136 N. MONROE STREET, WATERLOO, WI 53594
PHONE (920) 478-3025
EMAIL cityhall@waterloowi.us
FAX (920) 478-2021

PUBLIC NOTICE OF A COMMITTEE MEETING
OF THE COMMON COUNCIL OF THE CITY OF WATERLOO

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and to the news media, that the following meeting will be held.

COMMITTEE: Public Safety & Health Committee

DATE: Thursday, January 16, 2014 **TIME: 5:30 p.m.**

LOCATION: Police Training Room, Municipal Building, 136 N. Monroe Street

1. **Call To Order & Roll Call**
2. **Meeting Minutes Approval: November 7, 2013, November 13, 2013, December 4, 2013 (Public Hearing), December 5, 2013 and January 2, 2014 (cancelled meetings)**
3. **Citizen Input**
4. **Unfinished Business**
   a. **Ordinance #2014-01 Amending Chapter 126 Animals Of The Municipal Code Relating To Animals At Large, Owners, Vicious Dogs And Related Penalties *****
5. **New Business**
   a. **Families Who Host Lose The Most program (informational)**
6. **Future Agenda Items And Announcements**
7. **Adjourn**

Morton Hansen
Clerk/Treasurer

*** See Council Packet

Committee Members: Cotting, Van Holten, and Reynolds Printed, Posted, Emailed and Distributed: January 14, 2014

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

PUBLIC SAFETY AND HEALTH COMMITTEE MEETING MINUTES
December 5, 2013

No meeting held due to lack of a quorum.

PUBLIC SAFETY AND HEALTH COMMITTEE MEETING MINUTES
JANUARY 2, 2014

No meeting held due to lack of quorum.

Chapter 126. ANIMALS

[HISTORY: Adopted by the Common Council of the City of Waterloo 10-19-1987 by Ord. No. 87-6 as §§ 9.10, 9.11, 9.13, 12.11 and 12.15 of the 1987 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. **261**.
Parks and recreation — See Ch. **273**.
Peace and good order — See Ch. **278**.

§ 126-1. Animals and fowl not to run at large.

No person having in his possession or under his control any animal or fowl shall allow the same to run at large within the City.

§ 126-2. Keeping of poultry and livestock.

[Amended by Ord. No. 96-1]
No person shall keep or maintain any poultry or fowl or any livestock, such as horses, cattle, sheep or goats, in any zoning district except agricultural districts, except that ponies and horses may be permitted in any residential district as a conditional use provided that the residential parcel contains at least two acres of land which is designated "floodplain" per animal available for pasture, maintenance or running of said animal, and further provided that any such animals are contained within a fence, no part of which is closer than 200 feet to any residence other than the residence of the owner of the animals.

§ 126-3. Nuisances by pets; removal of excrement.

A. Pet littering prohibited. No person owning, keeping, possessing or harboring an animal as a pet shall allow such animal to dig upon, soil, defile, defecate on or commit any nuisance on any private or public property.
B. Repair and removal required. Any person owning or having control of an animal kept as a pet on any property, public or private, which is not owned or occupied by such person shall promptly remove, in a sanitary manner, excrement left by such animal and place it in a proper receptacle or bury the same on property owned or occupied by such person, and, to the extent any such pet may have littered or damaged property as described in Subsection **A** above, the person having control of said animal shall immediately repair and restore the area damaged by such pet.
C. Means of transmittal required. Any person causing or permitting an animal to be on any property, public or private, not owned or occupied by such person shall have in his immediate possession a device or object suitable for removal of excrement (pooper

scooper) together with a depository for the transmission of excrement to the property owned or occupied by such person.

D. Penalty. The owner of any pet, as well as persons keeping, possessing, harboring or having control of any such pet at the time a violation of this section occurs, shall, upon conviction, be subject to a forfeiture as provided in Chapter **1**, § **1-4**, of this Code.

§ 126-4. Regulation and licensing of dogs.

A. Dog license required. It shall be unlawful for any person in the City to own, harbor or keep any dog more than five months of age without complying with the provisions of this section and §§ 174.05 through 174.10, Wis. Stats., relating to the listing, licensing and tagging of the same.

B. License fee. The license fee for a dog shall be as stated in the City of Waterloo Fee Schedule. If the dog becomes five months of age after July 1, 1/2 of the fee shall be charged. *Editor's Note: The Fee Schedule is on file at the office of the City Clerk-Treasurer.*

[Amended by Ord. No. 91-7]

C. Late fees. The Clerk-Treasurer shall assess and collect a late fee as stated in the City of Waterloo Fee Schedule from every owner of a dog five months of age or older if the owner failed to obtain a license prior to April 1 of each year or within 30 days of acquiring ownership of a licensable dog, or if the owner failed to obtain a license before the dog reached licensable age.

[Amended 11-17-2005 by Ord. No. 2005-4; 9-20-2007 by Ord. No. 2007-18]

D. Kennel license option. The owners of kennels may opt to pay a kennel license fee as stated in the City of Waterloo Fee Schedule in lieu of the fees provided in Subsection **B** above, and the Clerk-Treasurer shall issue tags for each dog owned by the kennel owners. No kennel may be located in a residential district.

E. Rabies vaccination required. It shall be unlawful for any person to keep a dog in the City which is over five months of age and has not received a rabies vaccination as required by § 95.21(2), Wis. Stats. No dog license shall be issued until a certificate of rabies vaccination issued by a veterinarian has been presented. A rabies vaccination tag shall be attached to the collar of all licensed dogs at all times, except as provided in § 95.21(2)(f), Wis. Stats.

