

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Administrative & Judiciary Committee
DATE OF MEETING: September 2, 2015 (Wednesday)
PLACE OF MEETING: City Hall – 415 Main Street (Room 112)
TIME OF MEETING: 6:00 P.M.

PURPOSE OF MEETING

1. Call to Order and roll call.
2. Approval of minutes from the previous meeting.
3. Public Input: (limited to 3 minutes/individual)

Consideration and possible action on the following items:

Administrative

4. Approval of Operator's Licenses as listed on report dated September 2, 2015
5. Approval of Change of Agent for:
 - a. Kwik Trip #643, 1276 Crossing Meadows Drive, Onalaska to Mark J. Lee
 - b. Festival Foods, 1260 Crossing Meadows Drive to Sue Helgeson
6. Special Event Permits:
 - a. Down Syndrome Advocacy/Awareness Walk, Saturday, September 19, 2015 from 8am-2pm starting at Onalaska Omni Center.
7. Request for burial of one cremains and one full body burial in Block 158, Lot 2, Grave 3 in the Onalaska Cemetery for Robert E. and Kathleen A. Lamb.
8. Cemetery Budget for 2016
9. Miscellaneous licensing reporting

Judiciary

1. **Ordinance No. 1507-2015** to amend Title 10, Chapter 1 of the City of Onalaska Code of Ordinances related to Parking Restrictions (Third and Final Reading)
2. **Ordinance No. 1509-2015** to amend Chapter 1 of Title 7 of the Code of Ordinances of the City of Onalaska relating to Licensing of Dogs and Cats Regulation of Animals (First and Second Reading)

Adjournment

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the Board may attend this meeting to gather information about a subject over which they have decision making responsibility.

Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

NOTICES MAILED TO:

Mayor Joe Chilsen
* Ald. Barry Blomquist - Chair Jud
Ald. Jim Olson
Ald. Bob Muth.
Ald. Jim Bialecki
* Ald. Harvey Bertrand – Chair Admin & Vice Chair Jud
*Ald. Jim Binash - Vice Chair Admin
City Attorney Dept Heads Charter Com. WXOW
La Crosse Tribune Onalaska Holmen Courier Life
WIZM WKTY WLXR WKBH WKBT WLSU

Teresa Hulse
Robert and Kathleen Lamb

*Committee Members

Date Notices Mailed and Posted: 08/26/15

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

8-26-2015 11:10 AM

F O R M S R E G I S T E R

PACKET: 01300 License Packet SEPT OPERATORS
SEQUENCE: License #

ID	PERIOD	NAME		LICENSE CODE	
01383	8/06/15- 6/30/16	TREDINNICK	SHAWN	OPRATOR	OPERATORS - 1 YEAR
01395	8/14/15- 6/30/17	GOLIWAS	JULIETTE	OPRATOR	OPERATORS - 2 YEAR
01396	8/17/15- 6/30/17	SIMPSON	MORGAN	OPRATOR	OPERATORS - 2 YEAR
03234	8/05/15- 6/30/17	PETERSON	JESSICA	OPRATOR	OPERATORS - 2 YEAR
03273	7/01/15- 6/30/17	TOVAR	PAULA	OPRATOR	OPERATORS - 2 YEAR
04233	8/21/15- 6/30/16	EWING	NICHOLAS	OPRATOR	OPERATORS - 1 YEAR
04608	8/17/15- 6/30/17	ROBBINS	VERNON	OPRATOR	OPERATORS - 2 YEAR

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Onalaska County of La Crosse

The undersigned duly authorized officer(s)/members/managers of Festmark Inc.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Festival Foods
(trade name)

located at 1260 Crossing Meadows Dr, Onalaska, WI 54650

appoints Sue Helgeson
(name of appointed agent)

4671 Hamilton Ave, Sparta, WI 54656
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).
Albertfest Inc., Appleton, WI;

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 24 years

Place of residence last year W4827 State Hwy 156, Bonduel, WI 54107

For: Festmark Inc.
(name of corporation/organization/limited liability company)

By: [Signature]
(signature of Officer/Member/Manager)

And: [Signature]
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Sue Helgeson
(print/type agent's name), hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature]
(signature of agent) 8/11/15
(date) Agent's age 54

4671 Hamilton Ave, Sparta, WI 54656
(home address of agent) Date of birth 3/2/61

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 8-25-15 by [Signature] Title CHIEF OF POLICE
(date) (signature of proper local official) (town chair, village president, police chief)



CITY OF ONALASKA

415 Main Street • Onalaska, WI 54650-2953 • (608) 781-9530 fax (608) 781-9534 • www.cityofonalaska.com

RECEIVED

JUL 30 2015

SPECIAL EVENTS PERMIT APPLICATION

CITY OF ONALASKA
Cost: \$ _____

Date: 2/17/2015

(Please Print)

Application is for:

- Bicycle Races
- Marathons
- Parades
- Procession(s)
- Runs
- Block Party¹
- Other:

Request for Information			
Organization/Requestor Name:		Phone:	
Down Syndrome Assoc. of WI-COIT		(608) 783-7777	
Officer of Corporation or Director of Event:			
Teresa Hulse			
Address of Organization:			
P.O. Box 796			
City:	State:	Zip:	
Onalaska	WI	54650	
Contact Person:		Phone:	
Teresa Hulse		(608) 783-7777	
Address:			
2268 Evenson Drive			
City:	State:	Zip:	
Onalaska	WI	54650	
Purpose/Description of Event:			
Down syndrome Advocacy/Awareness walk			

EVENT INFORMATION			
Name of Event:	Date of Event:	Time (beginning)	Time (ending)
Down syndrome Awareness walk	Sept. 19, 2015	8:00 ^{am} pm	2:00 ^{am} pm
Starting Point or Block to Be Closed:			
Onalaska Omni Center			
Route or Specific Location (List Abutting Streets):			
Ryders Club Rd / East Ave / Mason St. / Back to Omni (no major roads will be crossed)			
Termination Point:			
Omni Center			
Estimated Maximum Number of Units/Persons Attending Event:			
500-1,000			

¹Attach signatures of at least 51% of all households abutting the proposed block to be closed for said party

**** NOTE ** CERTIFICATE OF INSURANCE REQUIRED,**
 With the City of Onalaska listed as additional Insured.
Original Certificate of Insurance must accompany this application

SPECIAL EVENTS REQUIRED INFORMATION

The following information must be completed and received by the City of Onalaska City Clerk's Office no less than 30 days (60 days for special events) prior to the scheduled event for processing. Failure to provide complete information could void your permit and cancel your event. Also, a Special Event Permit is not valid until insurance has been provided, all fees have been paid, and all necessary approval signatures have been obtained.

TELL US ABOUT YOUR EVENT:

1. Will food be prepared and/or served at the event? YES NO
If yes, please explain in detail what food service you will provide: hot dogs, buns, condiments, cookies, taco meat, lettuce, cheese, sour cream, apples, pop, water.

(Please contact the La Crosse County Health Department (608) 785-9872 to sell/serve food)

2. Will alcoholic beverages be served/sold? YES NO
If yes, a "Special Class B" license will allow you to serve/sell beer and/or wine.

(The Office of the City Clerk (608) 781-9530 will assist you with obtaining the license)

3. Will you be having a band or amplified music? YES NO West Salem Adult Jazz Band
If yes, a Variance Permit may be needed.

(Please contact the Onalaska Police Department (608) 781-9550 for additional information on noise and noise ordinance)

4. Do you require any special parking restrictions? YES NO
If yes, please indicate what type, when and where: _____

5. Will you require the use of any City Services and/or equipment?

Barricades YES NO If yes, approximately how many: _____
Cones YES NO If yes, approximately how many: _____
Street Sweeper YES NO If yes, approximate time needed: _____ a.m./p.m.

(Please contact the Onalaska Public Works Department (608) 781-9537 to make arrangements)

6. Will temporary signage be used? YES NO
If yes, please indicate what type and where: Yard Signs + yard banners (2-4)
Various homes, walk sponsors

(Please contact the Onalaska Planning Department (608) 781-9590 to inquire about City Regulations)

7. Will there be a fireworks display? YES NO
If yes, please indicate what type and where: _____

(Please contact the Office of the Fire Department (608) 781-9546 to inquire about City Regulations)

8. Do you have a plan in place to deal with any medical emergencies that may occur during your event? YES NO
If yes, please explain: _____

9. An emergency/evacuation plan is needed. Please submit a plan not less than fourteen (14) business days prior to the event.

(The Onalaska Police Department (608) 781-9550 will assist you with your plan)

It's an outside event

10. Other special assistance requested: _____

I understand the filing of this application does not ensure the issuance of this license. I also understand that all Special Events sponsors must comply with all applicable city Ordinances, traffic rules, park rules, state health laws, fire codes and liquor licensing regulations. Fees for park facilities, food sales permits, tent, signage and fireworks permits are in addition to the fees submitted for the Special Events Application. I further understand that an incomplete application may be cause for denial of the event.

Hold Harmless Indemnification and Defense.

The applicant and/or the organization agrees to indemnify, defend and hold harmless the City of Onalaska and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney fees, arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant/organization, anyone directly or indirectly employed by any of them, or anyone whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of the City.

Aerese Hulse
Signature of Applicant

2/17/2015
Date

Fees are Non-Refundable. Submit completed application along with any required information to:

Onalaska City Clerk's Office
415 Main Street
Onalaska, WI 54650

FOR OFFICE USE ONLY

Name & Date of Event: Down Syndrome Awareness 9/19/15

City Clerk	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____
Fire Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____
Police Dept	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____
Public Works	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____
Health Dept	<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____
Planning	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: <u>BSG</u>
Parks & Rec	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED	Reason: _____

Date: 8/3/15
 Date: 7/30/2015
 Date: 7/31/15
 Date: 7.31.15
 Date: _____
 Date: 8/3/15
 Date: 8/3/15

Site Diagram Sketch Attached: YES NO

GIS Dept. Map Prepared: 08/03/2015

Insurance Required: YES NO Certificate of Insurance on File: YES NO COI Expires: 9/1/16

Special Class B License Required: YES NO Date of Special Class B Application: / /

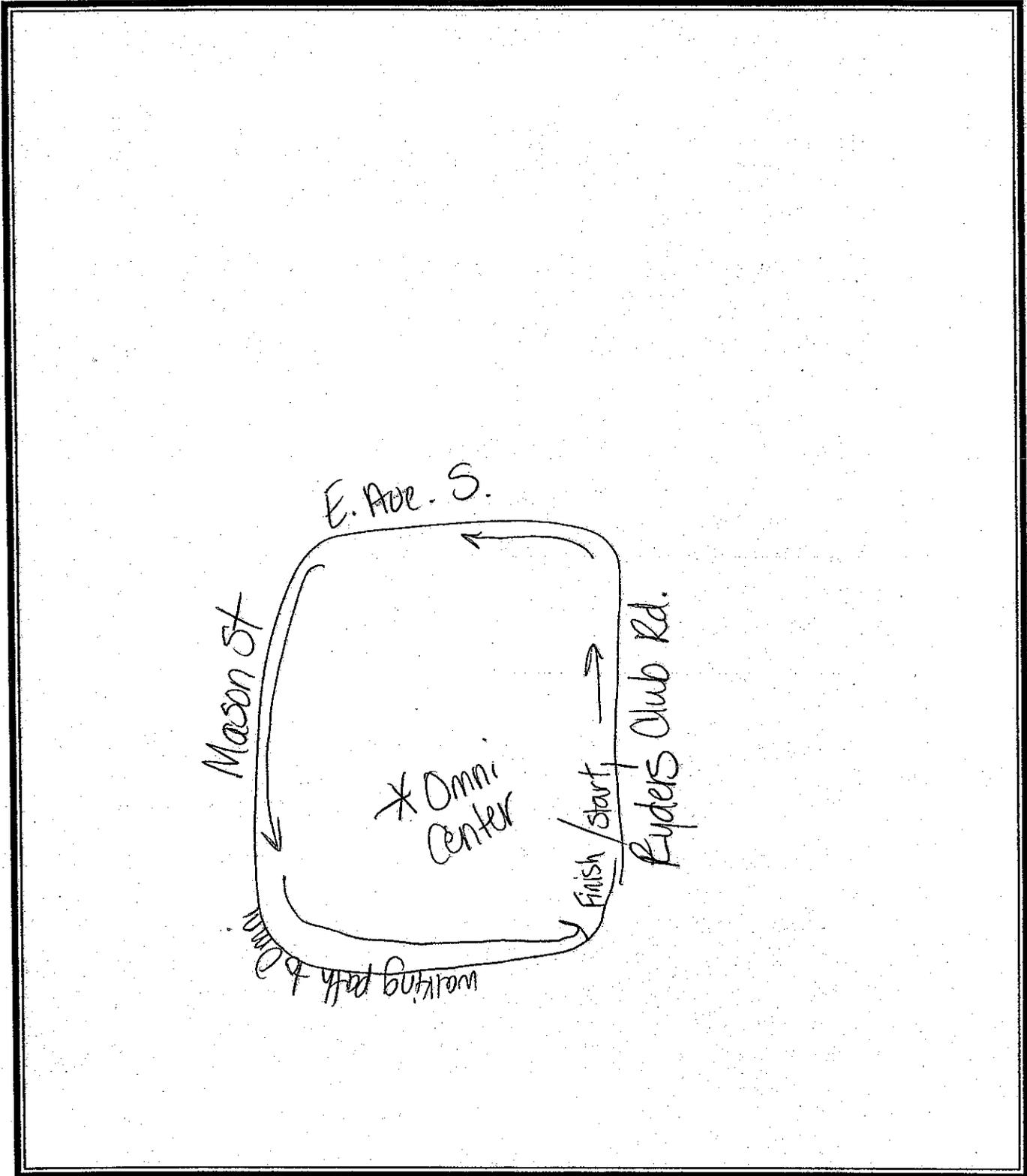
Approved By A&J: / / Date License Issued: / / License No:



CITY OF ONALASKA

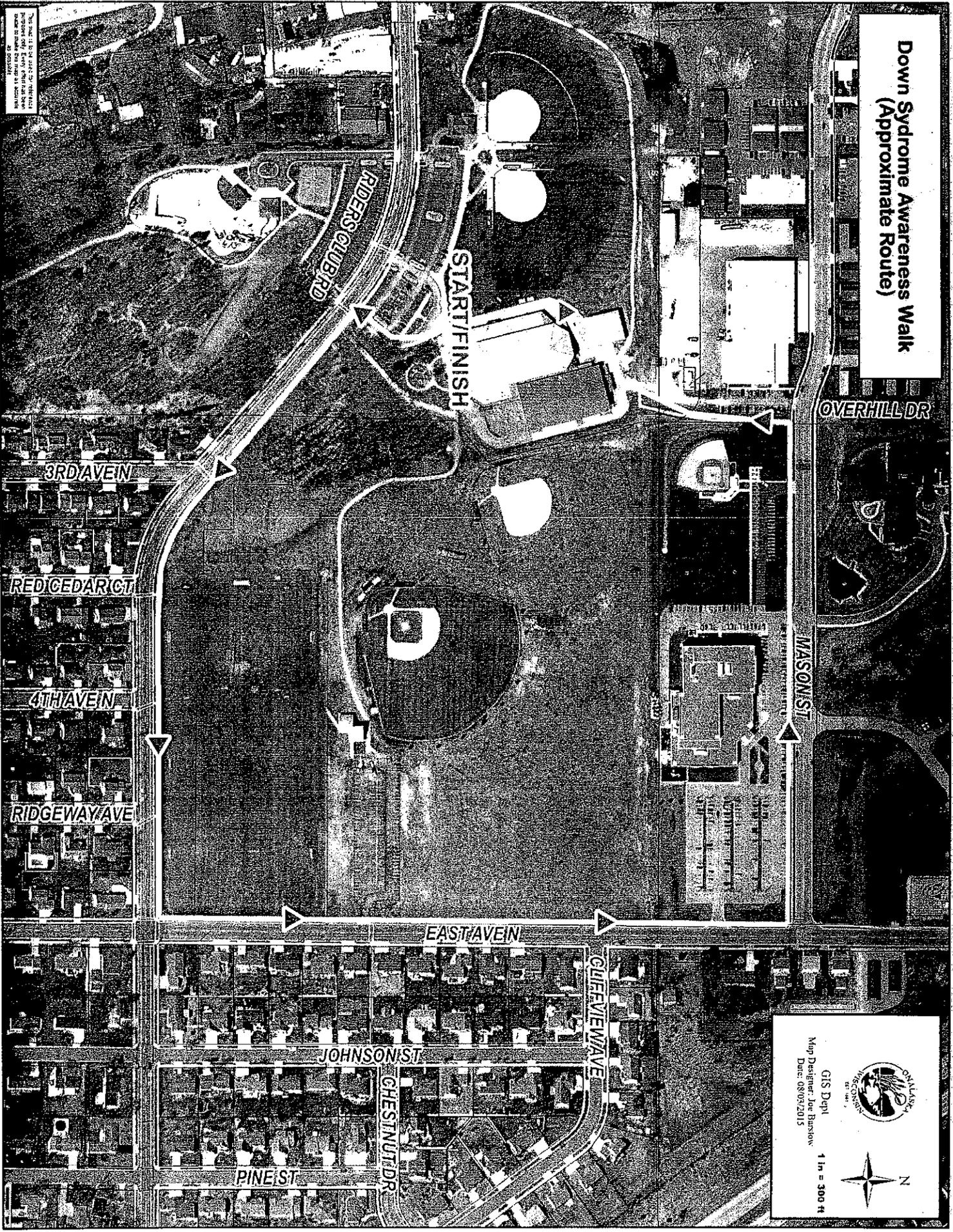
PLANNING DEPARTMENT, 415 MAIN STREET, ONALASKA, WI 54650
PHONE: (608) 781-9590 FAX: (608) 781-9506
www.cityofonalaska.com

SITE DIAGRAM SKETCH



Please sketch the proposed location of the event above or attach a site diagram. Note all buildings, parcel lines, right-of-ways, streets and alleys. Include on this map or attach a sketch of the proposed event barricades, concession stands, portable restrooms, bleachers and other structures that will be brought in for the event.

**Down Syndrome Awareness Walk
(Approximate Route)**



This map is for informational purposes only. Every effort has been made to ensure that the map is accurate. No warranty is made by the City of...

GIS Dept
Map Designer: Joe Benson
Date: 08/03/2015

1 in = 300 ft

RECEIVED

AUG 05 2015

Aug. 5, 2015

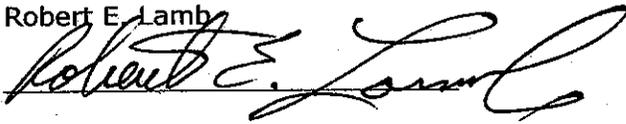
CITY OF ONALASKA

TO: Administrative and Judiciary Committee
City of Onalaska
415 Main Street
Onalaska, WI 54650

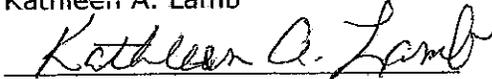
This is to seek approval for one (1) cremains and one (1) full burial on Block 158, Lot 2, Grave 3 in the Onalaska Cemetery for Robert E. And Kathleen A. Lamb.

