

ORDINANCE NO: 8**AN ORDINANCE TO ESTABLISH THE GRAND RAPIDS ANIMAL CODE**

The Town Board of the Town of Grand Rapids, Wisconsin, does ordain as follows with regard to its Town Ordinances:

8.1 TITLE AND SCOPE

These regulations shall be known as Ordinance 8, Grand Rapids Animal Code, and shall be construed to secure their expressed intent and to ensure public safety, health and welfare.

8.2 DEFINITIONS

For the purpose of this code, the following words and phrases shall have the meanings assigned to them in this section. Words and phrases not herein otherwise defined shall have the meanings accepted by common usage.

A. Agricultural Animals; Animals which are used for the production of food or other products. Agricultural animals shall include cattle, hogs, sheep, goats, chickens, turkeys, horses and other animals commonly accepted as farm animals in the State of Wisconsin.

B. Animal unit;	<u>Animal Unit</u>
1) 1 Slaughter Steer or Heifer	1.0
2) 1 Horse	1.0
3) 1 Mature Dairy Cow	1.4
4) 1 Swine over 55 pounds	0.4
5) 1 Sheep or Goat	0.5
6) 1 Turkey	0.1
7) 1 Chicken	0.1
8) 1 Duck	0.2

- Off-spring of allowed animals under the age of 6 months shall not be counted.
- For animals not listed in this table, the number of animal units shall be defined as the average weight of the animal divided by 1000 pounds.

C. At Large; Any animal is at large when it is off the property of the person owning, harboring, or keeping said animal, and it is not under restraint.

D. Cat; Includes all members of the family of cats, whether domesticated or in the semi-wild or wild state, male or female.

E. Dangerous Animals; Mammals, birds or large or poisonous reptiles or amphibians with a potential to be dangerous to the safety and welfare of any person, property or domestic animal and which are not commonly kept as house pets. Examples of such dangerous animals include but are not limited to, bears, lions, wolves, coyotes, cougars, tigers, panthers,

apes, alligators, crocodiles, large snakes (greater than 6 feet) and poisonous snakes, badgers, and ocelots. Dangerous animals shall also include any animal that has attacked or bitten any person when said attack or bite was unprovoked. Animals cross-bred with dangerous animals shall also be considered dangerous animals, such as animals bred from dogs and coyotes or dogs and wolves.

- F. Dog; Includes all members of the family of dogs, whether domesticated or in the semi-wild or wild state, male or female.
- G. Domestic Animals; Animals defined as traditional house pets such as dogs, cats, and birds which can be contained within a dwelling, throughout the entire year, provided that containment can be accomplished without special modification to the structure requiring a building permit from the Town. Domestic animals also include birds and rabbits normally sheltered outside the home.
- H. Kennel: Any structure or premises on which three or more dogs over four months of age are kept for purposes of breeding, sale or sporting or who engage commercially in boarding dogs within the Town of Grand Rapids.
- I. Owner; Any person or persons, firm or corporation owning, harboring, or keeping an animal, and the occupant of any premises on which an animal remains, or to which it customarily returns daily for a period of ten days is presumed to be harboring or keeping the animal with the meaning of this ordinance.
- J. Public nuisance Animal; Any one or more of the following:
- 1) If the animal is repeatedly found at large;
 - 2) Damages the property, or garden of anyone other than its owner;
 - 3) Is a vicious animal(s);
 - 4) Causes unsanitary conditions of enclosures or surroundings;
 - 5) By virtue of the number of types of animals maintained on a property, are offensive or dangerous to the public health, safety, or welfare;
 - 6) Makes noises tending to disturb neighbors;
 - 7) Molests passers-by or passing vehicles;
 - 8) Attacks other domestic animals;
 - 9) Has been designated by the County Humane Officer to be a public nuisance animal.
- K. Vicious Animal; Any animal which reasonably constitutes a physical threat to human beings or other animals by virtue of one or more attacks.

8.3 INCORPORATION OF WISCONSIN STATUTES

The statutory provisions describing and defining regulations with respect to the keeping of a dog in Wisconsin Statutes Chapter 174 are hereby adopted and, by reference, made a part of this Ordinance as if fully set forth herein. Any act required to be performed or prohibited by any such statute shall likewise be required under this Ordinance.

