

8.15 ANIMAL REGULATIONS.

(1) DEFINITIONS. Terms used in this Section are defined as follows:

Owner: Any person owning, harboring, sheltering, keeping an animal, whether temporarily or permanently.

Contracting Agency: Any organization with which the Village contracts for the services of impounding animals, including the apprehension and seizure of animals, the holding of animals and related services.

Premises: The residence of the owner, including the attached property surrounding the residence that is leased or owned by the owner but not including any publicly-maintained streets, alleys or sidewalks or other public and private property, common area, park or recreational property jointly owned.

(2) ANIMALS A NUISANCE. It shall be unlawful for any owner to have an animal which:

- (a) Assaults or attacks any person or animal.
- (b) Acts in such a manner as to justify the belief that it is vicious or dangerous. A showing that an animal has bitten, attacked or injured any person, animal or property shall constitute a prima facie showing that such animal is vicious or dangerous.
- (c) Annoys or disturbs persons living in the area by howling, whining, yelping, barking, meowing or otherwise shall cause serious annoyance or disturbance to persons living in the area.
- (d) Runs at large off of an owner's premises.
- (e) Because of its aggressive nature, training or characteristic behavior, is capable of inflicting serious physical harm or death to humans or animals, and which would constitute a danger to human life or property.
- (f) When unprovoked, chases or approaches a person in a menacing fashion or apparent attitude of attack on public or private property.

(3) IMPOUNDING ANIMALS. Any police officer of the Village or a Contracting Agency and its agents may apprehend and impound any animal meeting the criteria set forth in Section 8.15(2). In the alternative, any police officer may order the animal to be removed immediately or within a set amount of time.

(4) RABIES. (a) Any police officer of the Village, or a Contracting Agency or any of its agents, may impound any dog, cat or other animal which, from the appearance

or conduct of such animal, appears to be infected with the disease known as hydrophobia or rabies.

(b) Any person who suspects that any dog, cat or other animal is infected with hydrophobia or rabies shall report his suspicion to the police, describing the dog or cat and giving the name of the owner, if known. Any such animal shall, upon demand of any police officer of the Village, or a Contracting Agency or any of its agents, be delivered to such officer or agent and if, upon examination, the animal shall prove in fact to be infected with such disease, the animal may be destroyed.

(c) No person shall knowingly harbor or keep any dog, cat or other animal infected with hydrophobia or rabies or any dog, cat or other animal known to be bitten by an animal known to have been infected with hydrophobia or rabies.

(5) ENTRY ON OWNER'S PREMISES. Any police officer, or a Contracting Agency or any of its agents, may enter upon the premises of the owner or keeper of an animal meeting the criteria set forth in Section 8.15(2) or of an unlicensed dog for the purpose of seizing it.

(6) REDEEMING IMPOUNDED ANIMAL. (a) Any animal impounded pursuant to the provisions of this Section may be redeemed by payment of the sum of \$25.00 plus the current daily fee for keeping such animal. In addition to the above fees, an unlicensed dog shall obtain a license before it is released. In addition, therefore, any expenses for inoculation, destruction or other medical treatment of the dog shall be paid by the owner of the animal.

(7) LICENSES. (a) A dog license shall be required as provided by Section 174.05 of the Wisconsin Statutes. Prior to the issuance of the license the owner shall present evidence that the dog is currently immunized against rabies.

(b) The dog license tag shall be securely attached to a collar. The collar with the tag shall at all times be kept on the dog for which the license is issued. An animal is considered to be unlicensed if a valid license tag is not attached to a collar which is kept on the animal.

(c) The Village reserves the right to deny a license or renewal thereof for any animal that has exhibited any of the characteristics described in Section 8.15(2)(a), (b), (e) or (f). In making this determination, the Chief of Police and/or Village Administrator shall have the authority to deny the licensing of an animal based on any previous incident involving the animal.

(8) ANIMALS RUNNING AT LARGE.

(a) Prohibited. No person who owns, harbors or keeps an animal shall permit the same to run at large.

(b) Defined. For the purpose of this section, the term “at large” means all places within the Village except the owner’s premises. The term includes streets, alleys, sidewalks or other public and private property which may abut on the owner’s premises. An animal shall not be considered to be running at large if it is on a leash or other device and under the control of a person of suitable age physically able to control it.

(9) RETURN TO VILLAGE. No person shall return to or harbor within the Village an animal previously ordered to be removed on the basis that it is a nuisance under Section 8.15(2) herein except by written notice and written approval by the Chief of Police.

(10) STATE REGULATIONS. Ch. 174, Wis. Stats., shall apply so far as applicable.

(11) PENALTY. Any person violating any provision of this ordinance shall, upon conviction, be subject to a penalty of not more than \$250.00. However, the penalty to be imposed on any person convicted of violating any provision of this ordinance within two years of a prior conviction under this ordinance shall be not more than 500.00. The two year period shall be measured from date of offense to date of offense.