

**VILLAGE OF MARSHALL
ORDINANCE 2014-01**

**AN ORDINANCE AMENDING MUNICIPAL CODE TITLE 7, CHAPTER 1,
SECTION 1(b) (DOG LICENSE REQUIRED; DEFINITIONS) AND
TITLE 7, CHAPTER 1, SECTION 9 (ANIMAL FECES)**

Ordinance introduced by: Village Administrator on behalf of Village Board

Purpose of ordinance amendment: To redefine the definition for "At Large" in regards to dogs and implementing a leash rule.

The Village Board of the Village of Marshall, Dane County, Wisconsin ordains as follows that Title 7 Chapter 1, Section 1(b) (Dog License Required; Definitions) and Title 7, Chapter 1, Section 9 (Animal Feces) are hereby amended.

(Double underlined areas are being added, strike through areas are being removed)

SEC 7-1-1 DOG LICENSE REQUIRED; DEFINITIONS.

- (a) **License Required.** It shall be unlawful for any person in the Village of Marshall to own, harbor or keep any dog for more than five (5) months of age after July 1 of the license year without complying with the provisions of this Chapter relating to the listing, licensing and tagging of the same.
- (b) **Definitions.** In this Chapter, unless the context or subject matter otherwise require:
- (1) **Owner** shall mean any person owning, harboring or keeping a dog or cat and the occupant of any premises on which a dog or cat remains or to which it customarily returns daily for a period of ten (10) days; such person is presumed to be harboring or keeping the dog or cat within the meaning of this Section.
- (2) ~~**At large** means to be off the premises of the owner and not under the control of some person either by leash or otherwise, but a dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of said dog or cat, shall be deemed to be upon the owner's premises.~~
- (2) **At large means:**
- a) To be off the premises of the owner.
- i. A dog or cat within an automobile of its owner, or in an automobile of any other person with the consent of the owner of said dog or cat, shall be deemed to be upon the owner's premises.
- ii. A dog on or in the Maunasha Waterway is exempt from this definition/rule if the owner has positive control of their animal at all times by one of the following methods: 1) using a physical leash or an operable electronic leash or 2) under voice or an audible command.
- b) and/or not under the physical control of some person by a leash
- c) and/or not confined in a cage or other enclosure sufficient to prevent the animal from initiating uninvited contact with any person.

- d) and/or the animal is on the property of another without consent of that owner.
- (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.
- (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 Sec. 967.02(5), Wis. Stats., and includes a humane officer under Sec. 58.07, Wis. Stats., but does not include a conservation warden appointed under Sec. 23.10, Wis. Stats.
- (9) **Farm Animal** means any warm-blooded animal normally raised on farms in the United States and used for food or fiber.
- (10) **Pet** means an animal kept and treated as a pet.
- (11) **Leash** means a rope or other similar material, not to exceed ten (10) feet in length, attached to the neck or head of an animal, used to walk or control a dog or other animal.
- (12) **Cage** means an enclosed pen, box, or other similar container which prevents the animal from escaping.
- (13) **Physical control** means that the owner or other responsible person is physically restraining the animal in such a way that it is not likely to escape

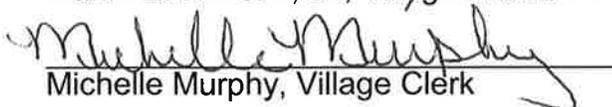
State Law Reference: Sections 174.05 through 174.10, Wis. Stats.

SEC. 7-1-9 ANIMAL FECES.

- (a) **Removal of Fecal Matter.** The owner or person in charge of any dog, cat, horse, or other animal shall not permit solid fecal matter of such animal to deposit on any street, sidewalk, alley, public park, public walkway, trail or other public or private property, unless such matter is immediately removed there from by said owner or person in charge. No person shall walk an animal beyond the limits of his/her own property without carrying or having in his/her possession an item suitable for picking up and removing fecal matter. No person shall dispose of fecal matter on any public property or private property of another. This Section shall not apply to a person who is visually or physically handicapped.
- (b) **Accumulation of Fecal Matter Prohibited on Private Yards.** The owner or person in charge of the dog or cat must also prevent accumulation of animal waste on his own property by regularly patrolling and properly disposing of the fecal matter.

Adopted by a vote of (7) for, (0) against, (0) abstaining, and (0) absent this 11th day of March 2014


 Marlin E. Hensler, Jr., Village President.


 Michelle Murphy, Village Clerk