8.4 ANIMALS RUNNING AT LARGE PROHIBITED

- A. The owner of any animal found to be running “at large” shall be subject to a forfeiture per Ordinance 39 “Schedule of Fees and Forfeitures” for each day during which said violation shall continue together with the costs of prosecution.
- B. Animals running “at large” shall be considered a public nuisance and may be seized or restrained, and if so restrained or seized shall be turned over to the town police or to agents or employees of the South Wood County Humane Society, Inc. The owner of said animal may reclaim said animal by paying a fee as per Ordinance 39 “Schedule of Fees and Forfeitures” for the pick-up and/or sheltering of said animal. If said animal is not reclaimed within seven days, said animal may be destroyed.

8.5 ANIMALS DISTURBING THE PEACE PROHIBITED

- A. It shall be unlawful for any person to own, keep, have in possession, or harbor any animal which is a habitual howler, yelper, barker or other noisemaker or which, shall cause unreasonable annoyance or disturbance to a person. Provided, however, that the provisions of this section shall not apply to duly authorized animal hospitals or clinics established and in operation for the treatment of small animals.
- B. No person shall be convicted under the provisions of this section except under the evidence from 50% of the adult residents living within 250 feet of the residence of the animals complained of or from two persons, each of a different household, whichever is less. In addition, a citation may be issued for any violation of this section that is witnessed by a law enforcement officer.

8.6 ANIMAL DEFECATION

Any person who allows any animal owned or under his or her control to defecate on the property of another or on any public property shall cause the feces to be removed immediately. Animal waste shall also be removed from the pens and premises on a regular basis.

8.7 INHUMANE TREATMENT

No person shall be cruel or inhumane to any animal by beating, torturing, mutilating or failing to provide it with adequate food, drink or shelter. No person shall abandon any animal within the Town.

8.8 CONTROL OF RABIES

- A. Any animal having rabies or suspected of having rabies shall be reported to the County Humane Officer and County Health Department within 24 hours by any person having knowledge or suspicion of the same. Whenever an animal shall bite a person, notice thereof shall be reported to the County Humane Officer within 24 hours, giving, if possible, the name and address of the owner of the animal and the circumstances under which the bite occurred.
- B. If an animal has bitten a person, is suspected of having rabies or has been bitten by an animal suspected of having rabies, such animal may be impounded for a period of ten days for observation at the owner’s expense, unless said owner can furnish conclusive evidence

that said animal has received current immunization shots for rabies.

8.9 INDIVIDUAL DOG LICENSES

Except as provided in sec. 174.054 Wis Stats., every owner of every dog more than five months of age on January 1 of any year, or five months of age within the license year, shall annually, at the time and in the manner provided by law for payment of personal property taxes, pay an annual license fee as per Ordinance 39 "Schedule of Fees and Forfeitures" and obtain a license and collar tag for such dog.

- A. Dogs under six months of age acquired from a Humane Society Animal Shelter facility shall be spayed or neutered by eight months of age. Dogs acquired from an animal shelter at an age of six months or more, shall be spayed or neutered within 60 days.
- B. The license year for dogs shall commence on the 1st day of January and end on the 31st day of the following December.
- C. Every licensed dog over the age of five months on January 1 of any year shall at all times wear a substantial durable collar to which shall be attached securely the license tag required. No license tag shall be used on the collar of any dog other than the one for which it was issued. No person shall remove the collar or tag or both from any dog without consent of the person to whom the license was issued. If a dog is retained in a fence, kennel or pen, it need not wear its collar.
- D. The Town shall assess and collect a late fee as per Ordinance 39 "Schedule of Fees and Forfeitures" from every owner of a dog five (5) months of age or over, if the owner failed to obtain a license:
 - 1) Prior to April 1st of each year; or,
 - 2) Within 30 days of acquiring ownership of a licensable dog; or,
 - 3) On or before the dog reached licensable age.
- E. All late fees received or collected shall be paid into the local treasury as revenue of the Town.
- F. The maximum number of dogs which may be kept at one household without obtaining a dog exemption permit is two. An owner may obtain an annual exemption permit from the two dogs per household regulation by applying to the Plan Commission for an excess household dog exemption permit, and paying fees required by Town policy for said permit as per Ordinance 39 – "Schedule of Fees and Forfeitures". The exemption permit may be revoked by the Plan Commission upon its finding, after notice to the permit holder of the meeting at which revocation will be considered, that the terms of this ordinance or a permit issued thereunder have been violated.
- G. A kennel may not be operated in the Town of Grand Rapids unless the kennel is located in a zoning district which authorizes kennels as a conditional use and a conditional use permit has been issued per Ordinance 52-Zoning for the kennel.

