

# Owner's Claim for Damages to Animals

- AND -

## Report of Investigation by Supervisors, Board or Committee

Under provisions of Wisconsin Dog Law Chapter 174, Wisconsin Statutes

STATE OF WISCONSIN

..... COUNTY, } ss.

### AFFIDAVIT OF OWNER

I, ..... being first duly sworn on oath depose and say that I am the legal owner of certain domestic animals located in the ..... of ..... (Town, Village or City) ..... and County as aforesaid.

That on the ..... day of ..... 20 .....,

met with death (or injuries) resulting from and directly caused by a dog or dogs

(owned by ..... of .....)

or (the owner thereof being unknown to me).

That upon or before the discovery of the death (or injury) of said animals I observed the following:

That by reason of these facts I claim that the death (or injury) of said animals is due to the work of some dog or dogs. And I therefore assess the fair and reasonable market value of said animals herein described, as follows:

\*Have you paid the current dog tax on all dogs owned by you? .....

(Yes or No.)

Subscribed and sworn to before me this ..... Address .....

day of ..... 20 .....

Justice of Peace (or) Notary Public.

STATE OF WISCONSIN, }  
..... COUNTY, } ss.

### AFFIDAVIT OF INVESTIGATING COMMITTEE.

We, ..... being individually first duly sworn on oath depose and say that we have investigated the claim of ..... for damages, as aforesaid, to ascertain and determine whether, in fact, said damages was caused by some dog or dogs. That we have diligently investigated said claim and now find the facts to be as follows: .....

That by reason of the facts as aforesaid we further find, either (a) that said damage was caused by some dog or dogs, or (b) that said damage was not caused by some dog or dogs.

\*\*And we further find that the assessed value of said animals at last assessment was ..... dollars (\$.....); that their fair and reasonable market value is ..... dollars (\$.....);

Subscribed and sworn to before me this ..... day of ..... 20 .....

Justice of Peace (or) Notary Public.

(OVER)

\*CHECK TO DETERMINE IF APPLICANT HAS PAID HIS CURRENT TAX ON ALL DOGS OWNED BY HIM.  
\*\*SEE PARAGRAPH 4 ON REVERSE SIDE OF THIS BLANK.

VOUCHER NO. \_\_\_\_\_

COUNTY OF \_\_\_\_\_

STATE OF WISCONSIN  
TO

Address \_\_\_\_\_

Amount Claimed \$ \_\_\_\_\_

Amount Allowed \$ \_\_\_\_\_

Paid by Check No. \_\_\_\_\_

DOG LICENSE FUND									

Filed \_\_\_\_\_

Recommended for \_\_\_\_\_

Allowance \_\_\_\_\_

Allowed by County Board \_\_\_\_\_

COUNTY CLERK

20 \_\_\_\_\_

## Chapter 174, Wisconsin Statutes.

**Section 174.001 (3) "LIVESTOCK"** Means any horse, bovine, sheep, goat, pig, domestic rabbit or domestic fowl, including game fowl raised in captivity.

**Section 174.11 (title)** Claims for damage by dogs to certain domestic animals; payable, when, from dog license fund; appeals. (1) The owner of any said animal, when it is proven that the dog forcibly entered the enclosure in which the animals were kept, which are attacked, chased, injured or killed by dogs may, within 3 days after the owner has knowledge or notice thereof, file a written claim for damages with the clerk of the town, village or city in which the damage occurred or, if it occurred in a town or village, with the chairman of such town or the president of such village. The form of the claim may be prescribed by the department of agriculture, trade and consumer protection. Upon presentation of a claim the supervisors of the town, the board of trustees of the village, or the common council of the city, or a committee appointed for that purpose by the supervisors, the board of trustees or the common council shall promptly investigate the claim and may subpoena witnesses, administer oaths and take testimony relative to the claim, and shall within 30 days after the filing of the claim make, certify and return to the county clerk the claim, a report of the investigation, the testimony taken and the amount of damages suffered by the owner of said animal.

(2) The form of the report and certification may be prescribed by the department of agriculture, trade and consumer protection, and shall be subscribed by the supervisors, board or committee making the report and certification. The county clerk shall submit to the county board at its first meeting, following the receipt of any such claim, all claims so filed and reported and the claims shall be acted upon and determined by the county board as other claims are determined and acted upon. The amount of damages filed and reported to the county clerk shall be prima facie proof of the actual damages sustained, but evidence may be taken before the county board relative to the claims as in other cases and appeals from the action of the county board shall lie as in other cases. On appeal from the action of the county board, the trial shall be by the court without a jury.

(3) The claims shall be solely against the dog license fund and shall create no other liability on the part of the county.

(4) The county board shall allow, as the amount of a claim for livestock and ranch mink killed by dogs, the amount determined to be the fair market value of the livestock or ranch mink on the date the death occurred. The county board shall allow, as the amount of a claim for livestock and ranch mink injured by dogs, the amount determined to be the total of the costs resulting from the injury including a loss in fair market value but the total amount of the claim may not exceed the fair market value. No claim may be paid to any person who has failed to pay a dog tax on an assessable dog.

**Section 174.12. Actions against owners.** (1) The allowance by the county of any claim for damages done by dogs shall work an assignment to the county of the cause of the action of the claimant for which the claim is filed and the county may sue and recover from the owner of the dog or dogs doing the damages the full amount thereof and which shall not be limited to the sum paid the claimant by the county. Before any claim shall be allowed by the county on account of damages done by dogs, the claimant shall furnish satisfactory proof that the damage was not done in whole or in part by any dog owned, kept or harbored by him.