

CHAPTER 13
REGULATIONS OF ANIMALS
VILLAGE OF SLINGER, WASHINGTON COUNTY, WI

13.01 REGULATION OF DOGS & CATS

(A) State Laws Adopted. The provisions of Chapter 174, Wisconsin Statutes, exclusive of any penalties, are adopted by reference and made a part of this code so far as applicable.

(B) Dogs & Cats Not to Run at Large.

1. No person owning, harboring or keeping a dog or cat shall permit the same to run at large at any time within the Village.
2. A dog or cat shall be deemed at large within the meaning of this subsection:
 - a) If not on the premises of the person owning, keeping or harboring such a dog or cat.
 - b) If off the premises of the person owning, keeping or harboring such dog or cat, not confined in a building or enclosure, securely tied, or under control by leash.
3. No feral cat that has been treated by the Washington County Humane Society as part of the Trap, Neuter and Return program shall be deemed to be at large. Such animals will be identifiable by the tipping of their left ear.

(C) Howling of Dogs and Cats Prohibited. No person shall own, keep or harbor any dog or cat which by howling, yowling, yelping, barking or otherwise, shall cause serious annoyance or disturbance to persons or to the neighborhood.

(D) Records Required by Kennels, Pet Shops, Licensing.

1. No person operating a kennel or pet shop or other person selling pets within the Village shall sell or place such animals without first preparing accurate and complete records of such sale. Such records are necessary in tracing the location and movement of animals suspected of rabies exposure.

(E) Regulating Vicious Dogs - Definitions

1. "Owner" as used in this ordinance means any person, firm, corporation, organization or department possessing, harboring or having the care, custody, whether temporarily or permanently, of a dog.
2. "Vicious Dog" as used in this ordinance means a dog which, at any time, bites or has bitten one (1) or more people or domestic animals; or which unprovoked, bites a person, or a dog or domestic animal or which has caused serious injury to a person or a dog or domestic animal; or a dog which has been found to be a vicious or dangerous dog in any other community.
 - 2.1 "Serious Injury" as used in this ordinance means any physical injury to a person or domestic animal that results in a major fracture, muscle tears, disfiguring lacerations or wounds, or requires multiple sutures or corrective or cosmetic surgery.
 - 2.2 "Unprovoked" as used in this ordinance means that the circumstances demonstrate that the dog was not, at the time of the incident, being teased, attacked, tormented, abused or assaulted by a person or another domestic animal.

(F) Requirements and Prohibitions

1. Leash and Muzzle- No person owning, harboring, or having the care of a vicious dog may permit such dog to go outside its kennel or pen unless the dog is securely leashed with a leash no longer than 4 feet in length. No person may permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. The dog may not be leashed to inanimate objects such as trees, posts or buildings. A vicious dog on a leash outside the dog's kennel shall be muzzled by a muzzling device sufficient to prevent the dog from biting persons or other animals.
2. Confinement- All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in par. (1) above. The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a vicious dog shall be locked with a key or combination lock when the dog is within the structure. The structure shall have a secure bottom or floor attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than 2 feet. All structures erected to house vicious dogs shall comply with all applicable municipal zoning codes and building regulations. All

structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

3. Confinement Indoors- No vicious dog may be kept on a porch, patio, or in any part of a house or structure that would allow the dog to exit the building on its volition. No vicious dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.
4. Prohibited in Multiple Dwellings- No vicious dog may be kept within any portion of any multi-family dwelling.
5. Signs- All owners, keepers or harborers of vicious dogs shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog". A similar sign is required to be posted on the kennel or pen of the dog.
6. Insurance- All owners, keepers or harborers of vicious dogs shall provide proof to the Chief of Police of public liability insurance in a single incident amount of \$50,000 for bodily injury to or death of any person or for the damage to property owned by any person which may result from the ownership, keeping or maintenance of vicious dogs. The insurance policy will be maintained unless a 10-day written notice is first given to the Chief of Police. The owner or custodian of the dog shall produce evidence of the required insurance upon request of a law enforcement officer.
7. Vicious Dog Determination- The Chief of Police or designee shall investigate every dog complaint and make a determination as to whether or not such dog is "vicious" as defined in Section E. (2). In the event the Chief of Police makes a determination that a dog is "vicious" he/she shall so inform the owner, keeper or harborer of such dog and provide such person a copy of this section.
8. Appeal of Vicious Dog Determination- Any person aggrieved by the determination of the Chief of Police or designee, as provided in sub. (7) above, may appeal such determination to the Village Board.
9. Disposition of Vicious Dogs- Any law enforcement officer of the Village may take custody of an animal if the officer has reasonable grounds to believe the animal is one of the type set forth in sec. 173.13(1)(a) 1. Thru 9. Wis. Stats. Subject to review by the circuit court, the animal if taken into custody because it is hopelessly injured, an imminent threat to public health or safety, or the health or safety of itself or its custodians, shall be turned over to the appropriate agency