8.10 MULTIPLE DOG LICENSES

- A. The provisions set forth in sec. 174.053 Wis. Stats. shall apply to the issuance of multiple dog licenses.
- B. The Town shall assess and collect from a multiple dog license holder a late fee as per Ordinance 39 "Schedule of Fees and Forfeitures" for each dog, five months of age or older, if:
 - 1) A kennel license holder fails to obtain a multiple dog license prior to April 1st of each year; or,
 - 2) Within 30 days of acquiring ownership of a licensable dog fails to obtain an additional tag; or,
 - 3) If the holder of a multiple dog license fails to obtain an additional tag on or before the dog reaches licensable age.
- C. All late fees received or collected shall be paid into the treasury as revenue of the Town.

8.11 OTHER REGULATION

A. Agricultural Animals.

- 1) The keeping of agricultural animals in the Agricultural (A) zoning district is a permitted use.
- 2) The keeping of agricultural animals in any other zoning district is limited to parcels of land that are at least 5 acres and is further subject to the following limit:
 - a. A limit of one animal unit per 2 acres of grazable acreage land.
- 3) Notwithstanding subparagraph 2) above, chickens (roosters are prohibited) may be kept or maintained upon the following:
 - a. Up to six (6) chickens (.6 animal units) may be raised within a lot zoned R-1 residential (one- and two-family), a lot zoned R-2 residential (one- and two-family), or R-2S residential (one-family), provided there is a use as a single-family or two-family; upon application to the Plan Commission and permit.
 - 1. Rental tenants of a single-family dwelling or a one-two family dwelling that is zoned R-1, R-2, or R2S shall obtain written approval from the landlord prior to the keeping or maintaining of chickens on the rental premise. The landlord's written approval must accompany the applicant's permit application.
 - b. No owner or tenant shall own, keep or maintain chickens within the Town under subparagraph 3 above without first obtaining a permit through application to the Plan Commission. A permit shall be subject to the following requirements:

1. An Initial permit is due and payable, and approval by the Town Planning Commission is required, prior to acquiring and keeping chickens in the Town of Grand Rapids.
 2. During the initial application process, the Town will notify property owners within a 500-foot radius of an applicant's lot, of an applicant's intention to keep or maintain chickens. Notification of property owners shall not be required for renewal of a permit as long as the permit is kept current and has not lapsed.
 3. The permit year shall commence on January 1, and shall end on the following December 31, and shall be renewed annually.
 4. A permit granted shall not transfer to any other property or successor owners of a permitted property. A new permit must be applied for.
 5. Proof of a livestock premises registration with the Wisconsin Department of Agriculture, Trade, and Consumer Protection must be provided prior to the permit being issued.
 6. The annual permit fee for keeping and maintaining chickens shall be set by Town policy for said permit as per Ordinance 39 – "Schedule of Fees and Forfeitures," and must be paid to the Town at the time of application. This fee shall not be prorated.
 7. All renewal permits are due and payable to the Town no later than January 31 of the permit year. Any lapse in permitting shall require the applicant to meet all of the initial permit requirements as set forth above.
 8. A permit acquired under this subsection may be revoked by the Plan Commission upon its finding, after notice to the permit holder of the meeting at which revocation will be considered, that the terms of this ordinance or a permit issued thereunder have been violated.
- c. Any person keeping chickens under subparagraph 3 above, shall keep or maintain chickens within a coop or attached coop enclosure at all times. Newborn chickens (chicks) up to the age of three (3) weeks may be kept in a residence or outbuilding. Property and coop requirements for permitted chickens under subparagraph 3 above shall be subject to the following:
1. A coop and any attached enclosure shall be located in the side or rear yard area of the permit holder's residence and shall meet all applicable Town Ordinance setback

requirements for accessory buildings. A drawing of the coop and any attached enclosure and their locations shall be submitted with the permit application.

