

Dog Licensing Guidelines

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Washington County has created these guidelines to provide a procedural resource for issuing dog licenses, making settlements with the County Treasurer, and filing dog damage claims. Please refer to Wisconsin Statutes, Chapters 173 and 174 for an inclusive listing of state regulations.

Dog License Requirement (s. 174.05)

The owner of a dog more than 5 months of age on January 1 of any year, or 5 months of age within the license year, or becomes 5 months of age, shall, annually, pay the dog license tax and obtain a license.

Exemptions of License Requirement (s. 174.055, 174.12(5))

Dogs that are kept only for educational or scientific purposes are exempt from paying a license fee and are not required to apply for a license (s. 174.054).

Dogs that are specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons are exempt from the dog license tax. Owners of these dogs must annually make application for a free dog license and free collar tag from the local collecting official. (s. 174.055)

Dogs that are brought into the state temporarily for a period not to exceed 30 days, if kept confined on a leash, shall be exempt from the license requirement. (s. 174.12(5))

Collecting Official—Definition (s. 174.065)

The Collecting Official is any city, village, or town treasurer or other tax collecting officer or any person deputized by the treasurer, unless the common council or village or town board authorizes by ordinance or resolution another person. Veterinarians and humane societies may voluntarily become collecting officials if provided by the governing body of a city, village, or town through resolutions or ordinance.

Dog License Tax (Fee) (s. 174.05)

The minimum dog license tax is \$3.00 for a neutered male or spayed female. The owner must present evidence that the dog is neutered or spayed. The minimum dog license tax is \$8.00 for an unneutered male or unsprayed female.

The governing body of any town, village, or city may by resolution raise the minimum dog license tax within its jurisdiction. (s. 174.05(3))

If the dog became 5 months of age after July 1, of the license year, the fee is one-half of these amounts. (s. 174.05(2))

A dog specially trained to lead the blind or deaf or to provide support for the mobility-impaired is exempt from the dog license fee. A tag is issued to the owner with all the information provided as required on a regular license, but no fee is collected. Indicate the quantity and tag numbers on the Dog License Report that is submitted with settlement payments to the County Treasurer.

The collecting official shall assess and collect a late fee of \$5.00 from every owner of a dog 5 months of age or over, if the owner fails to obtain a license prior to April 1, of each year, or within 30 days of acquiring ownership of a licensable dog or if the owner failed to obtain a license on or before the dog reached licensable age.

Multiple Dog License (Kennel License) (s. 174.053)

Any person who keeps more than one dog may, instead of the license tax for each dog required, apply to the collecting official for a multiple dog license (formerly known as “Kennel License”). The fee is \$35.00 for 12 or fewer dogs and an additional \$3.00 for each dog in excess of 12. The governing body may, by resolution, raise the minimum multiple dog license tax within its jurisdiction.

The owner must present evidence that all dogs over 5 months of age are currently immunized against rabies. Upon payment of the multiple dog license fee and presentation of immunization evidence, the collecting official shall issue the dog license and a number of tags equal to the number of dog authorized to be kept by the person.

An owner or keeper may transfer a multiple dog license tag from a dog that the owner or keeper no longer owns or keeps to another dog if the other dog is currently immunized against rabies. The owner should notify the issuing agent of the transfer and provide evidence of the rabies vaccination.

The multiple dog tag and rabies vaccination tag or substitute tag shall be securely attached to a collar and a collar with the tag attached shall be kept on the dog for which the license was issued at all times. Note: This does NOT apply to a dog during competition or training, to a dog securely confined indoors, to a dog while hunting, or to a dog securely confined in a fenced area.

No dog bearing a multiple dog license tag shall be permitted to stray or to be taken anywhere outside the limits of the owner's or keeper's premises unless the dog is on a leash or temporarily out for the purpose of hunting, breeding, trail, training, or competition.