Thank you,

Robert E. Lamb



Kathleen A. Lamb



Robert E. and Kathleen A. Lamb
W5415 Timber Creek Trail
La Crosse, WI 54601
Phone: (608) 781-4408



City of Onalaska

Budget Worksheet

Account Summary

For Fiscal: 2015 Period Ending: 08/31/2015

Defined Budgets

	2013	2013	2014	2014	2015	2015	2016	2016	2016
	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	2016 DEPT.	2016 DEPT.	2016 ADOPTED
Fund: 630 - CEMETERY									
Revenue									
Department: 00000 - NON DEPARTMENTAL									
REVENUE FROM STATE	0.00	0.00	0.00	0.00	0.00	0.00			
OPENING GRAVES	28,000.00	22,850.00	30,000.00	16,370.00	26,000.00	14,755.00	23,000.00	23,000.00	
SALE OF LOTS	16,640.00	15,600.00	24,028.00	11,232.00	21,000.00	21,360.00	23,200.00	23,200.00	
MISC. INCOME	400.00	0.00	400.00	0.00	400.00	0.00			
TRANSFER FEES	0.00	240.00	140.00	60.00	140.00	240.00	250.00	250.00	
MONUMENT/MARKERS	2,000.00	1,050.00	2,600.00	1,500.00	2,600.00	1,800.00	2,400.00	2,400.00	
PERP. CARE MATCHING REVEN	2,080.00	1,950.00	3,004.00	1,404.00	2,100.00	2,670.00	2,900.00	2,900.00	
CAPITAL IMPROVEMENTS	2,080.00	1,950.00	3,004.00	1,404.00	2,100.00	2,670.00	2,900.00	2,900.00	
INTEREST INCOME	1,000.00	169.28	500.00	169.76	400.00	53.13	200.00	200.00	
CEMETERY DONATIONS	0.00	0.00	0.00	0.00	0.00	20,600.00			
BOND PROCEEDS	0.00	0.00	0.00	0.00	0.00	0.00			
OPERATING TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00			
SALE OF CITY PROPERTY	0.00	0.00	0.00	0.00	0.00	0.00			
Department: 00000 - NON DEPARTMENTAL Total:	52,200.00	43,809.28	63,676.00	32,139.76	54,740.00	64,148.13	54,850.00	54,850.00	0.00
Revenue Total:	52,200.00	43,809.28	63,676.00	32,139.76	54,740.00	64,148.13	54,850.00	54,850.00	0.00

Handwritten signature/initials

Budget Worksheet

For Fiscal: 2015 Period Ending: 08/31/2015

Expense	2013						2014						2015						2016					
	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity				
Department: 53981 - CEMETERY																								
530-53981-110		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00		0.00				
530-53981-120	SALARIES - REGULAR	31,270.00	18,765.60	31,136.00	17,730.01	32,846.00	19,677.63	33,693.00	33,693.00															
530-53981-121	WAGES - REGULAR	300.00	998.84	1,000.00	1.29	1,000.00	0.00	1,000.00	1,000.00															
530-53981-124	OVERTIME - REGULAR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00															
530-53981-125	WAGES - PERMPT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00															
530-53981-125	OVERTIME - PERM PT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00															
530-53981-126	WAGES - TEMP/SEAS	5,760.00	2,486.89	9,320.00	1,578.59	9,480.00	2,174.49																	
530-53981-127	OVERTIME - TEMP/SEAS	0.00	0.00	0.00	0.00	0.00	0.00																	
530-53981-150	FICA	2,851.00	1,564.21	3,171.00	1,442.16	3,299.00	1,634.04	3,388.00	3,388.00															
530-53981-151	RETIREMENT (WRS)	2,099.00	1,479.77	2,902.00	1,351.65	2,933.00	1,485.94	2,923.00	2,923.00															
530-53981-152	HEALTH INSURANCE	12,005.00	8,087.20	12,196.00	5,121.76	4,634.00	3,089.68	4,634.00	4,634.00															
530-53981-153	DENTAL INSURANCE	633.00	421.76	633.00	421.76	633.00	421.76	633.00	633.00															
530-53981-154	LIFE INSURANCE	11.00	6.89	9.00	8.16	4.00	8.48	6.00	6.00															
530-53981-221	ELECTRIC & GAS	450.00	290.79	500.00	310.08	500.00	315.87	500.00	500.00															
530-53981-225	PHONE/INTERNET/CABLE	144.00	0.00	144.00	0.00	144.00	0.00	144.00	144.00															
530-53981-310	OFFICE SUPPLIES	100.00	0.00	100.00	0.00	100.00	0.00	100.00	100.00															
530-53981-311	POSTAGE	50.00	0.00	50.00	0.00	50.00	0.00	50.00	50.00															
530-53981-312	COPY USAGE & PAPER	50.00	0.00	50.00	0.00	50.00	0.00	50.00	50.00															
530-53981-340	OPERATING SUPPLIES	1,250.00	49.91	1,250.00	557.99	1,250.00	747.73	1,250.00	1,250.00															
530-53981-350	BLDG & GRDS MAINT & REPAIR	2,000.00	932.09	2,000.00	493.54	2,000.00	622.45	2,000.00	2,000.00															
530-53981-360	VEHICLE MAINT & REPAIRS	250.00	148.60	250.00	152.50	250.00	210.73	250.00	250.00															
530-53981-361	REGULAR FUEL	1,500.00	781.50	1,500.00	822.10	1,500.00	694.87	1,500.00	1,500.00															
530-53981-362	OFFROAD FUEL	750.00	122.15	750.00	421.94	750.00	18.83	750.00	750.00															
530-53981-363	EQUIPMENT MAINT & REPAIRS	1,000.00	372.82	1,000.00	0.00	1,000.00	204.07	1,000.00	1,000.00															
530-53981-510	INS - WORKERS COMP	1,400.00	1,398.56	1,400.00	1,050.00	1,450.00	1,087.50	2,170.00	2,170.00															
530-53981-512	INS - VEHICLES	100.00	100.00	100.00	100.00	100.00	87.00	100.00	100.00															
530-53981-516	EMPLOYEE BENEFITS	0.00	0.00	0.00	0.00	150.00	0.00	150.00	0.00															
530-53981-540	DEPR - GENERAL EQUIPMENT	2,145.00	0.00	2,145.00	0.00	2,145.00	0.00	2,145.00	2,145.00															
530-53981-543	DEPR - BLDG STRUCTURE, BLD	568.00	0.00	568.00	0.00	568.00	0.00	568.00	568.00															
530-53981-544	DEPR - IMPROV OTHER THAN L	2,007.00	0.00	2,007.00	0.00	2,007.00	0.00	2,007.00	2,007.00															

Defined Budgets										
	2013		2014		2015		2016		2016 ADOPTED	
	Total Budget	YTD Activity	Total Budget	YTD Activity	Total Budget	YTD Activity	2016 DEPT.	2016 DEPT.	2016 DEPT.	2016 ADOPTED
INTEREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Department: 53981 - CEMETERY Total:	68,633.00	38,002.38	74,181.00	29,563.53	68,643.00	32,578.33	70,461.00	70,461.00	70,461.00	0.00
Expense Total:	68,633.00	38,002.38	74,181.00	29,563.53	68,643.00	32,578.33	70,461.00	70,461.00	70,461.00	0.00
Fund: 630 - CEMETERY Surplus (Deficit):	-16,433.00	5,806.90	-10,505.00	2,576.23	-13,903.00	31,569.80	-15,611.00	-15,611.00	-15,611.00	0.00
Report Surplus (Deficit):	-16,433.00	5,806.90	-10,505.00	2,576.23	-13,903.00	31,569.80	-15,611.00	-15,611.00	-15,611.00	0.00

630-53981-620

OK

**CITY OF ONALASKA, WISCONSIN
DEPARTMENTAL BUDGET**

Department:

Cemetery

Budget Year 2016

PERSONNEL JUSTIFICATION

I. FULL-TIME PERSONNEL

Current Position (X)	Proposed New (X)	Percent Allocated to Dept	Job Title	Employee Name <small>(write "vacant" if currently vacant, write "new" if newly proposed)</small>	2015 Gross Salary/Wages <small>(excluding O.T. etc)</small>	2016 Proposed Salary/Wages	
X		66%	Crew Leader	Carlson, Nick \$ 51,050.34	\$32,646	\$33,693	
Sub-Totals						\$32,646	\$33,693
Overtime (Approx. Hours: _____)						\$1,000	\$1,000
Other Compensation (On Call/Nite Pay)							
Total Salaries for Full-time Personnel						\$33,646	\$34,693

II. PART-TIME PERSONNEL

Current Position	Proposed New	Job Title	Employee Name	Budgeted # of 2015 Hrs	Budgeted 2015 Gross Salary	2016 Proposed Hrs	2016 Proposed Gross Salary
X		Laborer (1040-hour position)	Halverson, Richard (\$12.00/hour)	800	\$9,480	800	\$9,600
Sub-Totals						\$9,480	\$9,600
Overtime							
Total Salaries for Part-Time Personnel						\$9,480	\$9,600

III. TOTAL SALARIES & WAGES

<u>2015</u>	<u>2016 Proposed</u>
\$43,126	\$44,293

IV. FRINGE BENEFIT CALCULATION FOR 2016:

	<u>FULL-TIME</u>	<u>PART-TIME</u>
A. FICA 7.65%	\$2,654	\$734
B. Retirement - Full 13.2%		n/a
Retirement - Partial 6.60%	\$2,290	\$634
C. Insurance-Health	\$4,634 X	n/a
D. Insurance-Dental	\$633	n/a
E. Insurance-Life	\$6	n/a

Comments / Notes:

Crew Leader: Cemetery 66% - Street 34%

**CITY OF ONALASKA, WISCONSIN
DEPARTMENTAL BUDGET**

Department:

Cemetery

Budget Year 2016

LINE ITEM DESCRIPTION & JUSTIFICATION

Account Number	Line Item Category #	Justification Detail	Cost Per Each Line Item	Total Cost Per Each Category
630-53981	221	Electric & Gas		\$500
		Veteran's Memorial Flag Light	\$250	
		Garage	\$250	
630-53981	225	Phone/Internet/Cable		\$144
630-53981	310	Office Supplies		\$100
630-53981	311	Postage		\$50
630-53981	312	Copy Usage & Paper		\$50
630-53981	340	Operating Supplies		\$1,250
		Weed control spraying	\$1,100	
		Small tools & supplies	\$150	
630-53981	350	Bldg & Grds Maint & Repairs		\$2,000
630-53981	360	Vehicle Maint & Repairs		\$250
630-53981	361	Regular Fuel		\$1,500
630-53981	362	Off Road Fuel		\$750
630-53981	363	Equipment Maint & Repairs		\$1,000
630-53981	510	Ins - Workers Comp		\$2,170
630-53981	512	Ins - Vehicles		\$100
630-53981	516	(Former) Employee Benefits		\$0

**CITY OF ONALASKA, WISCONSIN
DEPARTMENTAL BUDGET**

Department:

Cemetery

Budget Year 2016

LINE ITEM DESCRIPTION & JUSTIFICATION

Account Number	Line Item Category #	Justification Detail	Cost Per Each Line Item	Total Cost Per Each Category
630-53981	540	Depr - General Equipment		\$2,145
630-53981	543	Depr - Bldg, Structure, Bldg Improv		\$568
630-53981	544	Depr - Improv Other than Land		\$2,007
TOTAL				\$14,584

ORDINANCE NO. 1444 -2012

AN ORDINANCE TO AMEND SECTION 8-4-3(c) OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO GRAVE OPENING FEES

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Section 8-4-3(c) of the City of Onalaska Code of Ordinances is hereby deleted in its entirety and replaced with:

- (c) The following fees shall be charged for opening graves or vaults (including ashes buried in a vault):
- | | | |
|----|--|-----------|
| 1. | Infants (Monday-Friday) | \$ 275.00 |
| | Infants (Saturday) | \$ 350.00 |
| | Infants (Sunday & City Observed Holidays) | \$ 400.00 |
| 2. | Non-infants (Monday-Friday) | \$ 650.00 |
| | Non-infants (Saturday) | \$ 815.00 |
| | Non-infants (Sunday & City Observed Holidays) | \$ 925.00 |
| 3. | Ashes buried in urn only (infants and non-infants) | |
| | (Monday-Friday) | \$ 300.00 |
| | (Saturday) | \$ 375.00 |
| | (Sunday & City Observed Holidays) | \$ 425.00 |

All fees shall be paid at the office of the City Clerk no later than 5:00 P.M. two (2) business days prior to the day of the grave opening or the grave will not be opened.

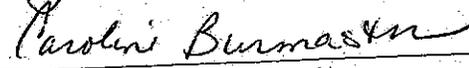
SECTION II. This Ordinance shall take effect and be in force on January 1, 2013.

Dated this 13th day of November, 2012.



CITY OF ONALASKA, BY:


Joe Chilsen, Mayor


Caroline Burmaster, Clerk

PASSED: 11/13/12
APPROVED: 11/13/12
PUBLISHED: 11/23/12

ORDINANCE NO. 1463-2013

AN ORDINANCE TO AMEND SECTIONS 8-4-3 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO THE PURCHASE OF CEMETERY LOTS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Section 8-4-3(b) is hereby deleted in its entirety and replaced with:

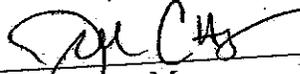
- (b) **Price of Lots.** The price of a lot shall be Seven Hundred Eighty Dollars (\$780.00) and includes perpetual care. The price for an infant grave site in the infant section of the Cemetery shall be Two Hundred Sixty Dollars (\$260.00) and includes perpetual care. The price of a lot(s) shall be paid at the office of the Financial Services Director no later than 5:00 P.M. two (2) business days prior to the day of the grave opening or the grave will not be opened.

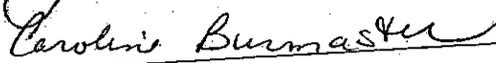
SECTION II. This Ordinance shall take effect and be in force from January 1, 2014.

Dated this 8th day of October, 2013



CITY OF ONALASKA, BY:


Joe Chilsen, Mayor


Caroline Burmaster, Clerk

PASSED: 10/8/13
APPROVED: 10/8/13
PUBLISHED: 10/28/13

80% - Sale Lots
10% - P/care
10% - C/Imp

CemSites

Affordable Technology for Cemeteries

Estimate



ADAPTABLE • MOLDABLE • EXTENDABLE

Why us?

We are a fresh, forward-thinking company established in 2012. We invested years perfecting our cemetery-focused customer relationship management software and its framework. Our team released trial versions to numerous cemeteries and analyzed their needs so that our software has all of the core functionality and adaptability needed for a variety of organizations. It is because of our approach to launching software that we are confident in the system we provide.

Our mission is to bring the time and money-saving benefits of modern technology to every cemetery organization within a reasonable budget. Our philosophy embraces the values of heritage and perpetual care – the same values that every community should expect from their local cemetery.

Our company structure allows us to be flexible enough to quickly implement new technology without being hindered by red tape. With our innovative Secure CRM and software add-ons, cemetery staff can visualize and organize records like never before.



CUSTOMIZABLE PRODUCTS

FlexCore Framework, the platform that we use to build CemSites products, allows us to rapidly deploy custom database applications. Our team invested years in perfecting this tool to provide you with a completely customizable system which uses your cemetery hierarchy and processes to do business without including unwanted features. Even though our products are tailored to fit your needs, FlexCore Framework keeps them up-to-date with the latest discoveries and implements advances globally.



SECURITY

All data in Secure CRM on FlexCore Framework is stored on servers that are protected by armed guards 24/7/365. CemSites software is both PCI and HIPAA compliant and is protected by the same security standards used by world governments and financial institutions. Data is stored in multiple locations, backed up daily and retrievable for up to 30 days; it is even downloadable if you would like to retain it yourself.



WEB-BASED TECHNOLOGY

A web-based system from CemSites offers many advantages over box software. CemSites software is not device-dependent; it can be accessed from any device at any location. There is no need to worry about changes in computer operating systems making our software incompatible or about computer failures ruining your data.



TRAINING AND SUPPORT

We personally train your team to use our software and assign an account manager that you may call for technical assistance. We promise to get back to your questions within 24 hours.



SECURE CRM

Easy, intuitive cemetery management

Secure CRM is all you need to start managing your cemetery with CemSites, but be sure to check out our add-ons.

Secure CRM is our powerful, completely customizable web-based cemetery customer relationship management software that is built on FlexCore Framework. It is user-friendly and intuitive while maintaining robust computing, searching and plotting options to most effectively manage data.

FEATURES

- User-based dashboard with statistics and graphs
- Grave and owner management
- Work order management
- Funeral home management
- Document management
- Field highlighting
- Data migration
- Disaster prevention
- Permission-based roles
- Offline and private network installs
- Quick implementation

HOW IT PAYS OFF

Secure CRM was given its name for a reason: All data stored in Secure CRM on FlexCore Framework is protected by the same security standards used by world governments and financial institutions. Because Secure CRM is web-based and always up-to-date, having outdated software should no longer be a concern. As opposed to the months or years of setup for most software on the market today, CemSites software can be up and running within weeks with the promise and commitment of our staff.

"I would highly recommend CemSites; they've been able to increase our revenues and have made my job much easier."

— CINDY FISHER
Office Manager, Round Hill Cemetery

ESTIMATE SHEET

SITE INDUSTRIES, LLC
 Site Industries LLC.
 4256 State Route 51 North, Suite 102
 Belle Vernon, PA 15012
 Phone 877-783-9626
 Fax 724-906-4444

ISSUED FOR:
 Onalaska Cemetery
 Onalaska, WI
PROJECT:
 Onalaska Cemetery estimate

ISSUED ON:
 07-31-2015 08:14 AM
VALID THROUGH:
 01-12-2016
ESTIMATE #:
 QUO142

EVERY ESTIMATE INCLUDES

- ~ Customizable Features ~ Data backup ~ PCI & HIPAA Compliance ~ Training & Support

REQUESTED SOFTWARE	IMPLEMENTATION	ANNUAL LICENSE
SecureCRM Easy, intuitive cemetery management	3,500	600
Data Migration Import records from existing database.	1,000	0
Grave Mapping Navigation solutions - Price includes mapping to the lot level. To map to the grave level would be an additional \$1000. If you have longitude and latitude coordinates for the graves, a discount of \$500 can be applied.	1,500	0
Visual Lot Viewer Digital cemetery representation	750	0
Marker Manager Digital marker representation	600	0
Doc Printing Module Autopopulated templates - Includes of to 3 different Doc types.	750	0
Website Integration Industry-specific web tools - One page integration into city website. Includes our Walk-To-Site technology.	1,000	480

$\underline{\$9,100} + \text{TABLET}$

 $= \underline{\$10,000}$

Our commitment

We believe in providing easy-to-use solutions that are custom-built to fit your operations. Our customer support strives to be top-notch, and our philosophy is that we earn your business every day. In fact, you can cancel at any time if you are not 100% satisfied.

If you're not satisfied, all we ask is to let us know and give us 30 days to fix it. If you're still not satisfied after a month, we will cancel your agreement. We do not hold your data hostage; we will allow you to use your data in any way you wish.

