

Chapter 8

ANIMALS

[HISTORY: Adopted by the Common Council of the City of Buffalo City as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. 232.

ARTICLE I

Keeping of Bees

[Adopted 10-14-1963 by Ord. No. 50: Amended 8-15-2016]

§ 8-1. Prohibited acts.

No person shall keep or permit the keeping of, within the City limits of the City of Buffalo City without a permit from the City. A maximum of 2 hives will be allowed at any given time.

§ 8-2. Violations and penalties.

Any person violating any of the provisions of this article shall forfeit to the City of Buffalo City a sum not exceeding \$25, and each day during which the violation of any of the provisions of this article continues shall be considered a separate offense.

ARTICLE II

Keeping of Chickens

[Adopted 8-15-2016]

§ 8-3. Keeping of chickens.

Up to ten chickens may be kept on any property at one time. No roosters are allowed.

§ 8-4. Violations and penalties.

Upon written complaint of any annoyance or disturbance having to do with chickens by at least three persons residing in the City of Buffalo City, Wisconsin, the City Police Officer, or his designated agent, shall take the necessary action to abate such annoyance or disturbance. Any person violating any of the provisions in this article shall forfeit to the City of Buffalo City a sum not exceeding \$25, and each day during which the violation of any of the provisions of this article continues shall be considered a separate offense.

ARTICLE III
Keeping of Horses, Animals of Husbandry and Exotic Animals
[Adopted 4-9-1974 by Ord. No. 71: Amended 8-15-2016]

§ 8-5. Definitions.

EXOTIC ANIMALS – Animals that include poisonous reptile, dangerous or wild animal or insect, including, but not limited to, poisonous insects and arachnids, all venomous snakes, constrictor snakes, and snake exceeding four feet in length, non-human primates, bears, crocodiles, alligators, monitor lizards, bats, wild and domestic animal hybrids such as coyote/dog, coyotes, elephants, gamecocks and other fighting birds, hippopotami, hyenas, jaguars, leopards, lions, lynx, pumas, cougars, mountain lions, panthers, ocelots, tigers or other wild feline species, wolves or prairie dogs.

HUSBANDRY, ANIMALS OF - Any warm-blooded animal normally raised or kept on farms in the United States and used for food or fiber or used to produce food or fiber, including but not limited to cows, horses, mules, ponies, donkeys, goats, sheep, roosters, rabbits and animals raised for fur-bearing purposes.

§ 8-6. Prohibited acts.

After the passage and publication of this article, no animals of husbandry (other than up to 10 chickens) may be kept, stabled, pastured, or maintained anywhere within the corporate limits of the City of Buffalo City, Wisconsin, for any purpose whatsoever.

§ 8-7. Keeping of wild and exotic animals.

Keeping wild and exotic animals is prohibited. No person shall keep, maintain or have in possession or control any of the animals defined above.

§ 8-8. Effect on existing animals of husbandry, chickens.

As to horses and any other animals of husbandry, that are presently being kept, stabled, pastured, or maintained within the corporate limits of the City of Buffalo City, Wisconsin, these animals may remain so long as they do not constitute a nuisance, but they may not be replaced upon their death or sale and they may not be traded for any new or different horses or other animals of husbandry.

§ 8-9. Violations and penalties.

The violation of any of the above provisions of this article shall constitute a nuisance. Any person, firm, or corporation violating any provision of this article shall forfeit to the City of Buffalo City, Wisconsin, a fee in the sum of \$100 for the first offense and \$50 for each additional offense; a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any of the provisions of this article may be required, upon conviction, to forfeit not only the sum of \$100 for the first offense and \$50 for each additional offense, but also the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the county jail of

Buffalo County until said forfeiture and costs are paid, but not to exceed 30 days for each violation.

ARTICLE IV
Dog Control

[Adopted 7-9-1979 by Ord. No. 74; Amended 8-15-2016]

§ 8-10. Running at large.

Any dog, whether licensed or not, which is allowed to run at large off the premises of the owner and which is not accompanied by the owner or someone in charge of the animal who shall have it under control at all times shall be deemed to be a public nuisance, whether such offense occurs during the daytime or at night. Any such animal which shall be found running at large off the premises of the owner, if the owner thereof is known, or if the owner thereof is not known, any animal found running on the public streets in the City of Buffalo City, Wisconsin, or on premises of persons in said City who are known not to be the owner of such animal and are not willingly allowing the animal on their property shall if possible be forthwith taken into custody by the City Police Officer, or by any other law enforcement officer designated by him, who shall forthwith impound such animal in the Municipal Dog Pound in the City of Buffalo City, Wisconsin.

§ 8-11. Entry on private property.

Any dog, whether licensed or not, unaccompanied by its owner or keeper, which enters the garden, lawn, field, pasture, meadow or farm enclosure or the dwelling or other building of a resident, or the mercantile building of a businessman in this City without the private property owner's permission, shall constitute a private nuisance, and the owner or tenant of such entered property may seize and impound such dog while therein, or call the City Police Officer, or his designated agent, to impound such dog. Any such dog actually seized and impounded by a private citizen shall be turned over to the City Police Officer, or his designated agent, as soon as possible after such seizure. The fact that a dog is licensed does not permit him to enter or trespass upon the private property of others.