F. Definitions. In this section, unless the context or subject matter otherwise requires, the terms used shall be defined as follows:

AT LARGE

No person shall allow any animal to run at large off the property of the owner, unless it is controlled by a leash not to exceed 10 feet. No person shall allow any animal to run at large on the property of the owners unless it is controlled by a leash not capable of reaching the public sidewalk, or be able to control that animal on the owners' property without a leash. A dog at large on the property of another, with consent of that owner, shall have same requirements as if it is on the owner's property. If control on the owners property, or another's property with consent, is voice control, the owner or a person of suitable age and discretion to exercise control must be present and able to control it. An animal within an automobile of the owner, or any other person with the owner's consent, shall be deemed to be upon the owners premise

KENNEL

Any establishment wherein dogs are kept for the purpose of boarding, breeding, sale or sporting purposes.

[Amended 1-19-2006 by Ord. No. 2006-01]

OWNER

Means owning, possessing, harboring or keeping a dog, no matter the duration

G. Restrictions on keeping of dogs. It shall be unlawful for any person within the City to own, harbor or keep any dog which:

(1) Habitually pursues vehicles upon any street, alley or highway.

(2) Molests passersby or assaults or attacks any person without provocation.

(3) Is at large within the limits of the City.

(4) Habitually barks or howls to the annoyance of any person or persons. This subsection shall not apply to hospitals conducted for the treatment of small animals or to the premises occupied or used by the City Pound.

(5) Kills, wounds or worries any domestic animal.

(6) Urinates or defecates on public property or other private property. In the event the animal defecates on another's land or any public right-of-way, the owner shall immediately remove the feces in a sanitary manner.

(7) Has deemed to be a vicious animal in another jurisdiction.

(8) Is attached to a vehicle or bicycle while it is in motion.

(9) Damages property of another without consent

H. Dogs running at large and untagged dogs.

(1) Dogs running at large. A dog is considered to be running at large if it is not under ~~the~~ control of the owner or some other person, as defined in Subsection **F** above.

(2) Untagged dogs. A dog is considered to be untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.

(3) Dogs subject to impoundment. Police officers shall attempt to capture and restrain any dog running at large and any untagged dog.

(4) Penalties. If the owner of a dog, negligently or otherwise, permits the dog to run at large, or permits a dog to be untagged, the owner shall forfeit $30 for the first offense and $50 for subsequent offenses within a twelve-month period.

[Amended 12-16-2004 by Ord. No. 2004-6]

I. Impounding and disposition of dogs.

(1) Impounding of dogs. A police officer or other person restraining a dog running at large shall take such animal to the City Pound. The police officer shall attempt to identify and notify the owner and shall keep a public record of all such dogs impounded.

(2) Release of dog to owner or representative. The police officer may release the dog to the owner or his representative if:

(a) The owner or representative gives his name and address.

(b) The dog is licensed and vaccinated against rabies.

(c) The owner or representative pays the dog's intake fee and the boarding fee in the amounts as stated in the City of Waterloo Fee Schedule. *Editor's Note: The Fee Schedule is on file at the office of the City Clerk-Treasurer.*

[Amended 12-16-2004 by Ord. No. 2004-6]

(3) Release of dog to person other than owner. If the owner of the dog is unknown or does not reclaim the dog within seven days, the police officer may release the dog to a person other than the owner if such person:

(a) Gives his name and address.

(b) Signs a statement agreeing to license the dog and have the dog vaccinated against rabies.

J. Number of dogs per household limited. No person, except a kennel licensee, shall own, harbor or keep more than three dogs that are more than five months of age except in a place or places where animals are impounded or restrained, as specified in this section. If a total of more than three dogs are owned, harbored or kept in or by any one household, the head of the household shall be deemed the person so owning, harboring or keeping such animals, notwithstanding that the dog license or licenses may be issued to other members of the household as owners of such dogs.

[Amended 8-2-2007 by Ord. No. 2007-17]

K. Penalties. In addition to other penalties provided in this section, a dog owner who fails to have a dog vaccinated against rabies, as provided in this section, shall, upon conviction, forfeit not less than $50 nor more than $100.

§ 126-5. Animal bites; quarantine; setting animals at large.

A. Duty to report animal bite. Every person, including the owner or person harboring or keeping a dog, cat or other animal, who knows that such animal has bitten any person shall immediately report such fact to the Police Department.

B. Quarantine or sacrifice of animals suspected of biting a person or being infected with rabies.

(1) Quarantine or sacrifice of animal. A police officer may order a dog, cat or other animal quarantined if he 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 animal cannot be captured, the officer may kill the animal. The officer may kill an animal only as a last resort or if the owner agrees. The officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head.

[Amended 9-20-2007 by Ord. No. 2007-18]

(2) Quarantine order. If a quarantine is ordered, the owner of the dog, cat or other animal shall be subject to the provisions of § 95.21(5), (6) and (8), Wis. Stats.

C. Setting animals at large prohibited. No person shall open any door or gate of any private premises for the purpose of setting any dog, cat or other animal at large, except the owner of such animal.

D. Refusal to comply with quarantine order. An owner of a dog, cat or other animal who refuses to comply with an order issued under this section to deliver the animal to a police officer, the pound designated by the Council, or veterinarian, or who does not comply with the conditions of an order that the animal be quarantined, shall, upon conviction, forfeit not less than $100 nor more than $1,000 and, on default, imprisonment for not more than 60 days pursuant to § 95.21(10)(b), Wis. Stats.

[Amended 9-20-2007 by Ord. No. 2007-18]