon any public street, alley or highway in the Town.
 - (2) Assaults or attacks any person as described in Subsection (b) or destroys property.
 - (3) Is at large within the limits of the Town.
 - (4) Habitually barks or howls to the annoyance of any person or persons. (See Section 7-1-12.)
 - (5) Kills, wounds or worries any domestic animal.
 - (6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
 - (7) In the case of a dog, is unlicensed.
- (b) **Viscous Dogs and Animals.**
 - (1) No viscous dog shall be allowed off the premises of its owner unless muzzled or on a leash in charge of the owner or a member of the owner's immediate family over sixteen (16) years of age. For purposes of enforcing this Section, a dog shall be deemed as being of a viscous disposition if, within any twelve (12) month period it bites or inflicts serious injury to one (1) person in unprovoked circumstances off the owner's premises or when a propensity to attack or bite humans shall exist. No owner of a vicious dog shall allow it to be off the premises of its owner. Any vicious dog which is found off the premises of its owner other than as hereinabove provided may be seized by any person and, upon delivery to the proper authorities, may, upon establishment to the satisfaction a court of competent jurisdiction of the vicious character of said dog, by testimony under oath reduced to writing, be killed by the police authorities.

- (2) No person shall harbor or permit to remain on his premises any animal that is habitually inclined toward attacking persons or animals, destroying property, barking excessively or making excessive noises or running after automobiles.
- (c) **Dogs Running at Large.** It shall be unlawful for the owner or keeper of any dog to permit or suffer such dog to be at large, which shall mean that it is off the premises of its owner or keeper and upon any public street or alley, any school ground, any public park or upon any other public or private property without the permission of the owner of the property, provided, however, a dog shall not be deemed to be at large if:
 - (1) It is attached to a leash not more than ten (10) feet in length which is of sufficient strength to restrain it, and the leash is held by a person competent to govern it of at least ten (10) years of age and prevent it from annoying or worrying pedestrians or trespassing on private property or trespassing on public property where dogs are forbidden; or
 - (2) It is properly restrained within a motor vehicle.
- (d) **Owner's Liability for Damage Caused by Dog; Penalties.** The provisions of Sec. 174.02, Wis. Stats., relating to the owner's liability for damage caused by dogs together with the penalties therein set forth are hereby adopted and incorporated herein by reference.

SEC. 7-1-7 IMPOUNDMENT OF ANIMALS.

- (a) **Animal Control Agency.**
 - (1) The Town of Caledonia may contract with or enter into an agreement with such person, persons, organization or corporation to provide for the operation of an animal shelter, impoundment of stray animals, confinement of certain animals, disposition of impoundment animals and for assisting in the administration of rabies vaccination programs.
 - (2) The Town of Caledonia does hereby delegate any such animal control agency the authority to act pursuant to the provisions of this Section.
- (b) **Impounding of Animals.** In addition to any penalty hereinafter provided for a violation of this Chapter, any police or animal control officer may impound any dog, cat or other animal which habitually pursues any vehicle upon any street, alley or highway of the Town, assaults or attacks any person, is at large within the Town, habitually barks, cries or howls, kills, wounds or worries any domestic animal or is infected with rabies. In order for an animal to be impounded, the impounding officer must see or hear the violation of this Section or have in his possession a signed statement of a complaining witness made under oath alleging the facts regarding the violation and containing an agreement to reimburse the Town for any damages it sustains for improper or illegal seizure.
- (c) **Claiming Animal; Disposal of Unclaimed Animals.** After seizure of animals under this Section by a law enforcement or animal control officer, the animal shall be impounded. The officer shall notify the owner, personally or through the U.S. Mail, if such owner be known to the officer or can be ascertained, with reasonable effort, but if such owner be unknown or unascertainable, the officer shall post written notice in three (3) public places

in the Town, giving a description of the animal, stating where it is impounded and the conditions for its release, after the officer has taken such animal into his possession. If within seven (7) days after such notice the owner does not claim such animal, the officer may dispose of the animal in a proper and humane manner; provided, if an animal before being impounded has bitten a person, the animal shall be retained in the Animal Shelter ten (10) days for observation purposes. Within such times, the owner may reclaim the animal upon payment of impoundment fees, such fees to be established by resolution of the Town Board. In the alternative, animal control or humane agencies serving the Town may provide notice pursuant to their operating procedures and state law. No animal shall be released from the pound without being properly licensed if so required by state law or Town Ordinance.