§ 8-12. Impoundment; redemption.¹

The owner of the animal so impounded shall be notified forthwith by the impounding officer, if known to him, by personal notice to such owner or by regular mail, and advised of the facts. The owner of such animal may redeem the impounded animal at any time within five days from the date of receiving notice of such impounding upon payment to the City Police Officer of the City of Buffalo City, Wisconsin, or his designated agent, of a per-day fee as set by the Common Council. Said fee shall be paid by the owner of such animal to the City Police Officer, or his designated agent, for each day, or part of a day, that the dog remains in the Municipal Dog Pound. In addition, there shall be exhibited to the custodian of the pound a current dog license for any dog. All such fees collected by the City Police Officer, or his designated agent, shall be turned over to the City Treasurer of the City of Buffalo City, Wisconsin, at least monthly and an accurate record shall be kept of all fees collected.

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 8-13. Notice of impoundment; redemption; unclaimed dogs. ²

If the owner of the animal impounded is not known to the impounding officer, notice of the impounding of such animal will appear in the official City newspaper and such animal may be redeemed by the owner in the same manner upon the payment of the foregoing and any additional expenses of publishing notice. If the owner of any such animal be unknown or cannot be ascertained, then the impounding officer shall, in addition to the publication of the notice of the impounding as aforesaid, post written notice in three public places in the City, giving a description of the dog, stating where it is impounded and the conditions for its release, such posting of notice to be made within 48 hours of the time of the impounding, Sundays excepted. If after seven days the owner does not claim such dog, such officer shall dispose of the dog in a proper and humane manner.

§ 8-14. Dogs advertised lost.

The impounding officer shall carefully read the "Lost and Found" column of the local weekly newspaper and of the neighboring daily newspaper having general circulation in the community to determine whether or not a dog is therein advertised which answers the description of any such impounded dog and shall promptly communicate with the advertiser thereof if such be found.

§ 8-15. Disposal of unclaimed dogs

If the person who is known to the impounding officer to be the owner of the animal so impounded does not redeem such animal in the prescribed manner and within the required period, then such impounding officer shall dispose of the dog in a proper and humane manner.

§ 8-16. License required.

Every dog shall carry the proper license tag attached to its collar and any dog not carrying the proper license shall be presumed to be unlicensed and its owner must produce positive proof that the dog is, in fact, licensed. A maximum of three dogs will be allowed licensed per residential property in the City of Buffalo City. Young dogs shall be vaccinated within thirty days after they have reached the age of five months. All unvaccinated dogs acquired or which move into the City must be vaccinated within thirty days after purchase or after arrival, and each dog must remain and show proof of current rabies vaccine when re-registering each year. Must show proof of rabies vaccine to be licensed. The officer with the authority to impound, or any duly authorized agent, shall seize, impound or restrain any dog for the keeping of which no license has been issued and for which one is required, or seize, impound or restrain any dog found running at large during the daytime or at night, and any such officer may enter the premises of the owner to seize and impound any unlicensed dog and any dog which is known to have habitually been running at large.

§ 8-17. Recordkeeping.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

Every officer who impounds a dog shall keep a record of every dog impounded, redeemed, sold or otherwise disposed of, describing the dog with reasonable certainty of identification and listing the name and address of the party to whom sold or delivered or the manner of otherwise disposing of the dog. In addition, any person to whom such dog is sold or delivered must sign a statement to that effect giving his name, address and the date of delivery or receipt of such dog.

§ 8-18. Separate offenses.

Each and every impounding of any dog found running at large off the premises of the owner in the City of Buffalo City, Wisconsin, shall constitute a separate offense, and a separate penalty shall be paid for each such offense in the amount hereinbefore set forth.

§ 8-19. Noisy dogs.

It shall be unlawful for any person to own, keep, have in his possession, or harbor any dog which, by frequent or habitual howling, yelping, barking or otherwise, shall cause serious annoyance or disturbance to persons in the neighborhood. Upon written complaint of such annoyance or disturbance by at least three persons residing in the City of Buffalo City, Wisconsin, the City Police Officer, or his designated agent, shall take the necessary action to abate such annoyance or disturbance.

§ 8-20. Dogs which bite.

Biting dogs will be referred to the Buffalo County Sheriff's Department following guidelines set by the State of Wisconsin and Buffalo County Ordinance #09-04-02, Section 4 – Harm or Injury reading “No cat, dog or any other domestic animal shall attack persons, other domestic animals or destroy property other than the property of the owner of such animal. No owner of a cat, dog or other domestic animal shall permit such cat, dog or other domestic animal to attack persons or domestic animals or to place any person in reasonable fear of attack or injury.”

§ 8-21. Animal feces.

The owner, keeper, walker or person in charge of any dog, cat 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.

§ 8-22. Violations and penalties.

Any persons who shall violate any of the provisions of the above article shall be liable to a penalty of not less than \$50 nor more than \$100 for each separate offense, plus costs of prosecution, which penalty is in addition to any impoundment charges heretofore expressed.