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**TOWN OF SEVASTOPOL**  
Door County, Wisconsin

**ORDINANCE NO. 01-2012**

**ANIMAL REGULATION ORDINANCE  
OF THE TOWN OF SEVASTOPOL  
DOOR COUNTY, WISCONSIN**

**1. Title**

This ordinance shall be entitled "The Animal Regulation Ordinance of The Town of Sevastopol, Door County, Wisconsin".

**2. Purpose**

The purpose of this ordinance is to regulate for public health and safety reasons the keeping and harboring of animals in the Town of Sevastopol.

**3. State Statutes Adopted – Authority**

The Board of Supervisors of the Town of Sevastopol is granted authority for adopting this ordinance under SS 60.22 and 95.21 and Chapters 29, 66, 169, 172, 174 and 951 of the Wisconsin Statutes and Chapter 31 of the Door County Code of Ordinances. These statutes and code are hereby incorporated by reference as published in the most recent revision of the Wisconsin Statutes and Door County Code. Any amendments, which are from time to time made in the statutes or code, shall automatically be made in this ordinance.

**4. Animals Not to Run at Large**

No person shall own, keep or harbor any animal and permit it to run at large. An animal 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. Any animal running at large may be impounded. Notice of the impoundment of any animal shall include its description and identification and shall be posted at the place of impoundment. **Exception:** Dogs kept for herding purposes or dogs hunting under supervision are not considered "running at large".

**5. Rabies Control Program**

**A.** Vaccination against rabies means the inoculation of a dog with rabies vaccine licensed by the United States Department of Agriculture provided by a person licensed to practice veterinary medicine. Except as provided in SS 174.054, Wis. Stats., the owner of a dog shall have the dog vaccinated against rabies by a veterinarian at no later than five months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into the Town of Sevastopol after it has reached five months of age, the owner shall have the dog vaccinated against rabies within 30 days after it is obtained or brought into the, Town unless it has been vaccinated as evidenced by a current certificate of rabies vaccination from this Town or another municipality or state. The owner shall have the animal revaccinated against rabies by a veterinarian before the date that the immunization expires as stated on the certificate of vaccination or, if no date is stated, within three years after the previous vaccination.

**B.** At the time of vaccination, the veterinarian shall complete a certificate of rabies vaccination bearing a serial number and stating:

- (1) The owner's name and address;

- 1 (2) The name, age, sex, spayed/unspayed or neutered/unneutered status, breed, and  
2 color of the dog;  
3 (3) The date of vaccination;  
4 (4) The type of rabies vaccine administered and the manufacturer's serial number;  
5 (5) The date that the immunization expires as specified for that type of vaccine by the  
6 Center for Disease Control of the US Department of Health and Human Services;  
7 (6) The city, village, or town where the animal is to be licensed if required by local  
8 ordinance;  
9

10 C. The original certificate of rabies vaccination shall be given to the owner of the dog vaccinated.  
11 The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for that  
12 purpose until the date the immunization expires or the dog is revaccinated, whichever occurs first.  
13

14 D. An officer shall order a dog or cat quarantined if the officer has reason to believe that the animal  
15 bit a person, is infected with rabies, or has been in contact with a rabid animal. If the quarantine  
16 cannot be imposed because the dog or cat cannot be captured, an officer may kill the animal. An  
17 officer may kill a dog or cat only as a last resort or with its owner's consent. An officer shall attempt to  
18 kill the animal in a humane manner which avoids damage to the animal's head. An officer may order  
19 killed or may kill an animal, other than a dog or cat, as provided in SS 95.21(4)(b), Wis. Stats., if the  
20 officer has reason to believe the animal bit a person or is infected with rabies and it cannot be  
21 captured. Any killed animal's head shall be prepared and packaged by a veterinarian for rabies  
22 analysis by the State Laboratory of Hygiene. An officer ordering a dog or cat quarantined shall order it  
23 delivered to an isolation facility as soon as possible, but not later than 24 hours after the original order  
24 is issued, or an officer may order it quarantined on its owner's premises if it is immunized currently  
25 against rabies as evidenced by a valid certificate of rabies vaccination or other evidence. If a dog or  
26 cat is ordered quarantined because there is a reason to believe that it bit a person, the custodian of  
27 an isolation facility or the animal's owner shall keep it in strict isolation under the supervision of a  
28 veterinarian for at least 10 days after the occurrence of the bite. In this paragraph, "supervision of a  
29 veterinarian" includes, at a minimum, examination of an animal on the first day of the isolation, on the  
30 last day of the isolation, and on one intervening day. If the observation period is not extended and a  
31 veterinarian certifies that a dog or cat has not exhibited any symptoms of rabies, it may be released  
32 from quarantine at the end of the observation period. If a veterinarian determined that a dog or cat  
33 exhibits rabies symptoms during the original or extended period, the veterinarian shall notify the  
34 officer who ordered the animal quarantined and its owner, and the officer or veterinarian shall kill the  
35 animal in a humane manner which avoids damage to the animal's head. If the dog or cat is suspected  
36 to have bitten a person, the veterinarian shall also notify the person or his or her physician. The  
37 owner of an animal is responsible for the expenses of isolation, supervision and examination by a  
38 veterinarian, and preparation of a carcass for laboratory examination. If ownership of an animal  
39 cannot be determined, such laboratory examination expenses shall be paid from the County Dog  
40 License Fund.  
41

