

*Passed 5/18/93
Published Daily Press - 5/29
Blindens Enterprises - 5/26
XL Publishing - 5/26*

**AN ORDINANCE REGULATING DOGS AND OTHER ANIMALS
WITHIN THE COUNTY OF ASHLAND**

The Board of Supervisors of Ashland County, Wisconsin, does ordain as follows:

Section 1.01. Running at Large.

No dog shall be permitted to run at large off the premises of its owner unless such dog is working, hunting, showing or otherwise under the control or supervision of its owner or another person in charge of such dog. No dog shall be permitted to run at large on the premises of its owner if such dog is causing injury or harm to another person or to property of another or is harassing or annoying another person or animal or is chasing a vehicle.

Section 1.02. Barking.

No person owning, possessing or having charge of a dog shall permit or allow such dog to bark or howl between the hours of 10 p.m. and 7 a.m. and under circumstances where such barking or howling reasonably disturbs another.

Section 1.03. Cruelty to animals.

A. No person shall cruelly beat, frighten, overburden or abuse any animal or use any device or chemical substance whereby pain, suffering or death may be caused, whether belonging to himself or another, except that reasonable force may be used to drive off vicious or trespassing animals. This provision does not prohibit training techniques or husbandry practices which are acceptable under state law.

B. No person shall abandon any animal or transport any animal in a cruel manner.

Section 1.04. Food and water.

No person owning, possessing, or having charge of any animal shall neglect or fail to provide it with necessary nourishing food at least once daily and provide a constant supply of clean water to sustain the animal in good health.

Section 1.05. Shelter.

A. No person shall fail to provide any animal that he owns, possesses or has charge of with shelter from inclement weather or to ensure the protection and comfort of the animal.

B. When sunlight is likely to cause overheating or discomfort to any animal, shade shall be provided by natural or artificial means to allow protection from the direct rays of the sun.

C. Dogs kept outdoors for more than one hour at a time must be provided with moisture proof and wind proof shelter of a size which allows the animal to turn around freely and to easily sit, stand and lie in a normal position and keep the animal clean, dry and comfortable. Whenever the outdoor temperature is below 40° F., clean bedding material shall be provided in such shelters for insulation and to retain the body heat of the animal.

Section 1.06. Leashes.

If animals are kept leashed on their premises, there shall be provided at least 6 feet of free, untangled leash.

Section 1.07. Rabies Control Program (§95.21, Wis. Stats.)

All dogs in Ashland County shall be vaccinated against rabies, after which their owners must obtain a rabies vaccination tag verifying the same. Pursuant to §95.21(10)(a), an owner who fails to have a dog vaccinated against rabies as required under §95.21(2)(a), Wis. Stats., may be required to forfeit not less than \$50.00 nor more than \$100.00. The owner of the dog shall have the dog vaccinated against rabies by a veterinarian within 30 days after the dog reaches 4 months of age and revaccinated within 1 year of the initial vaccination.

Section 1.08. Impoundment.

The County Board hereby designates the Chequamegon Animal League located in the City of Ashland, Ashland County, Wisconsin, to provide a pound for stray and unwanted dogs in the County as permitted by Chapter 174, Wis. Stats. The impoundment fees and expenses for any animal impounded shall be paid to the Chequamegon Animal League to help defray its expenses.

Section 1.09. Chapter 174, Wisconsin Statutes, incorporated.

The terms and provisions set forth in Chapter 174, Wisconsin Statutes, as now stated and as hereinafter amended, are hereby incorporated herein by reference as though fully set forth herein.

Section 1.10. Citation Authority.

The County Humane Officer and the other officers referred to in Chapter 174, Wis. Stats., as now stated, or as hereinafter amended, are authorized and empowered to, on behalf of the County of Ashland, issue a citation or citations to any person they reasonably believe may have violated or may be violating any provision of this ordinance, and they are further authorized and empowered to, on behalf of the County, commence or authorize the commencement of an action or proceeding to enforce any provision or provisions of this ordinance.

Section 1.11. More restrictive ordinances allowed.

Any city, town or village within the County of Ashland may adopt ordinances relating to the same subjects as this ordinance which are more restrictive than is this county ordinance.

