

Article III. Care And Control

State Law reference— Animals, Wis. Stat. ch. 95 and Wis. Stat. ch. 174.

Division 1. Generally

Sec. 6-81. Neglected or abandoned animals; police powers.

- (a) No person may abandon any animal.
- (b) The Humane Officer may remove, shelter and care for any 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.
- (c) If the owner or custodian is unknown and cannot with reasonable effort be ascertained, or does not within five days after notice redeem the animal by paying the expenses incurred, the animal may be treated as a stray and dealt with as such.
- (d) Whenever in the opinion of any such officer an animal is hopelessly injured or diseased so as to be beyond the probability of recovery it shall be lawful for such officer to kill such animal.

(Code 1982, § 9.08(2)(e))

State law reference— Care and custody of animals, Wis. Stat. § 173.13 and Wis. Stat. § 173.15.

Sec. 6-82. Providing proper food and drink to confined animals.

No person owning or responsible for confining or impounding any animal may fail to supply the animal with a sufficient supply of food and water as prescribed in this section.

- (1) *Food.* The food shall be sufficient to maintain all animals in good health, free of contamination, wholesome and palatable.
- (2) *Water.* Adequate water shall be provided at all times.

(Code 1982, § 9.08(2)(f))

Sec. 6-83. Providing 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.

- (1) *Indoor standards.* Minimum indoor standards of shelter shall include:
- a. *Ambient temperatures.* The ambient temperature shall be compatible with the health of the animal.
 - b. *Ventilation.* Indoor housing facilities shall be adequately ventilated by natural or mechanical means to provide for the health of the animals at all times.
- (2) *Outdoor standards.* Minimum outdoor standards of shelter shall include:
- a. *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 subsection, the term "caged" does not include farm fencing used to confine farm animals.
 - b. *Shelter from inclement weather.*
 1. *Animals generally.* 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.
 2. *Dogs.* 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 shall be provided.
- (3) *Space standards.* Minimum space requirements for both indoor and outdoor enclosures shall include:
- a. *Structural strength.* The housing facilities shall be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals.
 - b. *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.
- (4) *Sanitation standards.* 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. Such enclosures shall be free of standing water and mud.

(Code 1982, § 9.08(2)(g))

Sec. 6-84. Cruelty.

- (a) *Cruelty generally.* No person shall willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse or cruelly beat, strike or abuse an animal, or by any act, or omission or neglect cause or inflict any unnecessary or unjustifiable pain, suffering, injuries or death

to any animal, whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animals should be delivered to the humane society for proper disposal.

- (b) *Use of poisonous and controlled substances.* No person may expose any domestic animal owned by another to any known poisonous substance, any controlled substance included in schedule I, II, III, IV or V of Wis. Stat. ch. 961 or any controlled substance analog of a controlled substance included in schedule I or II of Wis. Stat. ch. 961, whether mixed with meat or other food or not, so that the substance is liable to be eaten by the animal and for the purpose of harming the animal. This section shall not apply to poison used on one's own premises and designed for the purpose of rodent or pest extermination nor to the use of a controlled substance in bona fide experiments carried on for scientific research or in accepted veterinary practices.
- (c) *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 burr, tack burr 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.
- (d) *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 manmade enclosure, regardless of size.
- (e) *Leading an animal from a motor vehicle.* No person shall lead any animal upon a highway from a motor vehicle, or from a trailer or a semitrailer drawn by a motor vehicle.

(Code 1982, § 9.08(2)(h))

State law reference— Crimes against animals, Wis. Stat. ch. 951.

Sec. 6-85. Vehicle accidents.

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

(Code 1982, § 9.08(2)(l))

Cross reference— Traffic and vehicles, ch. 50.

Sec. 6-86. Care of horses.

- (a) *Responsibility.* The owner of a horse shall be responsible at all times for the care and welfare of such horse.
- (b) *Shade in pastures.* All horses kept in pastures without access to barn facilities during the months of April to October, inclusive, shall have access to an area shaded from direct

sunlight.

- (c) *Barns.* The stalls wherein horses are kept shall be kept reasonably clean. An adequate supply of bedding of straw or comparable material shall be kept in the stalls at all times.
- (d) *Food and water.* Proper feed of an adequate amount and adequate water shall be provided to horses at all times. When the usual water supply becomes frozen, water shall be provided to horses twice a day in such amounts as will permit each horse to drink his fill.
- (e) *Defects.* A horse adjudged by a law enforcement officer, or other person designated by the village board, to be sick, lame or injured shall not be used for work or recreation.

(Code 1982, § 9.08(2)(m))