

ARTICLE II. DOGS*

*State law reference(s)—Dogs, Wis. Stats. ch. 174.

Sec. 10-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

At large means to be off the premises of the owner and not under the control of some person either by leash or otherwise, but a dog within an automobile of its owner or in an automobile of any other person with the consent of the dog's owner shall be deemed to be upon the owners premises

Owner means any person owning, harboring or keeping a dog and the occupant of any premises on which a dog remains or to which it customarily returns daily for a period of ten days is presumed to be harboring or keeping the dog within the meaning of this section.

(Code 1985, § 12.08(2))

Cross reference(s)--Definitions generally, § 1-2.

Sec. 10-32. License required.

No person in the village shall own, harbor, or keep any dog more than five months of age without complying with the provisions of Wis. Stats. §~ 174.05—174.10 relating to the listing, licensing, and tagging of such dog. The village shall collect such fees as may be required pursuant to the aforementioned statutes and, in addition, shall collect a fee on the behalf of the county for rabies control as well as such additional fee as the village may establish from time to time by resolution. Licenses shall be issued and fees collected by the village clerk pursuant to the aforementioned state statutes.

(Code 1985, § 12.08(1); Ord. of 9-13-93, § 2)

Sec. 10-33. Restrictions on keeping.

No person within the village shall own, harbor or keep any dog which:

- (1) Habitually pursues any vehicle upon any public street, alley, or highway in the village.**
- (2) Assaults or attacks any person.**
- (3) Is at large within the limits of the village.**
- (4) Habitually barks or howls to the annoyance of any person.**
- (5) Kills, wounds or worries any domestic animal.**
- (6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.**

(Code 1985, § 12.08(3))

Sec. 10-34. Duty of owner in cases of dog bite.

Every owner or person harboring or keeping a dog who knows that such dog has bitten any person shall immediately report such fact to the police department and shall keep such dog confined for not less than 14 days or for such period of time as the police department shall direct. The owner or keeper of any such dog shall surrender the dog to the health department or any village police officer, upon demand, for examination.

(Code 1985, § 12.08(4))

Sec. 10-35. Impounding or killing.

In addition to any penalty provided in this article for a violation of this article, any police officer or person may impound any dog which habitually pursues any vehicle upon any street, alley or highway of this village; assaults or attacks any person; is at large within the village; habitually barks or howls, kills, wounds or worries any domestic animal; or is infected with rabies. Possession of dogs impounded under this article may only be obtained through compliance with Wis. Stats. § 174.046 including, but not limited to, the payment of any applicable boarding fees and impoundment fees for the dog. Dogs impounded for a period of at least seven days may be destroyed under the direction of the police department or pound in accordance with Wis. Stats. § 174.046(9). A person may only intentionally kill a dog if such person is threatened with serious bodily harm by the dog and other restraining actions were tried and failed or immediate action is necessary. A person may also intentionally kill a dog if a domestic animal that is owned or in the custody of the person is threatened with serious bodily harm by the dog and the dog is on property owned or controlled by the person and other restraining actions were tried and failed, or immediate action is necessary. Police officers may only kill a dog as previously set forth in this section, or as permitted pursuant to Wis. Stats. ch.

174.

(Code 1985, § 12.08(5); Ord. of 11-11-91, § 1)

Sec. 10-36. Kennels.

- (a) ***Definitions.*** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Kennel means any establishment wherein or whereon dogs are kept for the purpose of breeding, sale or sport.

- (b) ***Prohibition and restrictions.*** No person within the village shall operate a dog or animal kennel, and no family shall own, keep or harbor more than two dogs at any one time, except that when a dog shall have pups, a family shall have no longer than three months in which to sell, give away or dispose of the pups before being classified as a kennel in violation of this section.

- (c) ***Enforcement of section.*** The police chief or such other person as the village board may authorize, when he shall find any dog kennel within the village in violation of this section, shall report the violation to the village board immediately. The village board may order the offender to sell, give away or dispose of the excess dogs within five days. Upon failure to comply with the order of the village board, the village police chief, or such other person as is authorized by the village board, shall summarily sell, give away or dispose of such dogs, and the person in violation of this section shall pay all costs incurred in the enforcement of this section.

(Code 1985, § 12.08(6))

Cross reference(s)--Businesses, ch. 18.