

CHAPTER 6

HEALTH & SAFETY

I. DOG LICENSE & RESTRICTIONS

- A. No person or persons shall own or keep any dog within the limits of the Village of Rockland without having first paid the license fee which shall be the same as that set by La Crosse County, as a license thereon, which license money shall be paid to the village within twenty days after commencement of the license year, or within twenty days of coming into possession of any dog. The license year shall begin on the first day of May each and every year, and shall be made for any fractional part of a year. Upon payment of said license fee, the Village Treasurer shall issue a receipt thereof and shall deliver to the person paying such license tag fee which shall bear the number of the year for which issued and which tag shall be attached to the collar and worn by the dog during the license year. The Treasurer shall keep a record of all such licenses issued in each and every year. Any person who shall own, keep, or have in his possession or upon his premises any dog, within the limits of the Village of Rockland, contrary to the provisions of this section, or shall fail, refuse, or neglect to pay the license fee prescribed herein shall be subject to a fine of not less than five times the original license fee. Each week such dog is kept without payment of said license fee shall constitute a new and separate offense. This license fee shall apply and shall be paid each year upon each dog two months or older, at the commencement of the license year. The President of the Village may, at his discretion and as a means of public safety, require and order each and every dog found or kept within the Village limits to be securely muzzled with a wire muzzle securely fastened with a leather strap or chain.
- B. For purposes of this ordinance, an adult dog shall be defined as meaning any dog over six (6) months of age.

II. CONTROL OF ANIMAL DEFECATION

- A. Removal Required: Any person owning or having control of any animal, specifically including, but not limited to dogs and cats, but specifically excluding horses, on any property, public or private, which is not owned or occupied by such person, shall promptly remove excrement left by such animal and place it in a proper receptacle, bury it, or flush it in a toilet on property owned or occupied by such person. Horses are excluded from this requirement. (07/2005)
- B. Means of Transmittal Required: Any person causing or permitting a animal to be on any property, public or private, not owned or occupied by such person, shall have in his or her immediate possession a device or object suitable for removal of excrement and a depository for the transmission of excrement to the property owner or occupied by such person.
- C. Penalty: Any person who fails to comply with any of the provisions of this section shall, upon certification thereof, forfeit not less than Twenty-five and no/100 (\$25.00) dollars nor more than Two hundred and no/100 (\$200.00) dollars, together with the costs of prosecution. In default of payment of such forfeiture and costs of prosecution such person shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding ninety (90) days.

III. CONFINEMENT OF ANIMALS

- A. Confinement Required: Any person owning or having control of any animal, specifically including but not limited to cats and dogs, must confine the animal by use of either a leash, pen/kennel, or confinement to the house.
- B. Penalty: Any person who fails to comply with any of the provisions of this section shall, upon certification thereof, forfeit not less than Twenty-five and no/100 (\$25.00) dollars nor more than Two hundred and no/100 (\$200.00) dollars, together with the costs of prosecution. In default of payment of such forfeiture and costs of prosecution such person shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding ninety (90) days.

IV. CAT LICENSE & RESTRICTIONS: No person or persons shall own or keep any cat within the limits of the Village of Rockland without having first paid the license fee which shall be the same as that set by the Rockland Board of Trustees, as a license thereon, which license money shall be paid to the village within twenty days after commencement of the license year, or within twenty days of coming into possession of any cat. The license year shall begin on the first day of April each and every year, and shall be made for any fractional part of a year. Upon payment of said license fee, the Village Treasurer shall issue a receipt thereof and shall deliver to the person paying such license tag fee which shall bear the number of the year for which issued and which tag shall be attached to the collar and worn by the cat during the license year. Proof of current rabies vaccination is required prior to issuance of the license. The Treasurer shall keep a record of all such licenses issued in each and every year. Any person who shall own, keep, or have in his possession or upon his premises any cat, within the limits of the Village of Rockland, contrary to the provisions of this section, or shall fail, refuse, or neglect to pay the license fee prescribed herein shall be subject to a fine of not less than five times the original license fee. Each week such cat is kept without payment of said license fee shall constitute a new and separate offense. This license fee shall apply and shall be paid each year upon each cat, two months or older, at the commencement of the license year.

