



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 17-033

AN ORDINANCE AMENDING SECS. 10.103 DEFINITIONS, 10.108 TRANSPORTATION OF ANIMALS, 10.115 NUMBER OF DOGS AND CATS LIMITED, 10.119 ABANDONMENT OF DOMESTIC ANIMALS, 10.122 KENNELS, 10.124 COMMERCIAL ANIMAL ESTABLISHMENT, REPEALING SEC. 10.128 ANIMALS ON OTHER'S PROPERTY AND RENUMBERING AND AMENDING SECTIONS 10.128 THROUGH 10.137 AND CREATING SEC. 10.137 CERTAIN CREATURES FORBIDDEN.

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: The following subsections of Chapter 10, Article I. *Animal Control and Licensing* are hereby amended, recreated and renamed to read as follows:

Sec. 10.103. Definitions.

Animal means any live vertebrate or invertebrate creature either domestic or wild, except a human being, which may be affected by rabies.

Contracted Facility means an animal facility contracted by the Village to provide shelter and care for impounded animals.

Domesticated cat or dog means a cat or dog that is socialized to humans and is appropriate as a companion for humans.

Farm animal/poultry means any warm-blooded animal/fowl normally raised on farms and used or intended for use as food/fiber. This includes: horses, ponies, mules, donkeys, cows, pigs, goats, sheep, chickens, ducks and turkeys.

Impoundment means the confinement of the animal in a humane and safe manner.

Marketplace means a direct farm market where multiple growers can sell their goods directly to the consumer or other market in which multiple sellers convene and offer goods or services for sale at one outdoor location or premises.

Sec. 10.108. Transportation of animals.

No person may transport any animal in or upon any vehicle in a cruel manner. Prima facie evidence of a violation of this section shall be that an animal was left in or upon a vehicle for more than twenty minutes, unless attended by a human being who has attained the age of at least ten years. (See also [Sec. 10.118](#) of this chapter.)

Sec. 10.115. Number of dogs and cats limited.

(a) The keeping of a large number of dogs or cats poses health, safety and public welfare risks and is deemed a public nuisance.

(b) *Cats.* Unless the property owner holds a valid kennel license, valid breeder license or a valid animal fancier license, no individual or family unit living together, firm or corporation shall keep more than the following number of cats over the age of four (4) months on any parcel with the following principal land use as defined by Chapter 94 Zoning, Section 94.4.02:

Residential Land Use Type	Number of Cats Allowed
Manufactured Home Community, Multi-Family Residential, Mixed Use Dwelling Unit	2 per lot
Two-Family Residential	4 per unit
Single-Family Detached Residence	4

(c) *Dogs.* Unless the property owner holds a valid kennel license, valid breeder license, or a valid animal fancier license no individual or family unit living together, firm or corporation shall keep more than the following number of dogs over the age of four (4) months on any parcel with the following principal land use as defined by Chapter 94 Zoning, Section 94.4.02:

Zoning District	Number of Dogs Allowed
Manufactured Home Community, Multi-family Residential, Mixed Use Dwelling Unit	2 per unit

Two-Family Residential	3 per unit
Single-Family Detached Residence	3

(d) ***Grandfather clause.***

(1) Any person who owned, possessed, kept or harbored dogs and/or cats on or before August 8, 2008 in excess of the above allowed number of dogs and/or cats shall be permitted to continue ownership or possession as long as they meet all the requirements set forth under State and Federal Law in addition to those set forth in this Ordinance.

(2) Anyone whose animals fall under the grandfather clause shall have obtained license for the animals within sixty days of the effective date of the original ordinance (August 8, 2008).

- i. Any person who successfully obtains license within sixty days of the adoption of this Ordinance shall be permitted to hold, keep, harbor or maintain the number of animals that person had as of the date of the adoption of this Ordinance but shall not be permitted to increase the number of animals. Following death of the licensed animal, the property owner shall not acquire more animals until they have brought the number of animals down to legal limits through attrition.
- ii. Any person who has not successfully obtained license for their animal within sixty days of the adoption of this Ordinance shall forfeit the right to keep the animal under the grandfather clause and be deemed to unlawfully possess the animal.

Sec. 10.119. Abandonment of domestic animals.

(a) No person shall transport any domestic animal into the village for the purpose of abandoning the animal, and no person shall abandon any domestic animal within the corporate limits of the village.

