

## Chapter 98

### ANIMALS

**[HISTORY: Adopted by the Village Board of the Village of Dickeyville as indicated in article histories. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Nuisances — See Ch. 194.

Parks and recreation areas — See Ch. 202.

Peace and good order — See Ch. 207.

#### ARTICLE I

##### Keeping of Animals and Fowl

**[Adopted 1-21-1975 as §§ 8.01 and 8.09 of the 1975 Code]**

##### **§ 98-1. Sanitary requirements.**

All structures, pens, buildings, stables, coops or yards wherein animals or fowl are kept shall be maintained in a clean and sanitary condition, free of rodents, vermin and objectionable odors, nor shall they be kept within such proximity to dwelling houses so as to, in any manner, become a nuisance.

##### **§ 98-2. Animals excluded from food-handling establishments.** [Amended 11-11-1987<sup>1</sup>]

No person shall take or permit to remain any dog, cat or other live animal on or upon any premises where food is sold, offered for sale or processed for consumption by the general public. This section shall not apply to a person being assisted by a service animal.

##### **§ 98-3. Violations and penalties.**

The penalty for violation of any provision of this article shall be a penalty as provided in Chapter 1, § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

#### ARTICLE II

##### Dogs

**[Adopted 1-21-1975 as § 9.08 of the 1975 Code]**

##### **§ 98-4. License required.** [Amended 12-6-2006<sup>2</sup>]

It shall be unlawful for any person in the Village of Dickeyville to own, harbor or keep any dog five months of age or older without complying with the provisions of §§ 174.05

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

through 174.07, Wis. Stats., relating to the listing, licensing and tagging of the same. The dog license tax for unneutered male dogs and unspayed female dogs shall be \$15 and for neutered male dogs and spayed female dogs shall be \$10.

**§ 98-5. Definitions.**

In this article, unless the context or subject matter otherwise requires, the following terms shall have the meaning indicated:

AT LARGE — 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 any automobile of any other person with the consent of the owner of the vehicle and the dog's owner shall be deemed to be upon the owner's premises.<sup>3</sup>

OWNER — 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 10 days is presumed to be harboring or keeping the dog within the meaning of this article.

**§ 98-6. Restrictions on keeping of dogs.**

It shall be unlawful for any person within the Village of Dickeyville to own, harbor or keep any dog which:

- A. Habitually pursues any vehicle upon any public street, alley or highway in the Village.
- B. Assaults or attacks any person.
- C. Is at large within the limits of the Village.
- D. Habitually barks or howls to the annoyance of any person or persons.
- E. Kills, wounds or worries any domestic animal.
- F. 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.

**§ 98-7. Duty of owner in cases of dog bite.** <sup>4</sup>

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 10 days or for such period of time as the Chief of Police shall direct. The owner or keeper of any such dog shall surrender the dog to any Village police officer upon demand for examination.

**§ 98-8. Impounding or killing of dogs.** [Amended 2-11-1998]

In addition to any penalty hereinafter provided for a violation of this article, any person

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3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

may impound any dog and any police officer of the Village may kill any dog which habitually pursues any vehicle upon any street, alley or highway in the Village, assaults or attacks any person, is at large within the Village, habitually barks or howls, kills or wounds or worries any domestic animal or is infected with rabies.

**§ 98-9. Impoundment fee.** [Amended 2-11-1998<sup>5</sup>]

The owner of any dog impounded or any other person who may be entitled to possession of such dog shall pay, before receiving possession of such dog, an impoundment fee as established by the operator of the facility where the dog is impounded and the actual cost of boarding the dog for each day or fraction of a day that the dog is impounded. In addition, such person shall exhibit proof that the dog is properly licensed and has obtained rabies shots or other treatment. If the dog has not been licensed or has not obtained rabies shots or other treatment which is current, the person shall also pay the costs of these things prior to receiving possession of the dog.

**§ 98-10. Statutory provisions adopted.** [Added 2-11-1998]

The provisions of § 174.05, Wis. Stats., are hereby adopted by reference. To ensure uniformity, any future additions or amendments to said sections are also hereby adopted by reference.

**§ 98-11. Keeping vicious dogs prohibited.** [Added 7-14-2004] [Amended August 8, 2008]

- A. No person shall keep, harbor or possess within the Village of Dickeyville a pit bull, rottweiler, or other vicious dog.
- B. Definitions. As used in this section, the following terms shall have the meaning indicated:

**PIT BULL** — Any pit bull terrier, which shall be defined as any American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier or as defined or described by the American Kennel Club.

**VICIOUS DOG** — Any dog with a propensity, tendency or disposition to attack unprovoked human beings or domestic animals; any dog which, without provocation, attacks or bites or has attacked or bitten a human being or domestic animal; any dog owned or harbored primarily or in part for the purpose of dog fighting; any dog trained for dog fighting; or any dog which the Chief of Police, after a careful investigation, has declared to be a vicious dog.

**ROTTWEILER** – Any dog of the Rottweiler breed, dogs of mixed breed that are recognizably similar to a Rottweiler and any dog which has the appearance and characteristics of being predominantly of the breed of Rottweiler. [Amended December 12, 2007]

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5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

**§ 98-12. Violations and penalties.** [Added 2-11-1998]

The penalty for violation of any provision of this article shall be a penalty as provided in the Schedule of Penalties which is a part of this Code.<sup>6</sup>

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<sup>6</sup>. Editor's Note: See Ch. 1, § 1-4.