Dog Licenses and Collar Tags (s. 174.07)

Licenses

Upon payment of the required dog license tax and evidence that the dog is currently immunized against rabies, the collecting official shall issue the owner a license. It is the responsibility of the collecting official to verify the dog is current with the required rabies vaccination before issuing the license. A license cannot be issued without presentation of evidence.

The license must bear a serial number, date of expiration, the owner's name and address, the name, sex, spayed or unspayed, neutered or unneutered, breed and color of the dog.

Tags

After issuing the license, the collecting official shall deliver to the owner, a tag bearing the same serial number as the license. The owner shall securely attach the tag to a collar and a collar with the tag attached shall be kept on the dog for which the license was issued. Note: If the dog is under the control of the owner, this does not apply to a dog during competition or training, a dog securely confined indoors, to a dog while hunting, to a dog securely confined in a fenced area, or to a dog while actively involved in herding or controlling livestock.

Duplicate Tags (Lost Tags)

If a tag is lost, the owner must present their current license to the collecting official. A new tag, with a new number, shall be furnished to the owner by a collecting official in place of the original tag. The collecting official shall endorse the new tag number on the license. There is no fee for a duplicate tag. Indicate the quantity and duplicate tag number(s) on the Dog License Report that is submitted with settlement payments to the County Treasurer.

Settling with the County Treasurer/County Clerk

The collecting official shall submit to the County Treasurer, all required fees for all dog licenses issued, along with a completed Dog License Report. You may obtain blank Dog License Reports from the County Clerk's Office.

When settling the fees for the issued dog licenses, also submit a listing of all tags issued, in tag number order, to the County Clerk's Office. This numerical list must include the tag/license number, owner's name, address and **PHONE**

NUMBER, dog's name, spayed, unsprayed, neutered, or un-neutered, breed and color of dog.

All unused tags for one year must be returned to the County Clerk's Office prior to receiving tags for the new year. New tags are usually available in November.

Compensation for the Collecting Official

Monthly, or as often as deemed necessary by the County Treasurer, the collecting official shall receive compensation of \$.75 for each dog license issued and settled for. Multiple Dog Licenses count as one license issued, no matter how many tags are included or additional tags over 12 issued. If the collecting official is a full-time, salaried municipal employee, this fee will be paid to the treasury of the town, village, or city.

Listing of Dogs (s. 174.06)

Every town, village and city shall annually, by September 1 ascertain by diligent inquiry the dogs owned or kept within the assessment district.

Every person shall answer frankly and fully all questions asked by the listing official relative to the ownership or keeping of dogs within the district.

Listing Official

In a city or village, the listing official is the municipal clerk, unless the common council or village board provides by ordinance or resolution for the appointment of a different person. In a town, the town board shall designate a person to be the listing official.

The listing official shall enter in the records for personal property assessments, or in a separate record, all dogs in the district subject to tax, to whom they are assessed, the name, number, sex, spayed or unsprayed, neutered or unneutered, breed and color of each dog.

The listing official shall deliver by September 15, one copy of the list to the County Clerk, one copy to the official to whom license taxes are paid under s. 174.08, and retain one copy for his or her files.

Compensation for the Listing Official

The listing official shall be compensated \$.75 for each dog listed on the list delivered to the County clerk's office on or before September 15. Lists delivered after September 15 are not eligible for compensation.

Failure to Obtain a Dog License/Delinquent Dogs (s. 174.12(4))

Every town, village, or city treasurer shall notify the district attorney of every refusal or failure of an owner to obtain a license for keeping the owner's dog and it shall be the duty of the district attorney to institute proceedings against such owner who has violated any of the provisions of the dog license law.

It is the collecting official's responsibility to file a Report of Delinquent Dog Owners. This report may be delivered, directly to the district Attorney's office or to the County clerk's office. If it is delivered to the County Clerk's office, it will be forwarded immediately to the District Attorney's office. The report must contain the name, mailing address, and zip code of the delinquent dog owner.