(b) Any humane officer or police officer may remove, shelter, and care for any animal found to be cruelly exposed to 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. This section shall not preclude any common-law right the keeper may have to recover the cost of distraintment from the owner.

(c) If the owner or custodian is unknown and cannot with reasonable effort be ascertained or does not within five (5) days after notice redeem the animal by paying the expense incurred, it may be treated as a stray and dealt with as such.

(d) This section shall not be interpreted as lengthening the holding time required of any animal control agency, such as described in Sec. [10.135](#) of this chapter.

Sec. 10.122. Kennels.

(a) *Definition.* A kennel is a facility where dogs, cats or other animals are kept for 24 hours or more for boarding, training or similar purposes for compensation. This does not include animal shelters or a facility owned or operated by a veterinarian where animals are boarded only in conjunction with the provision of veterinary care.

(b) *License required.*

(1) It shall be unlawful to operate a kennel in the village without first obtaining a license pursuant to this chapter.

(2) Any person who keeps or operates a kennel shall apply to the village for a license for the keeping or operating of such kennel. Each kennel location operated shall be considered a separate enterprise and each enterprise shall have a license.

(3) A license will be issued and will remain valid as long as the applicant or establishment holding the license or applying for the license complies with all laws and regulations pertaining to the issuance of licenses and pays the required fees.

(4) A license fee shall be paid for the license year for such kennel. Prior to issuance of such license by the village and annually thereafter, the premises shall be inspected by the humane officer to insure that the premises complies with the provisions of this chapter.

(5) A license is valid for 12 months and may be renewed in accordance to (3) and (4) of this subsection.

(6) The license shall be prominently displayed on the premises of the licensed kennel.

(7) The application for a license must contain a statement that the applicant agrees to comply with the standards set forth herein, agrees to allow inspections by humane officers or law enforcement officers of animals and the premises, and a statement whether the applicant has ever been convicted of cruelty to animals.

(8) If the kennel also sells animals for compensation on the premise a separate commercial animal establishment license is required. (See Sec. 10.124 Commercial Animal Establishment).

(9) No license to operate a kennel shall be issued to any person who has been convicted of cruelty to animals.

(10) Licenses issued on the basis of false information supplied by the applicant shall be revoked and operation of the subject kennel shall be terminated upon revocation of the license.

(c) *Application and fee.*

(1) Each person requiring a license under this section shall complete an application form furnished by the village and shall file the completed application with the Village Clerk.

(2) The application forms furnished by the village under this section shall require the following information and such additional information as the village may deem necessary:

- i. The address, parcel square footage and zoning classification of the subject premises;
- ii. A list of the types of animals to be kept on the subject premises;
- iii. The purpose of obtaining the license.

iv. A plot plan showing the location of any dog runs or structures used to house the dogs and parking areas for the customers.

(3) Approval by the Village of building, site and operational plans as set forth in Chapter 94 Article 4 Sec. 94.4.05(12), Chapter 94 Article 16 Secs. 94.16.04 and 94.16.06.

(4) The annual fee to be paid to the village for a kennel license under this section shall be established in the village fee schedule.

(d) ***Grant or denial of license.***

(1) The Community Life and Public Safety (CLPS) Committee shall review the application and shall make a recommendation to the Board of Trustees whether to grant or deny the license based on the material submitted in the application, the submitted operational plan and its compliance with Chapter 94 Article 4 Sec. 94.4.05(12), Chapter 94 Article 16 Secs. 94.16.04 and 94.16.06.

(2) The Village Board, after receiving a recommendation from the CLPS Committee, shall vote to grant or deny the license. In addition to the operational plans of subsection (f) below, the plan commission, CLPS Committee or board may impose additional conditions on the grant of any license under this section; and failure to comply with such conditions may be cause for revocation of the license.

(e) ***Limitations.***

(1) A kennel license may be granted for property zoned as commercial and on residentially zoned property where allowed as a permitted use or by conditional grant.

(f) ***Operations.*** All kennels shall comply with the following standards:

(1) All animals shall be quartered, and the quarters in which the animals are kept shall be maintained in a clean condition and in a good state of repair.