Our company bi-laws ensure protection of your rights to your data and software beyond the life of our leadership. You can sleep peacefully knowing you will always have what you need to carry on with or without CemSites.

Sign below to indicate your acceptance, and we'll do the same. Thank you for choosing us, and thank you for trusting us. We'll work hard to exceed your expectations.

Agreed: _____
Your company name

Agreed: SITE INDUSTRIES, LLC
Our company name

By: _____
Your signature

By: *Michael Moore*
Our representative's signature

Your name

Michael Moore
Our representative's name

Your title

Sr. Business Development Manager
Our representative's title

Date: _____

Date: _____

NEXT STEPS

- > Submit deposit.
- > Schedule kick-off meeting to assess your needs.
- > Beta version is built from kick-off meeting information.
- > Software is fine-tuned to your needs, then released.
- > We train your team.
- > You begin saving time and money using our system!

8/26/2015 11:37 AM

L I C E N S E M A S T E R R E P O R T
SORTED BY: LICENSE NUMBER

EFFECTIVE
EXPIRATIC
COMMENT:
PAY STATU

LICENSES: ALL

LICENSE CODES: Include: RECBURN-O

CLASSES: All

STATUS: ACTIVE

CITY LIMITS: INSIDE, OUTSIDE

ID	CODE	NAME/ PROPERTY ADDRESS		STATUS	CLASS/ REPORT	ORIG/ RENEW	TERM/ PRINTED
01384	RECBURN-O	VAN RIPER 440 4TH AVE N	JON	ACTIVE	REC BURN REC BURN	8/07/2015	8/18/2015
01400	RECBURN-O	ROGERS 1008 PARKRIDGE DR	PETER	ACTIVE	REC BURN REC BURN	8/21/2015	
04603	RECBURN-O	BULAWA 1226 REDWOOD ST	VIRGIN	ACTIVE	REC BURN REC BURN	8/11/2015	8/18/2015
04609	RECBURN-O	PLUNKETT 506 LOCUST ST	MEGAN	ACTIVE	REC BURN REC BURN	8/24/2015	

REPORT TOTALS: 4 LICENSES

ORDINANCE NO. 1507-2015

AN ORDINANCE TO AMEND TITLE 10 CHAPTER 1 OF THE CITY OF ONALASKA CODE OF ORDINANCES RELATED TO PARKING RESTRICTIONS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Subsection (aa) of Section 27 of Chapter 1 of Title 10 of the Code of Ordinances of the City of Onalaska is deleted in its entirety and replaced as follows:

(aa) 3rd Avenue

- (1) There shall be no parking, standing or stopping on the West side of 3rd Avenue North commencing at the intersection of Main Street and 3rd Avenue North, thence North one hundred seventy (170) feet.
- (2) There shall be two hour parking on the West side of 3rd Avenue South commencing at the intersection of Main Street and 3rd Avenue South, thence one hundred seventy (170) feet.
- (3) There shall be no parking, standing or stopping on the East Side of 3rd Avenue South commencing at the intersection of Main Street and 3rd Avenue South thence South to the intersection of 3rd Avenue South and Wilson Street.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ___ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1507 - 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 7/21/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

J. Holter 7-29-15
(signature)

No Fiscal Impact

Budgeted Item **SIGNAGE ACCOUNT**

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jeff Trotnic, Chief of Police

Jeff Trotnic 7-30-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1509-2015

AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 7,
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
LICENSING OF DOGS AND CATS REGULATION OF ANIMALS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 7, Chapter 1, of the City of Onalaska Code of Ordinances related to
Licensing of Dogs and Cats Regulation of Animals is hereby deleted in its entirety and replaced as
follows:

Sec. 7-1-1 Dog or Cat License Required; Definitions.

- (a) **License Required.** It shall be unlawful for any person in the City of Onalaska to own, harbor or keep any dog or cat more than five (5) months of age without complying with the provisions of this Chapter relating to the listing, licensing and tagging of the same.
- (b) **Definitions.** In this Chapter, unless the context or subject matter otherwise require:
 - (1) "Animal Shelter" means any facility operated by a humane society, or municipal agency or its authorized agents
 - (2) "Owner" shall mean any person owning, harboring, fostering or keeping a dog or cat and the occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of seven (7) days; such person is presumed to be harboring, fostering or keeping the dog or cat within the meaning of this Section.
 - (2) "At large" means to be off the premises of the owner and not under the control of some person either by leash, but a dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of said dog or cat, shall be deemed to be upon the owner's premises.
 - (3) "Dog" shall mean any canine, regardless of age or sex.
 - (4) "Cat" shall mean any feline, regardless of age or sex.
 - (5) "Neutered" as used herein as describing a dog or cat shall mean a dog or cat having nonfunctional reproductive organs.
 - (6) "Animal" means mammals, reptiles and birds.
 - (7) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
 - (8) "Law Enforcement Officer" has that meaning as appears in Sec. 967.02(5), Wis. Stats., and includes a humane officer under Sec. 58.07, Wis. Stats., but does not include a conservation warden appointed under Sec. 23.10, Wis. Stats.
 - (9) "Farm Animal" means any warm-blooded animal normally raised on farms in the United States and used for food or fiber.
 - (10) "Pet" means an animal kept and treated as a pet.

State Law Reference: Sections 174.05 through 174.10, Wis. Stats.

Sec. 7-1-2 Rabies Vaccination Required for License.

- (a) **Rabies Vaccination.** The owner of a dog or cat shall have the dog or cat vaccinated against rabies by a veterinarian no later than 5 months of age and re-vaccinated within one (1) year after the initial vaccination. If the owner obtains such animal or brings such animal into the City of Onalaska after the dog or cat has reached four (4) months of age, the owner shall have such animal vaccinated against rabies within thirty (30) days after the dog or cat is brought into the City unless such animal has been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog or cat shall have such animal re-vaccinated against rabies by a veterinarian before the date of that immunization expires as stated on the certificate of vaccination or, if no date is specified, within two (2) years after the previous vaccination. The certificate of vaccination shall meet the requirements of Sec. 95.21(2), Wis. Stats.
- (b) **Issuance of Certificate of Rabies Vaccination.** A veterinarian who vaccinates a dog or cat against rabies shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the City stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog or cat, the date of the vaccination, the type of rabies vaccination administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the Center for Disease Control of the U.S. Department of Health and Human Services and the City.
- (c) **Copies of Certificate.** The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog or cat is revaccinated, whichever occurs first.
- (d) **Rabies Vaccination Tag.** After issuing the certificate of rabies vaccination, the veterinarian shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given and the name, address and telephone number of the veterinarian.
- (e) **Tag to be Attached.** The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog or cat at all times, but this requirement does not apply to a dog or cat during competition. The substitute tag shall be of a durable material and contain the same information as the rabies vaccination tag. The requirements of this paragraph do not apply to a dog or cat which is not required to be vaccinated under Subsection (a).
- (f) **Duplicate Tag.** The veterinarian may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies vaccination. The veterinarian shall then indicate the new tag number on the certificate and keep a record in the file.
- (g) **Cost.** The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag.

Sec. 7-1-3 Issuance of Dog, Cat, and Multiple Dog Licenses

(a) Dog/Cat Licenses.

- (1) It shall be unlawful for any person in the City of Onalaska to own, harbor or keep any dog or cat more than five (5) months of age without complying with the provisions of Sec. 174.05 through Sec. 174.10, Wis. Stats., relating to the listing, licensing and tagging of the same.
- (2) The owner of any dog or cat more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year, shall annually, or on or before the date the dog or cat becomes five (5) months of age, pay a license tax and obtain a license.
- (3) The minimum license tax under this Section for a spayed female or neutered dog shall be One Dollar (\$1.00) more than that charged by La Crosse County for the same license and shall be reflected on the City of Onalaska Fee Schedule. The minimum license tax under this Section for a spayed female or neutered cat shall be the same amount as for a dog. The minimum license tax under this Section for an unspayed female or unneutered dog shall be One Dollar (\$1.00) more than that charged by La Crosse County for the same license and shall be reflected on the City of Onalaska Fee Schedule. The minimum license tax under this Section for an unspayed female or unneutered cat shall be the same amount as for a dog.
- (4) Upon payment of the required license tax and upon presentation of evidence that the dog or cat is currently immunized against rabies, as required by Section 7-1-2 of this Chapter, the City Clerk shall complete and issue to the owner a license for such dog or cat containing all information required by state law. The City Clerk shall also deliver to the owner, at the time of issuance of the license, a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year.
- (5) The owner shall securely attach the tag to a collar and the collar with the tag attached shall be kept on the dog or cat for which the license is issued at all times, except as provided in Section 7-1-2(e).
- (6) The fact that a dog or cat is without a tag attached to the dog or cat by means of a collar shall be presumptive evidence that the dog or cat is unlicensed. Any City police or humane officer shall seize, impound or restrain any dog or cat for which a dog license or cat license is required which is found without such tag attached.
- (7) Notwithstanding the foregoing, every dog specifically trained to lead blind or deaf persons is exempt from the dog license tax, and every person owning such a dog shall receive annually a free dog license from the City Clerk upon application therefor.

(b) Multiple Dog Licenses

- (1) Any person who keeps or possesses multiple dogs may, instead of the license tax for each dog required by this Chapter, apply for a multiple pet license for the keeping or possession of multiple dogs. Such person shall pay for the license year a license tax as set forth on the City of Onalaska Fee Schedule for four (4) or fewer dogs plus a City administrative fee as set forth on the City of Onalaska Fee Schedule.
- (2) The owner or keeper of a multiple pet license shall keep at all times a multiple dog license tag attached to the collar of each dog over five (5) months old kept by the

owner or keeper under a multiple dog license but this requirement does not apply to a show dog during competition. These tags may be transferred from one dog to another within the location that keeps or possesses multiple dogs whenever any dog is removed from said location. The rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times but this requirement does not apply to a show dog during competition. No dog bearing a multiple dog tag shall be permitted to stray or to be taken anywhere outside the limits of the location in which said dog is kept or housed unless the dog is in leash or temporarily for the purposes of hunting, breeding, trial, training or competition.

State Law Reference: Sec. 174.053, Wis. Stats.

Sec. 7-1-4 Late Fees.

The City Clerk shall assess and collect a late fee as set forth on the City of Onalaska Fee Schedule from every owner of a dog or cat five (5) months of age or over if the owner failed to obtain a license prior to April 1 of each year, or within thirty (30) days of acquiring ownership of a licensable cat or if the owner failed to obtain a license on or before the cat reached licensable age. Said late fee shall be charged in addition to the required license fee.

Sec. 7-1-5 Biting and Rabies Quarantine.

- (a) **Dogs and Cats Confined.** If a district is quarantined for rabies, all dogs and cats within the City shall be kept securely confined, tied, leashed or muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The City Clerk shall promptly post in at least three (3) public places in the City notices of quarantine.
- (b) **Exemption of Vaccinated Dog or Cat from City Quarantine.** A dog or cat which is immunized currently against rabies, as evidenced by a valid certificate of rabies vaccination or other evidence, is exempt from the City quarantine provisions of Subsection (a) if a rabies vaccination tag or substitute tag is attached to the dog's or cat's collar.
- (c) **Quarantine or Sacrifice of an Animal Suspected of Biting a Person or Being Infected or Exposed to Rabies.**
 - (1) **Quarantine or sacrifice of dog, cat or other animal.** The owner of any dog, cat or other animal which has bitten any other person, is infected with rabies or is suspected to have been in contact with a rabid animal shall, upon demand of a Humane Officer or Police Department, produce and surrender up such dog, cat or other animal to be held in quarantine for a minimum of ten days. If a quarantine cannot be imposed because the dog, cat or animal cannot be captured, the Humane Officer or Police Officer may kill the animal only as a last resort. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.
- (d) **Quarantine.**

- (1) **Delivery to Animal Shelter or quarantine on premises of owner.** An officer who orders a dog, cat or animal to be quarantined shall deliver the animal or shall order the animal delivered to an Animal Shelter or a veterinary hospital of the owner's choice as soon as possible but no later than twenty-four (24) hours after the original order is issued or the officer may order the animal to be quarantined on the premises of the owner if the animal is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence. Charges for boarding of such animal during the quarantine period shall be assumed by the owner of such animal. During quarantine, the animal shall be securely confined and kept from contact with any other animal.
 - (2) **Risk to animal health.**
 - a. If a dog, cat or other animal is ordered by a Humane Officer, Police Department or County Health Department to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal and if the dog, cat or animal is not currently immunized against rabies, the custodian of an Animal Shelter or the owner shall produce and surrender up such animal to the Department to be held in quarantine at a veterinary hospital for a period needed by the veterinarian to determine if it is rabid or not. The owner shall assume the charge for boarding such animal during the quarantine period. The owner shall be required to have the animal immunized against rabies prior to removing the animal from quarantine.
 - (3) **Sacrifice of a dog or cat exhibiting symptoms of rabies.** If a licensed veterinarian diagnoses a dog, cat or animal in quarantine as having rabies during the original or extended observation period, the veterinarian shall notify the owner and the officer who ordered the animal quarantined and the animal shall be humanely euthanized and the head of such animal sent to the State Laboratory of Hygiene for pathological examination and confirmation of diagnosis. The State Laboratory of Hygiene shall examine the specimen and notify the City, veterinarian and local health department of their findings, and if the animal is suspected to have bitten a person, that person or the person's physician.
- (e) **Cooperation of Veterinarian.** Any practicing licensed veterinarian who is requested to be involved in the rabies control program by an officer is encouraged to cooperate in a professional capacity with the City, the Laboratory of Hygiene, Animal Shelter, the local health department, the officer involved and, if the animal is suspected to have bitten a person, the person's physician.
 - (f) **Responsibility for Quarantine and Laboratory Expenses.** The owner of an animal is responsible for any expenses incurred in connection with keeping the animal in an Animal Shelter, supervision and examination of the animal by a veterinarian, preparation and transport for laboratory examination and the fee for the laboratory examination. If the owner is unknown, the county is responsible for preparation and testing/shipping fees and the City of Onalaska is responsible for quarantine costs.

Sec. 7-1-6 Restrictions on Keeping of Dogs, Cats, Fowl and Other Animals.

- (a) **Restrictions.** It shall be unlawful for any person within the City of Onalaska to own, harbor or keep any dog, cat or animal which:

- (1) Habitually pursues any vehicle upon any public street, alley or highway in the City.
 - (2) Assaults or attacks any person as described in Subsection (b) or destroys property.
 - (3) Is habitually at large within the limits of the City.
 - (4) Habitually barks or howls to the annoyance of any person or persons. (See Section 71-12.)
 - (5) Kills, wounds or bites any domestic animal.
 - (6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
 - (7) In the case of a cat or dog, is unlicensed.
- (b) **Vicious Dogs and Animals.**
- (1) For purposes of enforcing this Section, a dog shall be deemed as being of a vicious disposition if, within any twelve (12) month period it bites two (2) or more persons or inflicts serious injury to one (1) person in unprovoked circumstances.
 - (2) No person shall harbor or permit to remain on his premises any animal that is habitually inclined toward attacking persons or animals, destroying property, barking excessively or making excessive noises or running after automobiles.
- (c) **Animals Running at Large.**
- (1) No person having in his possession or ownership any animal or fowl shall allow the same to run at large within the City. The owner of any animal, whether licensed or unlicensed, shall keep its animal tied or enclosed in a proper enclosure so as not to allow said animal to interfere with the passing public or neighbors. Any animal running at large unlicensed and required by state law or City Ordinance to be licensed shall be seized and impounded by a humane or law enforcement officer. For the purposes of this section, the phrase "running at large" embraces all other places within the City except the owner's premises. This includes all streets, alleys, sidewalks or other public or private property which may be about the owner's premises.
 - (2) A dog or cat shall not be considered to be running at large if it is on a leash and under control of a person physically able to control it.
- (d) **Cat Control.**
- (1) It shall be unlawful for the owner or keeper of a cat to permit the same to run at large within the City. A cat is deemed to be at large when off the premises of its owner or keeper and not under his control by means of a leash, by being carried, or physically restrained. "Premises of the owner or keeper" is defined to be his dwelling house, garage and other buildings located on the land he has in his possession and the land itself. Premises also includes any motor vehicle normally driven by the owner or keeper wherever located. For the purposes of this section, the phrase "running at large" embraces all other places within the City except the owner's premises. This includes all streets, alleys, sidewalks or other public or private property which may be about the owner's premises.
 - (2) It shall be the duty of every police or animal control officer to seize and impound any stray cat or cat running at large. Said officer shall immediately ascertain, if possible, the identity of the owner or keeper of each cat so seized by diligent inquiry.

- (3) If returned to the owner or keeper, said person shall pay to the City the veterinary fee, if any, and a forfeiture. Any cat not claimed within seven (7) days shall be disposed of in a proper and humane manner.
- (e) **Owner's Liability for Damage Caused by Dogs; Penalties.** The provisions of Sec. 174.02, Wis. Stats., relating to the owner's liability for damage caused by dogs together with the penalties therein set forth are hereby adopted and incorporated herein by reference.
- (f) **Transportation of Animals.** No person may keep or transport any animals in or upon any vehicle in a cruel manner. No person shall lead any animal upon any street or alley from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle. No person may transport or leave unattended any animal in an open vehicle bed unless it is confined inside a carrier that is secured to the vehicle.

Sec. 7-1-7 Impoundment of Animals.

- (a) **Animal Control Agency.**
- (1) The City of Onalaska may contract with or enter into an agreement with such person, persons, organization or corporation to provide for the operation of an animal shelter, impoundment of stray animals, confinement of certain animals, disposition of impoundment animals and for assisting in the administration of rabies vaccination programs.
- (2) The City of Onalaska does hereby delegate any such animal control agency the authority to act pursuant to the provisions of this .
- (b) **Impounding of Animals.** In addition to any penalty hereinafter provided for a violation of this Chapter, any Police or Humane Officer may impound any dog, cat or other animal which habitually pursues any vehicle upon any street, alley or highway of this City, assaults or attacks any person, is at large within the City, habitually barks, cries or howls, kills, wounds or worries any domestic animal or is infected with rabies.
- (c) **Claiming Animal; Disposal of Unclaimed Animals.** After seizure of animals under this Section by a law enforcement or humane officer, the animal shall be impounded at the Animal Shelter. If within seven (7) days the owner does not claim such animal, the Animal Shelter may dispose of the animal in a proper and humane manner; provided, if an animal before being impounded has bitten a person, the animal shall be retained in the designated Animal Shelter for ten (10) days for observation purposes. Within such times, the owner may reclaim the animal upon payment of impoundment fees, such fees to be established by resolution of the Common Council. No animal shall be released from the Animal Shelter without being properly licensed if so required by state law or City Ordinance.
- (d) **City Not Liable for Impounding Animals.** The City and/or its animal control agency shall not be liable for the death of any animal which has been impounded or disposed of pursuant to this Section.

Sec. 7-1-8 Dogs and Cats Restricted on Cemeteries.

No dog, cat or other pet shall be permitted in any public cemetery. Every dog specially trained to lead blind persons shall be exempt from this Section.

Sec. 7-1-9 Duty of Owner in Case of Dog or Cat Bite.

