



CHAPTER 173

ANIMALS; HUMANE OFFICERS

- 173.01 Definitions.
- 173.03 Appointment of humane officer.
- 173.05 Certification required.
- 173.07 Powers and duties of humane officers.
- 173.09 Investigations.
- 173.10 Investigation of cruelty complaints.
- 173.11 Abatement of violations.
- 173.12 Animal fighting.
- 173.13 Taking custody of animals.
- 173.15 Provision of care, treatment or disposal services.
- 173.17 Records.
- 173.19 Animals considered unclaimed.
- 173.21 Holding animals for cause.
- 173.22 Review of seizure or withholding.
- 173.23 Disposition of animals.
- 173.24 Reimbursement for expenses.
- 173.25 Immunity for euthanizing animals.
- 173.27 Duties of the department.
- 173.41 Regulation of persons who sell dogs or operate animal shelters.

173.01 Definitions. In this chapter:

- (1) "Department" means the department of agriculture, trade and consumer protection.
- (2) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).
- (3) "Political subdivision" means a city, village, town or county.

History: 1997 a. 192.

173.03 Appointment of humane officer.

- (1) **APPOINTMENT.** The governing body of any political subdivision may appoint one or more humane officers. The governing body of a political subdivision shall report all appointments and terminations of appointments of humane officers to the department.
- (2) **ORDINANCE.** Before, or at the time of, appointing a humane officer under sub. (1), the governing body making the appointment shall enact an ordinance that designates one or more officials of the political subdivision who may modify or withdraw abatement orders issued under s. 173.11 by humane officers appointed by the political subdivision.

- (3) **JURISDICTION.** A humane officer appointed by a city, village or town shall carry out his or her duties within the boundaries of the city, village or town. A humane officer appointed by a county shall carry out his or her duties throughout the county, other than within the boundaries of a city or village whose governing body adopts a resolution withdrawing from county enforcement of humane laws and transmits a copy of the resolution to the county.

appointr Search statutes: '13.92' or 'public parks'
 approved by the department, except as provided in par. (b) or (c), and receive certification under s. 173.27 (3).

Search e of training

- (b) A person to whom par. (a) applies who is a veterinarian licensed under ch. 89 is not required to complete a course of training approved by the department if he or she takes an examination given by the department and passes the examination on the first attempt.
- (c) A person to whom par. (a) applies who is certified or otherwise approved as a humane officer by another state is not required to complete a course of training approved by the department if he or she takes an examination given by the department and passes the examination on the first attempt.

(2)

- (a) A person appointed as a humane officer before December 1, 1999, shall complete a course of training approved by the department, except as provided in par. (b), and shall receive certification under s. 173.27 (3) by the applicable deadline established under s. 173.27 (1) (b).
- (b) A person to whom par. (a) applies is not required to complete a course of training approved by the department if he or she takes an examination given by the department and passes the examination on the first attempt.
- (3) The governing body of a political subdivision that appoints a humane officer who fails to obtain certification within the required time shall terminate the appointment.

History: 1997 a. 192; 2015 a. 55.

Cross-reference: See also ch. ATPC 15, Wis. adm. code.

173.07 Powers and duties of humane officers.

- (1) ENFORCEMENT. A humane officer shall enforce s. 95.21, this chapter, chs. 174 and 951 and ordinances relating to animals enacted by political subdivisions in which the humane officer has jurisdiction under s. 173.03 (3).
- (2) INVESTIGATION. A humane officer shall investigate alleged violations of statutes and ordinances relating to animals and, in the course of the investigations, may execute inspection warrants under s. 66.0119.
- (3) SEEK SUBPOENAS. A humane officer may request the district attorney for the county to obtain subpoenas to compel testimony and obtain documents in aid of investigations.
- (4) ISSUE CITATIONS. If authorized by the appointing political subdivision, a humane officer shall issue citations under s. 66.0113 for violations of ordinances relating to animals.
- (4m) REQUEST PROSECUTIONS. A humane officer may request law enforcement officers and district attorneys to enforce and prosecute violations of state law and may cooperate in those prosecutions.
- (5) PROHIBITED ACTIONS. Unless also a law enforcement officer, a humane officer may not in the course of his or her duties do any of the following:
 - (a) Execute a search warrant.
 - (b) Carry firearms.
 - (c) Stop or arrest persons.
 - (d) Stop, search, or detain vehicles, except under an inspection warrant under s. 66.0119.
 - (e) Enter any place or vehicle by force or without the consent of the owner, except in an emergency occasioned by fire or other circumstance in which that entry is reasonable and is necessary to save an animal from imminent death or a person from imminent death or injury.
 - (f) Remove any animal from the custody of another person by force.
- (6) CONFLICT OF INTEREST PROHIBITED. No humane officer may sell or otherwise dispose of any animal that came into the humane officer's custody in the course of his or her duties.

History: 1997 a. 192; 2001 a. 30.



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