(2) There shall be sufficient clean, dry bedding to meet the needs of each individual animal. Litter and/or bedding material shall be changed as often as necessary and there shall be adequate ventilation to prevent an odor nuisance.

(3) Feces shall be removed from pens and enclosures as often as necessary to prevent unsanitary conditions and odor nuisance.

(4) All cages and enclosures are to be of a nonporous material for easy cleaning and disinfecting and shall have secure latches in good repair. Each cage must be of sufficient size that the animal will have room to stand, turn, and stretch out to its full length.

(5) The floor and walls of any room in which animals are kept shall be covered with impervious, smooth, cleanable surface. The floors and walls shall be cleaned and disinfected as often as necessary to prevent an odor nuisance.

(6) The premises shall be kept free of insect and rodent infestations. Food supplies shall be stored in rodent-proof containers.

(7) Water: There shall be available hot water for washing cages. Fresh drinking water shall be available to all species at all times. All water containers shall be mounted so the animal cannot easily turn them over, and be removable for cleaning.

(8) Feeding: Food for all animals and birds shall be served in a clean dish so mounted that the animal cannot readily tip it over or defecate or urinate in same.

(9) All animals must be fed and watered according to the accepted procedure for that species and cages cleaned every day.

(10) Shade Required: Shade from the direct rays of the sun shall be provided for all animals.

(11) Each bird must have sufficient room to sit on a perch. Perches shall be placed horizontal to each other in the same cage. Cages must be cleaned every day and cages must be disinfected when birds have returned to their owners. Parrots and other large birds shall have separate cages from smaller birds.

(g) ***Term of license.*** Licenses issued under this subsection shall expire annually on June 30. Renewals of licenses may be granted by the Village Board after recommendation by the CLPS Committee.

(h) ***Inspection.***

(1) Humane officers shall be permitted to inspect all kennels and animals therein at any time during the business hours of the establishment or at other reasonable times established in this section.

(2) All reports of such inspections shall be made in writing and maintained by the humane officer.

(3) Humane officers are authorized to enter the structure or premises wherein kennel regulated under this chapter is maintained (or believed to be maintained) at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures.

(4) If the owner or those in possession of a structure or premises wherein a kennel regulated under this chapter is maintained (or believed to be maintained) refuse inspection of said kennel, the humane officer may obtain an inspection warrant from Marathon County Circuit Court or the municipal court in order to determine if the kennel is maintained in accordance with village ordinances.

(5) Refusal to permit inspection shall result in immediate revocation of license to operate a kennel. The humane officer shall give the licensee notice of this action. The licensee may request a hearing before the Village Board with regards to the revocation; such request must be made in writing, to the Village Clerk, within 10 days from the refusal to inspect.

(6) In the event that the humane officers find the kennel in violation of the Animal Welfare Act and/or any section of this chapter, the kennel shall have a 30-day grace period to correct the violation.

(7) Nothing in this section shall inhibit a humane officer from requesting the search and/or seizure of any premises from a court of competent jurisdiction.

(8) **Violations.** Licensees will be allowed 30 days, following written notification of any violations of this subsection or any subsection of this chapter by the humane officer or their designee, to correct any violations. Failure to correct these violations shall result in immediate revocation of the license by the Village board.

(i) ***Appeal; Denial or Revocation of a License.***

(1) Any person who is denied a license or whose license is revoked may appeal the denial or revocation to the Zoning Board of Appeals within 60 days of the date of the denial or revocation of the license.

(2) All requests for appeals must be in writing and addressed to the Clerk; whereupon, the Clerk shall set the appeal for hearing within 45 days of the receipt of the written request.

Sec. 10.124. Commercial Animal Establishment.

(a) *License required.*

- (1) Any person who keeps or operates a commercial animal establishment shall apply to the village for a license for the keeping or operating of such commercial animal establishment. Each establishment operated shall be considered a separate enterprise and each enterprise shall have a license.
- (2) A license will be issued and will remain valid as long as the applicant or establishment holding the license or applying for the license complies with all laws and regulations pertaining to the issuance of licenses and pays the required fees.
- (3) A license fee shall be paid for the license year for such establishment. Prior to issuance of such license by the village and annually thereafter, the premises shall be inspected by the humane officer to insure that the premises complies with the provisions of this chapter.
- (4) A license issued under this subsection shall expire annually on June 30 and may be renewed in accordance to (2) of this subsection.
- (5) The license shall be prominently displayed on the premises of the licensed establishment.
- (6) The application for a license must contain a statement that the applicant agrees to comply with the standards set forth herein, agrees to allow inspections by humane officers or law enforcement officers of animals and the premises, and a statement whether the applicant has ever been convicted of cruelty to animals.

