

Chapter 23 ANIMALS

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For additional regulations refer to Wisconsin State Statutes [Ch. 29](#)–Wild Animals and Plants, [Ch. 95](#)– Animal Health, [Ch. 173](#)–Animals; Humane Officers, [Ch. 174](#)–Dogs, and [Ch. 951](#)– Crimes Against Animals.

LINK TO APPLICATION MATERIALS

[Application for Temporary Use of Goats](#)

23.01 REGULATION OF ANIMALS AND FOWL

A. Purpose: The purpose of this chapter is to provide rules and regulations for the keeping of agricultural animals, household pets, and other animals within the Village of Amherst. Animals provide a variety of benefits including a source of local food, fertilizer, pollination, weed and pest control, animal companionship, and other services. Through these regulations, the village supports limited commercial and domestic use of animals while setting standards so that they do not become a public nuisance or health hazard.

B. Regulations: No person, firm or corporation shall keep any of the following within the Village of Amherst, without first obtaining a permit, except on land classified on the Official Village Map as agricultural.

- (1) Mink, fox, skunk or similar fur bearing animals
- (2) Poultry, turkey or fowl
- (3) Pigs, cows, horses or similar animals

C. Sanitary Requirements: All structures, pens, stables, coops, kennels or yards where animals or fowl are kept shall be maintained in a clean and sanitary condition, free of rodents, vermin and objectionable odors.

D. Noisy Animals and Fowl Prohibited: The keeping or harboring of any animal or fowl which engages in frequent or habitual howling, yelping, barking, crowing or making of other noises, so as to create a disturbance, shall be prohibited.

E. Skunks: No person may possess or sell any live wild or domestic skunk except to control the skunk temporarily for removal or transportation from one location to a more appropriate location. A person may kill at any time a wild skunk which is a nuisance. A person who kills an adult skunk with young shall attempt to kill the young skunks also.

The Village of Amherst shall coordinate the trapping of skunks found within the Village through the Portage County Humane Society, with the fees associated with such actions divided equally between the Village and the property owner.

F. Rabies: The cost of testing skunks or other wild animals, killed within the Village, for rabies shall be assumed by the Village of Amherst. The Village President or the Director of Public Works shall authorize such tests as the situations warrant.

Effective: 12-31-82

Revised: 1-20-87

Revised: 4-12-22

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23.02 DOGS

A. Definitions:

- (1) At Large: means to be off the premises of the owner and not under the control of some person either by leash or other tangible visible control, but a dog within an automobile of its owner or in an automobile of any other person with the consent of the dog's owner shall be deemed to be upon the owners premises.
- (2) Collar: means a band, strip or chain placed around the neck of a dog.
- (3) Kennel: any establishment where dogs are kept for the purpose of breeding, sale or sporting purposes.
- (4) License year: The license year commences on January one (1) and ends on the following December thirty one (31).
- (5) Owner: includes any person who owns, harbors or keeps a dog.

B. License Required:

- (1) Requirement: The owner of a dog more than five (5) months of age on January one (1) of any year, or five (5) months of age within the license year, shall annually, on or before the date the dog becomes five (5) months of age, pay the dog license tax and obtain a license.
- (2) Tax: The minimum dog license tax is outlined in a fee schedule found in Chapter 7 - Finance, One-half (1/2) of these amounts will be charged if the dog becomes five (5) months of age after July one (1) of the license year.
- (3) License: Upon payment of the required dog license tax and presentation of evidence that the dog is currently immunized against rabies, the Village Clerk/Treasurer shall complete and issue to the owner a license for the dog. After issuing the license, the Clerk/Treasurer shall deliver to the owner of the dog a tag bearing the same serial number as the license. The owner of the dog shall securely attach the tag to a collar and the collar with the tag shall be kept on the dog for which the license is issued at all times.
- (4) Late Fees: The Village Clerk/Treasurer shall assess and collect a late fee as per the fee schedule in Chapter 7 - Finance from every owner of a dog five (5) months of age or over, if the owner failed to obtain a license prior to April one (1) of each year.

C. Restrictions

- (1) Number of dogs: No one shall keep, own or harbor within the Village of Amherst more than three (3) dogs over five (5) months of age except in a licensed kennel. The keeping of any dog contrary to the provisions of this Chapter constitutes a public nuisance.
- (2) Requirement for rabies vaccination: The owner of a dog shall have the dog vaccinated against rabies by a veterinarian within thirty (30) days after the dog reaches four (4) months of age and revaccinated within one (1) year after the initial vaccination.
 - (a) Issuance of Certificate: A veterinarian who vaccinates a dog against rabies shall complete and issue one copy to the owner of the dog and

keep one copy on file, a certificate of rabies vaccination bearing a serial number, stating the dog owner's name and address; name, sex, breed and color of the dog, date of immunization, type administered, and date immunization expires.