42 E. If a dog or cat is known to have been bitten by or in contact with a rabid animal and it is currently  
43 immunized against rabies as evidenced by a valid certificate of rabies vaccination or other evidence,  
44 it shall be leashed or confined for 60 days. The owner shall have the animal revaccinated  
45 immediately. If the dog or cat is not currently immunized against rabies, it shall be destroyed  
46 immediately, or if the owner objects, it shall be confined in strict isolation under the supervision of a  
47 veterinarian for 180 days and vaccinated between days 155 and 165 at the sole expense of the  
48 owner. If ownership of the animal cannot be determined within seven days, the animal shall be  
49 destroyed.  
50

51 F. The Door County Sheriff's Department shall be notified of all instances of an animal biting a  
52 person, within 24 hours of the occurrence.  
53

#### 54 6. Dog Licenses

55 Except as provided in SS 174.054, Wis. Stats., the owner of a dog more than five months of age on  
56 January 1st of any year or five months of age within the license year shall annually, or on or before

1 the date the dog became five months of age, pay the dog license fee as provided in SS 174.05, Wis.  
2 Stats., and obtain a dog license. The license year commences on January 1st and ends on the  
3 following December 31st. Evidence that the dog is currently immunized against rabies shall be  
4 presented at the time of licensing to the town treasurer. After receipt of license fee and evidence of  
5 rabies immunization, a license shall be issued under SS 174.05 or SS 174.07, Wis. Stats. The town  
6 treasurer issues the dog tags and maintains the record of licenses issued for the current year. At the  
7 end of each year, the records are turned in to the County Clerk under SS 174.08, Wis. Stats., and  
8 they remain in the County Clerk's Office.  
9

10 **A. Issuance.** Upon acceptance of the license application and fee, the town treasurer or collecting  
11 agent shall issue a durable tag stamped with an identifying number and the year of issuance.  
12

13 (1) Dogs shall wear dog license tags at all times, except during an organized show or training  
14 situation, while under supervised hunting, while securely confined indoors, securely confined in a  
15 fenced area or used for herding purposes.

16 (2) No person shall transfer any license receipt or license tag issued for one animal to another  
17 animal.

18 (3) The County Clerk shall maintain a record of the identifying number of tags issued and shall  
19 make this record available to the public.  
20

21 **B. License exemption.** Every dog specially trained to lead blind or deaf persons or to provide support  
22 for mobility-impaired persons is exempt from the dog license tax, and every person owning such a  
23 dog shall receive annually a free dog license from the local collecting officer upon application. This  
24 exemption is also conferred to government owned police and service dogs.  
25

26 **C. Kennel License Option.**  
27

28 (1) Any person who keeps or operates a kennel may apply to the collecting official for a kennel  
29 license for the keeping or operating of the kennel. Such person shall pay for the license year a  
30 statutory license tax for a kennel of 12 or fewer dogs and an additional statutory fee for each dog  
31 in excess of 12. Upon payment of the required kennel license tax and upon presentation of  
32 evidence that all dogs 5 months of age or older are currently immunized against rabies, the  
33 collecting official shall issue the kennel license and a number of tags equal to the number of dogs  
34 authorized to be kept in the kennel. Kennel permits are also subject to County zoning ordinances.

35 (2) Kennel license tags. Kennel license tags shall be made in a form so that they may be readily  
36 distinguishable from the individual license tags for the same year. The owner or keeper of a  
37 kennel shall keep, at all times, a kennel license tag attached to the collar of each dog 5 months of  
38 age or older kept by the owner or keeper under a kennel license, but this requirement does not  
39 apply to a dog during competition or training, to a dog securely confined indoors, to a dog while  
40 hunting, to a dog securely confined in a fenced area, or used for herding purposes. These tags  
41 may be transferred from one dog to another within the kennel whenever any dog is removed from  
42 the kennel. The rabies vaccination tag or substitute tag shall remain attached to the dog for  
43 which it is issued at all times, but this requirement does not apply to a dog during competition or  
44 training, to a dog securely confined indoors, to a dog while hunting, to a dog securely confined in  
45 fenced area, or used for herding purposes. No dog bearing a kennel tag shall be permitted to  
46 stray or be taken anywhere outside the limits of the kennel unless the dog is on a leash or  
47 temporarily out for the purpose of hunting, breeding, training, competition, or herding.