- (7) If the commercial animal establishment also conducts boarding of animals for compensation on the premise a separate kennel license is required. (See [Sec. 10.122](#) Kennels).
 - (8) No license to operate commercial animal establishment shall be issued to any person who has been convicted of cruelty to animals.
 - (9) Licenses issued on the basis of false information supplied by the applicant shall be revoked and operation of the subject commercial animal establishment shall be terminated upon revocation of the license.
- (b) ***License fees.*** The license fees are provided for in the village fee schedule for the following:
- (1) Fees for circus' and transient animal exhibitions:
 - (2) Fees for non-municipal animal shelters/sanctuaries:
 - (3) Fees for pet shops:
 - (4) Fees for any other commercial animal establishments:
- (c) ***Exemptions.***
- (1) Municipal animal shelters shall be exempt from all licenses.
 - (2) Veterinary hospitals shall be exempt from all license fees unless engaged in commercial breeding and/or boarding, excluding hospitalization.
 - (3) Groomers shall be exempt from license fees unless engaged in commercial boarding and/or breeding. (See [Sec. 10.122](#). Kennels)
 - (4) Boarding Kennels licensed under [Sec. 10.122](#). Kennels.
- (d) ***Animal health.*** Each holder shall take reasonable care to release for sale, trade, or adoption only those animals which are free of disease, injuries,

or abnormalities. The humane officer may request an examination by a veterinarian. The following shall deem an animal unfit for sale or release:

- (1) Obvious signs of infectious diseases such as distemper, hepatitis, leptospirosis, rabies, or other similar disease.
 - (2) Obvious signs of nutritional deficiencies which may include rickets, emaciation, etc.
 - (3) Obvious signs of severe parasitism - extreme enough to be influencing general health.
 - (4) Obvious fractures or congenital abnormalities affecting general health of animal.
- (e) ***Operational standards.*** All commercial animal establishments shall comply with the following standards:
- (1) All animals, birds, or fish shall be displayed in a healthy condition or, if ill, removed from display and shall be given appropriate treatment immediately.
 - (2) All animals shall be quartered, and the quarters in which the animals are kept shall be maintained in a clean condition and in a good state of repair.
 - (3) There shall be sufficient clean, dry bedding to meet the needs of each individual animal. Litter and/or bedding material shall be changed as often as necessary and there shall be adequate ventilation to prevent an odor nuisance.
 - (4) Feces shall be removed from pens and enclosures as often as necessary to prevent unsanitary conditions and odor nuisance.
 - (5) All cages and enclosures are to be of a nonporous material for easy cleaning and disinfecting and shall have secure latches in good repair. Each cage must be of sufficient size that the animal will have room to stand, turn, and stretch out to its full length.

- (6) The floor and walls of any room in which animals are kept shall be covered with impervious, smooth, cleanable surface. The floors and walls shall be cleaned and disinfected as often as necessary to prevent an odor nuisance.
 - (7) The premises shall be kept free of insect and rodent infestations. Food supplies shall be stored in rodent-proof containers.
 - (8) Water: There shall be available hot water for washing cages. Fresh drinking water shall be available to all species at all times. All water containers shall be mounted so the animal cannot easily turn them over, and be removable for cleaning.
 - (9) Feeding: Food for all animals and birds shall be served in a clean dish so mounted that the animal cannot readily tip it over or defecate or urinate in same.
 - (10) All animals must be fed and watered according to the accepted procedure for that species and cages cleaned every day.
 - (11) Fish: The water temperature shall be maintained at a temperature that is healthful.
 - (12) Shade Required: Shade from the direct rays of the sun shall be provided for all animals.
 - (13) Each bird must have sufficient room to sit on a perch. Perches shall be placed horizontal to each other in the same cage. Cages must be cleaned every day and cages must be disinfected when birds are sold. Parrots and other large birds shall have separate cages from smaller birds.
- (f) ***Inspection of animals and premises.***
- (1) Humane officers shall be permitted to inspect all commercial animal establishments and animals therein at any time during the business hours of the establishment or at other reasonable times established in this section.