- (d) **Sale of Impounded Animals.** If the owner doesn't reclaim the animal within seven (7) days, the animal warden may sell the animal to any willing buyer.
- (e) **Town Not Liable for Impounding Animals.** The Town and/or its animal control agency shall not be liable for the death of any animal which has been impounded or disposed of pursuant to this Section.

SEC. 7-1-8 DOGS AND CATS RESTRICTED ON CEMETERIES AND OTHER GROUNDS.

No dog or cat shall be permitted in any public cemetery. Every dog specially trained to lead blind persons shall be exempt from this Section. No person shall walk a dog or permit any dog to be on public or private school grounds unless express permission from those in control of the school grounds has been secured.

SEC. 7-1-9 DUTY OF OWNER IN CASES OF DOG OR CAT BITE.

Every owner or person harboring or keeping a dog or cat who knows that such dog or cat has bitten any person shall immediately report such fact to the Police Department and shall keep such dog or cat confined pursuant to the requirements of Section 7-1-5. The owner or keeper of any such dog or cat shall surrender the dog or cat to a law enforcement or humane officer upon demand for examination.

SEC. 7-1-10 ANIMAL FECES.

- (a) **Dog Litter Nuisance.** It shall be unlawful for any person in immediate control of any dog to permit fecal matter which is deposited by such dog while off of its own premises to remain on any street, alley, sidewalk, lawn, field or any public property, and it shall be solely the responsibility of the person in control of said dog to immediately, after deposit, remove all fecal matter and dispose of the same. Any person owning or having control of a dog on any property, public or private, which is not owned or occupied by such person shall promptly remove excrement left by such dog and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by such person. This Section shall

not apply to a person who is visually or physically handicapped. Any person causing or permitting a dog to be on any property, public or private, not owned or occupied by such person shall have in his or her immediate possession a device or object suitable for removal of excrement and a depository for the transmission of excrement to the property owned or occupied by such person.

- (b) **Complaints.** Any adult person alone or together with other adults may seek relief from dog fecal matter deposits as described in Subsection (a) above by a complaint to the Police Department in the same manner and procedure as set forth in Section 7-1-6(c)(2).

SEC. 7-1-11 INJURY TO PROPERTY BY ANIMALS.

It shall be unlawful for any person owning or possessing an animal, dog or cat to permit such animal, dog or cat to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate or urinate thereon.

SEC. 7-1-12 BARKING DOGS OR CRYING CATS.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance. A dog, animal or cat is considered to be in violation of this Section when written complaints from two (2) or more adults are filed with the Police Department within a four (4) week period. No prosecution shall be commenced except upon the request of the Police Department, following written petition signed by two (2) or more adult persons.

SEC. 7-1-13 PROHIBITED AND PROTECTED ANIMALS, FOWL, REPTILES AND INSECTS.

(a) **Protected Animals.**

- (1) Possession and Sale of Protected Animals. It shall be unlawful for any person, firm or corporation to possess with intent to sell or offer for sale, or buy or attempt to buy, within the Town any of the following animals, alive or dead, or any part or product thereof: all wild cats of the family felidae, polar bear (*thalarctos maritimus*), red wolf (*canis niger*), vicuna (*vicugna vicugna*), or alligator, caiman or crocodile of the order of crocodilia, gray or timber wolf (*canis lupus*), sea otter (*enhydra lutris*), Pacific ridley turtle (*lepidochelys olivacea*), Atlantic green turtle (*chelononia mydas*), Mexican ridley turtle (*lepidochelys kempfi*).
- (2) Compliance with Federal Regulations. It shall be unlawful for any person, firm or corporation to buy, sell or offer for sale a native or foreign species or subspecies of mammal, bird, amphibian or reptile, or the dead body or parts thereof, which

appears on the endangered species list designated by the United States Secretary of the Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1969 (Public Law 135, 91st Congress).