V. ANIMAL SPECIES PROHIBITED

The species named in this section and viscous or wild animals as defined by their nature are considered to be a public nuisance and may not be kept by any person within the Village limits of the Village of Rockland. Species prohibited in this section include, but are not limited to, Livestock-including all cattle, horses, mules and donkeys; sheep, goats and swine; and also all mink, fox, skunks, raccoons, ~~chickens~~ (10/2015), turkeys, pigeons, geese, ducks, ~~bees~~-(07/2021), poisonous or constricting snake, alligators and crocodiles. ~~This section does not apply to any agricultural-zoned land.~~ (05/2010) This section applies to any agricultural zoned land within the village limits. (05/2019)

VI. LIMITATION ON NUMBER OF DOGS AND CATS (09/2011)

- A. Purpose: The keeping of a large number of dogs and cats within the Village of Rockland for a considerable period of time detracts from and, in many instances, is detrimental to, healthful and comfortable life in such areas. The keeping of a large number of dogs and cats is, therefore, declared a public nuisance.
- B. Number Limited: No person or family shall own, harbor or keep in its possession more than four (4) dogs or four (4) cats, or a combined total of five (5) dogs and/or cats, in any

residential unit except that a litter of pups or kittens or a portion of a litter may be kept for no more than fifteen (15) weeks from birth.

- C. All ordinances or parts of ordinances that contravene or are inconsistent with the provisions of this Ordinance be and are hereby repealed.

VII. KEEPING OF CHICKENS (10/2015)

Residents may own, keep or harbor up to five chickens subject to the provisions of this Code.

A. License Requirement:

1. Any person who owns, keeps or harbors chickens in the Village of Rockland shall obtain an annual license prior to January 1 of each year, or within 30 days of acquiring the chickens. The term year of a license commences on January 1 and ends the following December 31. Residents deciding to own, keep or harbor chickens for successive years must obtain a new license for each term year they own, keep or harbor such chickens.
2. In the event a complaint has been filed with the Village prior to renewal of said license within the calendar year prior to renewal, applicants must receive written approval from not less than 50 percent of the owner-occupied neighboring property owners whose property is within 100 feet of the applicant's property lines exclusive of street right-of-way prior to approval of said license by the Village Board. If no complaint has been received, the license application shall be considered by the Village Board.
3. Applications shall be made to the Village Clerk and the fee for the license shall be in the amount established by resolution.
4. The Treasurer or other authorized individual shall collect the fee and shall assess and collect a late fee in the amount established by resolution from every owner of chickens, if the owner fails to obtain a license prior to April 1 of each year, or fails to obtain a license within 30 days of acquiring the chickens. All late fees received or collected shall be paid into the local Treasury.
5. No person shall own, keep or harbor any chickens, or build, erect or maintain and use any chicken coop, house, yard or other building or structure to keep or harbor chickens anywhere within the Village without obtaining a license as required by this section.
6. The Village of Rockland and its officers may revoke a license if there are three or more violations within any consecutive 12-month period of this or any other section of this Code.
7. All applicants must notify the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a permit.

- B. Use Conditions: Any owner, occupier, or user of property within the Village of Rockland who chooses to own, keep or harbor chickens and any chicken coop permitted under this section shall be limited to the following conditions:

1. One property is limited to the keeping or harboring of up to five chickens.
2. A person may only own, keep or harbor chickens on property being used as a single-family residential dwelling.
3. No person shall keep any rooster.
4. No person shall slaughter any chickens.

5. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure within the backyard of the property at all times.
6. No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot.

C. Public Health and Safety Concerns:

1. No person shall keep any chicken or other fowl within the Village of Rockland in any unsanitary condition or within such proximity of dwelling houses or in any manner so as to be a nuisance.
2. All chicken coops, yards and other buildings shall be kept in a clean, sanitary condition and free from all objectionable odors and shall be subject to the inspection and approval of the Village of Rockland and the La Crosse County Public Health Department or their agents.
3. The La Crosse County Public Health Department, Village of Rockland and their agents shall have jurisdiction to inspect the premises upon which chickens are kept and ascertain and determine whether the conditions are unsanitary or if for any reason a nuisance is caused thereby.
4. A complaint against any person owning, keeping or harboring chickens in accordance with this section may be filed with the Village or the La Crosse County Department of Public Health. If filed with the Village, the Village shall then be required to forward the complaint to the La Crosse County Department of Public Health. If the La Crosse County Public Health Department, the Village of Rockland or their agents determines that conditions are unsanitary, or if for any reason a nuisance exists, they shall have authority to order the owner or occupant of the premises to abate the nuisance and it shall thereupon be unlawful to keep such chickens on the premises.
5. If an investigation from the Village reveals that the use of chickens is in violation of this section or any other section of this Code, the Village shall have authority to require the owner or user of the property to fix, abate, or alleviate the problem. If the problem is not satisfactorily abated or alleviated the Village of Rockland shall have authority to revoke the license.
6. Bird Noise: In accordance with this section, it shall be unlawful for any person, firm, corporation, or other entity operating, having charge of, or occupying any building to own, keep, harbor or allow to be kept any chicken which shall habitually by any noise disturb the peace and quiet of any person in the vicinity thereof.
7. Rat Harborage to be Prevented: All chicken yards, coops, pens or houses shall be constructed or repaired as to prevent rats from being harbored underneath the same or within the walls thereof, and all food products or other products, goods or wares likely to attract or to become infested with or infected by rats shall be protected as to prevent rats from gaining access thereto or coming in contact therewith.