- (2) All reports of such inspections shall be made in writing and maintained by the humane officer.
 - (3) Humane officers are authorized to enter the structure or premises wherein an establishment regulated under this chapter is maintained (or believed to be maintained) at reasonable times to inspect, subject to constitutional restrictions on unreasonable searches and seizures.
 - (4) If the owner or those in possession of a structure or premises wherein an establishment regulated under this chapter is maintained (or believed to be maintained) refuse inspection of said establishment, the humane officer may obtain an inspection warrant from Marathon County Circuit Court or the municipal court in order to determine if the establishment is maintained in accordance with county ordinances.
 - (5) Refusal to permit inspection shall result in immediate revocation of license to operate a commercial animal establishment. The humane officer shall give the licensee notice of this action. The licensee may request a hearing before the Village Board with regards to the revocation; such request must be made in writing, to the Village Clerk, within 10 days from the refusal to inspect.
 - (6) In the event that the humane officers finds the commercial animal establishment in violation of the [Animal Welfare Act](#) and/or any section of this chapter, the commercial animal establishment shall have a 30 day grace period to correct the violation.
 - (7) Nothing in this section shall inhibit a humane officer from requesting the search and/or seizure of any premises from a court of competent jurisdiction.
- (g) *Selling/transfer of animals.*
- (1) It is the duty of the seller to ensure that all animals sold or otherwise transferred are healthy, parasite free, and current with regard to vaccinations at the time of sale or transfer. No animal with disease, injury, or lacking required vaccinations will be sold or transferred without full disclosure to the buyer.

- (2) Dogs or cats under the age of 8 weeks shall not be sold or transferred.
 - (3) Records of all sales or adoptions of animals shall be maintained by the seller for a period of two (2 years). Records will include the date of the transaction, species and breed, date of birth, sex, color and description of the animal, and the name and address and telephone number of the purchaser or adopter. Records shall be available on request to any humane officer.
 - (4) Any violation of this section constitutes an ordinance violation and may also result in the suspension or revocation of license to operate a commercial animal establishment.
 - (5) The Village Board or the humane officer shall give the licensee notice of the violation and of the repercussion of that violation. The licensee request a hearing before the Village Board with regards to suspension or revocation of the license, such request must be made in writing within ten (10) days from when notice is received.
- (h) ***Offensive odors and noises regulated.*** No owner or operator of any establishment for the care, treatment or boarding of any animal in the village shall allow such establishment to be conducted so as to permit any offensive odor or unusual odor to escape from the premises. Nor shall any such owner or operator own, harbor or keep any animal on the premises which habitually barks, howls, yelps or emits other noises to the annoyance of any person. Any such activities prohibited by this section are declared to be a public nuisance.
- (i) ***Violations and penalties.*** Any person or corporation who fails to obtain a license under this section or fails to comply with the provisions of this section or any order of the humane officer issued in accordance with this section, upon conviction, shall be prosecuted for the violation under Sec. 10.139 Penalty. Each day the person fails to obtain the license or each day the violation exists or continues shall constitute a separate offense.
- (j) ***Appeal; Denial or Revocation of a License.***

(1) Any person who is denied a license or whose license is revoked may appeal the denial or revocation to the Zoning Board of Appeals within 60 days of the date of the denial or revocation of the license.

(2) All requests for appeals must be in writing and addressed to the Clerk; whereupon, the Clerk shall set the appeal for hearing within 45 days of the receipt of the written request.

Sec. 10.128. Required removal of animal excreta.

- (a) The owner or person having immediate care, custody or control of any animal shall promptly remove and dispose of, in a sanitary manner, any excreta left or deposited by the animal upon any public or private property.
- (b) No person shall permit animal excreta to accumulate on any real property or premises owned or occupied by such person.
- (c) It is unlawful for any person to permit an animal to be on public property or private property whether or not owned or possessed by such person unless such person has, in his immediate possession, an appropriate means of removing animal excreta.

Sec. 10.129. Animals on owners property.

