

**ORDINANCE # 5-2007 AS AMENDED
AMENDMENT #4 (2020), AMENDMENT #1 (2014), AMENDMENT #2 (2017),
AMENDMENT #3 (2018)
TOWN OF HOLLAND
DOG CONTROL ORDINANCE**

AN ORDINANCE ESTABLISHING THE REGULATION AND LICENSING OF DOGS
WITHIN THE TOWN OF HOLLAND, LA CROSSE COUNTY, WISCONSIN.

SECTION 1.0 INTRODUCTION

1.01 Purpose and Applicability

The purpose of this ordinance is to promote and protect the health, safety, convenience and general welfare of the people of the Town of Holland. This Ordinance is authorized by Chapters 170, 172, 173, 174 and Sections 951.01 through 91.15, Wisconsin Statutes, including any repeal or recreation of said chapter or sections.

1.02 Severability

This Ordinance, and its parts, are declared to be severable. If any section, clause, provision, or portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, this decision shall not affect the validity of the Ordinance as a whole. All parts of the Ordinance not declared invalid or unconstitutional shall remain in full force and effect.

1.03 Conflict

If any part of this Ordinance is found to be in conflict with any other Ordinance or with any other part of this Ordinance, the most restrictive or highest standard shall prevail. If any part of this Ordinance is explicitly prohibited by federal or state statute that part shall not be enforced.

1.04 Repeal

All previous ordinances relating to the care, maintenance and control of dogs are hereby repealed.

1.05 Definitions

- A. At large: To be off the premises of the owner and not under control of some person either by leash or otherwise, but a dog within an automobile of its owner or in an automobile of any other person with the consent of the owner of said dog, shall be deemed to be upon the owner's premises.
- B. Board: The Town Board of the Town of Holland

- C. Deleted (amendment #4, 2020)
- D. Owner: Any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains or to which it customarily returns daily for a period of 10 days; such person is presumed to be harboring or keeping the dog within the meaning of this section.
- E. Police dog (a/k/a “K-9” or “K9” - a homophone of “canine”): A dog that is specifically trained to assist police and other law-enforcement personnel. Police service dogs are not ADA dogs.
- F. Service Animal: Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical sensory, psychiatric, intellectual, or other mental disability. [As defined by Title II and Title III of the Americans with Disabilities Act (ADA)]

SECTION 2.0 DOG LICENSE

2.01 Dog License

- A. Any person owning, keeping, harboring or having custody of any dog over five (5) months of age shall obtain a license for it in accordance with the laws of the State of Wisconsin. The license must be purchased each year and the deadline for acquiring the license and the fee for such is established by the County of La Crosse. All dogs, within 30 days after they have reached the age of four (4) months, must have a current rabies vaccination administered by a licensed veterinarian.
- B. Exemption: Every dog specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons is exempt from the dog license tax and every person owning such a dog shall receive annually a free dog license from the local collection officer upon application. [By state statute 174.055] The Town will not charge a license fee for either a police service dog or an ADA service dog.

2.02 Limit of Dogs

No household shall keep more than two (2) dogs over the age of five (5) months. Each dog is required to be licensed.

2.03 Exceptions to Dog Limit

- A. Bona fide animal hospitals in which dogs are confined within a completely enclosed building.
- B. Conditional Use Permit approved commercial kennels.
- C. Individual owners who can establish a case for temporarily having more than two (2) dogs may apply for a "Multiple Dog Permit" through the following process:
 - (1) An application for a Multiple Dog Permit must be obtained from the Treasurer, filled out, and then filed with the Treasurer.
 - (2) Upon receiving an application for a dog. The Treasurer immediately sends out letters to neighboring residents for any concerns with a dog. The Treasurer shall forward the application, list of surrounding neighbors and a map along with the collated responses from neighbors to the Board Designee.
 - (3) Applications shall be approved unless there are concerns expressed by the neighbors. If the permit is approved, the dog owners will be required to sign an agreement before the permit goes into effect.
 - (4) There will be an additional fee for each dog over the two dog limit. The fee will be set annually by the Town Board and must be paid by the dog owner each year.
 - (5) The Permits must be renewed annually and also will be reviewed by the Board Designee each year.
 - (6) If legitimate complaints are received at any time, the permit may be revoked, based upon review by the Board Designee.
 - (7) Permit denials or revocations may be appealed to the Town Board.
- D. Neither an ADA service dog nor a police service dog shall count against the two-dog limit.
- E. Dogs that are being "fostered" and are not required to be licensed in the Town shall not count against the two-dog limit.

