

**ORDINANCE NO. 2022-01**

**AN ORDINANCE TO AMEND SECTION 6.21 REGARDING DOGS AND CATS**

The Town Board of the Town of Lodi, Columbia County, Wisconsin, does hereby ordain as follows:

**WHEREAS**, the Town of Lodi recognizes that nuisance animals exist and can present challenges to citizens and law enforcement; and

**WHEREAS**, the Town of Lodi wishes to clarify responsibilities and duties regarding such nuisance animals; and

**WHEREAS**, the Town of Lodi Code of Ordinances does not contain provisions regarding the handling of stray cats.

**NOW, THEREFORE, BE IT RESOLVED**, that Section 6.21 of Chapter 6, Licensing and Regulation, be hereby amended to read as follows:

1. Section 6.21 retitled – **Dogs and Cats Regulated**; and
2. Section 6.21 (f) shall be amended as follows:

(f) **Unlawful Conduct.**

(1) It shall be unlawful for any person owning, keeping, or harboring any dog, to permit such a dog to run at large within the limits of the Town, unless being used for hunting or farming purposes. A dog shall be deemed to be at large when it is off the premises of the owner or keeper unless under the control of a person by means of a chain, rope, or cord of sufficient strength to control the action of the dog.

(2) No person shall own or keep any dog in the Town that:

- (A) Habitually pursues vehicles on highways, roads, streets and alleys in the Town;
- (B) Assaults or attacks physically persons in the Town;
- (C) Bites persons in the Town;
- (D) Habitually barks or habitually howls to the disturbance and annoyance of at least two (2) persons residing in the Town;
- (E) Is not wearing a Columbia County license tag attached to its collar.

(3) Any ~~dog~~animal running at large may be impounded by any Town Humane Officer, Town Official or Public Official.

(4) Any ~~dog~~animal biting a person in the Town, shall be reported by the Owner or any other person witnessing the ~~dog~~bite. This report shall be made to the Town Constable,

Town Clerk ~~Treasurer~~ or other law enforcement agency. The animal~~dog~~ will be immediately confined as per State Statute. The ~~dog~~animal will not be released to the owner until the Town Constable or other Town officer approves the release.

~~(5) Dogs that are apprehended and confined shall be kept by the Town for at least seven (7) days at the Town pound, unless released by the Town and claimed by the owner. After the time period noted herein, the dog will either be sold for inoculation, apprehension, confinement, boarding and care costs or it will be destroyed in a careful, proper and humane manner. The owner shall pay all animal transport mileage fees, boarding fees, veterinarian and inoculations fees, and license fees prior to release. Dog may not be released pending the disposition of citations. The owner shall pay the above noted costs incurred by the Town to the Town Clerk Treasurer, regardless of the disposition of the dog.~~

~~(6) For each day of impound, an impounding fee and boarding fee shall be paid by the owner, together with a per day boarding fee for each day or fraction thereof, that such dog is impounded, not to exceed seven days. Impounding and boarding fees shall be received or approved annually by the Town Board.~~

(3) Section 6.21 (g) shall be created to read as follows:

(g) **Dog and Cat Impoundment.**

(1) IMPOUNDING DOGS. Any dog found to be running at large shall be seized, restrained, impounded and disposed of as provided herein, by any law enforcement officer, the Town Board Chair, or any Town Board Member, or any other officer or employee of the Town, and any such dog may be seized, restrained, and held by any person for such law enforcement officers, Town Board Chair, or Town Board Member or any other Town officer or employee. Any person not a law enforcement officer or other Town officer or employee seizing and restraining such animal shall notify a law enforcement officer within eight hours of such seizure or restraint and a law enforcement officer shall arrange for the prompt impounding of such animal. A pound, organization, or officer who is notified or to whom the dog is delivered shall attempt to notify the owner personally or by mail as soon as possible if the owner is known or can be ascertained with reasonable effort. The officer or pound who is notified or to whom the dog is delivered shall check the lost and found column of the local daily newspapers having general circulation in the community to determine if an dog is advertised that matches the description of the dog. The officer or pound who is notified and to whom the dog is delivered shall keep a record of each dog, giving a description of the dog, the dates of its impoundment, if any, and the disposition of the dog. If the dog is released to a person, the record shall include the name, address, and date of delivery of the dog. This is a public record. All dogs impounded shall be impounded at a facility designated by the Town of Lodi for the impounding of animals.

