

**TOWN OF RICHMOND  
AN ORDINANCE REGULATING BARKING DOGS  
ORDINANCE NUMBER 2017-3**

The Town Board of the Town of Richmond, St. Croix County, Wisconsin, hereby ordains as follows:

**SECTION I. AMENDMENT.** The Town of Richmond Code of Ordinances is hereby amended and shall read as follows:

**Barking Dogs.**

- (a) **Restrictions.** It shall be unlawful for any person within the Town of Richmond to own, harbor or keep any dog which habitually barks, howls or yelps in such a manner as to disturb the peace and quiet of the surrounding neighborhood or in such a manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Any such dog is hereby declared to be a public nuisance. A law enforcement or animal control officer shall determine if a dog is in violation of this Section and shall issue a warning or a citation depending on the severity and frequency or regularity of the offense. A dog is considered to be in violation of this Section when three (3) formal, written complaints are filed against such dog within the Town within any thirty (30) day period.
- (b) **Written Notice.** No person shall be found to be in violation of this Section unless first notified of the noise complaints in writing as least ten (10) days prior to the issuance of any citation or summons.
- (c) **Right to Hearing.** Any individual receiving such notice shall have the right to request a hearing before the Town Board to challenge the veracity of the complaint. Such request must be in writing and received by the Town Clerk within ten days of the date of the notice. Upon such request, the Board shall schedule a hearing at which all interested parties shall have the right to be heard. The Board shall render a decision on the complaint. If no hearing is timely requested, or if the Board upholds the complaint after a hearing, then a citation shall be issued against the owner of the offending dog.
- (d) **Citation procedure.** In addition to the procedures specified herein, citations for violations of this Ordinance shall be issued pursuant to the terms and procedures specified in the Town of Richmond Citation Ordinance.
- (e) **Fines.** Upon conviction, the owner of such dog shall be fined an amount not less than \$25.00 nor more than \$50.00. Upon a second conviction, the owner of such dog shall be fined not less than \$50.00 nor more than \$100.00. Upon a third conviction, the owner of such animal shall be fined not less than \$100.00 nor more than \$250.00.
- (f) **Court Order.** In any case involving repeated offenses of this Section by the same owner of the offending dog, the Town may seek a court order in the Circuit Court of St. Croix County ordering that the dog be kept in an indoor kennel in such a manner as to prevent the habitual barking from being heard by surrounding property owners, or in the alternative, ordering the offending dog to be permanently removed from the Town within ten days of the date of the Court order. As part of such proceeding the Town shall have the right to seek an order for reimbursement from the owner of the costs and attorney fees it incurred in prosecuting the action.

**SECTION II. SEVERABILITY.** Should any section of provisions of this Ordinance be declared invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION III. EFFECTIVE DATE.** This Ordinance shall become effective upon adoption and publication or posting as provided by law, pursuant to Sec. 60.80 of the Wisconsin Statutes.

**SIGNED:** *Gary Knutson* 1/12/17  
Gary Knutson, Town of Richmond Chair Date

**ATTEST:** *Donna Preece* 1/12/17  
Donna Preece, Town Clerk Date

*Person* moved for adoption of this Ordinance and *Stephan* seconded such motion and the vote result was as follows:

Voted for: 4  
Voted against: 0  
Abstained: 0  
Date of passage: 1/12/2017  
Date of posting: 1/19/2017  
Effective date: 1/19/2017