for euthanizing. This does not preclude the immediate killing of a dog for the protection of other animals and persons, as authorized by sec. 174.01 Wis. Stats.

13.02 ANIMALS: LITTERING.

It shall be unlawful for the owner of any animal to permit fecal matter which is deposited by such animal while off of the owner's premises to remain on any street, alley, sidewalk, lawn, field or any public property, and it shall be solely the responsibility of the animal owner to immediately after deposit remove all fecal matter and dispose of it in a waste receptacle.

13.03 KEEPING EXOTIC OR WILD ANIMALS

(A) Prohibition

It shall be unlawful for any person or persons to keep, maintain, harbor, breed or sell exotic or wild animals on a property or in any residence, household or dwelling unit within the Village of Slinger.

(B) Definition

Exotic or Wild Animal, for purposes of this section, shall have the meaning of "wild animal" as provided in WI Statute §169.01 and shall include any dangerous, carnivorous, poisonous or venomous wild animal, insect, reptile, invertebrate or amphibian including – but not limited to – the following:

- (a) Alligator
- (b) Ape; Chimpanzee; gibbon; gorilla; orangutan; and siamang
- (c) Baboon
- (d) Bear
- (e) Bison
- (f) Cayman
- (g) Coyote
- (h) Chinchilla
- (i) Crocodile
- (j) Deer; includes all members of the deer family, for example white-tailed deer, elk, antelope and moose
- (k) Elephant
- (l) Ferret
- (m) Gambian rat
- (n) Gamecock and other fighting bird
- (o) Hippopotamus
- (p) Hyena
- (q) Kangaroo
- (r) Lizard

- (s) Member of the canine species other than the domestic dog (*canis familiaris*)
- (t) Member of the feline species other than the domestic cat (*felis domesticus*)
- (u) Monkey
- (v) Pig, to include pot-bellied
- (w) Poisonous or venomous insect
- (x) Ostrich
- (y) Prairie dog
- (z) Raccoon
- (aa) Rhinoceros
- (bb) Snake, constrictor or non-venomous
- (cc) Snapping turtle
- (dd) Squirrel of flying or non-flying variety
- (ee) Venomous snake
- (ff) Venomous spider
- (gg) Wasp and hornet
- (hh) Wolf dog hybrid
- (ii) Wolf

(C) Exceptions

The prohibitions of this section shall not apply to the following animals provided that the conditions listed under D have been met:

- (1) No more than 6 non-venomous snakes capable of growing to no more than 5 feet at maturity
- (2) No more than 6 non-venomous lizards capable of growing to no more than 3 feet at maturity, measured from snout to end of body
- (3) No more than 3 ferrets

(D) Conditions for Exception

An exception as stated under C is granted, provided that:

- (1) The owner-keeper has complied with all applicable state and federal importation regulations and permit requirements, and possesses any required veterinary health certificate;
- (2) The animal shall be securely held and maintained in quarters so constructed as to prevent their escape;

(E) Existing Non-conforming Animals

Any person or persons keeping, maintaining or harboring exotic or wild animals in excess of the numbers that may be allowed by this ordinance at the time of the enactment of this ordinance must comply with the terms of these prohibitions as follows:

- (1) The existing number of animals must be reduced to one-half of the number kept at the time of enactment, or to the number allowed by this ordinance, within 3 months from the passage of this ordinance; and
- (2) The number of animals must be brought into total compliance with the allowed number according to ordinance within 6 months from the passage of this ordinance.