- (a) **General Requirements.** Every owner or person harboring or keeping a dog or cat who knows that such dog or cat has bitten any person shall immediately report such fact to the Police Department and shall keep such dog or cat confined for not less than ten (10) days or for such period of time as the Police Department shall direct. The owner or keeper of any such dog or cat shall surrender the dog or cat to a law enforcement or humane officer upon demand for examination.
- (b) **Specific Responsibilities of a Pet Owner.**
- (1) **Animal Bites.** The owner of any dog, cat, ferret, or other animal which has bitten any person shall, upon demand of the Humane Officer or Health Department, produce and surrender up such dog, cat, ferret or other animal to such department to be held in quarantine subject to the requirements of Section 7-1-5 above.

Sec. 7-1-10 Animal Feces.

The owner or person in charge of any dog or other animal shall not permit solid fecal matter of such animal to deposit on any street, alley or other public or private property, unless such matter is immediately removed therefrom by said owner or person in charge. This Section shall not apply to a person who is visually or physically handicapped.

Sec. 7-1-11 Injury to Property by Animals.

It shall be unlawful for any person owning or possessing an animal, dog or cat to permit such animal, dog or cat to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate or urinate thereon.

Sec. 7-1-12 Barking Dogs or Crying Cats.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance. A dog, animal or cat is considered to be in violation of this Section when two (2) formal, written complaints are filed with the Police Department within a four (4) week period.

Sec. 7-1-13 Prohibited and Protected Animals, Fowl, Reptiles and Insects.

(a) Protected Animals.

- (1) **Possession and Sale of Protected Animals.** It shall be unlawful for any person, firm or corporation to possess with intent to sell or offer for sale, or buy or attempt to buy, within the City any of the following animals, alive or dead, or any part or product thereof: all wild cats of the family felidae, polar bear (*thalarctos maritimus*), red wolf (*canis niger*), vicuna (*vicugna vicugna*), or alligator, caiman or crocodile of the order of crocodilia, gray or timber wolf (*canis lupus*), sea otter (*enhydra lutris*), Pacific ridley turtle (*lepidochelys olivacea*), Atlantic green turtle (*chelonia mydas*), Mexican ridley turtle (*lepidochelys kempii*).
 - (2) **Compliance with Federal Regulations.** It shall be unlawful for any person, firm or corporation to buy, sell or offer for sale a native or foreign species or subspecies of mammal, bird, amphibian or reptile, or the dead body or parts thereof, which appears on the endangered species list designated by the United States Secretary of the Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1969 (Public Law 135, 91st Congress).
 - (3) **Regulating the Importation of Certain Birds.** No person, firm or corporation shall import or cause to be imported into this City any part of the plumage, skin or dead body of any species of hawk, owl or eagle. This paragraph shall not be construed to forbid or restrict the importation or use of the plumage, skin, body or any part thereof legally collected for use by the American Indians for ceremonial purposes or in the preservation of their tribal customs and heritage.
- (b) **Exceptions.** The provisions of Subsection (a) above shall not be deemed to prevent the lawful importation, possession, purchase or sale of any species by any public agency, institute of higher learning, persons holding federal permits, or by a person holding a Scientific Collectors Permit issued by the Secretary of the Department of Natural Resources of the state, or to any person or organization licensed to present a circus.
- (c) **Wild Animals; Prohibition on Keeping.** It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities. Specifically, it shall be unlawful for any person to keep, maintain or have in his possession or under his control a wild animal as defined under Wis. Stat. 169.01(37) to include any animal of a wild nature that is normally found in the wild and that is not a domestic animal.
- (d) **Snakes.** Owners of snakes over 9 feet in length shall register the snake(s) with the City Clerk's office on a form provided by the City Clerk's office for information purposes. There shall be no fee to register a snake in the City of Onalaska. Snake registration must be updated each time the snake changes residence within the City of Onalaska or relocates outside of the City of Onalaska. Rock Pythons, Reticulated Pythons, Green Anacondas and Scrub Pythons are illegal and prohibited at any length.
- (e) **Domestic Animals in Agricultural Zones.** Except in properly zoned districts, horses, mules, ponies, donkeys, cows, pigs, goats, sheep, chickens or any animal raised for fur-bearing purposes shall not be permitted unless otherwise permitted elsewhere in this Code. If zoned agriculturally or if a nonconforming use permits the harboring of domestic

animals such as cattle, horses, swine, sheep, goats, poultry or rabbits, it is required that no enclosure be within twenty-five (25) feet of any building used for residency purposes by anyone other than the home owner and be it further required that the enclosure not be within twenty-five (25) feet of where food is prepared, kept or sold.

- (f) **Exceptions.** The prohibitions of Subsection (c) and (d) above shall not apply where the creatures are in the care, custody or control of: a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H Clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or private educational institutions; zoological gardens; if:
- (1) Their location conforms to the provisions of the zoning ordinance of the City.
 - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
 - (3) Animals are maintained in quarters so constructed as to prevent their escape.
 - (4) No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.

Sec. 7-1-14 Sale of Rabbits, Chicks or Artificially Colored Animals.

- (a) No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.
- (b)
 - (1) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl without providing proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in such person's care, custody or control.
 - (2) No retailer, as defined in Sec. 100.30(2)(g), Wis. Stats., may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under two (2) months of age, in any quantity less than six (6), unless the purpose of selling these animals is for agricultural, wildlife or scientific purposes.

State Law Reference: Sec. 951.10 and 951.11, Wis. Stats.

Sec. 7-1-15 Providing Proper Food and Drink to Confined Animals.

- (a) No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water as prescribed in this Section.
- (b) The food shall be sufficient to maintain all animals in good health.
- (c) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

State Law Reference: Sec. 951.13, Wis. Stats.

Sec. 7-1-16 Providing Proper Shelter.

- (a) **Proper Shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this Section. In the case of farm animals, nothing in this Section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (b) **Indoor Standards.** Minimum indoor standards of shelter shall include:
 - (1) **Ambient temperatures.** The ambient temperature shall be compatible with the health of the animal.
 - (2) **Ventilation.** Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (c) **Outdoor Standards.** Minimum outdoor standards of shelter shall include:
 - (1) **Shelter from Sunlight.** When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph caged does not include farm fencing used to confine animals.
 - (2) **Shelter from Inclement Weather.** Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog must be provided.
- (e) **Sanitation Standards.** No person owning, keeping, possessing or harboring an animal as a pet shall allow such animal to soil, defile, defecate on or commit any nuisance on any private or public property. The person responsible for such animal must immediately remove and dispose of all feces so deposited in a sanitary manner. Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash so as to minimize health hazards.

State Law Reference: Sec. 951.14, Wis. Stats.

Sec. 7-1-17 Neglected or Abandoned Animals.

- (a) **Neglected or Abandoned Animals.**
 - (1) No person may abandon any animal.
 - (2) Any law enforcement officer may remove, shelter and care for an animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such animal to another person to be sheltered, cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer, or other person, having possession of the animal shall have a lien thereon for its care, keeping and medical attention and the expense of notice.
 - (3) If the owner or custodian is unknown and cannot, with reasonable effort, be ascertained or does not, within seven (7) days after notice, redeem the animal by paying the expenses incurred, it may be treated as a stray and dealt with as such.

- (4) **Injured or dangerous animals.** A political subdivision or person contracting under Wis. Stats. 173.15(1) who has custody of an animal may have the animal humanely euthanized if there are reasonable grounds to believe that any of the following apply: the animal is hopelessly injured beyond any reasonable chance of recovery, the animal poses an imminent threat to public health or safety, or the animal poses an imminent threat to the health or safety of itself or its custodian.
- (b) **Injured Animals.** No person who owns, harbors or keeps any animal shall fail to provide proper medical attention to such animal when and if such animal becomes sick or injured. In the event the owner of such animal cannot be located, the City or any animal control agency with whom the City has an agreement or contract shall have the authority to take custody of such animal for the purpose of providing medical treatment, and the owner thereof shall reimburse the person or organization for the costs of such treatment.

State Law Reference: Sections 951.15, Wis. Stats.

Sec. 7-1-18 Cruelty to Animals and Birds Prohibited.

- (a) **Acts of Cruelty Prohibited.** No person except a police officer or health or humane officer in the pursuit of his duties shall, within the City, shoot or kill or commit an act of cruelty to any animal or bird or disturb any bird's nests or bird's eggs.
- (b) **Leading Animal From Motor Vehicle.** No person shall lead any animal upon a City street from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle.
- (c) **Use of Poisonous and Controlled Substances.** No person may expose any pet animal owned by another to any known poisonous substance or controlled substance listed in Sec. 161.14, Wis. Stats., whether mixed with meat or other food or not, where it is reasonable to anticipate the substance may be eaten by such animal or for the purpose of harming the animal. This Subsection shall not apply to poison used on one's own premises and designed for the purpose of rodent and pest extermination, nor the use of a controlled substance used in accepted veterinarian practice or in research by persons or organizations regularly engaged in such research.
- (d) **Use of Certain Devices Prohibited.** No person may directly or indirectly, or by aiding, abetting or permitting the doing thereof either put, place, fasten, use or fix upon or to any animal used or readied for use for a work purpose or for use in an exhibition, competition, rodeo, circus or other performance any of the following devices: a bristle bur, tack bur or like device; or a poling device used to train a horse to jump which is charged with electricity or to which have been affixed nails, tacks or other sharp points.
- (e) **Shooting at Caged or Staked Animals.** No person may instigate, promote, aid or abet as a principal, agent, employee, participant or spectator, or participate in the earnings from or intentionally maintain or allow any place to be used for the shooting, killing or wounding with a firearm or any deadly weapon any animal that is tied, staked out, caged or otherwise intentionally confined in a man-made enclosure, regardless of size.

Sec. 7-1-19 Trapping of Animals.

- (a) All traps set, placed or tended shall comply with Chapter 29, Wis. Stats., as they relate to trapping.
- (b) This Section shall not apply to trapping within the confines of buildings or homes.
- (c) Nothing in this Section shall prohibit or hinder the City of Onalaska or its employees or agents from performing their official duties.

Sec. 7-1-20 Dognapping and Catnapping.

No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of the City or held for any purpose without the owner's consent. This Section does not apply to law enforcement officers or humane society agents engaged in the exercise of their official duties, or as otherwise permitted herein.

Sec. 7-1-21 Vehicle Accidents.

The operator of any vehicle involved in an accident resulting in injury to or death of a dog, cat or other animal which appears to be a pet shall immediately notify the Police Department or an animal control agency whose jurisdiction extends into the City.

Sec. 7-1-22 Keeping of Bees.

- (a) It shall be unlawful for any person to establish or maintain any hive; stand or box where bees are kept or keep any bees in or upon any premises within the corporate limits of the City unless the bees are kept in accordance with the following provisions:
 - (1) No hive, stand or box where bees are kept shall be located closer than twenty (20) feet to any property boundary.
 - (2) If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along said exterior boundary. Said barrier may be either a natural planting or artificial.
 - (3) Fresh, clean watering facilities for bees shall be provided on the said premises.
 - (4) The bees and equipment shall be kept in accordance with the provisions of the State Statutes.
 - (5) Bee hives may only be located in a rear yard.
 - (6) Bees may only be kept after a conditional use permit is first issued pursuant to the City Zoning Code.
- (b) Nothing in this Section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located within a school or university building for the purpose of study or observation.

Sec. 7-1-23 Limitation on Number of Dogs and Cats.

- (a) **Purpose.** The keeping of a large number of dogs and/or cats within the City for a considerable period of time detracts from and, in many instances, is detrimental to, healthful and comfortable life in such areas. The keeping of a large number of dogs and/or cats is, therefore, declared a public nuisance.
- (b) **Definitions.**
 - (1) **Dog.** A dog means any canine, regardless of age or sex..
 - (2) **Cat.** A cat means any feline, regardless of age or sex.
 - (3) **Residential Lot.** A residential lot means a parcel of land zoned as residential, occupied or to be occupied by a dwelling, platted or unplatted, and under common ownership. For the purpose of this Section, any vacant parcel or parcels adjoining a dwelling and under the same ownership shall constitute one (1) lot.
- (c) **Number Limited.** No family shall own, harbor, board, or keep in its possession more than four (4) dogs or four (4) cats, or a combined total of six (6) cats and dogs on any residentially zoned lot without the prior approval of the Common Council except that a litter of pups and/or kittens or a portion of a litter may be kept for not more than five (5) months from birth. If more than one (1) family resides on a residential lot, the number of cats/dogs shall not be increased from the number set forth in this Section unless the prior approval is obtained from the Common Council. For the purposes of this Section, the term "family" shall be defined as one (1) or more persons. Persons may keep more cats/dogs than the number permitted under this Section if they have first received a kennel license and a conditional use permit pursuant to City Zoning Code.

Sec. 7-1-24 Penalties.

- (a) Any person violating Sections 7-1-15, 7-1-16, 7-1-17, 7-1-18, 7-1-19, 7-1-20, 7-1-21, 7-1-22 or 7-1-23 shall be subject to a forfeiture of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$250.00). This Section shall also permit the City Attorney to apply to the court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any aspect of this Ordinance.
- (b)
 - (1) Anyone who violates Sections 7-1-1, 7-1-2, 7-1-3, 7-1-4 and 7-1-5 of this Code of Ordinances or Chapter 174, Wis. Stats., shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (\$250.00) for the first offense and not less than One Hundred Dollars (\$100.00) and not more than Four Hundred Dollars (\$400.00) for any subsequent offenses.
 - (2) An owner who refuses to comply with an order issued under Section 7-1-5 to deliver an animal to an officer, animal shelter or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned not more than sixty (60) days or both.
- (c) Any person who violates Section 7-1-6 through 7-1-14 of this Code of Ordinances shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00) for the first violation and not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$250.00) for subsequent violations.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

Cari Burmaster, City Clerk

Cari Burmaster
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. -2015

AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 7,
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
LICENSING OF DOGS AND CATS REGULATION OF ANIMALS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 7, Chapter 1, of the City of Onalaska Code of Ordinances related to
Licensing of Dogs and Cats Regulation of Animals is hereby deleted in its entirety and replaced as
follows:

Sec. 7-1-1 Dog or Cat License Required; Definitions.

- (a) **License Required.** It shall be unlawful for any person in the City of Onalaska to own, harbor or keep any dog or cat more than five (5) months of age without complying with the provisions of this Chapter relating to the listing, licensing and tagging of the same.
- (b) **Definitions.** In this Chapter, unless the context or subject matter otherwise require:
- (1) "Animal Shelter" means any facility operated by a humane society, or municipal agency or its authorized agents
 - (2) "Owner" shall mean any person owning, harboring, fostering or keeping a dog or cat and the occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of seven (7) days; such person is presumed to be harboring, fostering or keeping the dog or cat within the meaning of this Section.
 - (2) "At large" means to be off the premises of the owner and not under the control of some person either by leash, but a dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of said dog or cat, shall be deemed to be upon the owner's premises.
 - (3) "Dog" shall mean any canine, regardless of age or sex.
 - (4) "Cat" shall mean any feline, regardless of age or sex.
 - (5) "Neutered" as used herein as describing a dog or cat shall mean a dog or cat having nonfunctional reproductive organs.
 - (6) "Animal" means mammals, reptiles and birds.
 - (7) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
 - (8) "Law Enforcement Officer" has that meaning as appears in Sec. 967.02(5), Wis. Stats., and includes a humane officer under Sec. 58.07, Wis. Stats., but does not include a conservation warden appointed under Sec. 23.10, Wis. Stats.
 - (9) "Farm Animal" means any warm-blooded animal normally raised on farms in the United States and used for food or fiber.
 - (10) "Pet" means an animal kept and treated as a pet.

State Law Reference: Sections 174.05 through 174.10, Wis. Stats.

Sec. 7-1-2 Rabies Vaccination Required for License.

- (a) **Rabies Vaccination.** The owner of a dog or cat shall have the dog or cat vaccinated against rabies by a veterinarian no later than 5 months of age and re-vaccinated within one (1) year after the initial vaccination. If the owner obtains such animal or brings such animal into the City of Onalaska after the dog or cat has reached four (4) months of age, the owner shall have such animal vaccinated against rabies within thirty (30) days after the dog or cat is brought into the City unless such animal has been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog or cat shall have such animal re-vaccinated against rabies by a veterinarian before the date of that immunization expires as stated on the certificate of vaccination or, if no date is specified, within two (2) years after the previous vaccination. The certificate of vaccination shall meet the requirements of Sec. 95.21(2), Wis. Stats.

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Licensing of Dogs and Cats; Regulation of Animals **7-1-2**

- (b) **Issuance of Certificate of Rabies Vaccination.** A veterinarian who vaccinates a dog or cat against rabies shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the City stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog or cat, the date of the vaccination, the type of rabies vaccination administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the Center for Disease Control of the U.S. Department of Health and Human Services and the City.
- (c) **Copies of Certificate.** The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog or cat is revaccinated, whichever occurs first.
- (d) **Rabies Vaccination Tag.** After issuing the certificate of rabies vaccination, the veterinarian shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given and the name, address and telephone number of the veterinarian.
- (e) **Tag to be Attached.** The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog or cat at all times, but this requirement does not apply to a dog or cat during competition. The substitute tag shall be of a durable material and contain the same information as the rabies vaccination tag. The requirements of this paragraph do not apply to a dog or cat which is not required to be vaccinated under Subsection (a).
- (f) **Duplicate Tag.** The veterinarian may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies vaccination. The veterinarian shall then indicate the new tag number on the certificate and keep a record in the file.
- (g) **Cost.** The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag.

Sec. 7-1-3 Issuance of Dog, Cat, and Multiple Dog Licenses

(a) Dog/Cat Licenses.

- (1) It shall be unlawful for any person in the City of Onalaska to own, harbor or keep any dog or cat more than five (5) months of age without complying with the provisions of Sec. 174.05 through Sec. 174.10, Wis. Stats., relating to the listing, licensing and tagging of the same.
- (2) The owner of any dog or cat more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year, shall annually, or on or before the date the dog or cat becomes five (5) months of age, pay a license tax and obtain a license.

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~~(3) Licensing of Dogs and Cats; Regulation of Animals~~ ~~7-1-3~~

- ~~(3) The minimum license tax under this Section for a spayed female or neutered dog shall be One Dollar (\$1.00) more than that charged by La Crosse County for the same license and shall be reflected on the City of Onalaska Fee Schedule. The minimum license tax under this Section for a spayed female or neutered cat shall be the same amount as for a dog. The minimum license tax under this Section for an unspayed female or unneutered dog shall be One Dollar (\$1.00) more than that charged by La Crosse County for the same license and shall be reflected on the City of Onalaska Fee Schedule. The minimum license tax under this Section for an unspayed female or unneutered cat shall be the same amount as for a dog.~~
- (4) Upon payment of the required license tax and upon presentation of evidence that the dog or cat is currently immunized against rabies, as required by Section 7-1-2 of this Chapter, the City Clerk shall complete and issue to the owner a license for such dog or cat containing all information required by state law. The City Clerk shall also deliver to the owner, at the time of issuance of the license, a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year.
- (5) The owner shall securely attach the tag to a collar and the collar with the tag attached shall be kept on the dog or cat for which the license is issued at all times, except as provided in Section 7-1-2(e).
- (6) The fact that a dog or cat is without a tag attached to the dog or cat by means of a collar shall be presumptive evidence that the dog or cat is unlicensed. Any City police or humane officer shall seize, impound or restrain any dog or cat for which a dog license or cat license is required which is found without such tag attached.
- (7) Notwithstanding the foregoing, every dog specifically trained to lead blind or deaf persons is exempt from the dog license tax, and every person owning such a dog shall receive annually a free dog license from the City Clerk upon application therefor.