48 (3) Applicability of other requirements. Unless clearly inapplicable, all the provisions of this  
49 ordinance relating to the individual dog license tax, licenses, and tags, shall apply to the kennel  
50 license and tags.  
51

## 52 **7. Vicious or Howling Animals**

53 No person shall own, keep, have in his or her possession, or harbor any animal within the Town of  
54 Sevastopol, which by frequent or habitual howling, yelping, barking or other continuous disturbing  
55 noise, offends the peace and quiet of the neighborhood. The provisions of this subsection shall not

1 apply to licensed animal hospitals conducted for the treatment of small animals or to the premises  
2 used and occupied by the County for impounding animals.

3  
4 **8. Apprehension and Impoundment**

5 **A.** It shall be the duty of the Town Constable or other Town designated official to attempt to or have  
6 captured and restrained, any dog found to be running at large and any untagged dog within the Town  
7 that is in violation of the provisions of this ordinance.

8  
9 **B.** No persons shall knowingly allow their dog or cat to remain unclaimed at the animal shelter. If  
10 they do, they can be charged the costs of providing shelter and disposition of the animal.

11  
12 **C.** Any law enforcement officer may remove, shelter, and care for any animal found to be cruelly  
13 exposed to the weather, starved, denied adequate water, neglected, abandoned, or otherwise  
14 treated in a cruel manner and may deliver such animal to another person to be sheltered, cared for,  
15 and given medical attention, if necessary. In all cases, the owner, if known, shall be immediately  
16 notified and the officer or other person having possession of the animal shall have claim for the cost  
17 of its care, keeping, medical attention, and the expense of notice. If the owner or custodian is  
18 unknown and cannot with reasonable effort be ascertained, or does not within 7 days after notice  
19 redeem the animal by paying the expenses incurred, it will be determined that the owner has  
20 abandoned the animal and, in doing so, relinquishes all rights of ownership of the animal. When ever,  
21 in the opinion of an officer, an animal is hopelessly injured or diseased so as to be beyond the  
22 probability of recovery, it shall be lawful for an officer to kill such animal and the owner thereof shall  
23 not recover damages for the killing of such animal.

24  
25 **9. Impoundment and Disposal Fees**

26 Impoundment, boarding, and disposal fees shall be established and collected as may be determined  
27 from time to time by the designated animal shelter. In all cases, the owner, if known, shall be  
28 immediately notified and an officer or other person having possession of the animal shall have claim  
29 for the cost of its care, keeping, medical attention, and the expense of notice.

30  
31 **10. Enforcement**

32 **A.** This Ordinance shall be enforced under the provisions of Chapters 31.10, 31.19 and 31.38 of the  
33 Door County Code of Ordinances by the officials of the Town of Sevastopol or the Door County  
34 Sheriff's Department. In the case of violation of this ordinance, the designated official may  
35 immediately advise the owner of the animal of the violation, if the owner can be determined. This  
36 does not limit the authority of an officer to impound the animal immediately or to prosecute the owner  
37 as otherwise herein provided.

38  
39 **B.** Any unlicensed animal impounded pursuant to this ordinance shall be licensed and vaccinated  
40 within seven days of release. The costs of its impoundment shall be paid prior to its release.

41  
42 **C.** The provisions of this ordinance may be enforced by any member of the public, without inclusion  
43 of the Town of Sevastopol or the County of Door in the enforcement proceedings, in order to secure  
44 compliance with the provisions of this ordinance. Any private enforcement action shall not include the  
45 remedies of obtaining a fine or forfeiture, costs of prosecution or attorney fees in the enforcement  
46 proceedings. The sole remedy available for private enforcement is injunctive relief.

47  
48 **11. Penalties**

49 **A.** All violations of this ordinance shall be subject to the following forfeitures imposed by the County  
50 of Door for each offense together with applicable penalty assessment and the taxable costs of  
51 prosecution:

- 52  
53 (1) Failure to vaccinate a dog against rabies, Fifty Dollars (\$50);  
54 (2) Failure to comply with an order for rabies confinement or isolation, not less than Three  
55 Hundred Dollars (\$300) nor more than One Thousand Dollars (\$1,000);

- (3) Failure to license a dog, not less than Thirty-Five Dollars (\$35) for the first offense and Fifty Dollars (\$50) for the second offense and Seventy-Five Dollars (\$75) for any subsequent offense;
- (4) Penalty for negligently or otherwise permitting a dog to run at large, not less than Thirty-Five Dollars (\$35) for the first offense and Fifty Dollars (\$50) for the second offense and Seventy-Five Dollars (\$75) for any subsequent offense;
- (5) Penalty for vicious or howling animal, not less than Thirty-Five Dollars (\$35) for the first offense and Fifty Dollars (\$50) for the second offense, and Seventy-Five (\$75) for any subsequent offense;

B. After paying any costs of prosecution, the balance of any forfeitures received by the County shall be added to the County Dog License Fund to defray the costs of operation of the Animal Control Ordinance.