- (3) **Regulating the Importation of Certain Birds.** No person, firm or corporation shall import or cause to be imported into this Town any part of the plumage, skin or dead body of any species of hawk, owl or eagle. This paragraph shall not be construed to forbid or restrict the importation or use of the plumage, skin, body or any part thereof legally collected for use by the American Indians for ceremonial purposes or in the preservation of their tribal customs and heritage.
- (b) **Exceptions.** The provisions of Subsection (a) above shall not be deemed to prevent the lawful importation, possession, purchase or sale of any species by any public agency, institute of higher learning, persons holding federal permits, or by a person holding a Scientific Collectors Permit issued by the Secretary of the Department of Natural Resources of the state, or to any person or organization licensed to present a circus. The Town Board may waive the provisions of this Section for premises with appropriate federal and state permits.
- (c) **Wild Animals; Prohibition on Keeping.** Unless prior approval is received from the Town Board, it shall be unlawful for any person to keep, maintain or have in his possession or under his control within the Town any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous propensities. Specifically, it shall be unlawful, without Town Board approval, for any person to keep, maintain or have in his possession or under his control within the Town any of the following animals, reptiles or insects:
 - (1) All poisonous animals and reptiles including rear-fang snakes.
 - (2) Apes: Chimpanzees (Pan); gibbons (Hylobates); gorillas (Gorilla); orangutans (Pongo); and siamangs (Symphalangus).
 - (3) Baboons (Papoi, Mandrillus).
 - (4) Bears (Ursidae).
 - (5) Bison (Bison).
 - (6) Cheetahs (Acinonyx jubatus).
 - (7) Crocodilians (Crocodilians), including alligators, caymans and gavials.
 - (8) Constrictor snakes.
 - (9) Coyotes (Canis latrans).
 - (10) Deer (Cervidae); includes all members of the deer family; for example, whitetailed deer, elk, antelope and moose.
 - (11) Elephants (Elephas and Loxodonta).
 - (12) Foxes.
 - (13) Game cocks and other fighting birds.
 - (14) Hippopotami (Hippopotamidae).
 - (15) Hyenas (Hyaenidae).
 - (16) Jaguars (Panthera onca).
 - (17) Leopards (Panthera pardus).
 - (18) Lions (Panthera leo).
 - (19) Lynxes (Lynx).
 - (20) Monkeys, old world (Cercopithecidae).

- (21) Ostriches (*Struthio*).
 - (22) Pumas (*Felis concolor*); also known as cougars, mountain lions and panthers.
 - (23) Raccoons.
 - (24) Rhinoceroses (*Rhinocero tidae*).
 - (25) Skunks.
 - (26) Snow leopards (*Panthera uncia*).
 - (27) Tigers (*Panthera tigris*).
 - (28) Wolves (*Canis lupus*).
 - (29) Poisonous insects, including tarantulas.
- (d) **Exceptions; Pet Shops.**
- (1) The prohibitions of Subsection (c) above shall not apply where the creatures are in the care, custody or control of a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H Clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or private educational institutions; zoological gardens; if:
 - a. Their location conforms to the provisions of the zoning ordinance of the Town.
 - b. All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
 - c. Animals are maintained in quarters so constructed as to prevent their escape.
 - d. No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.
 - (2) Guard dogs, ferrets, nonpoisonous snakes, nonconstricting snakes, rabbits and laboratory rats which have been bred in captivity and which have never known the wild shall be excluded from this Section.
- (e) **Keeping of Livestock Restricted.**
- (1) **Definition.** ‘Livestock’ means cattle, equine as that term is defined in Sec. 895.481(1)(a), swine, sheep, goats, farm-raised deer and other such animals susceptible to use for commercial purposes, including domesticated fowl, such as chickens, turkeys, geese, ducks, guineas, or other poultry. For the purposes of determining the number of units of livestock allowed on a parcel each unit of livestock shall equal 1000 pounds worth of livestock which shall be calculated pursuant to s. NR 243.03(3) of the Wisconsin Administrative Code.
 - (2) **Keeping of Livestock.**
 - a. **Prohibition.** It shall be unlawful for any person to keep any livestock within the Village unless otherwise permitted by this Code or by the Racine County Zoning Code which has been adopted by the Village pursuant to Title 16 of this Code of Ordinances.
 - b. **Exceptions.**
 - 1. **Agricultural Use.** Livestock may be kept on any parcel

zoned for agricultural use provided the area of the parcel is at least two acres. The first two acres shall contain no more than one unit of livestock. Thereafter, each additional unit of livestock shall require one additional acre of land unless otherwise allowed by the zoning code or conditional use permit.