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(b) Multiple Dog Licenses

Licensing of Dogs and Cats; Regulation of Animals
7-1-3

- (2) The owner or keeper of a multiple pet license shall keep at all times a multiple dog license tag attached to the collar of each dog over five (5) months old kept by the owner or keeper under a multiple dog license but this requirement does not apply to a show dog during competition. These tags may be transferred from one dog to another within the location that keeps or possesses multiple dogs whenever any dog is removed from said location. The rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times but this requirement does not apply to a show dog during competition. No dog bearing a multiple dog tag shall be permitted to stray or to be taken anywhere outside the limits of the location in which said dog is kept or housed unless the dog is in leash or temporarily for the purposes of hunting, breeding, trial, training or competition.

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State Law Reference: Sec. 174.053, Wis. Stats.

Sec. 7-1-4 Late Fees.

The City Clerk shall assess and collect a late fee as set forth on the City of Onalaska Fee Schedule of Twenty-Five Dollars (\$25.00) from every owner of a dog or cat five (5) months of age or over if the owner failed to obtain a license prior to April 1 of each year, or within thirty (30) days of acquiring ownership of a licensable cat or if the owner failed to obtain a license on or before the cat reached licensable age. Said late fee shall be charged in addition to the required license fee.

Sec. 7-1-5 Biting and Rabies Quarantine.

- (a) **Dogs and Cats Confined.** If a district is quarantined for rabies, all dogs and cats within the City shall be kept securely confined, tied, leashed or muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The City Clerk shall promptly post in at least three (3) public places in the City notices of quarantine.
- (b) **Exemption of Vaccinated Dog or Cat from City Quarantine.** A dog or cat which is immunized currently against rabies, as evidenced by a valid certificate of rabies vaccination or other evidence, is exempt from the City quarantine provisions of Subsection (a) if a rabies vaccination tag or substitute tag is attached to the dog's or cat's collar.
- (c) **Quarantine or Sacrifice of an Animal Suspected of Biting a Person or Being Infected or Exposed to Rabies.**
- (1) Quarantine or sacrifice of dog, or cat or other animal. The owner of any dog, cat or other animal which has bitten any other person, is infected with rabies or is suspected to have been in contact with a rabid animal shall, upon demand of a Humane Officer or Police Department, produce and surrender up such dog, cat or

other animal to be held in quarantine for a minimum of ten days. An officer shall order a dog or cat quarantined if the officer has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If a quarantine cannot be imposed because the dog or cat or animal cannot be captured, the Humane Officer or Police Officer may kill the animal only as a last resort. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.

~~(2) Sacrifice of other animals. An officer may order killed or may kill an animal other than a dog or cat if the officer has reason to believe that the animal bit a person or is infected with rabies.~~

(d) Quarantine of Dog or Cat.

(1) Delivery to Isolation facility Animal Shelter or quarantine on premises of owner. An officer who orders a dog, or cat or animal to be quarantined shall deliver the animal or shall order the animal delivered to an isolation facility Animal Shelter or a veterinary hospital of the owner's choice as soon as possible but no later than twenty-four (24) hours after the original order is issued or the officer may order the animal to be quarantined on the premises of the owner if the animal is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence. Charges for boarding of such animal during the quarantine period shall be assumed by the owner of such animal. During quarantine, the animal shall be securely confined and kept from contact with any other animal.

~~(2) Health risk to humans. If a dog or cat is ordered to be quarantined because there is reason to believe that the animal bit a person, the custodian of an isolation facility or the owner shall keep the animal under strict isolation under the supervision of a veterinarian for at least ten (10) days after the incident occurred. In this paragraph, "supervision of a veterinarian" includes, at a minimum, examination of the animal on the first day of isolation, on the last day of isolation and on one (1) intervening day. If the observation period is not extended and if the veterinarian certifies that the dog or cat has not exhibited any signs of rabies, the animal may be released from quarantine at the end of the observation period.~~

~~(2) Risk to animal health.~~

a. If a dog, or cat or other animal is ordered by a Humane Officer, Police Department or the County Health Department to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal and if the dog, or cat or animal is not currently immunized against rabies, the custodian of an isolation facility Animal Shelter or the owner shall produce and surrender up such animal to the Department to be held in quarantine at a veterinary hospital for a period needed by the veterinarian to determine if it is rabid or not. The owner shall assume the charge for boarding such animal during the quarantine period. The owner shall be required to have the animal immunized against rabies prior to removing the animal from quarantine. keep the animal leashed or confined for one hundred eighty (180) days. The owner shall have the animal vaccinated against rabies between one hundred fifty five (155) and one hundred sixty five (165) days after the exposure to a rabid animal.

~~b. If a dog or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal but if the dog or cat is immunized~~

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against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for sixty (60) days. The owner shall have the animal revaccinated against rabies as soon as possible after exposure to a rabid animal.

- (34) **Sacrifice of a dog or cat exhibiting symptoms of rabies.** If a licensed veterinarian determines that a dog, or cat or animal exhibits symptoms of in quarantine as having rabies during the original or extended observation period, the veterinarian shall notify the owner and the officer who ordered the animal quarantined and the animal shall be humanely euthanized and the head of such animal sent to the State Laboratory of Hygiene for pathological examination and confirmation of diagnosis. The State Laboratory of Hygiene shall examine the specimen and notify the City, veterinarian and local health department of their findings, and if the animal is suspected to have bitten a person, that person or the person's physician, and the officer or veterinarian shall kill the animal in a humane manner and in a manner which avoids damage to the animal's head. If the dog or cat is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician.

- (e) **Delivery of Carcass; Preparation; Examination by Laboratory of Hygiene.** An officer who kills an animal shall deliver the carcass to a veterinarian or local health department. The veterinarian or local health department shall prepare the carcass, properly prepare and package the head of the animal in a manner to minimize deterioration, arrange for delivery by the most expeditious means feasible of the head of the animal to the State Laboratory of Hygiene and dispose of or arrange for the disposal of the remainder of the carcass in a manner which minimizes the risk of exposure to any rabies virus. The Laboratory of Hygiene shall examine the specimen and determine if the animal was infected with rabies. The State Laboratory of Hygiene shall notify the City, the veterinarian or local health department which prepared the carcass and, if the animal is suspected to have bitten a person, that person or the person's physician.

- (ef) **Cooperation of Veterinarian.** Any practicing veterinarian licensed veterinarian who is requested to be involved in the rabies control program by an officer is encouraged to cooperate in a professional capacity with the City, the Laboratory of Hygiene, Animal Shelter, the local health department, the officer involved and, if the animal is suspected to have bitten a person, the person's physician.

- (fg) **Responsibility for Quarantine and Laboratory Expenses.** The owner of an animal is responsible for any expenses incurred in connection with keeping the animal in an isolation facility Animal Shelter, supervision and examination of the animal by a veterinarian, preparation and transport of the carcass for laboratory examination and the fee for the laboratory examination. If the owner is unknown, the county is responsible for preparation and testing/shipping fees and the City of Onalaska is responsible for quarantine costs.

Sec. 7-1-6 Restrictions on Keeping of Dogs, Cats, Fowl and Other Animals.

- (a) **Restrictions.** It shall be unlawful for any person within the City of Onalaska to own, harbor or keep any dog, or cat or animal which:
- (1) Habitually pursues any vehicle upon any public street, alley or highway in the City.

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- (2) Assaults or attacks any person as described in Subsection (b) or destroys property.
- (3) Is habitually at large within the limits of the City.
- (4) Habitually barks or howls to the annoyance of any person or persons. (See Section 71-12.)
- (5) Kills, wounds or ~~worries~~ ~~bites~~ any domestic animal.
- (6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
- (7) In the case of a cat or dog, is unlicensed.

(b) **Vicious Dogs and Animals.**

- (1) For purposes of enforcing this Section, a dog shall be deemed as being of a vicious disposition if, within any twelve (12) month period it bites two (2) or more persons or inflicts serious injury to one (1) person in unprovoked circumstances.
- (2) No person shall harbor or permit to remain on his premises any animal that is habitually inclined toward attacking persons or animals, destroying property, barking excessively or making excessive noises or running after automobiles.

(c) **Animals Running at Large.**

- (1) No person having in his possession or ownership any animal or fowl shall allow the same to run at large within the City. The owner of any animal, whether licensed or unlicensed, shall keep ~~his~~ ~~its~~ animal tied or enclosed in a proper enclosure so as not to allow said animal to interfere with the passing public or neighbors. Any animal running at large unlicensed and required by state law or City Ordinance to be licensed shall be seized and impounded by a humane or law enforcement officer. For the purposes of this section, the phrase "running at large" embraces all other places within the City except the owner's premises. This includes all streets, alleys, sidewalks or other public or private property which may be about the owner's premises.
- (2) A dog or cat shall not be considered to be running at large if it is on a leash and under control of a person physically able to control it.

(d) **Cat Control.**

- (1) It shall be unlawful for the owner or keeper of a cat to permit the same to run at large within the City. A cat is deemed to be at large when off the premises of its owner or keeper and not under his control by means of a leash, by being carried, or physically restrained. "Premises of the owner or keeper" is defined to be his dwelling house, garage and other buildings located on the land he has in his possession and the land itself. Premises also includes any motor vehicle normally driven by the owner or keeper wherever located. For the purposes of this section, the phrase "running at large" embraces all other places within the City except the owner's premises. This includes all streets, alleys, sidewalks or other public or private property which may be about the owner's premises.
- (2) It shall be the duty of every police or animal control officer to seize and impound any stray cat or cat running at large. Said officer shall immediately ascertain, if possible, the identity of the owner or keeper of each cat so seized by diligent inquiry.
- (3) If returned to the owner or keeper, said person shall pay to the City the veterinary fee, if any, and a forfeiture. Any cat not claimed within seven (7) days shall be disposed of in a proper and humane manner.

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(e) **Owner's Liability for Damage Caused by Dogs; Penalties.** The provisions of Sec. 174.02, Wis. Stats., relating to the owner's liability for damage caused by dogs together with the penalties therein set forth are hereby adopted and incorporated herein by reference.

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(f) **Transportation of Animals.** No person may keep or transport any animals in or upon any vehicle in a cruel manner. No person shall lead any animal upon any street or alley from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle. No person may transport or leave unattended any animal in an open vehicle bed unless it is confined inside a carrier that is secured to the vehicle.

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Sec. 7-1-7 Impoundment of Animals.

(a) **Animal Control Agency.**

(1) The City of Onalaska may contract with or enter into an agreement with such person, persons, organization or corporation to provide for the operation of an animal shelter, impoundment of stray animals, confinement of certain animals, disposition of impoundment animals and for assisting in the administration of rabies vaccination programs.

(2) The City of Onalaska does hereby delegate any such animal control agency the authority to act pursuant to the provisions of this .

(b) **Impounding of Animals.** In addition to any penalty hereinafter provided for a violation of this Chapter, any Police or Humane Officer may impound any dog, cat or other animal which habitually pursues any vehicle upon any street, alley or highway of this City, assaults or attacks any person, is at large within the City, habitually barks, cries or howls, kills, wounds or worries any domestic animal or is infected with rabies.

(c) **Claiming Animal; Disposal of Unclaimed Animals.** After seizure of animals under this Section by a law enforcement or humane officer, the animal shall be impounded at the Animal Shelter. If within seven (7) days the owner does not claim such animal, the officer Animal Shelter may dispose of the animal in a proper and humane manner; provided, if an animal before being impounded has bitten a person, the animal shall be retained in the designated holding facility Animal Shelter for ten (10) days for observation purposes. Within such times, the owner may reclaim the animal upon payment of impoundment fees, such fees to be established by resolution of the Common Council. No animal shall be released from the pound Animal Shelter without being properly licensed if so required by state law or City Ordinance.

(d) **City Not Liable for Impounding Animals.** The City and/or its animal control agency shall not be liable for the death of any animal which has been impounded or disposed of pursuant to this Section.

Sec. 7-1-8 Dogs and Cats Restricted on Cemeteries.

No dog, ~~or cat or other pet~~ shall be permitted in any public cemetery. Every dog specially trained to lead blind persons shall be exempt from this Section.

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(a) ~~Transportation of Animals. No person may keep or transport any animals in or upon any vehicle in a cruel manner. No person shall lead any animal upon any street or alley~~

~~from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle. No person may transport or leave unattended any animal in an open vehicle bed unless it is confined inside a carrier that is secured to the vehicle.~~

Sec. 7-1-9 Duty of Owner in Case of Dog or Cat Bite.

(a) **General Requirements.** Every owner or person harboring or keeping a dog or cat who knows that such dog or cat has bitten any person shall immediately report such fact to the Police Department and shall keep such dog or cat confined for not less than ten (10) days or for such period of time as the Police Department shall direct. The owner or keeper of any such dog or cat shall surrender the dog or cat to a law enforcement or humane officer upon demand for examination.

(b) **Specific Responsibilities of a Pet Owner.**

~~(1) **Animal Bites.** The owner of any dog, cat, ferret, or other animal which has bitten any person shall, upon demand of the Humane Officer or Health Department, produce and surrender up such dog, cat, ferret or other animal to such department to be held in quarantine subject to the requirements of Section 7-1-5 above, for a minimum of ten (10) days or humanely euthanized and sent to the State Laboratory of Hygiene for rabies testing. As appropriate to the species, during quarantine, the animal shall be securely confined and kept from contact with any other animal. The animal shall be examined by a licensed veterinarian within 24 hours of bite incident. All dog, cat, or other animal bites of humans shall be immediately reported to the local law enforcement agency that has jurisdiction in the location where the bite takes place, and to the County Health Department.~~

~~a. The dog, cat or ferret which does not have a current anti-rabies vaccination must be quarantined at a veterinary hospital of the owner's choice for a period of 10 days. Charges for boarding of such animal during the quarantine period shall be assumed by the owner of such animal. If the owner is unwilling or unable to arrange a veterinary clinic quarantine, the animal will be ordered impounded by the reporting officer and will be held at the designated County holding facility. No owner shall fail to produce and surrender any animal pursuant to this section.~~

~~b. The dog, cat or ferret which has a current anti-rabies vaccination may, at the discretion of the Humane Officer or Health Department, be held in quarantine on the premises of the owner for a period of ten (10) days. Failure on the _____ part of the owner to obey all conditions and directions of the Humane Officer or Health Department pertaining to the quarantine period, shall result in the immediate impoundment of the animal in a veterinary hospital for the remainder of the quarantine period. Charges for boarding such animal shall be paid by the owner prior to the animal's release. The owner shall return proof of release from quarantine within seven (7) days of end of quarantine.~~

~~c. The owner of any dog, cat, ferret, or other animal which has contracted rabies, been subjected to same or is suspected of having rabies, shall immediately notify the Humane Officer, a law enforcement agency or Health Department. The owner shall produce and surrender such animal to such Department, to be held in quarantine at a veterinary hospital for a period needed by the veterinarian to determine if it is rabid or not. The owner shall assume the charge for boarding such animal during the quarantine period.~~

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~~d. No person shall knowingly harbor or keep any animal infected with rabies, or any animal known to have been bitten by a rabid animal, or fail to report to the Humane Officer, law enforcement agency or Health Department the existence of an animal which they know to be so infected.~~

~~e. No person shall fail to produce and surrender any animal pursuant to this section. The Health Department shall have the authority to impound such animal.~~

~~f. No person other than the Humane Officer, a law enforcement agency or licensed veterinarian, shall kill or cause to be killed, any animal suspected of being rabid. The animal suspected of being rabid shall be placed in quarantine and the diagnosis of rabies made by a licensed~~

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~~veterinarian. If a veterinarian does diagnose rabies in an animal in quarantine, then the animal shall be humanely euthanized and the head of such animal sent to a laboratory for pathological examination and confirmation of the diagnosis.~~

Sec. 7-1-10 Animal Feces.

The owner or person in charge of any dog or other animal shall not permit solid fecal matter of such animal to deposit on any street, alley or other public or private property, unless such matter is immediately removed therefrom by said owner or person in charge. This Section shall not apply to a person who is visually or physically handicapped.

Sec. 7-1-11 Injury to Property by Animals.

It shall be unlawful for any person owning or possessing an animal, dog or cat to permit such animal, dog or cat to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate or urinate thereon.

Sec. 7-1-12 Barking Dogs or Crying Cats.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance. A dog, animal or cat is considered to be in violation of this Section when two (2) formal, written complaints are filed with the Police Department within a four (4) week period.

Sec. 7-1-13 Prohibited and Protected Animals, Fowl, Reptiles and Insects.