2. A coop and any attached enclosure shall not be closer than 25ft. to a residential dwelling on an adjacent lot.
 3. All chickens shall be kept and maintained within a ventilated and roofed coop in compliance with any applicable state and local requirements. Chickens are not permitted to have free range.
 4. All coops, including an attached coop enclosure, shall be enclosed with wire netting or equivalent material that will prevent chickens from escaping the coop or the attached enclosure. The ability to utilize wire netting or equivalent materials shall only be for the limited purpose of the coop and coop enclosure; wire netting is not to be used as a boundary fence. All other fencing must adhere to the fencing regulations found within Town Ordinance section 52.3(J).
 5. The coop structural floor shall allow at least four (4) square feet per chicken, and the height of the coop shall not exceed six (6) feet above ground level.
 6. The coop shall have a clear open space to allow the chickens to walk on the ground or a concrete slab.
- d. Sanitation requirements for permitted chickens under subparagraph 3 above shall be subject to the following:
1. Chickens and their coops shall be kept and maintained at all times in outdoor areas and shall not be permitted inside a residential premise or dwelling, except as provided in subsection 8.11(A)(3)(c).
 2. Chicken feed shall be stored and kept in containers, which make the feed inaccessible to rodents, vermin, wild birds, and other predators.
 3. All coops and backyards where chickens are kept or maintained shall be reasonably free from chicken manure and other substances, such that the air or environment around the chickens does not become noxious or offensive or create a condition that would reasonably promote the breeding of flies, mosquitoes, or other insects, or provide a habitat, breeding or feeding place for rodents or other animals, or otherwise be injurious to public health.
 4. Any person keeping chickens shall not slaughter any chickens on the premises.

5. The Town shall have the power, whenever it may deem reasonably necessary, to enter a building, structure, or property where chickens are kept to ascertain whether the keeper is in compliance with this ordinance. The police department and the zoning department may issue compliance orders and citations pursuant to the provisions of this section, and state law.
- 4) This section is not intended to interfere with any restrictive covenants otherwise applicable to certain properties in the Town.
 - 5) Chickens may be temporarily allowed for special purposes such as a public-picnic and other special events upon approval of the Town Board.
 - 6) Any person keeping chickens allowed under this ordinance shall consult with a veterinarian regarding chickens that appear ill, or on the occasion of a sudden death. If a disease that would be contagious to humans is diagnosed, recommendations to insure prevention or transmission of a disease must be followed as recommended by the veterinarian.
- B. Stables and Barns.
- 1) Except in the Agricultural (A) District, animals shall be provided a shelter under roof appropriately sized to accommodate the specific animal in a humane manner.
 - 2) No stable or barn in which agricultural animals are kept or maintained shall be located within 300 feet of a neighboring dwelling or platted area. In addition, stables, barns, or beehives shall meet normal accessory structure setbacks from property lines and rights-of-way.
 - 3) A minimum of 100 square feet of shelter is required for each "animal unit".
 - 4) Agricultural animals shall be enclosed in a pen or corral.
 - 5) Fences for pens, corrals, pasture or similar enclosures must be of sufficient height and strength to retain such animals.
 - 6) No fence shall be located within 200 feet of a neighboring dwelling.
- D. Sanitation and health.
- 1) Manure, bedding compost and other waste materials must not be piled or allowed to accumulate closer than 75 feet from any lot line and 140 feet from any neighboring residences.
- E. The keeping of wild, dangerous, or vicious animals shall not be allowed.

8.12 PENALTIES

Any person who violates any of the provisions of this Ordinance shall, upon conviction, be

subjected to forfeiture per Ordinance 39 "Schedule of Fees and Forfeitures" together with the costs of prosecution.

This ordinance shall take effect from and after the date of its passage and publication as provided by law.

HISTORY

Declaration/Ordinance/Resolution No

Dated

RESOLUTION NO:

2005-08
2006-07
2009-37
2011-28
2012-16
2012-27
2014-06
2014-30
2017-25

10-June-1970-1997
13-September-2005
23-May-2006
8-September-2009
14-June-2011
12-June-2012
9-October-2012
8-April-2014
9-September-2014
11-July-2017