(2) IMPOUNDING CATS WITH CURRENT VISIBLE IDENTIFICATION. Any cat found to be running at large that has current identification shall be seized, restrained,



impounded and disposed of as provided herein, by any law enforcement officer, the Town Board Chair, or any Town Board Member, or any other officer or employee of the Town, and any such cat that has current identification may be seized, restrained, and held by any person for such law enforcement officers or any other Town officer or employee. Any person not a law enforcement officer or Town officer or employee seizing and restraining such cat shall notify a law enforcement officer within eight hours of such seizure or restraint and such law enforcement officer shall arrange for the prompt impounding of such cat. A pound, organization, or officer who is notified or to whom the cat is delivered shall attempt to notify the owner as soon as possible if the owner is known or can be ascertained with reasonable effort. The officer or pound who is notified or to whom the cat is delivered shall check the lost and found column of the local daily newspapers having general circulation in the community to determine if a cat is advertised that matches the description of the cat. The officer or pound who is notified and to whom the cat is delivered shall keep a record of each cat, giving a description of the cat, the dates of its impoundment, if any, and the disposition of the cat. If the cat is kept by or released to a person, the record shall include the name, address, and date of delivery of the cat. This is a public record. All cats impounded by law enforcement officers or any other city officer or employee shall be impounded at a facility designated by the Town of Lodi for the impounding of animals.

(3) **IMPOUNDING CATS WITHOUT CURRENT VISIBLE IDENTIFICATION.** Any cat found to be running at large that does not have current identification may be seized, restrained, and held by any person. Any person not a law enforcement officer or other city officer or employee seizing and restraining such cat shall within eight hours of such seizure or restraint either deliver the cat for the prompt impounding at the designated impoundment facility or release such cat. A pound or organization to whom the cat is delivered shall attempt to notify the owner as soon as possible if the owner is known or can be ascertained with reasonable effort. The pound where the cat is delivered shall keep a record of each cat, giving a description of the cat, the dates of its impoundment, if any, and the disposition of the cat. If the cat is kept by or released to a person, the record shall include the name, address, and date of delivery of the cat. This is a public record.

(4) **CONDITIONS OF RELEASE.** The officer or pound to whom an animal is delivered may release the animal to its owner or representative of the owner if:

- (a) The owner or representative gives his or her name and address; and
- (b) The owner or representative presents evidence that the animal is duly licensed in the Town of Lodi or in the municipality of residence of the owner, and presents evidence that the animal is vaccinated against rabies or a receipt from a licensed veterinarian for prepayment of a rabies inoculation; and
- (c) Animals that are apprehended and confined shall be kept by the Town or its designated facility for at least seven (7) days, unless released by the Town and claimed by the owner. After the time period noted herein, the animal will either be sold for inoculation, apprehension, confinement, boarding and care costs or it will

be destroyed in a careful, proper and humane manner. The owner shall pay all animal transport mileage fees, boarding fees, veterinarian and inoculations fees, and license fees prior to release. Animals may not be released pending the disposition of citations. The owner shall pay the above noted costs incurred by the Town to the Town Clerk ~~Treasurer~~, regardless of the disposition of the dog; and

(d) For each day of impound, an impounding fee and boarding fee shall be paid by the owner, together with a per day boarding fee for each day or fraction thereof, that such dog is impounded, not to exceed seven days. Impounding and boarding fees shall be received or approved annually by the Town Board.


**EFFECTIVE DATE**


This ordinance shall take effect and be in force from and after passage and publication as required by law.

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Lodi held on the 12 day of April 2022.


**TOWN OF LODI**

  
James Brooks, Town Chairperson

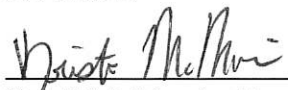
  
Chad Wolter, Supervisor 1

  
Tom Marx, Supervisor 2

  
Marc Hamilton, Supervisor 3

  
Karla Faust, Supervisor 4

ATTEST:

  
Kristi McMorris, Town Clerk

VOTE:

AYES: 5

NOES: 0

ADOPTED: 4/12/2022

PUBLISHED: 5/12/2022

[4880-0613-0188, v. 14864-6530-6374, v. 1](#)