(a) **Protected Animals.**

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- (1) **Possession and Sale of Protected Animals.** It shall be unlawful for any person, firm or corporation to possess with intent to sell or offer for sale, or buy or attempt to buy, within the City any of the following animals, alive or dead, or any part or product thereof: all wild cats of the family felidae, polar bear (*thalarctos maritimus*), red wolf (*canis niger*), vicuna (*vicugna vicugna*), or alligator, caiman or crocodile of the order of crocodilia, gray or timber wolf (*canis lupus*), sea otter (*enhydra lutris*), Pacific ridley turtle (*lepidochelys olivacea*), Atlantic green turtle (*chelonia mydas*), Mexican ridley turtle (*lepidochelys kempi*).
- (2) **Compliance with Federal Regulations.** It shall be unlawful for any person, firm or corporation to buy, sell or offer for sale a native or foreign species or subspecies of mammal, bird, amphibian or reptile, or the dead body or parts thereof, which appears on the endangered species list designated by the United States Secretary of the Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1969 (Public Law 135, 91st Congress).
- (3) **Regulating the Importation of Certain Birds.** No person, firm or corporation shall import or cause to be imported into this City any part of the plumage, skin or dead body of any species of hawk, owl or eagle. This paragraph shall not be construed to forbid or restrict the importation or use of the plumage, skin, body or any part thereof legally collected for use by the American Indians for ceremonial purposes or in the preservation of their tribal customs and heritage.
- (b) **Exceptions.** The provisions of Subsection (a) above shall not be deemed to prevent the lawful importation, possession, purchase or sale of any species by any public agency, institute of higher learning, persons holding federal permits, or by a person holding a Scientific Collectors Permit issued by the Secretary of the Department of Natural Resources of the state, or to any person or organization licensed to present a circus.
- (c) **Wild Animals; Prohibition on Keeping.** It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities. Specifically, it shall be unlawful for any person to keep, maintain or have in his possession or under his control ~~within the City any of the following animals, reptiles or insects:~~ a wild animal as defined under Wis. Stat. 169.01(37) to include any animal of a wild nature that is normally found in the wild and that is not a domestic animal.
- (d) **Snakes.** Owners of snakes over 9 feet in length shall register the snake(s) with the City Clerk's office on a form provided by the City Clerk's office for information purposes. There shall be no fee to register a snake in the City of Onalaska. Snake registration must be updated each time the snake changes residence within the City of Onalaska or relocates outside of the City of Onalaska. Rock Pythons, Reticulated Pythons, Green Anacondas and Scrub Pythons are illegal and prohibited at any length.
- (1) ~~All poisonous animals and reptiles including rear fang snakes.~~
- (2) ~~Apes: Chimpanzees (*Pan*); gibbons (*Hyleobates*); gorillas (*Gorilla*); orangutans (*Pongo*); and siamangs (*Symphalangus*).~~
- (3) ~~Baboons (*Papoi*, *Mandrillus*).~~
- (4) ~~Bears (*Ursidae*).~~
- (5) ~~Bison (*Bison*).~~

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- (6) ~~Cheetahs (Acinonyx jubatus).~~
- (7) ~~Crocodilians (Crocodilia), thirty (30) inches in length or more.~~
- (8) ~~Snakes, nine feet in length or more shall be registered; Rock Pythons, Reticulated Pythons, Green Anacondas and Scrub Pythons are illegal and prohibited at any length.~~
- (9) ~~Coyotes (Canis latrans).~~
- (10) ~~Deer (Cervidae); includes all members of the deer family; for example, whitetailed deer, elk, antelope and moose.~~
- (11) ~~Elephants (Elephas and Loxodonta).~~
- (12) ~~Game cocks and other fighting birds.~~
- (13) ~~Hippopotami (Hippopotamidae).~~
- (14) ~~Hyenas (Hyaenidae).~~
- (15) ~~Jaguars (Panthera onca).~~
- (16) ~~Leopards (Panthera pardus).~~
- (17) ~~Lions (Panthera leo).~~
- (18) ~~Lynxes (Lynx).~~
- (19) ~~Monkeys, old world (Cercopithecoidea).~~
- (20) ~~Ostriches (Struthio).~~
- (21) ~~Pumas (Felis concolor); also known as cougars, mountain lions and panthers.~~
- (22) ~~Rhinoceroses (Rhinocero tidae).~~
- (23) ~~Snow leopards (Panthera uncia).~~
- (24) ~~Tigers (Panthera tigris).~~
- (25) ~~Wolves (Canis lupus), including wolf dog hybrids.~~
- (26) ~~Poisonous insects, poisonous arthropods~~
- (27) ~~Any other felids, except domesticated cats.~~
- (28) ~~Prairie dogs, dogus~~
- (29) ~~Zebras, giraffes~~

(30) (c) **Domestic Animals in Agricultural Zones.** Except in properly zoned districts, horses, mules, ponies, donkeys, cows, pigs, goats, sheep, chickens or any animal raised for fur-bearing purposes shall not be permitted unless otherwise permitted elsewhere in this Code. If zoned agriculturally or if a nonconforming use permits the harboring of domestic animals such as cattle, horses, swine, sheep, goats, poultry or rabbits, it is required that no enclosure be within twenty-five (25) feet of any building used for residency purposes by anyone other than the home owner and be it further required that the enclosure not be within twenty-five (25) feet of where food is prepared, kept or sold.

(fd) **Exceptions.** The prohibitions of Subsection (c) and (d) above shall not apply where the creatures are in the care, custody or control of: a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H Clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or private educational institutions; zoological gardens; if:

- (1) Their location conforms to the provisions of the zoning ordinance of the City.
- (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
- (3) Animals are maintained in quarters so constructed as to prevent their escape.
- (4) No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.

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Sec. 7-1-14 Sale of Rabbits, Chicks or Artificially Colored Animals.

- (a) No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.
- (b) (1) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl without providing proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in such person's care, custody or control.
- (2) No retailer, as defined in Sec. 100.30(2)(g), Wis. Stats., may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under two (2) months of age, in any quantity less than six (6), unless the purpose of selling these animals is for agricultural, wildlife or scientific purposes.

State Law Reference: Sec. 951.10 and 948951.11, Wis. Stats.

Sec. 7-1-15 Providing Proper Food and Drink to Confined Animals.

- (a) No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water as prescribed in this Section.
- (b) The food shall be sufficient to maintain all animals in good health.
- (c) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

State Law Reference: Sec. 95148.13, Wis. Stats.

Sec. 7-1-16 Providing Proper Shelter.

- (a) **Proper Shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this Section. In the case of farm animals, nothing in this Section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (b) **Indoor Standards.** Minimum indoor standards of shelter shall include:
 - (1) **Ambient temperatures.** The ambient temperature shall be compatible with the health of the animal.
 - (2) **Ventilation.** Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (c) **Outdoor Standards.** ~~Proper Shelter. Minimum outdoor standards of shelter shall include: Every person in charge of or control of any animal which is kept outdoors, or in an unheated enclosure for more than 1/2 hour at a time, shall provide such animal with shelter and bedding as prescribed in this section as a minimum. This shelter shall be as follows:~~

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- (1) A moisture proof structure.
- (2) Made of durable material and able to insulate against temperature extremes.
- (3) Suitable in size to accommodate the dog or cat and allow for the retention of body heat.
- (4) A solid floor raised at least 2 inches off the ground.

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Licensing of Dogs and Cats; Regulation of Animals
7-1-16

- (5) The entrance covered by a self-closing swinging covering, or an "L" shaped entrance or placed to prevent the wind from blowing directly into the house.
- (6) A sufficient quantity of suitable bedding material, to provide insulation and protection against the cold and dampness and promote the retention of body heat.
- (7) During the months of May through September, inclusive, par. (5) and (6) above, may be suspended.
- (8) In the case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.

(d) **Space Standards.** Minimum space requirements for both indoor and outdoor enclosures shall include:

- (1) **Structural strength Shelter from Sunlight.** When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph caged does not include farm fencing used to confine animals. The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
- (2) **Shelter from Inclement Weather.** Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog must be provided. Space requirements. Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.

- (e) **Sanitation Standards.** No person owning, keeping, possessing or harboring an animal as a pet shall allow such animal to soil, defile, defecate on or commit any nuisance on any private or public property. The person responsible for such animal must immediately remove and dispose of all feces so deposited in a sanitary manner. Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waste materials, dirt and trash so as to minimize health hazards.

State Law Reference: Sec. 95148.14, Wis. Stats.

Sec. 7-1-17 Neglected or Abandoned Animals.

- (a) **Neglected or Abandoned Animals.**
 - (1) No person may abandon any animal.

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- (2) Any law enforcement officer may remove, shelter and care for an animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such animal to another person to be sheltered, cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer, or other person, having possession of the animal shall have a lien thereon for its care, keeping and medical attention and the expense of notice.
- (3) If the owner or custodian is unknown and cannot, with reasonable effort, be ascertained or does not, within seven (7) days after notice, redeem the animal by paying the expenses incurred, it may be treated as a stray and dealt with as such.

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Licensing of Dogs and Cats; Regulation of Animals
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- (4) **Injured or dangerous animals.** A political subdivision or person contracting under Wis. Stats. 173.-15(1) who has custody of an animal may have the animal humanely euthanized if there are reasonable grounds to believe that any of the following apply: the animal is hopelessly injured beyond any reasonable chance of recovery, the animal poses an imminent threat to public health or safety, or the animal poses an imminent threat to the health or safety of itself or its custodian.

~~(5) Section 948.16, Investigation of Cruelty Complaints, and Sec. 948.17, Wis. Stats., Expenses of Investigation, are hereby adopted by reference and made a part of this Chapter.~~

- (b) **Injured Animals.** No person who owns, harbors or keeps any animal shall fail to provide proper medical attention to such animal when and if such animal becomes sick or injured. In the event the owner of such animal cannot be located, the City or any animal control agency with whom the City has an agreement or contract shall have the authority to take custody of such animal for the purpose of providing medical treatment, and the owner thereof shall reimburse the person or organization for the costs of such treatment.

State Law Reference: Sections 95148.15, 948.16 and 948.17, Wis. Stats.

Sec. 7-1-18 Cruelty to Animals and Birds Prohibited.

- (a) **Acts of Cruelty Prohibited.** No person except a police officer or health or humane officer in the pursuit of his duties shall, within the City, shoot or kill or commit an act of cruelty to any animal or bird or disturb any bird's nests or bird's eggs.
- (b) **Leading Animal From Motor Vehicle.** No person shall lead any animal upon a City street from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle.
- (c) **Use of Poisonous and Controlled Substances.** No person may expose any pet animal owned by another to any known poisonous substance or controlled substance listed in Sec. 161.14, Wis. Stats., whether mixed with meat or other food or not, where it is reasonable to anticipate the substance may be eaten by such animal or for the purpose of harming the animal. This Subsection shall not apply to poison used on one's own premises and designed for the purpose of rodent and pest extermination, nor the use of a controlled substance used in accepted veterinarian practice or in research by persons or organizations regularly engaged in such research.
- (d) **Use of Certain Devices Prohibited.** No person may directly or indirectly, or by aiding, abetting or permitting the doing thereof either put, place, fasten, use or fix upon or to any animal used or readied for use for a work purpose or for use in an exhibition, competition, rodeo, circus or other performance any of the following devices: a bristle bur, tack bur or like device; or a polling device used to train a horse to jump which is charged with electricity or to which have been affixed nails, tacks or other sharp points.

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- (c) **Shooting at Caged or Staked Animals.** No person may instigate, promote, aid or abet as a principal, agent, employee, participant or spectator, or participate in the earnings from or intentionally maintain or allow any place to be used for the shooting, killing or wounding with a firearm or any deadly weapon any animal that is tied, staked out, caged or otherwise intentionally confined in a man-made enclosure, regardless of size.

Licensing of Dogs and Cats; Regulation of Animals
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Sec. 7-1-19 Trapping of Animals.

- (a) All traps set, placed or tended shall comply with Chapter 29, Wis. Stats., as they relate to trapping.
- (b) This Section shall not apply to trapping within the confines of buildings or homes.
- (c) Nothing in this Section shall prohibit or hinder the City of Onalaska or its employees or agents from performing their official duties.

Sec. 7-1-20 Dognapping and Catnapping.

No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of the City or held for any purpose without the owner's consent. This Section does not apply to law enforcement officers or humane society agents engaged in the exercise of their official duties, or as otherwise permitted herein.

Sec. 7-1-21 Vehicle Accidents.

The operator of any vehicle involved in an accident resulting in injury to or death of a dog, cat or other animal which appears to be a pet shall immediately notify the Police Department or an animal control agency whose jurisdiction extends into the City.

Sec. 7-1-22 Keeping of Bees.

- (a) It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept or keep any bees in or upon any premises within the corporate limits of the City unless the bees are kept in accordance with the following provisions:
- (1) No hive, stand or box where bees are kept shall be located closer than twenty (20) feet to any property boundary.

- (2) If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along said exterior boundary. Said barrier may be either a natural planting or artificial.
 - (3) Fresh, clean watering facilities for bees shall be provided on the said premises.
 - (4) The bees and equipment shall be kept in accordance with the provisions of the State Statutes.
 - (5) Bee hives may only be located in a rear yard.
 - (6) Bees may only be kept after a conditional use permit is first issued pursuant to the City Zoning Code.
- (b) Nothing in this Section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located within a school or university building for the purpose of study or observation.

Licensing of Dogs and Cats; Regulation of Animals
7-1-23

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Sec. 7-1-23 Limitation on Number of Dogs and Cats.

- (a) **Purpose.** The keeping of a large number of dogs and/or cats within the City for a considerable period of time detracts from and, in many instances, is detrimental to, healthful and comfortable life in such areas. The keeping of a large number of dogs and/or cats is, therefore, declared a public nuisance.
- (b) **Definitions.**
 - (1) **Dog.** A dog means any canine, regardless of age or sex.
 - (2) **Cat.** A cat means any feline, regardless of age or sex.
 - (3) **Residential Lot.** A residential lot means a parcel of land zoned as residential, occupied or to be occupied by a dwelling, platted or unplatted, and under common ownership. For the purpose of this Section, any vacant parcel or parcels adjoining a dwelling and under the same ownership shall constitute one (1) lot.
- (c) **Number Limited.** No family shall own, harbor, board, or keep in its possession more than four (4) dogs or four (4) cats, or a combined total of six (6) cats and dogs on any residentially zoned lot without the prior approval of the Common Council except that a litter of pups and/or kittens or a portion of a litter may be kept for not more than five (5) months from birth. If more than one (1) family resides on a residential lot, the number of cats/dogs shall not be increased from the number set forth in this Section unless the prior approval is obtained from the Common Council. For the purposes of this Section, the term "family" shall be defined as one (1) or more persons. Persons may keep more cats/dogs than the number permitted under this Section if they have first received a kennel license and a conditional use permit pursuant to City Zoning Code.
- (d) **"Grandfather" Provision.** ~~Persons having more cats than permitted herein on the effective date of this Section may continue to keep such cats provided they are properly licensed within three (3) months after said effective date (January 1, 1997) but may not replace them if the number would then exceed the number permitted under this Section. No~~

~~grandfather provision shall apply to dogs since the number of dogs permitted under this Section exceeds the number of dogs permitted under the Section in effect immediately prior to the effective date of this Section.~~

Sec. 7-1-24 Penalties.

- (a) Any person violating Sections 7-1-15, 7-1-16, 7-1-17, 7-1-18, 7-1-19, 7-1-20, 7-1-21, 7-1-22 or 7-1-23 shall be subject to a forfeiture of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$250.00). This Section shall also permit the City Attorney to apply to the court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any aspect of this Ordinance.
- (b) (1) Anyone who violates Sections 7-1-1, 7-1-2, 7-1-3, 7-1-4 and 7-1-5 of this Code of Ordinances or Chapter 174, Wis. Stats., shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (\$250.00) for the first offense and not less than One Hundred Dollars (\$100.00) and not more than Four Hundred Dollars (\$400.00) for any subsequent offenses.

Licensing of Dogs and Cats; Regulation of Animals
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- (2) An owner who refuses to comply with an order issued under Section 7-1-5 to deliver an animal to an officer, ~~isolation facility, animal shelter~~ or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned not more than sixty (60) days or both.
- (c) Any person who violates Section 7-1-6 through 7-1-14 of this Code of Ordinances shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00) for the first violation and not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$250.00) for subsequent violations.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
| PUBLISHED:

ORDINANCE NO. -2015

AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 7,
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
LICENSING OF DOGS AND CATS REGULATION OF ANIMALS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 7, Chapter 1, of the City of Onalaska Code of Ordinances related to
Licensing of Dogs and Cats Regulation of Animals is hereby deleted in its entirety and replaced as
follows:

Sec. 7-1-1 Dog or Cat License Required; Definitions.

- (a) **License Required.** It shall be unlawful for any person in the City of Onalaska to own, harbor or keep any dog or cat more than five (5) months of age without complying with the provisions of this Chapter relating to the listing, licensing and tagging of the same.
- (b) **Definitions.** In this Chapter, unless the context or subject matter otherwise require:
- (1) "Animal Shelter" means any facility operated by a humane society, or municipal agency or its authorized agents
 - (2) "Owner" shall mean any person owning, harboring, fostering or keeping a dog or cat and the occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of seven (7) days; such person is presumed to be harboring, fostering or keeping the dog or cat within the meaning of this Section.
 - (2) "At large" means to be off the premises of the owner and not under the control of some person either by leash, but a dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of said dog or cat, shall be deemed to be upon the owner's premises.
 - (3) "Dog" shall mean any canine, regardless of age or sex.
 - (4) "Cat" shall mean any feline, regardless of age or sex.
 - (5) "Neutered" as used herein as describing a dog or cat shall mean a dog or cat having nonfunctional reproductive organs.
 - (6) "Animal" means mammals, reptiles and birds.
 - (7) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
 - (8) "Law Enforcement Officer" has that meaning as appears in Sec. 967.02(5), Wis. Stats., and includes a humane officer under Sec. 58.07, Wis. Stats., but does not include a conservation warden appointed under Sec. 23.10, Wis. Stats.
 - (9) "Farm Animal" means any warm-blooded animal normally raised on farms in the United States and used for food or fiber.
 - (10) "Pet" means an animal kept and treated as a pet.

State Law Reference: Sections 174.05 through 174.10, Wis. Stats.

Sec. 7-1-2 Rabies Vaccination Required for License.

- (a) **Rabies Vaccination.** The owner of a dog or cat shall have the dog or cat vaccinated against rabies by a veterinarian no later than 5 months of age and re-vaccinated within one (1) year after the initial vaccination. If the owner obtains such animal or brings such animal into the City of Onalaska after the dog or cat has reached four (4) months of age, the owner shall have such animal vaccinated against rabies within thirty (30) days after the dog or cat is brought into the City unless such animal has been vaccinated as evidenced by a current certificate of rabies vaccination. The owner of a dog or cat shall have such animal re-vaccinated against rabies by a veterinarian before the date of that immunization expires as stated on the certificate of vaccination or, if no date is specified, within two (2) years after the previous vaccination. The certificate of vaccination shall meet the requirements of Sec. 95.21(2), Wis. Stats.

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~~Licensing of Dogs and Cats; Regulation of Animals~~ ~~7-1-2~~

- (b) **Issuance of Certificate of Rabies Vaccination.** A veterinarian who vaccinates a dog or cat against rabies shall complete and issue to the owner a certificate of rabies vaccination bearing a serial number and in the form approved by the City stating the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog or cat, the date of the vaccination, the type of rabies vaccination administered and the manufacturer's serial number, the date that the immunization expires as specified for that type of vaccine by the Center for Disease Control of the U.S. Department of Health and Human Services and the City.
- (c) **Copies of Certificate.** The veterinarian shall keep a copy of each certificate of rabies vaccination in a file maintained for this purpose until the date that the immunization expires or until the dog or cat is revaccinated, whichever occurs first.
- (d) **Rabies Vaccination Tag.** After issuing the certificate of rabies vaccination, the veterinarian shall deliver to the owner a rabies vaccination tag of durable material bearing the same serial number as the certificate, the year the vaccination was given and the name, address and telephone number of the veterinarian.
- (e) **Tag to be Attached.** The owner shall attach the rabies vaccination tag or a substitute tag to a collar and a collar with the tag attached shall be kept on the dog or cat at all times, but this requirement does not apply to a dog or cat during competition. The substitute tag shall be of a durable material and contain the same information as the rabies vaccination tag. The requirements of this paragraph do not apply to a dog or cat which is not required to be vaccinated under Subsection (a).
- (f) **Duplicate Tag.** The veterinarian may furnish a new rabies vaccination tag with a new serial number to an owner in place of the original tag upon presentation of the certificate of rabies vaccination. The veterinarian shall then indicate the new tag number on the certificate and keep a record in the file.
- (g) **Cost.** The owner shall pay the cost of the rabies vaccination and the cost associated with the issuance of a certificate of rabies vaccination and the delivery of a rabies vaccination tag.

Sec. 7-1-3 Issuance of Dog, Cat, and Multiple Dog Licenses

(a) Dog/Cat Licenses.

