

**ORDINANCE NO. 2024-04
VILLAGE OF CALEDONIA**

**AN ORDINANCE TO AMEND TITLE 7, CHAPTER 1, SECTIONS 1 AND 6 RELATED
TO DOGS AND FARM ANIMALS AT LARGE.**

The Village Board of the Village of Caledonia, Racine County, do ordain as follows:

1. That Section 7-1-1(b) of the code of ordinances for the Village of Caledonia “DOG LICENSES REQUIRED; DEFINITIONS; ADOPTION OF STATUTES” be, and hereby is, amended to read as follows:

- “(b) **Definitions.** In this Chapter, unless the context or subject matter otherwise require:
- (1) "Owner" shall mean any person owning, harboring, or keeping an animal and the occupant of any premises on which an animal remains or to which it customarily returns daily for a period of ten (10) days. An occupant of any premises on which an animal remains or to which it customarily returns daily for a period of ten (10) days is presumed to be harboring or keeping the animal within the meaning of this Section.
 - (2) "Dog at Large" means an dog that is off the premises of the owner and not under the control of some person by Leash or other control. A dog within an automobile or trailer of its owner, or in an automobile of any other person with the consent of the owner of said dog, shall not be an dog at Large.
 - (3) "Dog" shall mean any canine, regardless of age or sex.
 - (4) "Cat" shall mean any; feline, regardless of age or sex.
 - (5) "Neutered" as used herein as describing a dog or cat shall mean a dog or cat having nonfunctional reproductive organs.
 - (6) "Animal" means mammals, reptiles and birds that are owned by an individual. Wild animals are not under this definition in this Chapter.
 - (7) "Cruel" means causing unnecessary and excessive pain or suffering or unjustifiable injury or death.
 - (8) "Law Enforcement Officer" has that meaning as appears in Wis. Stat. Sec. 967.02(5), and includes a humane officer under Wis. Stat. Sec. 58.07, but does not include a conservation warden appointed under Wis. Stat. Sec. 23.10.
 - (9) "Farm Animal" means any warm-blooded animal normally raised on farms in the United States or any animal used for food or fiber, including but not limited to horses, cows, and sheep.
 - (10) "Pet" means an animal kept and treated as a pet.
 - (11) "Leash" means a cord, thong or chain not more than ten (10) feet in length by which an Animal is controlled by the person accompanying it.
 - (12) "Primary enclosure" means a barn, fence, or other structure that is structurally sound and maintained in good repair to protect an animal from injury, to contain an animal, and to keep predators out. A Primary Enclosure shall be constructed and maintained to include a portion for the animals to remain dry and clean; constructed and maintained so that the animals contained therein have convenient

access to clean food and water; and the floors of the primary enclosures shall be constructed so as to protect an animal's feet and legs from injury.

- (13) "Farm Animal at Large" means a Farm Animal that is one of the following: (1) outside a Primary Enclosure; (2) not under the control of some person over the age of ten (10) by Leash or control. A Farm Animal within a trailer of its owner, or in a trailer of any other person with the consent of the owner of said Farm Animal, shall not be a Farm Animal at Large."

2. That Section 7-1-6(c) of the code of ordinances for the Village of Caledonia "RESTRICTIONS ON KEEPING OF DOGS, CATS, FOWL AND OTHER ANIMALS" be, and hereby is, amended to read as follows:

- "(c) **Dogs at Large Prohibited.** It shall be unlawful for the owner or keeper of any dog to permit or suffer such dog to be at large, which shall mean that it is off the premises of its owner or keeper and upon any public street or alley, any school ground, any public park or upon any other public or private property without the permission of the owner of the property, provided, however, a dog shall not be deemed to be at large if:
- (1) It is attached to a Leash, and the Leash is held by a person competent to govern it of at least ten (10) years of age and prevent it from annoying or worrying pedestrians or trespassing on private property or trespassing on public property where dogs are forbidden; or
 - (2) It is properly restrained within a motor vehicle or trailer."

3. That Section 7-1-6(d) of the code of ordinances for the Village of Caledonia "RESTRICTIONS ON KEEPING OF DOGS, CATS, FOWL AND OTHER ANIMALS" be, and hereby is, amended to read as follows:

- "(d) **Farm Animal At Large.** It shall be unlawful for the owner or keeper of any Farm Animal to permit or suffer a Farm Animal at Large, which shall mean whether on the owner's premises or not, that it is one of the following: (1) outside a Primary Enclosure; (2) not under the control of some person over the age of ten (10) by Leash or control. However, a Farm Animal shall not be deemed to be a Farm Animal at Large if it is properly restrained within a motor vehicle or trailer."

4. That Section 7-1-6(e) of the code of ordinances for the Village of Caledonia "RESTRICTIONS ON KEEPING OF DOGS, CATS, FOWL AND OTHER ANIMALS" be, and hereby is, created to read as follows:

- "(e) **Owner's Liability for Damages and Costs Caused by Animals at large; Penalties.**
- (1) In the event the animal at large is a dog, the provisions of Wis. Stat. Sec. 174.02, relating to the owner's liability for damage caused by dogs together with the penalties therein set forth are hereby adopted and incorporated herein by reference.
 - (2) In the event the animal at large is a Farm Animal, the owner is subject to a forfeitures as outlined in Sec. 7-1-30.

(3) The owner of any animal at-large and/or captured under this Section shall pay, in addition to all penalties outlined in this Section, all veterinarian fees, including but not limited to fees for shots, licensing, room and board, or other costs with collecting and holding an animal at-large.”

5. That this ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 23 day of April, 2024.

VILLAGE OF CALEDONIA

By: Thomas R Weatherston
Thomas Weatherston
Village President

Attest: Jennifer Olsen
Jennifer Olsen
Village Clerk