

CHAPTER XVI.

ANIMALS AND KENNELS

SECTION 16.00. Provisions of State Law Adopted by Reference. Except as otherwise specifically provided in this chapter, the statutory provisions hereinafter set forth describing and defining regulations pertaining to animals, exclusive of any regulations for which the statutory penalty is a term of imprisonment and exclusive of provisions setting the dollar amounts of penalties, are hereby adopted and by reference made a part of this chapter as though fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this Code. The statutory provisions herein adopted are as follows:

- Section 95.21, Rabies Control Program
- Section 174.042, Dogs Running at Large and Untagged Dogs Subject to Impoundment.
- Chapter 951, Crimes Against Animals

SECTION 16.10. Proximity to Dwellings of Others. No person, firm or corporation having in his or its possession or under his or its control any animal or fowl (other than dogs, cats and other housepets) shall allow the same to be kept closer than 200 feet to any dwelling house other than that of such person, firm or corporation.

SECTION 16.20. Raising and Keeping Domestic Animals in Residential Area. No person, firm or corporation shall raise or propagate domestic animals of any kind, except dogs and cats (which dogs and cats shall be limited to no more than three total per dwelling) unless a kennel license has been obtained, or maintain facilities for such purpose within any platted subdivision or within any residential district within the corporate limits of the Town of Wheatland, Kenosha County, Wisconsin, without first obtaining a permit to do so from the Town Board of said Town.

- a. The determination of whether an area, lot(s), or parcel(s) constitutes a "residential district" as provided above shall be in the sole discretion of the Town Board of the Town of Wheatland, Kenosha County, Wisconsin.
- b. Any person desiring a permit herein shall make application in writing to the said Town Board, which application shall be signed by the applicant and shall set forth the name and residence of the applicant, a correct and accurate description of the premises for which the permit is asked and a statement of the purposes in detail for which the permit is being asked, and also enumerate the number of fowl or animals desired to be kept on said premises.

- c. The Town Board may issue or deny such permit taking into consideration the particular premises, the neighborhood in which such premises are located, their proximity to dwellings and business places, their effect upon the public health and the effect that the keeping and maintaining of such fowl or animals may have upon the enjoyment of the adjoining property in the neighborhood or area. Such permit may be issued subject to any conditions the Town Board may impose upon payment of a permit fee of \$50.00.
- d. Such permit shall be issued for an indefinite term. The permit shall be effective only to the person to whom the same is issued and upon the premises described in the application.
- e. Any permit issued hereunder may be cancelled or revoked by the Town Board at any time after the issuance of the same upon giving to such applicant, or any person in possession of the premises, 15 days notice of such cancellation or revocation by personal service or registered mail addressed to the applicant at the permitted premises.

SECTION 16.30. Kennel License. No person, firm or corporation shall keep, own or operate a kennel within the corporate limits of the Town of Wheatland, Kenosha county, Wisconsin without first obtaining a kennel license to do so from the Town Board of said Town.

- a. The term "kennel" means any establishment wherein or whereon four or more dogs or cats are kept for any purpose.
- b. Any person desiring a license herein, shall make application in writing to the said Town Board, which application shall be signed by the applicant and shall set forth the name and residence of the applicant, a correct and accurate description of the premises for which the license is asked, and a statement of the purposes in detail and a description of the facilities in detail for which the license is being asked, including the number of animals desired to be kept on said premises.
- c. Upon the filing of the application, the Town Board or other designated Town official shall inspect the premises. Thereafter, the Town Board may issue or deny such license, taking into consideration the particular premises, the applicant, the effect upon the adjoining and adjacent property owners, and the interests of public health, safety and welfare. Such license may be issued subject to any conditions the Town Board may impose upon payment of a license fee of \$125.00.

- d. Any license issued hereunder shall be for a term of two (2) years and shall be subject to renewal upon application to the Town Board and payment of the required license fee. The license shall be effective only to the person to whom the same is issued and upon the premises described in the application.
- e. Any license issued hereunder may be cancelled or revoked by the Town Board at any time after the issuance of the same upon giving to such applicant, or any person in possession of the premises fifteen (15) days notice of such cancellation or revocation by personal service or by registered mail addressed to the applicant at the licensed premises.

SECTION 16.40. Penalty Provisions.

- a. Any person who shall violate any of the provisions of this ordinance shall upon conviction of such violation forfeit not less than \$25.00 nor more than \$500.00 together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail for Kenosha County, Wisconsin, for not more than thirty (30) days.
- b. Each violation and each day violation continues or occurs shall constitute a separate offense. Nothing in this ordinance shall preclude the Town of Wheatland, Kenosha County, Wisconsin, from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance by injunction.