- (1) It shall be unlawful for any person in the City of Onalaska to own, harbor or keep any dog or cat more than five (5) months of age without complying with the provisions of Sec. 174.05 through Sec. 174.10, Wis. Stats., relating to the listing, licensing and tagging of the same.
- (2) The owner of any dog or cat more than five (5) months of age on January 1 of any year, or five (5) months of age within the license year, shall annually, or on or before the date the dog or cat becomes five (5) months of age, pay a license tax and obtain a license.

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~~(3) Licensing of Dogs and Cats; Regulation of Animals~~ ~~7-1-3~~

~~(3) — The minimum license tax under this Section for a spayed female or neutered dog shall be One Dollar (\$1.00) more than that charged by La Crosse County for the same license and shall be reflected on the City of Onalaska Fee Schedule. The minimum license tax under this Section for a spayed female or neutered cat shall be the same amount as for a dog. The minimum license tax under this Section for an unspayed female or unneutered dog shall be One Dollar (\$1.00) more than that charged by La Crosse County for the same license and shall be reflected on the City of Onalaska Fee Schedule. The minimum license tax under this Section for an unspayed female or unneutered cat shall be the same amount as for a dog.~~

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- (4) Upon payment of the required license tax and upon presentation of evidence that the dog or cat is currently immunized against rabies, as required by Section 7-1-2 of this Chapter, the City Clerk shall complete and issue to the owner a license for such dog or cat containing all information required by state law. The City Clerk shall also deliver to the owner, at the time of issuance of the license, a tag of durable material bearing the same serial number as the license, the name of the county in which issued and the license year.
- (5) The owner shall securely attach the tag to a collar and the collar with the tag attached shall be kept on the dog or cat for which the license is issued at all times, except as provided in Section 7-1-2(e).
- (6) The fact that a dog or cat is without a tag attached to the dog or cat by means of a collar shall be presumptive evidence that the dog or cat is unlicensed. Any City police or humane officer shall seize, impound or restrain any dog or cat for which a dog license or cat license is required which is found without such tag attached.
- (7) Notwithstanding the foregoing, every dog specifically trained to lead blind or deaf persons is exempt from the dog license tax, and every person owning such a dog shall receive annually a free dog license from the City Clerk upon application therefor.

(b) Multiple Dog Licenses

- (1) Any person who keeps or possesses multiple dogs may, instead of the license tax for each dog required by this Chapter, apply for a multiple pet license for the keeping or possession of multiple dogs. Such person shall pay for the license year a license tax as set forth on the City of Onalaska Fee Schedule of Eighty Dollars (\$80.00) for ~~four~~twelve (12) or fewer dogs and an additional Five Dollars (\$5.00) for each dog in excess of (12) plus a ~~\$5.00~~ City administrative fee as set forth on the City of Onalaska Fee Schedule. Upon payment of the required multiple pet license tax and, if required by the Common Council, upon presentation of evidence that all dogs over five (5) months of age are currently immunized against rabies, the City Clerk shall issue the multiple pet license and a number of tags equal to the number of dogs authorized to be possessed or kept. Places in which multiple dogs are kept or processed may only be located in residential areas after a conditional use permit has been issued pursuant to the City Zoning Code.

Comment [a1]: Currently \$35.00 by statute, we should limit to 4 since that is the most we allow by ordinance unless the City really wants to be issuing multiple dog license, places like grooming, boarding, vet clinics and the humane society should be exempt though so I don't know to who we would issue a license.

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Licensing of Dogs and Cats; Regulation of Animals
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- (2) The owner or keeper of a multiple pet license shall keep at all times a multiple dog license tag attached to the collar of each dog over five (5) months old kept by the owner or keeper under a multiple dog license but this requirement does not apply to a show dog during competition. These tags may be transferred from one dog to another within the location that keeps or possesses multiple dogs whenever any dog is removed from said location. The rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times but this requirement does not apply to a show dog during competition. No dog bearing a multiple dog tag shall be permitted to stray or to be taken anywhere outside the limits of the location in which said dog is kept or housed unless the dog is in leash or temporarily for the purposes of hunting, breeding, trial, training or competition.

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State Law Reference: Sec. 174.053, Wis. Stats.

Sec. 7-1-4 Late Fees.

The City Clerk shall assess and collect a late ~~fee~~ fee as set forth on the City of Onalaska Fee Schedule of Twenty Five Dollars (\$25.00) from every owner of a dog or cat five (5) months of age or over if the owner failed to obtain a license prior to April 1 of each year, or within thirty (30) days of acquiring ownership of a licensable cat or if the owner failed to obtain a license on or before the cat reached licensable age. Said late fee shall be charged in addition to the required license fee.

Sec. 7-1-5 Biting and Rabies Quarantine.

- (a) **Dogs and Cats Confined.** If a district is quarantined for rabies, all dogs and cats within the City shall be kept securely confined, tied, leashed or muzzled. Any dog or cat not confined, tied, leashed or muzzled is declared a public nuisance and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The City Clerk shall promptly post in at least three (3) public places in the City notices of quarantine.
- (b) **Exemption of Vaccinated Dog or Cat from City Quarantine.** A dog or cat which is immunized currently against rabies, as evidenced by a valid certificate of rabies vaccination or other evidence, is exempt from the City quarantine provisions of Subsection (a) if a rabies vaccination tag or substitute tag is attached to the dog's or cat's collar.
- (c) **Quarantine or Sacrifice of an Animal Suspected of Biting a Person or Being Infected or Exposed to Rabies.**
- (1) Quarantine or sacrifice of dog, ~~or~~ cat or other animal. The owner of any dog, cat or other animal which has bitten any other person, is infected with rabies or is suspected to have been in contact with a rabid animal shall, upon demand of a Humane Officer or Police Department, produce and surrender up such dog, cat or

~~other animal to be held in quarantine for a minimum of ten days. An officer shall order a dog or cat quarantined if the officer has reason to believe that the animal bit a person, is infected with rabies or has been in contact with a rabid animal.~~ If a quarantine cannot be imposed because the dog ~~or~~ cat or animal cannot be captured, the Humane Officer or Police Officer may kill the animal only as a last resort. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.

~~(2) **Sacrifice of other animals.** An officer may order killed or may kill an animal other than a dog or cat if the officer has reason to believe that the animal bit a person or is infected with rabies.~~

(d) **Quarantine of Dog or Cat.**

(1) **Delivery to isolation facility Animal Shelter or quarantine on premises of owner.** An officer who orders a dog, ~~or~~ cat or animal to be quarantined shall deliver the animal or shall order the animal delivered to an isolation facility Animal Shelter or a veterinary hospital of the owner's choice as soon as possible but no later than twenty-four (24) hours after the original order is issued or the officer may order the animal to be quarantined on the premises of the owner if the animal is immunized currently against rabies as evidenced by a valid certificate of rabies vaccination or other evidence. Charges for boarding of such animal during the quarantine period shall be assumed by the owner of such animal. During quarantine, the animal shall be securely confined and kept from contact with any other animal.

~~(2) **Health risk to humans.** If a dog or cat is ordered to be quarantined because there is reason to believe that the animal bit a person, the custodian of an isolation facility or the owner shall keep the animal under strict isolation under the supervision of a veterinarian for at least ten (10) days after the incident occurred. In this paragraph, "supervision of a veterinarian" includes, at a minimum, examination of the animal on the first day of isolation, on the last day of isolation and on one (1) intervening day. If the observation period is not extended and if the veterinarian certifies that the dog or cat has not exhibited any signs of rabies, the animal may be released from quarantine at the end of the observation period.~~

~~(23)~~ **Risk to animal health.**

a. If a dog, ~~or~~ cat or other animal is ordered by a Humane Officer, Police Department or the County Health Department to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal and if the dog, ~~or~~ cat or animal is not currently immunized against rabies, the custodian of an isolation facility Animal Shelter or the owner shall produce and surrender up such animal to the Department to be held in quarantine at a veterinary hospital for a period needed by the veterinarian to determine if it is rabid or not. The owner shall assume the charge for boarding such animal during the quarantine period. The owner shall be required to have the animal immunized against rabies prior to removing the animal from quarantine. keep the animal leashed or confined for one hundred eighty (180) days. The owner shall have the animal vaccinated against rabies between one hundred fifty five (155) and one hundred sixty five (165) days after the exposure to a rabid animal.

~~b. If a dog or cat is ordered to be quarantined because there is reason to believe that the animal has been exposed to a rabid animal but if the dog or cat is immunized~~

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against rabies, the custodian of an isolation facility or the owner shall keep the animal leashed or confined for sixty (60) days. The owner shall have the animal revaccinated against rabies as soon as possible after exposure to a rabid animal.

- (34) **Sacrifice of a dog or cat exhibiting symptoms of rabies.** If a licensed veterinarian determines that addiagnoses a dog, ~~or~~ cat or animal exhibits symptoms of in quarantine as having rabies during the original or extended observation period, the veterinarian shall notify the owner and the officer who ordered the animal quarantined and the animal shall be humanely euthanized and the head of such animal sent to the State Laboratory of Hygiene for pathological examination and confirmation of diagnosis. The State Laboratory of Hygiene shall examine the specimen and notify the City, veterinarian and local health department of their findings, and if the animal is suspected to have bitten a person, that person or the person's physician, and the officer or veterinarian shall kill the animal in a humane manner and in a manner which avoids damage to the animal's head. If the dog or cat is suspected to have bitten a person, the veterinarian shall notify the person or the person's physician.

~~(e) **Delivery of Carcass; Preparation; Examination by Laboratory of Hygiene.** An officer who kills an animal shall deliver the carcass to a veterinarian or local health department. The veterinarian or local health department shall prepare the carcass, properly prepare and package the head of the animal in a manner to minimize deterioration, arrange for delivery by the most expeditious means feasible of the head of the animal to the State Laboratory of Hygiene and dispose of or arrange for the disposal of the remainder of the carcass in a manner which minimizes the risk or exposure to any rabies virus. The Laboratory of Hygiene shall examine the specimen and determine if the animal was infected with rabies. The State Laboratory of Hygiene shall notify the City, the veterinarian or local health department which prepared the carcass and, if the animal is suspected to have bitten a person, that person or the person's physician.~~

~~(ef) **Cooperation of Veterinarian.** Any practicing ~~veterinarian~~ licensed veterinarian who is requested to be involved in the rabies control program by an officer is encouraged to cooperate in a professional capacity with the City, the Laboratory of Hygiene, Animal Shelter, the local health department, the officer involved and, if the animal is suspected to have bitten a person, the person's physician.~~

~~(fg) **Responsibility for Quarantine and Laboratory Expenses.** The owner of an animal is responsible for any expenses incurred in connection with keeping the animal in an ~~isolation facility~~ Animal Shelter, supervision and examination of the animal by a veterinarian, preparation and transport of the carcass for laboratory examination and the fee for the laboratory examination. If the owner is unknown, the county is responsible for preparation and testing/shipping fees and the City of Onalaska is responsible for quarantine costs.~~

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Sec. 7-1-6 Restrictions on Keeping of Dogs, Cats, Fowl and Other Animals.

- (a) **Restrictions.** It shall be unlawful for any person within the City of Onalaska to own, harbor or keep any dog, ~~or~~ cat or animal which:
- (1) Habitually pursues any vehicle upon any public street, alley or highway in the City.

- (2) Assaults or attacks any person as described in Subsection (b) or destroys property.
- (3) Is habitually at large within the limits of the City.
- (4) Habitually barks or howls to the annoyance of any person or persons. (See Section 71-12.)
- (5) Kills, wounds or ~~worries~~bites any domestic animal.
- (6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
- (7) In the case of a cat or dog, is unlicensed.

(b) **Vicious Dogs and Animals.**

- (1) For purposes of enforcing this Section, a dog shall be deemed as being of a vicious disposition if, within any twelve (12) month period it bites two (2) or more persons or inflicts serious injury to one (1) person in unprovoked circumstances.
- (2) No person shall harbor or permit to remain on his premises any animal that is habitually inclined toward attacking persons or animals, destroying property, barking excessively or making excessive noises or running after automobiles.

(c) **Animals Running at Large.**

- (1) No person having in his possession or ownership any animal or fowl shall allow the same to run at large within the City. The owner of any animal, whether licensed or unlicensed, shall keep ~~his~~its animal tied or enclosed in a proper enclosure so as not to allow said animal to interfere with the passing public or neighbors. Any animal running at large unlicensed and required by state law or City Ordinance to be licensed shall be seized and impounded by a humane or law enforcement officer. For the purposes of this section, the phrase "running at large" embraces all other places within the City except the owner's premises. This includes all streets, alleys, sidewalks or other public or private property which may be about the owner's premises.
- (2) A dog or cat shall not be considered to be running at large if it is on a leash and under control of a person physically able to control it.

(d) **Cat Control.**

- (1) It shall be unlawful for the owner or keeper of a cat to permit the same to run at large within the City. A cat is deemed to be at large when off the premises of its owner or keeper and not under his control by means of a leash, by being carried, or physically restrained. "Premises of the owner or keeper" is defined to be his dwelling house, garage and other buildings located on the land he has in his possession and the land itself. Premises also includes any motor vehicle normally driven by the owner or keeper wherever located. For the purposes of this section, the phrase "running at large" embraces all other places within the City except the owner's premises. This includes all streets, alleys, sidewalks or other public or private property which may be about the owner's premises.
- (2) It shall be the duty of every police or animal control officer to seize and impound any stray cat or cat running at large. Said officer shall immediately ascertain, if possible, the identity of the owner or keeper of each cat so seized by diligent inquiry.
- (3) If returned to the owner or keeper, said person shall pay to the City the veterinary fee, if any, and a forfeiture. Any cat not claimed within seven (7) days shall be disposed of in a proper and humane manner.

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(e) **Owner's Liability for Damage Caused by Dogs; Penalties.** The provisions of Sec. 174.02, Wis. Stats., relating to the owner's liability for damage caused by dogs together with the penalties therein set forth are hereby adopted and incorporated herein by reference.

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(f) **Transportation of Animals.** No person may keep or transport any animals in or upon any vehicle in a cruel manner. No person shall lead any animal upon any street or alley from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle. No person may transport or leave unattended any animal in an open vehicle bed unless it is confined inside a carrier that is secured to the vehicle.

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Sec. 7-1-7 Impoundment of Animals.

(a) **Animal Control Agency.**

- (1) The City of Onalaska may contract with or enter into an agreement with such person, persons, organization or corporation to provide for the operation of an animal shelter, impoundment of stray animals, confinement of certain animals, disposition of impoundment animals and for assisting in the administration of rabies vaccination programs.
- (2) The City of Onalaska does hereby delegate any such animal control agency the authority to act pursuant to the provisions of this .

(b) **Impounding of Animals.** In addition to any penalty hereinafter provided for a violation of this Chapter, any Police or Humane Officer may impound any dog, cat or other animal which habitually pursues any vehicle upon any street, alley or highway of this City, assaults or attacks any person, is at large within the City, habitually barks, cries or howls, kills, wounds or worries any domestic animal or is infected with rabies.

(c) **Claiming Animal; Disposal of Unclaimed Animals.** After seizure of animals under this Section by a law enforcement or humane officer, the animal shall be impounded at the Animal Shelter. If within seven (7) days the owner does not claim such animal, the ~~officer~~ Animal Shelter may dispose of the animal in a proper and humane manner; provided, if an animal before being impounded has bitten a person, the animal shall be retained in the designated ~~holding facility~~ Animal Shelter for ten (10) days for observation purposes. Within such times, the owner may reclaim the animal upon payment of impoundment fees, such fees to be established by resolution of the Common Council. No animal shall be released from the ~~pound~~ Animal Shelter without being properly licensed if so required by state law or City Ordinance.

(d) **City Not Liable for Impounding Animals.** The ~~C~~city and/or its animal control agency shall not be liable for the death of any animal which has been impounded or disposed of pursuant to this Section.

Sec. 7-1-8 Dogs and Cats Restricted on Cemeteries.

No dog, ~~or~~ cat or other pet shall be permitted in any public cemetery. Every dog specially trained to lead blind persons shall be exempt from this Section.

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~~(a) **Transportation of Animals.** No person may keep or transport any animals in or upon any vehicle in a cruel manner. No person shall lead any animal upon any street or alley~~

~~from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle. No person may transport or leave unattended any animal in an open vehicle bed unless it is confined inside a carrier that is secured to the vehicle.~~

Sec. 7-1-9 Duty of Owner in Case of Dog or Cat Bite.

(a) **General Requirements.** Every owner or person harboring or keeping a dog or cat who knows that such dog or cat has bitten any person shall immediately report such fact to the Police Department and shall keep such dog or cat confined for not less than ten (10) days or for such period of time as the Police Department shall direct. The owner or keeper of any such dog or cat shall surrender the dog or cat to a law enforcement or humane officer upon demand for examination.

(b) **Specific Responsibilities of a Pet Owner.**

~~(1) (1) Animal Bites.~~ The owner of any dog, cat, ferret, or other animal which has bitten any person shall, upon demand of the Humane Officer or Health Department, produce and surrender up such dog, cat, ferret or other animal to such department to be held in quarantine subject to the requirements of Section 7-1-5 above. ~~for a minimum of ten (10) days or humanely euthanized and sent to the State Laboratory of Hygiene for rabies testing. As appropriate to the species, during quarantine, the animal shall be securely confined and kept from contact with any other animal. The animal shall be examined by a licensed veterinarian within 24 hours of bite incident. All dog, cat, or other animal bites of humans shall be immediately reported to the local law enforcement agency that has jurisdiction in the location where the bite takes place, and to the County Health Department.~~

~~a. The dog, cat or ferret which does not have a current anti-rabies vaccination must be quarantined at a veterinary hospital of the owner's choice for a period of 10 days. Charges for boarding of such animal during the quarantine period shall be assumed by the owner of such animal. If the owner is unwilling or unable to arrange a veterinary clinic quarantine, the animal will be ordered impounded by the reporting officer and will be held at the designated County holding facility. No owner shall fail to produce and surrender any animal pursuant to this section.~~

~~b. The dog, cat or ferret which has a current anti-rabies vaccination may, at the discretion of the Humane Officer or Health Department, be held in quarantine on the premises of the owner for a period of ten (10) days. Failure on the~~

~~part of the owner to obey all conditions and directions of the Humane Officer or Health Department pertaining to the quarantine period, shall result in the immediate impoundment of the animal in a veterinary hospital for the remainder of the quarantine period. Charges for boarding such animal shall be paid by the owner prior to the animal's release. The owner shall return proof of release from quarantine within seven (7) days of end of quarantine.~~

~~c. The owner of any dog, cat, ferret, or other animal which has contracted rabies, been subjected to same or is suspected of having rabies, shall immediately notify the Humane Officer, a law enforcement agency or Health Department. The owner shall produce and surrender such animal to such Department, to be held in quarantine at a veterinary hospital for a period needed by the veterinarian to determine if it is rabid or not. The owner shall assume the charge for boarding such animal during the quarantine period.~~

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~~_____d. No person shall knowingly harbor or keep any animal infected with rabies, or any animal known to have been bitten by a rabid animal, or fail to report to the Humane Officer, law enforcement agency or Health Department the existence of an animal which they know to be so infected.~~

~~_____e. No person shall fail to produce and surrender any animal pursuant to this section. The Health Department shall have the authority to impound such animal.~~

~~_____f. No person other than the Humane Officer, a law enforcement agency or licensed veterinarian, shall kill or cause to be killed, any animal suspected of being rabid. The animal suspected of being rabid shall be placed in quarantine and the diagnosis of rabies made by a licensed~~

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~~———— veterinarian. If a veterinarian does diagnose rabies in an animal in quarantine, then the animal shall be humanely euthanized and the head of such animal sent to a laboratory for pathological examination and confirmation of the diagnosis.~~

Sec. 7-1-10 Animal Feces.