(F) Fancier's Permit

(1) A person who wishes to keep an exotic or wild animal, or who wishes to keep a number of animals in excess of the number allowed under Section C, may apply for a Fancier's Permit which may be granted at the discretion of the Village Board. The Fancier's Permit application must be submitted to the Village Clerk, who shall schedule a public hearing on the matter at the first possible Village Board meeting. Notice of the public hearing shall be given in accordance with WI Statute §985.07(1), Class 1 Notices, no less than 2 weeks before the Village Board meeting at which the public hearing will be held. The Village Clerk shall also give at least 10 days prior written notice to all property owners within 200 feet of the property for which a Fancier's Permit is being sought. Failure of any notice to be received by any property owner shall not, however, invalidate the action taken by the Village Board.

A Fancier's Permit will not be considered for review until the following conditions have been met:

- (a) The owner-keeper has complied with all applicable state and federal importation regulations and permit requirements, and possesses any required veterinary health certificate;
- (b) The owner has submitted to the Village Clerk a completed application for an a Fancier's permit, which shall list the type and number of the subject animal(s) and their proposed location within the residence, household or dwelling unit;
- (c) The animal shall be securely held and maintained in quarters so constructed as to prevent their escape;
- (d) Should a permit be granted, such permit shall be valid for one year from the date of issuance. The owner may apply annually with updated information on the subject animals by filing a renewal application form at least 30 days prior to the expiration date. If the Village Board decides not to renew the permit, notice of the non-renewal shall be provided to the owner and the owner shall have the option to appeal for a public hearing and reconsideration as described in subparagraph G;
- (e) Fees for any applications or permits shall be as set by the Village Board of the Village of Slinger by a duly enacted Resolution and may be changed from time to time.

- (f) Persons living in condominiums or other multi-family buildings must obtain written authorization from their Condominium Association or building owner to obtain a Fancier's permit.
 - (g) The Village Board has the authority to require additional conditions as they deem appropriate.
- (2) When reviewing an application for a Fancier's Permit, the Village Board shall consider, but is not limited to, the following factors:
- (a) Type and number of animal(s)
 - (b) Size of the subject parcel and proximity to other neighbors
 - (c) Qualifications of the requester

(G) Non-Renewal or Revocation of Permit

(1) Annually prior to renewal of the permit, the Village Clerk shall inquire of the Police Department regarding complaints and/or incidents regarding the permittee and the permit address with reference to any of the following:

- (a) Personal injuries or property damages caused by permitted animal(s)
- (b) Animal noise or animal waste complaints
- (c) Animal(s) at large
- (d) Permit violations
- (e) Any other animal-related nuisance or annoyance conditions

(2) The presence of three or more separate such incidents within a 12-month period, documented by an investigating Police Officer and having resulted in a warning or the issuance of a citation to the permittee, shall be presumed to arise to a condition where renewal or continuation of the permit would injure public health, safety or welfare and disrupt the peace and repose of the neighborhood, and shall require non-renewal or revocation of the permit. The Village Board also may choose not to renew or revoke a permit for any cause if it finds that the keeping of the animals adversely impacts upon the health, safety or welfare of the Village of Slinger or the immediate neighborhood where the animals are kept. The Village Clerk shall promptly notify the permittee of the non-renewal or revocation by certified mail.

(3) Any person aggrieved by the non-renewal or revocation of an animal-related permit may appeal to the Village Board by submitting a written request to the Village Administrator within 10 days of receipt of the notice of non-renewal or revocation. The Village Administrator shall schedule a public hearing on the matter at the first possible Village Board meeting. Notice of the public hearing shall be given in accordance with WI Statute §985.07(1), Class 1 Notices, no less than 2 weeks before the Village

Board meeting at which the public hearing will be held. The Village Clerk shall also give at least 10 days prior written notice to all property owners within 200 feet of the property for which an appeal is being sought. Failure of any notice to be received by any property owner shall not, however, invalidate the action taken by the Village Board.

(H) Penalties

Any person found to be in violation of any one of the above sections shall be subject to forfeitures as stated in the Village of Slinger Municipal Ordinance Deposit Schedule.

13.04 PENALTIES

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