

**TOWN OF GIBRALTAR**  
**ORDINANCE NO. 1984-02**  
**ORDINANCE ON THE KEEPING OF ANIMALS**

The Town of Gibraltar does hereby in accordance with the Wisconsin State Statutes enact this resolution/ordinance. This ordinance and resolution replaces all prior ordinances and resolution covering the matters contained herein.

1. **PURPOSE.** The keeping of a large number of dogs, cats or other animals in a highly populated residential area for a considerable period of time detracts from and in many instances is detrimental to the health and comfortable life for which such areas were created. The keeping of a large number of dogs, cats, or other animals is therefore declared to be a public nuisance.
2. **DEFINITIONS.**
  - b) Dog. Dog means any canine regardless of age or sex.
  - c) Cat. Cat means any feline regardless of age or sex.
  - d) Residential Lot. Residential Lot means a parcel or land, which for the purposes of this ordinance is located within the unincorporated limits of the village of Fish Creek, which lot is occupied or to be occupied by a dwelling, platted or unplatted, and under common ownership. For the purpose of this section any vacant parcel or parcels adjoining a dwelling and under the same ownership shall constitute one lot. This ordinance shall apply only within the unincorporated limits of Fish Creek in the Town of Gibraltar.
3. **NUMBER OF DOGS AND CATS LIMITED.**
  - b) No family shall own, harbor or keep in its possession more than two dogs or cats within the unincorporated limits of Fish Creek without the prior approval of the Town Board, except that a litter of pups or kittens or a portion of a litter may be kept for not more than eight weeks from birth. If more than one family resides on a residential lot then only 2 dogs or cats shall be allowed on the said lot, unless prior approval is obtained from the Town Board. For purpose of this section, the term “family” shall be defined as one or more persons.
  - c) The above requirement may be waived with the approval of the town board. Such application for waiver shall be made to the town board, who may have a hearing if they wish, and receive reports from the Health Department, Sheriff’s Department, Constable and other members of the public. After deliberations, the town board may waive the requirements.
4. **ANIMALS TO BE CONFINED.**
  - b) No person shall permit any animal (including fowl) of which he is the owner or custodian to be at large within a residential area. Any animal shall be deemed to be at large when it is off the premises owned or leased by its owner, unless crated, penned or on a leash of sufficient strength to control the action of the animal.
  - c) No person shall permit any animal (including fowl) or which he is the owner or custodian to be left unattended within five feet of a public right-of-way.
  - d) Public rights-of-way include, but are not limited to, sidewalks, streets, alleys and parking lots.
  - e) Unattended animals shall include those animals which are crated, penned or leashed, but which are without personal supervision or control sufficient to properly restrain the animal.

5. KENNELS. Where kennels are permitted, no such kennel shall be located closer than 100 feet from the boundary of the nearest adjoining residential lot.
6. ANIMALS SUSPECTED OF BITING PEOPLE.
- a) All incidents occurring in the town where any animal bites a person or is suspected of biting a person shall be immediately reported to the Health Department, the Police Department or Sheriff's Department, the Constable and/or the town board by any person having knowledge of such incident.
  - b) Any animal which bites a person in this town if it can be found shall be quarantined for a period of 14 days from the date of the bite for the purpose of observation for the possibility of infection with the virus of rabies.
  - c) Such quarantine shall be effective as directed by the Health Commissioner or representative and may be:
    - 1) Confinement of the animal to a structure or enclosure which is adequate to restrain the animal on the premises of the owner or his agents, or
    - 2) Confinement of the animal to the dog pound, or
    - 3) Confinement of the animal with a licensed veterinarian, or
    - 4) Confinement of the animal at an approved by hospital or boarding facility, approved by the Health Commission or the town board.
  - d) No animal which is known or suspected to have bitten a person in the town shall be destroyed until after the 14-day quarantine period required above has elapsed unless it cannot be apprehended safely, in which case, destruction shall be accomplished without damage to the head of the animal if at all possible. The Health Commissioner, Constable or member of the town board shall be immediately notified of such destruction of an animal and the dead animal shall not be disposed of until such specimens as the appropriate health authority shall direct have been obtained and permission is given to dispose of the dead animal.
  - e) If an animal which has been quarantined in accordance herein dies during the quarantine period, the person having custody of the animal shall immediately notify the health authorities and shall not destroy or dispose of the dead animal until such specimens as the appropriate health authority shall direct have been obtained and permission is given to then dispose of the dead animal.
7. THE KEEPING OF ANIMALS AND/OR FOWL.
- a) the keeping of animals and/or flow is prohibited except upon permit granted by the Health Commissioner or the town board. In issuing such permit, the Health Commissioner or town board shall consider the number of animals or fowl expected to be kept, their location, the facilities to be used for such purpose and the likelihood of a public or private nuisance being created.
  - b) All stables, coops, yards, pens or other structures wherein an animal or fowl is kept, shall be construction so as to be easily cleaned and kept in good repair. The inside and outside of such structure shall be whitewashed or painted as often as necessary to keep them clean or finished with such materials as can be easily cleaned. All such structures shall be kept clean and sanitary and shall not cause any objectionable odor. Accumulations of cleanings or manure of more than one day's operation in any such structure shall be deemed a violation of this section.

8. PENALTY.

- a) The Door County Sheriff's Department or the Town of Gibraltar Town Constable shall have authority to take restraining action against any animal found to be in violation of this ordinance, which shall include the right to capture said animal and to deliver it to the nearest animal shelter. In addition, if any if any owner can be located said owner shall be notified of the action taken and shall further be notified of a violation of this ordinance if such notice is possible.
- b) The fine for violation of this ordinance shall be not less than \$10.00 nor more than \$100.00 for each violation. After mailing notice of a violation, each day shall constitute a separate and distinct offense.

BE IT RESOLVED THAT THE FOREGOING RESOLUTION BE ADOPTED AND SHALL BE EFFECTIVE UPON PASSAGE/PUBLICATION.

Dated this 7<sup>th</sup> day of May, 1984.

TOWN BOARD FOR THE TOWN OF GIBRALTAR

Ray Slaby, Chairman

Tom Dunn, Clerk

Thomas Kelly, Supervisor

Joseph Biwer, Supervisor