SECTION 3.0 DOG CONTROL

3.01 Care of Dogs

- A. All dogs shall be cared for, maintained and handled in a sanitary manner and in such a way as to prevent noises, barking, fighting or howling or other disturbances of the peace and quiet of the neighborhood.
- B. Dogs shall not be permitted to run at large, with the exception of dogs confined and controlled within an electric dog fence.

- C. Every female dog in heat shall be confined in a building or secure enclosure in such manner that such female dog cannot come into contact with another animal, except for planned breeding; provided, however, a dog may be kept on a leash under the supervision of a responsible person.
- D. All dogs shall wear an identification tag at all times.

3.02 Damage by Dogs

Any dog doing damage or running at large may be seized by a Humane Officer or Law Enforcement Officer of La Crosse County and impounded or disposed of in accordance with Section 3.03 of this Ordinance.

3.03 Disposition of Dogs

It shall be the duty of the La Crosse County Animal Control to issue citations to owners of animals found running at large or kept contrary to the provisions of this Ordinance. In addition, the Town Board of the Town of Holland, or designee, is authorized to enforce the provisions of this ordinance.

- A. The Officer shall, upon seizure of any dog, turn the same over to the County Animal Shelter, who shall hold the dog for no less than seven (7) days until claimed by the owners. After seven (7) days the dog becomes the property of the designated animal shelter. Such animal shelter shall be entitled to an impoundment fee and boarding fee as established by La Crosse County.
- B. It shall be the duty of such Officer to ascertain, if possible, the identity of the owner of each dog seized by them and to notify such owner of the fact that such has been seized. Any such owner may receive the release of such dog upon payment of the impoundment and/or boarding fee and any and all expenses of keeping such dog during the time it was impounded.
- C. After any dog has been kept for seven (7) days, and the owner thereof cannot be ascertained, by exercise of reasonable diligence, the animal becomes the property of the La Crosse County Humane Society.
- D. No dog shall be destroyed until the ten (10) day rabies quarantine period has passed.

SECTION 4.0 PENALTIES

The penalty for violation of any provision of this Ordinance including the molesting, hindrance or interference with the La Crosse County Animal Control when in the discharge of any duty prescribed by this Ordinance, shall be as established by La Crosse County Code.

Enforcement may also be made through monetary penalties to ensure compliance with this Ordinance. The Town Board may authorize the Town Chair, or such designee, or law enforcement officer to issue citations to enforce this Ordinance.

- (A) If an owner cannot be located or refuses to comply, or is otherwise unable to control their dog, the officer or Town official shall issue a citation.
- (B) First time violations shall be one hundred dollars (\$100). Second time violations shall be two hundred dollars (\$200). Third time violations shall be not less than five hundred dollars (\$500). Failure to pay such forfeitures will result in imprisonment in the County Jail until such forfeiture is paid, but not exceeding five (5) days.

SECTION 5.0 EFFECTIVE DATE

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by sec. 60.80, Wis. Stats.

Adopted by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 12th day of September, 2007.

Amended by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 12th day of November, 2014.

Amended by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 8th day of November, 2017.

Amended by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 11th day of July, 2018.

Amended by the Holland Town Board of the Township of Holland, La Crosse County, Wisconsin, this 9th day of September, 2020.

By:

Steven Michaels, Town Chair

Attest:

Marilyn Pedretti, Town Clerk

Posted: 9/14/20