- (b) Issuance of tag: After issuing the certificate of rabies vaccination, the veterinarian shall deliver to the owner of the dog a rabies vaccination tag which shall be attached to the dog's collar and kept on the dog at all times.
- (c) Cost: The owner of the dog shall pay all costs associated with the issuance of a certificate of vaccination and a tag.

D. Power to Seize: Any dog running at large and/or untagged in the Village of Amherst shall be impounded pursuant to Wisconsin State Statute 174.046 which is hereby adopted and made a part of this ordinance by reference.

- (1) Attempt to Notify Owner: The Village Clerk/Treasurer shall attempt to notify the owner personally or by mail as soon as possible if the owner is known or can be ascertained with reasonable effort. The Clerk/Treasurer shall check the lost and found column of the local newspapers and post in three separate locations a description of the dog impounded.
- (2) Records: The Village Clerk/Treasurer shall keep a record of each dog, giving a description of the dog, dates of its impoundment, if any, and the disposition of the dog. If the dog is released to a person the record shall include name, address and date of delivery of the dog. This record is a public record.
- (3) Boarding Fee:
 - (a) The first time the dog is released to the owner shall be without charge. The second time and each subsequent time the dog is released to the owner, a fee of five dollars (\$5.00) shall be charged. The dog may be released if the owner or representative gives his or her name and address, presents evidence that the dog is licensed and vaccinated against rabies or presents a receipt from a licensed veterinarian for prepayment of a rabies inoculation and pays any boarding fees.
 - (b) If after seven (7) days the owner is unknown or does not claim the dog it may be released to a person other than the dog's owner if the person gives his or her name and address, signs a statement agreeing to license the dog and have the dog vaccinated against rabies unless evidence is presented that the dog is already licensed and vaccinated. no boarding fee shall be charged.
 - (c) A dog which is not released to its owner or to a person other than its owner seven (7) days after the dog is delivered to the pound is deemed an unclaimed dog. A designated Village employee may dispose of the unclaimed dog in a proper and humane manner.

E. Assaulting and Injuring a Person: A person may take restraining action with respect to a dog if the dog attacks, assaults or otherwise causes injury to a person while the dog is at-large.

- (1) Restraining Action: Restraining action with respect to a dog includes;
- (a) Notifying Owner: Notifying the dog's owner and requesting that the owner capture and restrain the dog.
 - (b) Notifying Officer: Notifying an officer and requesting that the officer capture and restrain the dog.
 - (c) Capturing the Dog: Capturing and restraining the dog.
 - (d) Killing the Dog: Killing the dog if:
 - (i) it is apparent human life or safety is in imminent danger, and
 - (ii) it appears capture or physical restraint is not feasible.

F. Rabies: A person who suspects that a dog is infected with rabies or has been exposed to rabies infection shall notify an officer who shall take appropriate action as required under Wisconsin State Statute 95.21 which is hereby adopted and made a part of this ordinance by reference

Effective: 12-31-82

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23.03 KENNELS

A. Requirements:

- (1) It shall be unlawful for any person to operate a kennel within the Village of Amherst unless such person shall first obtain a license.
- (2) A licensed kennel shall be a “Conditional use” in the “B-1” General Business District only. (See Chapter 9: Zoning Ordinance)

B. License

- (1) The Plan Commission and the Village Board shall first approve a “Conditional Use” for the kennel.
- (2) The kennel license tax shall be thirty dollars (\$30.00) for the license year.
- (3) Upon payment of the license tax and presentation of evidence that all dogs over five (5) months of age are currently immunized against rabies, the Village Clerk/Treasurer shall issue the kennel license and tags equal to the number of dogs authorized to be kept in the kennel.
- (4) A record shall be kept by the Clerk/Treasurer of the names of persons owning and operating kennels and the number of dogs kept in each.

C. Tags

- (1) Kennel license tags shall be made in a form so that they be readily distinguishable from the individual license tags for the same year. The owner of the kennel shall keep at all times a kennel license tag attached to the collar of each dog over five (5) months old. These tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. The rabies vaccination tag shall remain attached to the dog for which it is issued at all times.
- (2) No dog bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel unless the dog is in leash or temporarily for the purposes of hunting, breeding, training or show.

D. Applicability: Unless clearly inapplicable, all provisions of this Chapter relating to the individual dog license tax, licenses and tags shall apply to a kennel license and tags.