2. Residential Use. Livestock may be kept on any parcel zoned for residential use provided the area of the parcel is at least five acres and the livestock is housed more than 150 feet from every residence not on that parcel. The first two acres shall contain no more than one unit of livestock. Thereafter, each additional unit of livestock shall require one additional acre of land unless otherwise allowed by conditional use permit.
 3. Pre-existing Uses. Livestock legally kept on a parcel prior to the adoption of this ordinance shall be allowed to remain on the parcel notwithstanding a violation of this section provided that the livestock is not determined by the Village Board to be a nuisance following a hearing on the matter if one is requested in writing by a neighbor residing on a parcel within 300 feet of the parcel where the livestock is kept.
- c. Manure Management.
1. The Village may prepare a guide entitled Recommended Manure Management Practices.
 2. Buffers Required. No accumulation or application of manure or any other material which causes any noxious or offensive odor or dust shall be closer than fifty (50) feet to a lot line in a residential zoning district. A twenty-five (25) foot wide area of vegetative cover shall be maintained between any unvegetated exercise area, manure pile, or application area and any surface water which is all or in-part off-site, or any well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption, and prevent water contamination.
- d. Nuisance. Any violation of this Section shall be deemed a public nuisance and the violator may be proceeded against in accordance with Title 11, Chapter 6 of the Village Code of Ordinances.

SEC. 7-1-14 SALE OF RABBITS, CHICKS OR ARTIFICIALLY COLORED ANIMALS.

- (a) No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.

- (b) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl without providing proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in such person's care, custody or control.
- (c) No retailer, as defined in Sec. 100.30(2)(e), Wis. Stats. may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under two (2) months of age, in any quantity less than six (6), unless the purpose of selling these animals is for agricultural, wildlife or scientific purposes.

State Law Reference: Sec. 951.10 and 951.11, Wis. Stats.

SEC. 7-1-15 PROVIDING PROPER FOOD AND DRINK TO CONFINED ANIMALS.

- (a) No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and open water as prescribed in this Section.
- (b) The food shall be sufficient to maintain all animals in good health.
- (c) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

State Law Reference: Sec. 951.13, Wis. Stats.

SEC. 7-1-16 PROVIDING PROPER SHELTER.

- (a) **Proper Shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this Section. In the case of farm animals, nothing in this Section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (b) **Indoor Standards.** Minimum indoor standards of shelter shall include:
 - (1) Ambient temperatures. The ambient temperature shall be compatible with the health of the animal.
 - (2) Ventilation. Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (c) **Outdoor Standards.** Minimum outdoor standards of shelter shall include:
 - (1) Shelter from sunlight. When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph, "caged" does not include farm fencing used to confine farm animals.
 - (2) Shelter from inclement weather.

- a. Animals generally. Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal.
 - b. Dogs. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog shall be provided.
- (d) **Space Standards.** Minimum space requirements for both indoor and outdoor enclosures for animals other than dogs shall include:
- (1) Structural strength. The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
 - (2) Space requirements. Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement and roof cover. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.
- (e) **Sanitation Standard.** Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash so as to minimize health hazards.
- (f) **Specific Housing Requirements for Dogs.** The minimum requirements for a dog house shall be as follows:
- (1) The floor shall rest on an enclosed base four (4) inches in height.
 - (2) The height of the house shall be at least four (4) inches above the height of the occupant dog.
 - (3) The length and width of the house shall be of such dimensions that the dog occupant can lie flat on its side on the floor.
 - (4) The house shall have a tight board floor.
 - (5) The roof and sides of the house shall be so constructed as to be waterproof and windproof.
 - (6) A baffle shall be placed over the door in inclement weather. A baffle shall consist of some material or structure that will protect the occupant dog from direct exposure to the elements of weather.
 - (7) The whole floor shall be bedded with hay or straw to a thickness of at least six (6) inches.
 - (8) The doghouse run shall be located at least fifteen (15) feet from the owner's lot line.
 - (9) Shade from the direct rays of the sun in the months of June to September inclusive shall be provided in the area of the doghouse.
 - (10) The area around the doghouse shall be reasonably dry, without standing water or mud, and shall be kept reasonably clean.

State Law Reference: Sec. 948.14, Wis. Stats.

SEC. 7-1-17 NEGLECTED OR ABANDONED ANIMALS.

- (a) **Neglected or Abandoned Animals.**
 - (1) No person may abandon any animal.

