

Town of Newton  
Household Pet and Animal Control Ordinance  
Ordinance 121317A

**SECTION 1- TITLE AND PURPOSE:**

The title of this ordinance is the Town of Newton Household Pet and Animal Control Ordinance. This Ordinance is hereby adopted in the interest of promoting the public's health, safety and welfare and in protection of the Town's animal population.

**SECTION 2 - AUTHORITY:**

The Town Board has the authority under its village powers under s. 60.22, Wis. Stats., and the specific authority under s. 60.22, and chapters 173 and 174, Wis. Stats., to adopt this ordinance.

**SECTION 3 - STATE STATUTES ADOPTED:**

Wisconsin Statutes Chapter 95 (Animal Health), 170 (Strays and Lost Chattels), 172 (Animal Distained or Doing Damage), 173 (Animals: Humane Officers), 174 (Dogs), and 951 (Crimes against Animals), and all acts supplementary thereto and amendatory thereof, are hereby adopted by reference. If there is a conflict between the provisions of Wisconsin Statutes and this Ordinance, the provisions of this Ordinance shall apply except in those cases where State Statutes are preemptive.

**SECTION 4 - DEFINITIONS:**

- 4.1 Dwelling Unit: One or more rooms that are arranged, designed, or used as living quarters for one family only.
- 4.2 Exotic Pet: any companion animal other than a dog, domestic cat, ferret, hedgehog, pet bird, hen chicken, rabbit, domestic rodent (gerbil, guinea pig, hamster, or domestic mouse or rat). Any small pets that exceed 12 inches in height or length.
- 4.3 Household: a dwelling unit as defined in this ordinance.
- 4.4 Household Pet: for the purpose of this ordinance, a "Household Pet" is an animal from a traditional companion animal species: dog, domestic cat, ferret, hedgehog, pet bird, hen chicken, rabbit, domestic rodent (gerbil, guinea pig, hamster, or domestic mouse or rat), and small pets as defined herein. Household pets can inhabit primary and accessory structures plus the premise yard.
- 4.5 Small Pets: For the purpose of this ordinance, "small pets" are considered hamsters, chinchillas, mice, gerbils, guinea pigs, reptiles and tropical birds. Small pets exceeding 12" in height or length shall be considered "exotic" for purposes of this ordinance.

**SECTION 5 - KEEPING OF HOUSEHOLD PETS:**

Household pets shall be allowed in all zoning districts provided that not more than four dogs are kept on any one premise.

**SECTION 6 - EXOTIC PETS**

Exotic pets are prohibited in all zoning districts.

**SECTION 7 - IN THE RESIDENTIAL DISTRICTS including the RCC, R-2, LMSR, LR and the PRD:**

- 7.1 No residential structure, regardless the number of dwelling units contained therein, may exceed six (6) household pets provided, however, that no more than four (4) of the household pets may be dogs, and further provided that no more than five (5) of the household pets may be hen chickens.

- 7.2 No animals, fowl or pets may be bred or reared on such premises for commercial purposes or sold therefrom. However, offspring of permitted household pets may be kept at and sold from the premises until the age of eight months. .
- 7.3 Cattle, swine, horses, sheep, goats, lamas or other livestock as defined in Wis. Stat. § 91.01 are prohibited in the Residential Districts.
- 7.4 Domesticated wild animals are prohibited in the Residential Districts.
- 7.5 Except as provided in Section 7.1, roosters, poultry, and other fowl are prohibited in the Residential Districts.

**SECTION 8 - BARKING DOGS; NUISANCE PETS:**

No person shall harbor any dog within his care or custody which shall continuously bark or create a continuous or intermittent noise or disturbance, or allow such animals to make any unusual or unnecessary noise to the disturbance of the neighborhood or to people passing upon the roadways. No person shall harbor any dog which is at large or by frequent and habitual howling, yelping, barking, or other noise, shall cause serious annoyance or disturbance to persons or to a neighborhood or habitually pursues any vehicle upon any public street or highway.

**SECTION 9 - COMPLAINTS; VIOLATIONS**

- 9.1 Complaints shall be investigated by the Town of Newton Animal Control Officer.
- 9.2 A violation of this Ordinance constitutes a public nuisance and is subject to enforcement under the Town's Public Nuisance Ordinance.

**SECTION 10- INTERPRETATION:**

The provisions of this Ordinance shall be liberally construed in favor of the protection of the health, safety and welfare of the public, and of the Town, and shall not be construed to be a limitation or repeal of any other power now possessed or granted to the Town.

**SECTION 11 - SEVERABILITY AND CONFLICT:**

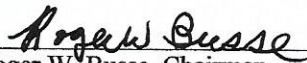
If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions. This Ordinance is not intended to repeal or overrule any other existing Ordinance or Town regulation, except that where a conflict between this Ordinance and another Ordinance occurs, the provisions of this Ordinance shall apply.


**SECTION 12 - EFFECTIVE DATE**

Following passage by the Town Board, this Ordinance shall take effect the day after the date of publication as provided by Wis. Stat. §60.80(2) and (3).

Adopted by the Town Board this  
13th day of December, 2017.

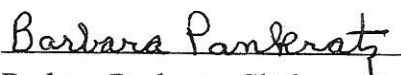
TOWN OF NEWTON

  
\_\_\_\_\_  
Roger W. Busse, Chairman

  
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Denise Thomas, Supervisor

  
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Mark Knorr, Supervisor

Attest:

  
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Barbara Pankratz, Clerk