The accumulation of animal feces or wastes upon private property in the village is declared to be a public nuisance. The owner or occupant of property upon which there exists any accumulation of animal feces or wastes shall remove all such wastes from his premises and dispose of the wastes in a safe and sanitary manner within 24 hours of written notification from a police officer or other designee of the village to remove the wastes. Failure to do so shall be a violation of this section and will subject the owner or occupant of the premises to the penalties set forth in Sec. 10.139 Penalty. Each day that such act exists shall constitute a separate offense.

Sec. 10.130. Impounding of Animals.

The Humane Officer of the village shall have the right to impound every animal, including dogs or cats, found or known to be running at large within the village. The humane officers of the village shall have the right to pursue an animal upon

the premises of the owner or elsewhere. Any person shall have the right to capture and shall deliver to the humane officers any animal found running at large or trespassing upon any grounds, public or private, within the village.

Sec. 10.131. Claiming impounded Animals.

Impounded animals shall be forthwith delivered to the contracted facility by the humane officer or their designee. Any person whose animal has been impounded may obtain the animal's release from the contracted facility by making payment to the contracted facility for all of the latter's costs, charges and/or expenses that were incurred as a result of the animal's impoundment. Every person taking an animal from the contracted facility shall sign a receipt for the animal. If the animal is a dog or cat, the animal must either be vaccinated by a licensed veterinarian or a prepaid rabies certificate from a licensed veterinarian must be presented to the contracted facility before an impounded animal will be released. If the animal is not licensed per Sec. [10.121](#) of this chapter, the owner must obtain a license or a prepaid license through the village prior to the release of the animal. If the owner does not pay fees, expenses, license and reclaim the animal within seven (7) days of being notified of the impoundment, the animal will be put up for adoption without further notification, at the owner's expense. If the animal is adopted, the expenses and fees may be paid by the new owner through adoption fees.

Sec. 10.132. Female animals in season.

Any female dog or cat in season shall be kept confined in a building or secure kennel enclosure, veterinary hospital or boarding kennel during the duration of such season.

Sec. 10.133. Requirements for horse-drawn vehicles.

No horse, pony, mule or other beast of burden shall be allowed on any public street, alley, sidewalk or other public right-of-way or upon public property unless the animal is properly attired to prevent animal waste from being deposited upon such public property or the owner of the animal shall be otherwise responsible for cleanup of all animal waste deposited upon public property by the animal.

Sec. 10.134. Injured animals.

- (a) No person who owns harbors or keeps any animal shall fail to provide proper medical attention to such animal when and if such animal

becomes sick or injured. In the event the owner of such animal cannot be located, the village or any animal control agency with whom the village has an agreement or contract shall have the authority to take custody of such animal for the purpose of providing medical treatment. The owner thereof shall reimburse the persons or organization for the costs of such treatment.

- (b) The operator of any vehicle involved in an accident resulting in injury to or death of a dog, cat or other animal which appears to be a pet shall immediately notify law enforcement officers or an animal control agency whose jurisdiction extends into the village.

Sec. 10.135. Animal control agency.

- (a) The Village Board may contract with or enter into an agreement with such person, persons, organization or corporation to provide for the operation of a village animal shelter, impoundment of stray animals, confinement of certain animals, disposition of impounded animals and for assisting in the administration of rabies vaccinations programs.
- (b) The Village Board delegates to any such animal control agency the authority to act pursuant to the provisions of this chapter.

Sec. 10.136. Partition or line fences.

- (a) ***Maintenance.*** The respective occupants of adjoining lands, used and occupied for farming or grazing purposes, and the respective owners of adjoining lands when the lands of one of such owners is used and occupied for farming or grazing purposes, shall keep and maintain partition fences between their own and next adjoining premises in equal shares so long as either party continues to so occupy the premises; and such fences shall be kept in good repair throughout the year unless the occupants of the land on both sides otherwise mutually agree.
- (b) ***Portion of fence required to be maintained by respective owners or occupants.*** Unless otherwise agreed, as evidenced by agreement in writing made by the owners, signed, sealed and witnessed by two witnesses, or by the fence viewers in writing under their hands, which agreement shall be recorded in the Village Clerk's office, the respective occupants of adjoining lands, used and occupied for farming or grazing