- (2) Any law enforcement officer may remove, shelter and care for an animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such animal to another person to be sheltered, cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer, or other person, having possession of the animal shall have a lien thereon for its care, keeping and medical attention and the expense of notice.
 - (3) If the owner or custodian is unknown and cannot, with reasonable effort, be ascertained or does not, within five (5) days after notice, redeem the animal by paying the expenses incurred, it may be treated as a stray and dealt with as such.
 - (4) Whenever in the opinion of any such officer an animal is hopelessly injured or diseased so as to be beyond the probability of recovery, it shall be lawful for such officer to kill such animal and the owner thereof shall not recover damages for the killing of such animal unless he shall prove that such killing was unwarranted.
 - (5) Section 948.16, Investigation of Cruelty Complaints, and Section 948.17, Wis. Stats., Expenses of Investigation, are hereby adopted by reference and made a part of this Chapter.
- (b) **Injured Animals.** No person who owns, harbors or keeps any animal shall fail to provide proper medical attention to such animal when and if such animal becomes sick or injured. In the event the owner of such animal cannot be located, the Town or any animal control agency with whom the Town has an agreement or contract shall have the authority to take custody of such animal for the purpose of providing medical treatment, and the owner thereof shall reimburse the person or organization for the costs of such treatment.

State Law Reference: Sections 948.15, 948.16 and 948.17, Wis. Stats.

SEC. 7-1-18 CRUELTY TO ANIMALS AND BIRDS PROHIBITED.

- (a) **Acts of Cruelty Prohibited.** No person except a police officer or health or humane officer in the pursuit of his duties shall, within the Town, shoot or kill or commit an act of cruelty to any animal or bird or disturb any bird's nests or bird's eggs.
- (b) **Leading Animal From Motor Vehicle.** No person shall lead any animal upon a Town street from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle.
- (c) **Use of Poisonous and Controlled Substances.** No person may expose any pet animal owned by another to any known poisonous substance or controlled substance listed in Sec. 161.14, Wis. Stats., whether mixed with meat or other food or not, where it is reasonable to anticipate the substance may be eaten by such animal or for the purpose of harming the animal. This Subsection shall not apply to poison used on one's own premises and designed for the purpose of rodent and pest extermination, nor the use of a controlled substance used in

accepted veterinarian practice or in research by persons or organizations regularly engaged in such research.

- (d) **Use of Certain Devices Prohibited.** No person may directly or indirectly, or by aiding, abetting or permitting the doing thereof either put, place, fasten, use or fix upon or to any animal used or readied for use for a work purpose or for use in an exhibition, competition, rodeo, circus or other performance any of the following devices: a bristle bur, tack bur or like device; or a poling device used to train a horse to jump which is charged with electricity or to which have been affixed nails, tacks or other sharp points.
- (e) **Shooting at Caged or Staked Animals.** No person may instigate, promote, aid or abet as a principal, agent, employee, participant or spectator, or participate in the earnings from or intentionally maintain or allow any place to be used for the shooting, killing or wounding with a firearm or any deadly weapon any animal that is tied, staked out, caged or otherwise intentionally confined in a man-made enclosure, regardless of size.

SEC. 7-1-19 TRAPPING OF ANIMALS.

- (a) In the interest of public health and safety, it shall be unlawful for any person, in or on Town-owned land within the Town of Caledonia, to set, place or tend any trap for the purpose of trapping, killing, catching, wounding, worrying or molesting any animal, except by use of live box-type traps only. Live box-type traps shall be defined as those traps which capture and hold an animal in an alive and unharmed condition.
- (b) All such traps set, placed or tended on Town-owned land shall comply with Chapter 29 of the Wisconsin Statutes as they relate to trapping.
- (c) Nothing in this Section shall prohibit or hinder the Town of Caledonia or its employees or agents from performing their official duties.

SEC. 7-1-20 DOGNAPPING AND CATNAPPING.

No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of the Town or held for any purpose without the owner's consent. This Section does not apply to law enforcement officers or humane society agents engaged in the exercise of their official duties, or as otherwise permitted herein.

SEC. 7-1-21 VEHICLE ACCIDENTS.

The operator of any vehicle involved in an accident resulting in injury to or death of a dog, cat or other domestic animal which appears to be a pet shall immediately notify the Police Department or an animal control agency whose jurisdiction extends into the Town.