**12. Uniform Citation Ordinance Violations**

A. Creation. Pursuant to Wisconsin Statutes Section 66.119, Door County hereby elects to use the citation method of enforcement of ordinances, including ordinances for which a statutory counterpart exists.

B. Citation. The citation shall contain the following:

- (1) The name and address of the alleged violator;
- (2) Factual allegations describing the alleged violation;
- (3) The time and place of the offense;
- (4) The section of the code violated;
- (5) A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so;
- (6) The time at which the alleged violator may appear in court;
- (7) A statement which in essence informs the alleged violator:

a. That a cash deposit based on the schedule established by this section may be made, which shall be delivered or mailed to the Clerk of Courts prior to the time of the scheduled court appearance;

b. That if a deposit is made, no appearance in court is necessary unless he or she is subsequently summoned;

c. That if a cash deposit is made and the alleged violator does not appear, he or she will be deemed to have entered a plea of no contest, or, if the court does not accept the plea of no contest, a summons will be issued commanding him or her to appear in court to answer the complaint;

d. That, if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture;

**13. Cruelty to Animals**

A. It shall be unlawful for any person to inhumanely, unnecessarily or cruelly beat, injure, kill or otherwise abuse any animal.

B. Anyone found guilty of this section shall be subject to a forfeiture of not less than Seventy-Five Dollars (\$75.00) nor more than Three Hundred Dollars (\$300.00) together with the costs of prosecution, and in rueful default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture is paid, but not exceeding 60 days.

**14. Providing Proper Care to Animals**

A. Providing proper food and drink to confined animals. No person owning or responsible for confining or impounding any animal may fail to supply the animal with a sufficient supply of food and water as prescribed in SS 951.13 Wis. Stats.

- (1) Food. The food shall be sufficient to maintain all animals in good health.

1 (2) Water. If potable water is not accessible to the animals at all times, it shall be provided daily  
2 and in sufficient quantity for the health of the animals.  
3

4 B. Providing proper shelter. No person owning or responsible for confining or impounding any  
5 animal may fail to provide the animal with proper shelter as prescribed in SS 951.14, Wis. Stats.  
6

7 **15. Cleaning Up After Animals**

8 Any persons who allow their animal (pet) to defecate on public or private property other than their  
9 own are hereby required to promptly pickup, remove and dispose of such excrement in a safe and  
10 proper place or manner.  
11

12 **16. Liability**

13 The Town of Sevastopol and the County of Door, its officers, agents, and employees shall not be  
14 liable for the death, destruction, injury, or disease of any animal impounded pursuant to this  
15 ordinance.  
16

17 **17. Severability**

18 Each section, paragraph, sentence, clause, work, and provision of this ordinance is severable and if  
19 any portion shall be deemed unconstitutional or invalid for any reason, such decision shall not affect  
20 the remainder of this ordinance nor any part thereof other than the portion affected by such decision.  
21

22 **18. Consequence**

23 Upon adoption, the "Animal Regulation Ordinance of the Town of Sevastopol, Door County,  
24 Wisconsin", Ordinance No. 01-2012, shall officially repeal ordinance numbers 03-2011, "The  
25 Keeping of Animals" and 04-2011, "The Control of Dogs" in their entirety, and shall supersede any  
26 and all ordinances pertaining to the regulation, control and keeping of animals in the Town of  
27 Sevastopol adopted before January 16, 2012.  
28

29 **19. Effective Date**

30 This ordinance shall be effective upon adoption and publication by the Board of Supervisors of the  
31 Town of Sevastopol.  
32

33 Adopted this 16 day of January, 2012.

Submitted by:

Chuck Tice

Chuck Tice, Supervisor

34  
35  
36  
37  
38

Board Members:	Aye	Nay
Tom Girman	x	
John Staveness	x	
Chuck Tice	x	
Dan Woelfel	x	
Leo Zipperer	x	

39  
40 **Certification:**

41  
42 I, Linda D. Wait, Clerk of the Town of Sevastopol,  
43 hereby certify that the above is a true and correct copy  
44 of an ordinance that was adopted on the 16th day of  
45 January, 2012, by the Town Board of Supervisors.  
46

47 Linda D. Wait  
48 Linda D. Wait, Clerk  
49 Town of Sevastopol, Door County, Wisconsin