The District Attorney's office will notify the delinquent dog owners through mail that they have 10 days to obtain a license from their collecting official. A copy of the notice is sent to the collecting official and the collecting official must then submit an updated list after the 10 days has expired as to any remaining delinquent dog owners. A second letter is mailed to the delinquent dog owners from the District Attorney's office, with a copy sent to the collecting official.

Dog Damage Claims (s. 174.11)

Definitions

(s. 174.001(2g)) “Domestic animal” includes livestock, dogs and cats.

(s. 174.001(3)) “Livestock” means any horse, bovine, sheep goat, pig, llama, alpaca, domestic rabbit, farm-raised deer, as defined in s. 95.001(1)(ag), or domestic fowl, including any farm-raised game bird, as defined in s. 169.01 (12m).

The owner of any domestic animal, including a ranch mink (when it is proven that a dog forcibly entered an enclosure in which the mink was kept), which is attacked, chased, injured or killed by a dog may file a written claim for damages with the clerk of the town, village or city, or with the town chairperson or village president in which the damage occurred. The written claim for damages must be filed within 3 days after the owner has knowledge or notice of the incident. Photographs may be very helpful for evidence of the damage. The form, “Owner’s Claim for Damages to animals” is provided by the County Clerk’s office.

Within 30 days of filing the claim, the governing body (town or village board, common council) must investigate the claim and may subpoena witnesses, administer oaths and take testimony relative to the claim and shall certify and return to the County Clerk the claim, a report of the investigation, the testimony taken and the amount of damages suffered by the owner of the domestic animal(s).

The County Clerk will submit the completed Claim for Damage to the County Board and the claim will be acted upon and determined by the county board as other claims are determined and acted upon. The amount of damages filed and reported to the County Clerk shall be prima facie proof of the actual damages sustained.

The claims shall be solely against the dog license fee and shall create no other liability on the part of the county.

No claim may be paid to any person who has failed to pay a dog tax (obtain a dog license) on an assessable dog.

Before any claim will be allowed by the county on account of damages done by dogs, the claimant must furnish satisfactory proof that the damage was not done in whole or part of any dog owned or kept by the claimant. (s. 174.12)

No claim shall be allowed by the county board at less than the amount so certified and reported, unless the claimant was first notified that such action is contemplated and has been given a reasonable opportunity to be heard and to offer further evidence in support of the claim.

Summary of Steps to File Dog Damage Claims

1. Owner reports dog damage within 3 days of occurrence to clerk of town, village or city or to the town chairperson or village president. A written claim is completed.
2. Governing body of municipality where damage occurred investigates claim. Affidavit of Investigating Committee is completed and filed with the County Clerk within 30 days of receipt of damage claim.
3. Upon review of the Claim for Damage to Animals, the County Board finance Committee will forward a resolution to the County Board for payment.

Failure to submit the claims within the required time periods or providing incomplete information as required may be cause for rejection of payment.

Dogs Running at Large and Untagged dogs Subject to Impoundment; penalties (s. 174.042)

A dog is considered to be running at large if it is off the premises of its owner and not under the control of the owner or some other person.

A dog that is actively engaged in a legal hunting activity, including training, is not considered to be running at large if the dog is monitored or supervised by a person and the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or to train a dog.

A dog is considered untagged if a valid license tag is not attached to a collar which is kept on the dog whenever the dog is outdoors unless the dog is securely confined in a fenced area.

An officer shall attempt to capture and restrain any dog running at large and any untagged dog.

If the owner of a dog negligently or otherwise permits the dog to run at large or be untagged, the owner shall forfeit not less than \$25 nor more than \$100 for the first offense and not less than \$50 nor more than \$200 for subsequent offenses.

Definition of Officer (s. 95.21(1)(b): “Officer” means a peace officer, local health officer, as defined in s. 250.01(5), humane officer, warden, an employee designated by the department of Agriculture, Trade & Consumer Protection or other person designed by the governing body of the county, city, village, or town.

NOTES:

Marilyn H. Merten, County Clerk
432 E. Washington Street
PO Box 1986
West Bend, WI 53095
(262) 335-4301