

TOWN OF CASSIAN

ORDINANCE NO. 2012-0009

CATS RUNNING AT LARGE

SECTION I – TITLE/PURPOSE

The title of this ordinance is the Town of Cassian Cats Running at Large Ordinance. The purpose of this ordinance is to regulate, the care, treatment, and control of cats in the Town of Cassian.

SECTION II – AUTHORITY

The Town Board of the Town of Cassian has the authority under its village powers under s.60.22, Wis. stats., and the specific authority under s60.23 (3), and Chapters 173 and 174, Wis. stats., to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

The Town Board of the Town of Cassian by this ordinance, adopted on proper notice with a quorum and by a roll call vote by a majority of the Town Board present and voting, provided for the regulation of the care, treatment, and control of cats in the Town of Cassian.

SECTION IV – DEFINITIONS

In this ordinance:

- A. "Abandoned" means that an owner has failed to pay the impoundment and care costs incurred by the Town of Cassian, Oneida County Animal Control Officers, and/or Rhinelander Animal Shelter, as specified in Section VI, subsection C, within 7 days after receipt by a cat's owner of written notice from the town clerk that the cat is under the possession and care of the own or its designated agent.
- B. "Law enforcement officer" means any person employed by the Town for the purpose of detecting and preventing crime and enforcing laws and ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed to enforce.

- C. "Legal premise" means the real property owned or occupied by the owner of the cat.
- D. "Owner" means a person who owns, harbors, or keeps the cat.
- E. "Running at large" means off the owner's legal premise and not under the control of the owner or some other person.
- F. "Stray cat" means a cat running at large whose owner is unknown.
- G. "Town" means the Town of Cassian, Oneida County, Wisconsin.
- H. "Town Board" means the board of supervisors for the Town of Cassian, Oneida County, Wisconsin and included designees of the board authorized to act for the board.
- I. "Town Clerk" means the clerk of the Town of Cassian, Oneida County, Wisconsin.
- J. "Wis. stats." means the Wisconsin Statutes, including successor provision of cited statutes

SECTION V — RESTRICTIONS ON CATS

No cat owner may do any of the following:

- A. Allow any cat owned by that person to run at large in the Town.
- B. Allow any cat owned by that person to be abandoned in the Town.
- C. Allow a cat or cats on the legal premise of its owner an adjacent owner or occupant of land or serve to greatly annoy or disturb any considerable number of persons within the Town, as determined by the Cassian Town Board, or its designees, after receipt of written notice from the Cassian Town Board, or its designees, to the owner of the cat or to the owner of the legal premise where the cat is kept that the noise from the cat or cats must be eliminated.

SECTION VI — TOWN AUTHORITY

- A. An authorized officer or employee of the Town shall attempt to capture and restrain any cat running at large. The Town Board authorized the following officers to act under this paragraph: Town of Cassian Highway Crew, and the Oneida County Animal Control Officers.
- B. Any person, including town officers and employees may take into custody any cat running at large in the Town but shall timely deliver the cat to the Rhinelander Animal Shelter to provide care, treatment, and/or to disposal of the cat.

C. Identity of Owner

1. If the identity of the owner of a cat taken into custody under this ordinance is known or can be determined the Rhinelander Animal Shelter shall make contact with the owner of the cat and notify the Town Clerk who shall also provide written notice to the owner that the cat is in custody and informing the owner that if the owner fails to claim the cat, and pay all costs of impoundment and care incurred by the Town of Cassian, Oneida County Animal Control and Rhinelander Animal Shelter, within seven (7) days after receipt by the cat's owner, the cat will be considered abandoned. No cat in custody of the Rhinelander Animal Shelter shall be returned to the owner, or an agent of the owner, unless all custody, care, vaccination, and treatment cost incurred by the Town are fully paid by owner or agent of owners.
2. If the identity of the owner of a cat taken into custody under this ordinance is not know or cannot be determined with reasonable diligence, the cat shall be considered a stray cat

D. Unclaimed stray cats and abandoned cats remaining in the custody of the Rhinelander Animal Shelter for seven (7) days after issuance of the notice to the owner under Subsection C may be released to a person other than the owner, in accordance with s.173.23 (1m) (a). Wis. stats., euthanized under s. 173.23 (1m) (c), or released for scientific or research purposes under s. 174.13, Wis. stats.

E. The Town and its officers and agents shall comply with Chapters 173 and 174. Wis. stats.

F. All persons in the town shall fully cooperate with the Town regarding cats in the Town and shall answer frankly, fully, and truthfully all questions of the Town relative to cat ownership, possession, and keeping of cats within the Town.

SECTION VII – PENALTY PROVISIONS

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than twenty-five dollars (\$25) for first offense and one hundred dollars (\$100) for second offense, plus applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues shall be considered a separate offense under this ordinance. In addition, the Town Board may seek injunction relief from a court of record to enjoin further violations.

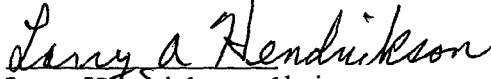
SECTION VIII— SEVERABILITY CLAUSE


If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

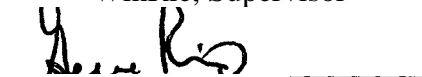
SECTION IX— EFFECTIVE DATE

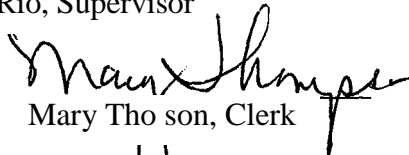
This ordinance shall take effect upon passage and posting or publication . The Town Clerk shall property post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 6th d y of June, 2012


Larry Hendrickson, Chairperson


WinRie, Supervisor


G9he Rio, Supervisor

Attest: 
Mary Thonson, Clerk
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