VIII. BEEKEEPING (07/2021)

Residents may own, keep or harbor honeybees for personal use subject to the provisions of the Code.

A. License Requirement:

1. Any person who owns, keeps, or harbors bees in the Village shall obtain a license prior to January 1 of the first year or within 30 days of acquiring the bees. The term of a license commences on January 1 of the year of application and ends December 31 of the fifth year of the licensure period. Residents deciding to own, keep or harbor bees for successive years must obtain a new license for each five-year term.
 2. First time applicants must receive written approval from not less than 50 percent of the owner-occupied neighboring property owners whose property is within 100 feet of the applicant's property lines prior to approval of said license by the Village Board. If the applicant fails to obtain written consent as provided herein, then the license shall only be granted by an affirmative supermajority vote of three-fourths of the Village Board. The neighboring property owners shall be notified via mail by the Village Clerk of the opportunity to object in person or in writing and no less than five business days prior to the Village Board meeting.
 3. Applications shall be made to the Village Clerk and the fee for the license shall be in the amount established by resolution.
 4. The Village Treasurer shall collect the fee prior to application or renewal.
 5. The Village of Rockland and its board members may revoke a license if there are three or more violations within any consecutive twenty-four-month period of this or any other section of this Code.
 6. All applicants must notify the owner or operator of the property if the applicant is not the owner or operator. Additionally, all applicants must notify the other occupant of a two-family dwelling if the occupant is not the owner. Notification is not required for renewal of a permit.
 7. For renewal applications, licenses may be obtained by approval of the Village President without Village Board approval.
- B. Location: The apiary shall be located in the rear yard or side yard at least 25 feet from primary buildings on abutting lots and ten feet from public sidewalks.
- C. Flyway barrier: The flyway barrier shall consist of a wall, fence, dense vegetation, or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. The flyway barrier does not surround the entire property.
1. Except as otherwise provided in this ordinance, in each instance where a colony is kept less than 25 feet from a property line of the lot upon which the apiary is located, as measured from the nearest point on the hive to the property line, and any entrances to the hive faces that lot line, the beekeeper shall establish and maintain a flyway barrier six feet in height. If a flyway barrier of dense vegetation is used, the initial planting may be four feet in height, so long as the vegetation normally reaches six feet in height. The flyway barrier must continue parallel to the property line of the lot upon which the apiary is located for ten feet in either direction from the hive.
 2. A flyway barrier is not required if the property adjoining the property upon which an apiary is located is undeveloped, zoned agricultural or industrial, or is a wildlife management area or naturalistic park land with no trails located within 25 feet of the apiary.
 3. A flyway barrier is not required if the hives are located on the roof of a structure containing at least one full story, provided all hives are located at least five feet from the side of the structure and at least 15 feet from any adjacent and occupied

structure.

- D. Colony Density: No person is permitted to keep more than two colonies on any lot within the Village, except on lots of five acres or more where no more than four colonies may be kept.
- E. Liability: Beekeeper shall assume any and all liability for their bees and therefore are advised to determine whether their homeowners or renters insurance covers bees, and secure additional insurance if necessary.
- F. Unlawful Conduct:
 - 1. Notwithstanding compliance with the various requirements of this ordinance, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.
 - 2. It shall be unlawful for any beekeeper to own, keep or harbor any exotic strain of bees, such as any African or Africanized honeybees, or any developed strain of bee not known to be normally present in the State that may present a hazard to beekeeping and/or the public.
 - 3. Notwithstanding compliance with the various requirements of this ordinance, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety, or creates a nuisance.
 - 4. If an investigation from the Village reveals that the use of bees is in violation of this section or any other section of this Code, the Village shall have authority to require the owner or user of the property to fix, abate, or alleviate the problem.
- G. Standards of Practice:
 - 1. Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
 - 2. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property and shall not be permitted to become stagnant.
 - 3. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.
 - 4. For each colony permitted to be maintained under this section, there may also be maintained upon the same apiary lot, one nucleus colony in a hive structure not to exceed one standard nine and five-eighths-inch depth ten-frame hive body with no supers (where the surplus honey is stored).
 - 5. Beekeepers are advised to pursue coursework through the La Crosse Area Beekeepers Association or similar educational source.
- H. Maintenance: Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted and securing unused equipment from weather, potential theft or vandalism, and occupancy by swarms. Attracting a swarm,

even if the beekeeper is not intentionally keeping honeybees, shall be a violation of this section. The beekeeper will have 30 days from the time of any complaint to bring the hive/hives into compliance.