SEC. 7-1-22 DISPLAY OF BIRDS IN FOOD ESTABLISHMENTS.

No person shall sell or display birds of the Psittacine family in any store selling, giving away or preparing food or drink for human consumption unless the birds are so enclosed as to prevent any possible contamination of the food or drink.

SEC. 7-1-23 KEEPING OF BEES.

- (a) It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept or keep any bees in or upon any premises zoned residential within the limits of the Town unless the bees are kept in accordance with the following provisions:
 - (1) No hive, stand or box where bees are kept shall be located closer than twenty (20) feet to any property boundary. Such hives, stands or boxes may only be located in the rear yard.
 - (2) If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along said exterior boundary. Said barrier may be either a natural planting or artificial.
 - (3) Fresh, clean watering facilities for bees shall be provided on the said premises.
 - (4) The bees and equipment shall be kept in accordance with the provisions of the state statutes.
- (b) Nothing in this Section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located within a school or University building for the purpose of study or observation.

SEC. 7-1-24 CARE OF HORSES.

- (a) **Responsibility.** The owner of a horse or horses shall be responsible at all times for the care and welfare of such horse or horses.
- (b) **Shelters in Pastures.** All horses kept in pastures without access to barn facilities shall have access to a shelter which shall consist of at least three (3) walls and a roof. The shelter shall be of such size and type of construction as will permit all horses in such pasture to be completely underneath its roof and protected from direct exposure to weather.
- (c) **Barns.** The stalls wherein horses are kept shall be cleaned at least once a day. An adequate supply of bedding of straw or comparable material shall be kept in the stalls at all times.
- (d) **Food and Water.** Proper feed of an adequate amount and adequate open water shall be provided to horses at all times. When the usual water supply becomes frozen, water shall be provided to horses twice a day in such amounts as will permit each horse to drink his fill.
- (e) **Defects.** A horse adjudged by a law enforcement officer of the Town of Caledonia to be sick, lame or inured shall not be used for work or recreation.

- (f) **Shoeing.** A horse ridden on the road or any hard surface must be shod.

SEC. 7-1-25 NUMBER OF DOGS LIMITED.

- (a) **Definitions.** In this section:
- (1) “Dog” means any canine regardless of age or sex.
 - (2) “Residential lot” means a parcel of land zoned as residential, which is intended to be occupied by a dwelling.
- (b) **Limitation.** No person shall own, harbor or keep in their possession more than three dogs on any residential lot unless they have been issued and are in compliance with a kennel license, as provided in Section 7-1-3(b), or a dog fancier residence permit, as provided in Section 7-1-3(c).
- (c) **Exception.** A person may temporarily exceed the limitation of Section 7-1-25(b) due to the birth of puppies from the same litter, but only while such puppies are less than five months of age and the mother of the puppies is kept at the same residential lot.

SEC. 7-1-26 PENALTIES.

- (a) Any person violating Sections 7-1-5, 7-1-15, 7-1-16, 7-1-17, 7-1-18, 7-1-19, 7-1-20, 7-1-21, 7-1-22, 7-1-23 or 7-1-24 shall be subject to a forfeiture of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00). This Section shall also permit the Town Attorney to apply to the court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any aspect of this Ordinance.
- (b)
 - (1) Anyone who violates Sections 7-1-1, 7-1-2, 7-1-3, and 7-1-4 of this Code of Ordinances or Chapter 174, Wis. Stats., shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (\$200.00) for the first offense and not less than One Hundred Dollars (\$100.00) and not more than Four Hundred Dollars (\$400.00) for any subsequent offenses.
 - (2) An owner who refuses to comply with an order issued under Section 7-1-5 to deliver an animal to an officer, isolation facility or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned not more than sixty (60) days or both.
- (c) Any person who violates Section 7-1-6 through, 7-1-14 of this Code of Ordinances shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00) for the first violation and not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00) for subsequent violations.

SEC. 7-1-27 VARIANCE.

The Town Board may grant a variance from the provisions of Section 7-1-3(c) and Section 7-1-13(e) for good and sufficient cause as determined by the Town Board

following a public hearing before the Town Board, based upon the special circumstances of the particular case and upon a recommendation from the Legislative and Licensing Committee following a public hearing before such Committee, but no variance shall be granted which is unjustly discriminatory in nature.