Effective: 12-31-82

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23.04-23.05 RESERVED FOR FUTURE USE

23.06 TEMPORARY USE OF GOATS

A. Requirements:

- (1) Temporary or periodic use of goats for commercial purposes may be authorized by permit for a period not to exceed sixty (60) days per calendar year.
- (2) Goats are allowed at a density of up to fifteen (15) goats per acre on any lot that is at least 0.5 acres.
- (3) Only female goats, neutered male goats, and unneutered male goats less than six (6) months of age that accompany female goats shall be allowed.
- (4) Goats shall be kept in an adequate containment fence any time they are not being actively handled.
- (5) Animal waste shall be disposed of periodically to ensure that the yard and enclosure do not result in excess odors, public health concerns, or other nuisance conditions.
- (6) Slaughtering and butchering of goats is not allowed unless located in a commercially licensed facility.
- (7) Property owners and permittees shall be jointly and severally liable for any damage caused by goats permitted under this section. The Village shall assume no liability for any damage caused by goats.

B. Permit Application:

- (1) The applicant shall be the property owner, tenant, or representative, with written consent of the owner.
- (2) The applicant shall submit the following information on a form provided by the Village Clerk/Treasurer:
 - (a) Name, address, and contact information for the applicant.
 - (b) Number, timing, location, and commercial purpose for keeping goats (i.e. weed control, farm-based restaurant, etc.)
 - (c) Description and scale drawing of the property showing lot lines, structures, water features, and the proposed location of all animal enclosures, fencing, and grazing areas.
- (3) The application fee shall be as provided in the Village Fee Schedule. Fees shall not be prorated or refunded.
- (4) Applications shall be processed following the procedures outlined in Section 23.07A.
- (5) The Village of Amherst shall be exempt from obtaining a permit to use goats for weed control on village-owned property provided the village meets the requirements of this section and provides notice to adjacent property owners.

Effective: 4-12-22

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23.07 ADMINISTRATION AND ENFORCEMENT

A. Processing of Applications: Applications for temporary keeping of goats shall be processed in the following manner:

- (1) The Village Clerk/Treasurer shall forward the application to the Village Board and provide notice to adjacent property owners.
- (2) The Village Board shall review and act on initial applications.
- (3) The Village Clerk/Treasurer shall be authorized to renew permits each year for a period extending from January 1 to December 31 provided that:
 - (a) There are no material changes in the application.
 - (b) There are no known or suspected violations of permit requirements.
- (4) A permit may be revoked by affirmative vote of the village board at any time upon showing that the applicant has violated one or more provisions of this ordinance, or a local, county or state regulation.
- (5) The Village Clerk/Treasurer shall keep a record of all permits.

B. Enforcement:

- (1) The Portage County Sheriff's Department, Animal Control Officer, or Village of Amherst staff or official shall have the power, whenever they deem reasonably necessary, and consistent with the requirements of statutory and constitutional law, to enter a building, structure, or property related to a permit under this chapter to ascertain whether the permit is in compliance with this chapter.
- (2) The above listed departments may issue violation letters, compliance orders, or citations pursuant to local ordinances and state law.

C. Contract for Services:

- (1) The Village of Amherst may contract for administration or enforcement of any of the provisions of this ordinance with the Portage County Humane Society, or any other agencies with similar capabilities.

Effective: 12-28-82

Revised: 3-27-84

Revised: 4-12-22

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Amount: Received by: Date:

Application for Temporary Use of Goats

Applicant Name: _____

Address (where animals will be kept): _____

Mailing Address (if different): _____

Phone Number: _____ Email: _____

Number of goats: _____ Purpose: _____

Property size (acres): _____ Time/Duration: _____

If this is a renewal, have there been any changes from previous years? Yes No

Please read and initial each item:

_____ I have read Wisconsin Statutes [95.51](#) and Wisconsin Administrative Code [ATCP 17](#) regarding Livestock Premises Registration. My registration number is: _____

_____ I have read Village of Amherst Ordinance Chapter 23 and understand the conditions under which I may temporarily keep goats in the village. I agree to abide by these conditions, which include:

1. Temporary or periodic use of goats for commercial purposes may be authorized by permit for a period not to exceed sixty (60) days per calendar year.
2. Goats are allowed at a density of up to fifteen (15) goats per acre on any lot at least 0.5 acres.
3. Only female goats, neutered male goats, and unneutered male goats less than six (6) months of age that accompany female goats shall be allowed.
4. Goats shall be kept in an adequate containment fence any time they are not being actively handled.
5. Animal waste shall be disposed of periodically to ensure that the yard and enclosure do not result in excess odors, public health concerns, or other nuisance conditions.
6. Slaughtering and butchering is not allowed unless located in a commercially licensed facility.
7. Property owners and permittees shall be jointly and severally liable for any damage caused by goats permitted under this section. The Village assumes no liability for damage caused by goats.

_____ I have attached a description and scale drawing of the property showing lot lines, structures, water features, and the proposed location of animal enclosures, fencing, and grazing areas.

_____ I understand that my permit may be revoked by affirmative vote of the Village Board at any time upon showing that I have violated one or more provisions of a local, county, or state regulation.

Applicant signature

Date