The owner or person in charge of any dog or other animal shall not permit solid fecal matter of such animal to deposit on any street, alley or other public or private property, unless such matter is immediately removed therefrom by said owner or person in charge. This Section shall not apply to a person who is visually or physically handicapped.

Sec. 7-1-11 Injury to Property by Animals.

It shall be unlawful for any person owning or possessing an animal, dog or cat to permit such animal, dog or cat to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate or urinate thereon.

Sec. 7-1-12 Barking Dogs or Crying Cats.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance. A dog, animal or cat is considered to be in violation of this Section when two (2) formal, written complaints are filed with the Police Department within a four (4) week period.

Sec. 7-1-13 Prohibited and Protected Animals, Fowl, Reptiles and Insects.

(a) **Protected Animals.**

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- (1) **Possession and Sale of Protected Animals.** It shall be unlawful for any person, firm or corporation to possess with intent to sell or offer for sale, or buy or attempt to buy, within the City any of the following animals, alive or dead, or any part or product thereof: all wild cats of the family felidae, polar bear (*thalarctos maritimus*), red wolf (*canis niger*), vicuna (*vicugna vicugna*), or alligator, caiman or crocodile of the order of crocodilia, gray or timber wolf (*canis lupus*), sea otter (*enhydra lutris*), Pacific ridley turtle (*lepidochelys olivacea*), Atlantic green turtle (*chelononia mydas*), Mexican ridley turtle (*lepidochelys kempii*).
- (2) **Compliance with Federal Regulations.** It shall be unlawful for any person, firm or corporation to buy, sell or offer for sale a native or foreign species or subspecies of mammal, bird, amphibian or reptile, or the dead body or parts thereof, which appears on the endangered species list designated by the United States Secretary of the Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1969 (Public Law 135, 91st Congress).
- (3) **Regulating the Importation of Certain Birds.** No person, firm or corporation shall import or cause to be imported into this City any part of the plumage, skin or dead body of any species of hawk, owl or eagle. This paragraph shall not be construed to forbid or restrict the importation or use of the plumage, skin, body or any part thereof legally collected for use by the American Indians for ceremonial purposes or in the preservation of their tribal customs and heritage.
- (b) **Exceptions.** The provisions of Subsection (a) above shall not be deemed to prevent the lawful importation, possession, purchase or sale of any species by any public agency, institute of higher learning, persons holding federal permits, or by a person holding a Scientific Collectors Permit issued by the Secretary of the Department of Natural Resources of the state, or to any person or organization licensed to present a circus.
- (c) **Wild Animals; Prohibition on Keeping.** It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities. Specifically, it shall be unlawful for any person to keep, maintain or have in his possession or under his control ~~within the City any of the following animals, reptiles or insects:~~ a wild animal as defined under Wis. Stat. 169.01(37) to include any animal of a wild nature that is normally found in the wild and that is not a domestic animal.
- (d) **Snakes.** Owners of snakes over 9 feet in length shall register the snake(s) with the City Clerk's office on a form provided by the City Clerk's office for information purposes. There shall be no fee to register a snake in the City of Onalaska. Snake registration must be updated each time the snake changes residence within the City of Onalaska or relocates outside of the City of Onalaska. Rock Pythons, Reticulated Pythons, Green Anacondas and Scrub Pythons are illegal and prohibited at any length.
 - ~~(1) All poisonous animals and reptiles including rear fang snakes.~~
 - ~~(2) Apes: Chimpanzees (*Pan*); gibbons (*Hylobates*); gorillas (*Gorilla*); orangutans (*Pongo*); and siamangs (*Symphalangus*).~~
 - ~~(3) Baboons (*Papoi*, *Mandrillus*).~~
 - ~~(4) Bears (*Ursidae*).~~
 - ~~(5) Bison (*Bison*).~~

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- ~~(6) Cheetahs (Acinonyx jubatus).~~
- ~~(7) Crocodilians (Crocodilia), thirty (30) inches in length or more.~~
- ~~(8) Snakes, nine feet in length or more shall be registered; Rock Pythons, Reticulated Pythons, Green Anacondas and Scrub Pythons are illegal and prohibited at any length.~~
- ~~(9) Coyotes (Canis latrans).~~
- ~~(10) Deer (Cervidae); includes all members of the deer family; for example, whitetailed deer, elk, antelope and moose.~~
- ~~(11) Elephants (Elephas and Loxodonta).~~
- ~~(12) Game cocks and other fighting birds.~~
- ~~(13) Hippopotami (Hippopotamidae).~~
- ~~(14) Hyenas (Hyaenidae).~~
- ~~(15) Jaguars (Panthera onca).~~
- ~~(16) Leopards (Panthera pardus).~~
- ~~(17) Lions (Panthera leo).~~
- ~~(18) Lynxes (Lynx).~~
- ~~(19) Monkeys, old world (Cercopithecidae).~~
- ~~(20) Ostriches (Struthio).~~
- ~~(21) Pumas (Felis concolor); also known as cougars, mountain lions and panthers.~~
- ~~(22) Rhinoceroses (Rhinocero tidae).~~
- ~~(23) Snow leopards (Panthera uncia).~~
- ~~(24) Tigers (Panthera tigris).~~
- ~~(25) Wolves (Canis lupus), including wolf dog hybrids.~~
- ~~(26) Poisonous insects, poisonous arthropods~~
- ~~(27) Any other felids, except domesticated cats.~~
- ~~(28) Prairie dogs, degus~~
- ~~(29) Zebras, giraffes~~

~~(30)~~ **(e) Domestic Animals in Agricultural Zones.** Except in properly zoned districts, horses, mules, ponies, donkeys, cows, pigs, goats, sheep, chickens or any animal raised for fur-bearing purposes shall not be permitted unless otherwise permitted elsewhere in this Code. If zoned agriculturally or if a nonconforming use permits the harboring of domestic animals such as cattle, horses, swine, sheep, goats, poultry or rabbits, it is required that no enclosure be within twenty-five (25) feet of any building used for residency purposes by anyone other than the home owner and be it further required that the enclosure not be within twenty-five (25) feet of where food is prepared, kept or sold.

(f) Exceptions. The prohibitions of Subsection (c) **and** (d) above shall not apply where the creatures are in the care, custody or control of: a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H Clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or private educational institutions; zoological gardens; if:

- (1) Their location conforms to the provisions of the zoning ordinance of the City.
- (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
- (3) Animals are maintained in quarters so constructed as to prevent their escape.
- (4) No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.

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Sec. 7-1-14 Sale of Rabbits, Chicks or Artificially Colored Animals.

- (a) No person may sell, offer for sale, raffle, give as a prize or premium, use as an advertising device or display living chicks, ducklings, other fowl or rabbits that have been dyed or otherwise colored artificially.
- (b) (1) No person may sell, offer for sale, barter or give away living chicks, ducklings or other fowl without providing proper brooder facilities for the care of such chicks, ducklings or other fowl during the time they are in such person's care, custody or control.
(2) No retailer, as defined in Sec. 100.30(2)(g), Wis. Stats., may sell, offer for sale, barter or give away living baby rabbits, baby chicks, ducklings or other fowl under two (2) months of age, in any quantity less than six (6), unless the purpose of selling these animals is for agricultural, wildlife or scientific purposes.

State Law Reference: Sec. ~~951.10 and 948~~951.11, Wis. Stats.

Sec. 7-1-15 Providing Proper Food and Drink to Confined Animals.

- (a) No person owning or responsible for confining or impounding any animal may refuse or neglect to supply the animal with a sufficient supply of food and water as prescribed in this Section.
- (b) The food shall be sufficient to maintain all animals in good health.
- (c) If potable water is not accessible to the animals at all times, it shall be provided daily and in sufficient quantity for the health of the animal.

State Law Reference: Sec. ~~951~~48.13, Wis. Stats.

Sec. 7-1-16 Providing Proper Shelter.

- (a) **Proper Shelter.** No person owning or responsible for confining or impounding any animal may fail to provide the animal with proper shelter as prescribed in this Section. In the case of farm animals, nothing in this Section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.
- (b) **Indoor Standards.** Minimum indoor standards of shelter shall include:
 - (1) **Ambient temperatures.** The ambient temperature shall be compatible with the health of the animal.
 - (2) **Ventilation.** Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.

- (e) ~~(c) **Outdoor Standards.** Proper Shelter. Minimum outdoor standards of shelter shall include: Every person in charge of or control of any animal which is kept outdoors, or in an unheated enclosure for more than 1/2 hour at a time, shall provide such animal with shelter and bedding as prescribed in this section as a minimum. This shelter shall be as follows:~~

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- (1) A moisture proof structure.
- (2) Made of durable material and able to insulate against temperature extremes.
- (3) Suitable in size to accommodate the dog or cat and allow for the retention of body heat.
- (4) A solid floor raised at least 2 inches off the ground.

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- ~~(5) —————~~ The entrance covered by a self-closing swinging covering, or an “L” shaped entrance or placed to prevent the wind from blowing directly into the house.
- ~~(6) —————~~ A sufficient quantity of suitable bedding material, to provide insulation and protection against the cold and dampness and promote the retention of body heat.
- ~~(7) —————~~ During the months of May through September, inclusive, par. (5) and (6) above, may be suspended.
- ~~(8) —————~~ In the case of farm animals, nothing in this section shall be construed as imposing shelter requirements or standards more stringent than normally accepted husbandry practices in the particular county where the animal or shelter is located.

~~(d) —~~ **Space Standards.** Minimum space requirements for both indoor and outdoor enclosures shall include:

- (1) ~~Structural strength~~ **Shelter from Sunlight.** When sunlight is likely to cause heat exhaustion of an animal tied or caged outside, sufficient shade by natural or artificial means shall be provided to protect the animal from direct sunlight. As used in this paragraph caged does not include farm fencing used to confine animals. ~~The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.~~
- (2) **Shelter from Inclement Weather.** Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided as necessary for the health of the animal. If a dog is tied or confined unattended outdoors under weather conditions which adversely affect the health of the dog, a shelter of suitable size to accommodate the dog must be provided. ~~Space requirements. Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal adequate freedom of movement. Inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.~~

- (e) **Sanitation Standards.** No person owning, keeping, possessing or harboring an animal as a pet shall allow such animal to soil, defile, defecate on or commit any nuisance on any private or public property. The person responsible for such animal must immediately remove and dispose of all feces so deposited in a sanitary manner. Minimum standards of sanitation for both indoor and outdoor enclosures shall include periodic cleaning to remove excreta and other waster materials, dirt and trash so as to minimize health hazards.

State Law Reference: Sec. 95148.14, Wis. Stats.

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Sec. 7-1-17 Neglected or Abandoned Animals.

- (a) **Neglected or Abandoned Animals.**
 - (1) No person may abandon any animal.

- (2) Any law enforcement officer may remove, shelter and care for an animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner and may deliver such animal to another person to be sheltered, cared for and given medical attention, if necessary. In all cases the owner, if known, shall be immediately notified and such officer, or other person, having possession of the animal shall have a lien thereon for its care, keeping and medical attention and the expense of notice.
- (3) If the owner or custodian is unknown and cannot, with reasonable effort, be ascertained or does not, within seven (7) days after notice, redeem the animal by paying the expenses incurred, it may be treated as a stray and dealt with as such.

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**Licensing of Dogs and Cats; Regulation of Animals
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(4) Injured or dangerous animals. A political subdivision or person contracting under Wis. Stats. 173.-15(1) who has custody of an animal may have the animal humanely euthanized if there are reasonable grounds to believe that any of the following apply: the animal is hopelessly injured beyond any reasonable chance of recovery, the animal poses an imminent threat to public health or safety, or the animal poses an imminent threat to the health or safety of itself or its custodian.

~~(5) Section 948.16, Investigation of Cruelty Complaints, and Sec. 948.17, Wis. Stats., Expenses of Investigation, are hereby adopted by reference and made a part of this Chapter.~~

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(b) **Injured Animals.** No person who owns, harbors or keeps any animal shall fail to provide proper medical attention to such animal when and if such animal becomes sick or injured. In the event the owner of such animal cannot be located, the City or any animal control agency with whom the City has an agreement or contract shall have the authority to take custody of such animal for the purpose of providing medical treatment, and the owner thereof shall reimburse the person or organization for the costs of such treatment.

State Law Reference: Sections 95148.15, 948.16 and 948.17, Wis. Stats.

Sec. 7-1-18 Cruelty to Animals and Birds Prohibited.

- (a) **Acts of Cruelty Prohibited.** No person except a police officer or health or humane officer in the pursuit of his duties shall, within the City, shoot or kill or commit an act of cruelty to any animal or bird or disturb any bird's nests or bird's eggs.
- (b) **Leading Animal From Motor Vehicle.** No person shall lead any animal upon a City street from a motor vehicle or from a trailer or semi-trailer drawn by a motor vehicle.
- (c) **Use of Poisonous and Controlled Substances.** No person may expose any pet animal owned by another to any known poisonous substance or controlled substance listed in Sec. 161.14, Wis. Stats., whether mixed with meat or other food or not, where it is reasonable to anticipate the substance may be eaten by such animal or for the purpose of harming the animal. This Subsection shall not apply to poison used on one's own premises and designed for the purpose of rodent and pest extermination, nor the use of a controlled substance used in accepted veterinarian practice or in research by persons or organizations regularly engaged in such research.
- (d) **Use of Certain Devices Prohibited.** No person may directly or indirectly, or by aiding, abetting or permitting the doing thereof either put, place, fasten, use or fix upon or to any animal used or readied for use for a work purpose or for use in an exhibition, competition, rodeo, circus or other performance any of the following devices: a bristle bur, tack bur or like device; or a poling device used to train a horse to jump which is charged with electricity or to which have been affixed nails, tacks or other sharp points.

- (e) **Shooting at Caged or Staked Animals.** No person may instigate, promote, aid or abet as a principal, agent, employee, participant or spectator, or participate in the earnings from or intentionally maintain or allow any place to be used for the shooting, killing or wounding with a firearm or any deadly weapon any animal that is tied, staked out, caged or otherwise intentionally confined in a man-made enclosure, regardless of size.

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Sec. 7-1-19 Trapping of Animals.

- (a) All traps set, placed or tended shall comply with Chapter 29, Wis. Stats., as they relate to trapping.
- (b) This Section shall not apply to trapping within the confines of buildings or homes.
- (c) Nothing in this Section shall prohibit or hinder the City of Onalaska or its employees or agents from performing their official duties.

Sec. 7-1-20 Dognapping and Catnapping.

No person may take the dog or cat of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of the City or held for any purpose without the owner's consent. This Section does not apply to law enforcement officers or humane society agents engaged in the exercise of their official duties, or as otherwise permitted herein.

Sec. 7-1-21 Vehicle Accidents.

The operator of any vehicle involved in an accident resulting in injury to or death of a dog, cat or other animal which appears to be a pet shall immediately notify the Police Department or an animal control agency whose jurisdiction extends into the City.

Sec. 7-1-22 Keeping of Bees.

- (a) It shall be unlawful for any person to establish or maintain any hive; stand or box where bees are kept or keep any bees in or upon any premises within the corporate limits of the City unless the bees are kept in accordance with the following provisions:
- (1) No hive, stand or box where bees are kept shall be located closer than twenty (20) feet to any property boundary.

- (2) If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along said exterior boundary. Said barrier may be either a natural planting or artificial.
- (3) Fresh, clean watering facilities for bees shall be provided on the said premises.
- (4) The bees and equipment shall be kept in accordance with the provisions of the State Statutes.
- (5) Bee hives may only be located in a rear yard.
- (6) Bees may only be kept after a conditional use permit is first issued pursuant to the City Zoning Code.
- (b) Nothing in this Section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located within a school or university building for the purpose of study or observation.

Licensing of Dogs and Cats; Regulation of Animals
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Sec. 7-1-23 Limitation on Number of Dogs and Cats.

- (a) **Purpose.** The keeping of a large number of dogs and/or cats within the City for a considerable period of time detracts from and, in many instances, is detrimental to, healthful and comfortable life in such areas. The keeping of a large number of dogs and/or cats is, therefore, declared a public nuisance.

(b) **Definitions.**

- (1) **Dog.** A dog means any canine, regardless of age or sex..
- (2) **Cat.** A cat means any feline, regardless of age or sex.

~~(3) **Residential Lot.** A residential lot means a parcel of land zoned as residential, occupied or to be occupied by a dwelling, platted or unplatted, and under common ownership. For the purpose of this Section, any vacant parcel or parcels adjoining a dwelling and under the same ownership shall constitute one (1) lot.~~

- (c) **Number Limited.** No family shall own, harbor, board, or keep in its possession more than four (4) dogs or four (4) cats, or a combined total of six (6) cats and dogs on any residentially zoned lot without the prior approval of the Common Council except that a litter of pups and/or kittens or a portion of a litter may be kept for not more than five (5) months from birth. If more than one (1) family resides on a residential lot, the number of cats/dogs shall not be increased from the number set forth in this Section unless the prior approval is obtained from the Common Council. For the purposes of this Section, the term "family" shall be defined as one (1) or more persons. Persons may keep more cats/dogs than the number permitted under this Section if they have first received a kennel license and a conditional use permit pursuant to City Zoning Code.

~~(d) **"Grandfather" Provision.** Persons having more cats than permitted herein on the effective date of this Section may continue to keep such cats provided they are properly licensed within three (3) months after said effective date (January 1, 1997) but may not replace them if the number would then exceed the number permitted under this Section. No~~

~~grandfather provision shall apply to dogs since the number of dogs permitted under this Section exceeds the number of dogs permitted under the Section in effect immediately prior to the effective date of this Section.~~

Sec. 7-1-24 Penalties.

- (a) Any person violating Sections 7-1-15, 7-1-16, 7-1-17, 7-1-18, 7-1-19, 7-1-20, 7-1-21, 7-1-22 or 7-1-23 shall be subject to a forfeiture of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (~~\$250.00~~). This Section shall also permit the City Attorney to apply to the court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any aspect of this Ordinance.
- (b) (1) Anyone who violates Sections 7-1-1, 7-1-2, 7-1-3, 7-1-4 and 7-1-5 of this Code of Ordinances or Chapter 174, Wis. Stats., shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (~~\$250.00~~) for the first offense and not less than One Hundred Dollars (\$100.00) and not more than Four Hundred Dollars (\$400.00) for any subsequent offenses.

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- (2) An owner who refuses to comply with an order issued under Section 7-1-5 to deliver an animal to an officer, ~~isolation facility~~animal shelter or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned not more than sixty (60) days or both.
- (c) Any person who violates Section 7-1-6 through 7-1-14 of this Code of Ordinances shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00) for the first violation and not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (~~\$250.00~~) for subsequent violations.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
| PUBLISHED: