**ORDINANCE 2019-04**

**Ordinance modification regarding issuance of dog, cat and Kennel Licenses within the Village of Colfax, therefore,**

THE VILLAGE OF COLFAX BOARD OF TRUSTEES DO ORDAIN AS FOLLOWS:

**Section 1.** Section 7-1-3 of the Code of Ordinances of the Village of Colfax, Wisconsin, is hereby retracted and repealed as follows:

**SEC. 7-1-3 ISSUANCE OF DOG, CAT AND KENNEL LICENSES**

**(b) Kennel Licenses.**

1. The term “kennel” means any establishment wherein or whereon any combined total greater than six (6) dogs and/or cats are kept.
2. A kennel may only be located in residential areas of the Village of Colfax following a public hearing and approval by the Village Board; the Board may attach conditions to such approval as a conditional use under the Village’s Zoning Code.
3. A kennel license shall be issued upon presentation of evidence that all dogs and/or cats over five (5) months of age are currently spayed or neutered; unless the request is for a Breeding Kennel.
4. Any person who keeps or operates a kennel may, instead of the license tax for each dog and/or cat required by this chapter, apply for a kennel license for the keeping or operating of the kennel. Such person shall pay for the license year a license tax of Thirty-six and 50/100 Dollars ($36.50) for a kennel of twelve (12) or fewer dogs and/or cats and an additional Four Dollars ($4.00) for each dog and/or cat in excess of twelve (12). Upon payment of the required kennel license tax and if required by the Village Board, upon presentation of evidence that all dogs and/or cats over five (5) months of age are currently immunized against rabies, the Village Clerk-Treasurer shall issue the kennel license and a number of tags equal to the number of dogs and/or cats authorized to be kept in the kennel.
5. The owner or keeper of a kennel shall keep at all times a kennel license tag attached to the collar of each dog or cat over five (5) months old kept by the owner or keeper under a kennel license but this requirement does not apply to a show dog or cat during competition, to a dog or cat securely confined indoors or to a dog or cat securely confined in a fenced area. The rabies vaccination tag or substitute tag shall remain attached to the dog or cat for which it has been issued at all times but this requirement does not apply to a show dog or cat during competition, to a dog or cat securely confined indoors or to a dog or cat securely confined in a fenced area. No dogs or cats bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel unless the dog or cat is in leash or temporarily for the purposes of hunting, breeding, trail, training or competition.
6. No kennel license shall be issued to the keeper or operator of a kennel who fails to provide proper food and drink and proper shelter for the dogs and/or cats in said kennel or who neglects or abandons said dogs and/or cats. Designated officials shall investigate any complaints regarding the failure to maintain proper standards or investigate any kennel premises upon his own initiative. Expressly incorporated by reference in this Section as minimum standards for kennel keepers or operator are the relevant provisions of Chapter 948 of the Wisconsin Statutes.
7. A condition of a kennel license shall be that the licensed premises may be entered and inspected at any reasonable hour by appropriate Village officials without any warrant, and the application for a license hereunder shall be deemed consent to this provision. Any refusal to permit such inspection shall automatically operate as a revocation of any license issued hereunder and shall be deemed a violation of this Section. Should any kennel be found to constitute a public nuisance, the license shall be revoked and the nuisance abated pursuant to Village ordinances.

State Law Reference: Sec. 174.053, Wis. Stats.

**Section 2.** This ordinance shall take effect after its passage and publication as provided by law.

Attested: Lynn M. Niggemann, Adminstrator-Clerk-Treasurer

Adopted: May 28, 2019
Published: June 5, 2019