Section 1.12. Definitions.

Person. The term "person" when used in this ordinance shall mean and refer to an individual or individuals, a corporation, a partnership, a municipality, or other entity.

He. Him. The term "he" when used in this ordinance shall mean and refer to both he and she and the term "him" when used in the ordinance shall mean and refer to both him and her.

Section 1.13. Penalty.

Any person violating Sections 1.01 or 1.02 of this ordinance shall be required to forfeit \$35.00 plus costs for the first offense and \$75.00 plus costs for the second or subsequent offense within three (3) years of the first offense.

Any person violating Sections 1.03, 1.04, 1.05 or 1.06 of this ordinance shall be required to forfeit \$100.00 plus costs for the first offense and \$150.00 plus costs for the second or

subsequent offense within three (3) years of the date of the first offense.

Any person violating Section 1.07 of this ordinance shall be required to forfeit not less than \$35.00 plus costs for the first offense and no more than \$300.00 plus costs for the second or subsequent offense within three (3) years of the date of the first offense.

Section 1.14. Failure to pay forfeiture.

Any person required to pay a forfeiture and/or costs for a violation of any provision of this ordinance, and who willfully fails to pay such sum when it is due shall be confined to the Ashland County jail for a period not to exceed sixty (60) days.

Section 1.15. Costs of prosecution.

Any person who is found guilty of violating any provision of this ordinance shall be required to pay the actual and reasonable costs of prosecution of such violation in addition to the forfeiture and court costs, and upon willful failure to pay the same, shall be confined to the Ashland County jail for a period not to exceed thirty (30) days in addition to the confinement for failure to pay the forfeiture and costs.

Section 1.16. Effective.

This ordinance shall take effect upon its passage and publication. The County Clerk is directed to immediately publish the annexed Ordinance as a Class 1 Notice under Chapter 985, Wis. Stats., and to distribute copies of the annexed Ordinance to the several town clerks who shall file the same in their respective offices pursuant to §59.09.(1), Wis. Stats.

Adopted May, 18, 1993



Elaine Stibbe

County Clerk

Ashland County, Wisconsin

Countersigned:



Michael Elias

Chairperson

Board of Supervisors

Ashland County, Wisconsin

SCHEDULE OF FORFEITURES

ASHLAND COUNTY ORDINANCE NO. _____

<u>Section No.</u>	<u>Ordinance Violation</u>	<u>Forfeiture</u>	<u>Costs & Assessments</u>	<u>Total</u>
1.01	Running at Large			
	1st offense	\$ 35.00	\$ 75.00	\$110.00
	2nd or subsequent offense	\$ 75.00	\$123.00	\$198.00
1.02	Barking			
	1st offense	\$ 35.00	\$ 75.00	\$110.00
	2nd or subsequent offense	\$ 75.00	\$123.00	\$198.00
1.03	Cruelty to Animals			
	1st offense	\$100.00	\$153.00	\$253.00
	2nd or subsequent offense	\$150.00	\$213.00	\$363.00
1.04	No Food or Water			
	1st offense	\$100.00	\$153.00	\$253.00
	2nd or subsequent offense	\$150.00	\$213.00	\$363.00
1.05	Shelter Violation			
	1st offense	\$100.00	\$153.00	\$253.00
	2nd or subsequent offense	\$150.00	\$213.00	\$363.00
1.06	Leash Violation			
	1st offense	\$100.00	\$153.00	\$253.00
	2nd or subsequent offense	\$150.00	\$213.00	\$363.00
1.07	Chapter 174 Violations*			
	1st offense	\$100.00	\$153.00	\$253.00
	2nd or subsequent offense	\$150.00	\$213.00	\$363.00

* If the issuing officer, sheriff or deputy is of the opinion the Chapter 174 violation is of sufficient seriousness to exceed the scheduled forfeiture, he or she may enter on the citation "must appear" in lieu of stating a scheduled forfeiture.

Dated this 18th day of May, 1993.

Alan Joel

Ed Traser

Bred Holt

Michael Ellis

Carol Ante

Sam Rankel

Al Stamer

Doug Kabasen

Monty Job