- purposes, and the respective owners of adjoining lands when the lands of one of such owners is used and occupied for farming and grazing purposes, shall keep and maintain as his portion of the partition or line fence whenever practicable that half lying and being to his right as he faces the partition or line fence when standing on his own property or premises unless otherwise determined by the fence viewers.
- (c) **Legal fences.** Legal fences as set out in Wis. Stat. § [90.02](#), and none other, are deemed and declared to be the legal and sufficient fences within the meaning of this section.
 - (d) **Penalty.** Any person violating any of the provisions of this section shall, in addition to the penalties provided for in Wis. Stats. [Chapter 90](#), be punished by a forfeiture of not to exceed \$100.00, together with costs of prosecution, and in default of the payment of such forfeiture and costs, shall be committed to the county jail for a period not to exceed 30 days. Each day that such violation shall continue to exist shall constitute a new and separate offense under this section.

Sec. 10.137. Certain creatures forbidden.

- (a) No person shall bring into, keep, harbor or maintain in the village any bees, wasps, hornets, poisonous snakes, farm animals, wolves or any animal which is in part of the canis lupis species or any animal raised for fur-bearing purposes, unless otherwise permitted in this code or another chapter in the Village Code of Ordinances.
- (b) No person shall possess in any public park or place, including any playground or school ground, any animal or creature other than a domesticated dog or cat. Any such domesticated dog or cat in a public park or place shall be subject to all other applicable restrictions and requirements of this chapter.
- (c) The prohibitions in subsection (a) and (b) of this section do not apply where the animals or creatures are in the care, custody or control of a veterinarian for treatment; agricultural fairs, shows or sales of farm animals/poultry sponsored by an agricultural organization and are no longer than seven days in duration; a display for judging purposes; an itinerant or transient carnival, circus or other like show; dog or cat shows or trials; public or private educational institutions; licensed or accredited

research or medical institutions; retail pet shops; a horse, pony, mule or other beast of burden in connection with a horse-drawn carriage.

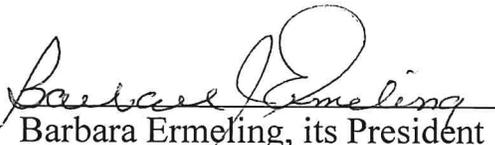
- (d) The person or organization having custody and control of any animal permitted by this section shall be responsible for compliance with all other provisions of this chapter while the animal remains within the village limits.

SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

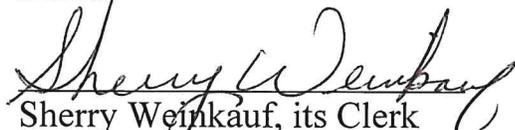
SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of September, 2017

WESTON VILLAGE BOARD

By: 
Barbara Ermeling, its President

Attest:


Sherry Weinkauff, its Clerk

APPROVED: 9/18/17

PUBLISHED: 9/21/17

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on September 18, 2017, Ordinance No. 17-033: An Ordinance Amending Secs. 10.103 Definitions, 10.108 Transportation of Animals, 10.115 Number of Dogs and Cats Limited, 10.119 Abandonment of Domestic Animals, 10.122 Kennels, 10.124 Commercial Animal Establishment, Repealing Sec. 10.128 Animals on Other's Property and Renumbering and Amending Sections 10.128 Through 10.137 and Creating Sec. 10.137 Certain Creatures Forbidden.

The full text of the above Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov>.

Dated this 19th day of September 2017
Sherry Weinkauff, Village Clerk

Published: 9/21/2017

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON WI 544764333

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0002419428
No. of Affidavits: 1
Total Ad Cost: \$16.24
Published Dates: 09/21/17

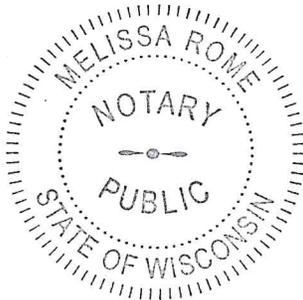
(Signed)



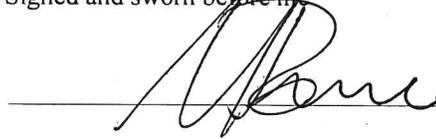
(Date)

9-21-17

Legal Clerk



Signed and sworn before me



My commission expires

1/12/2021

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Dated this 19th day of September 2017
Sherry Weinkauf, Village Clerk
RUN: September 21, 2017 WNAAXLP

Notice of Meetings

WESTON VILLAGE OF

Re: 17-033

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