

**TOWN OF PLYMOUTH  
ORDINANCE NO. 2011-01**

**AN ORDINANCE TO REGULATE DOG KENNELS**

**RECITALS**

A. The Town Board is authorized to exercise powers relating to villages and conferred on village boards under Chapter 61 of the Wisconsin Statutes pursuant to Wis. Stat. §§ 60.10(2)(c) and 60.22(3).

B. Pursuant to Wis. Stat. § 61.34(1), the Town Board has authority to adopt ordinances for the health, safety, welfare, and convenience of the public.

C. The Town Board believes that in order to promote the Town's health, safety, welfare and convenience, it should regulate those dog kennels wishing to operate within the Town's jurisdiction.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF PLYMOUTH, ROCK COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

**DOG KENNEL ORDINANCE**

**SECTION I. DEFINITIONS.**

(1) "Dog Kennel" means any establishment, place or entity where four or more dogs are held for the purpose of breeding, sale, training, boarding, grooming, or sporting purpose and the owner or operator of said establishment, place or entity, is performing said purposes for compensation.

(2) "Dog" means any dog five months of age or older.

**SECTION II. LICENSE REQUIRED.**

It shall be unlawful to own, operate or possess a dog kennel within the Town of Plymouth without a valid Kennel License. Holders of Kennel Licenses must comply at all times with the provisions of this Ordinance. Any violations of such provisions shall be grounds for revocation of the Kennel License by the Town Board in addition to the penalties specified herein.

**SECTION III. LICENSE.**

(1) Applications for a Kennel License shall be obtained from the Town Clerk.

(2) The Town Board shall establish the amount of the non-refundable application fee.

(3) All applications for a Kennel License shall be approved by the Town Board.

(4) The Town Treasurer shall issue the number of tags equal to the approved number of Dogs under an accepted kennel application.

(5) Any Kennel License issued shall be effective for a period of one year commencing April 1<sup>st</sup> and ending March 31<sup>st</sup>.

(6) The Town shall not issue more than three (3) Kennel Licenses at any given time.

#### SECTION IV. REQUIREMENTS FOR KENNELS.

(1) No dog kennel may house more than 12 dogs at one time.

(2) Dogs kept pursuant to a Kennel License must also be licensed pursuant to Chapter 174 of the Wisconsin Statutes and the Dog Kennel must be in compliance with Chapter 174 at all times. At all times, dog tags must be attached to the collar of each Dog kept under a Kennel License. Such tags may be transferred from one Dog to another within the Dog Kennel whenever any Dog is removed from the Dog Kennel.

(3) All Dogs shall be maintained in a healthy condition or, if ill, shall be given appropriate treatment immediately.

(4) The building in which the Dogs are kept shall be maintained in a clean condition and a good state of repair. The building shall allow adequate protection against weather extremes.

(5) All Dog pens or enclosures shall be sufficiently large to permit freedom of movement to the Dogs confined therein.

(6) Food supplies shall be stored in rodent proof containers and be free from contamination. Food supplies shall also be wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the Dog.

(7) All Dogs shall have potable water available at all times.

(8) Feces shall be removed from yards, pens, and enclosures daily and stored in tightly covered metal containers until final disposal.

(9) Yards, pens, and enclosures and the Dogs themselves shall be kept free of insect infestation.

(10) No odor nuisance shall be permitted.

(11) No repeated or continual barking, such as constitutes a noise nuisance, shall be permitted.

#### SECTION V. ZONING DISTRICT LOCATION.

Dog Kennels must be located only in those zoning districts that allow them to operate as a permitted use or by conditional use permit.

SECTION VI. RIGHT TO ENTRY.

The Building Inspector shall have the right to enter upon private property where the Dog Kennels are located during reasonable hours to inspect the Dog Kennels to determine whether they are in compliance with this Ordinance. When entry is refused, the Building Inspector may seek an inspection warrant as provided in section 66.0119 of the Wisconsin Statutes.

SECTION VII. PENALTIES.

Any person who shall violate any of the provision of this section shall, upon conviction thereof, forfeit not more than One Hundred Dollars (\$100.00) for the first and second offense in any twelve (12) month period, Two Hundred Dollars (\$200.00) for the third offense in any twelve (12) month period, Three Hundred Dollars (\$300.00) for the forth and subsequent offenses in any twelve (12) month period, together with the costs of prosecution.

SECTION VIII. This Ordinance shall take effect and be in force after passage and publication as provided by law.

**CERTIFICATE**

I hereby certify that the above ordinance was adopted by the Town Board of the Town of Plymouth on the 12th day of April, 2011, and that on the 20th day of April, 2011, a copy of the above ordinance was published in the Independent Register, Brodhead, WI.

\_\_\_\_\_  
Susan Douglas, Town Clerk,  
Town of Plymouth  
Rock County, Wisconsin

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public, Rock County, Wisconsin  
My Commission expires: \_\_\_\_\_

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