

12.09 KEEPING OF VICIOUS DOGS REGULATED. (1) DEFINITIONS. The terms used in this section are defined as follows:

(a) Vicious Dog. 1. Any dog or hybrid dog with a propensity, tendency or disposition to attack, assault, cause injury or otherwise endanger the safety of human beings or other domestic animals as evidenced by its habitual or repeated chasing or snapping, or barking and/or snarling in a threatening manner.

2. Any dog or hybrid dog which attacks a human being or another domestic animal without provocation.

3. Any dog or hybrid dog owned or harbored primarily or in part for the purpose of dog-fighting, or any dog trained for dog-fighting.

4. Any pit bull dog.

(b) Pit Bull Dog.

1. The pit bull terrier breed of dog.

2. The Staffordshire bull terrier breed of dog.

3. The American pit bull terrier breed of dog.

4. The American Staffordshire terrier breed of dog.

5. Dogs of mixed breed or of other breeds than listed under subpars.

1. to 4. above whose breed or mixed breed is commonly known as pit bull, pit bull dog or pit bull terrier.

(2) REQUIREMENTS AND PROHIBITIONS. (a) Leash and Muzzle. No person owning, harboring or having the care of a vicious dog may suffer or 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 and 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. A vicious dog shall not be required to be muzzled when shown either in a sanctioned American Kennel Club show.

(b) 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. (a) 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 zoning and building regulations of the Village. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

(c) 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.

(d) Prohibited in Multiple Dwellings. No vicious dog may be kept within any portion of any multiple dwelling.

(e) Signs. All owners, keepers or harborers of vicious dogs shall, within 15 days of the effective date of this section, display in a prominent place on their premises a sign easily read- able by the public with letters not less than 2 inches in height stating "Danger - Vicious Dog." A similar sign is required to be posted on the kennel or pen of the dog.

(f) Insurance. All owners, keepers or harborers of vicious dogs or hybrid dogs shall, within 30 days of the effective date of this section, provide proof to the Legislative Committee 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 or hybrid dogs. The insurance policy shall provide that no cancellation of the policy will be made unless a 10-day written notice is first given to the Legislative Committee. The owner or custodian of the dog shall produce evidence of the required insurance upon request of a law enforcement officer. This paragraph does not apply to dogs kept by law enforcement agencies.

(3) VICIOUS DOG DETERMINATION. The Legislative Committee shall investigate every dog complaint and make a determination as to whether or not such dog is "vicious," as defined in sub. (1) above. In the event the Committee makes a determination that a dog is "vicious," he shall so inform the owner, keeper or harborer of such dog and provide such person with a copy of this section.

(4) APPEAL OF VICIOUS DOG DETERMINATION. Any person aggrieved by the determination of the Legislative Committee, as provided in sub. (3) above, may appeal such determination, as pro- vided in ch. 6 of this Code.

(5) COMPLIANCE. Within 10 days of the determination that a dog is vicious, as provided in sub. (3) above, or 10 days after an unsuccessful appeal under sub. (4) above, the owner of a vicious dog shall either comply with all provisions of this section or dispose of such dog.

(6) DISPOSITION OF VICIOUS DOGS. Any vicious dog which attacks a human being or domestic animal may be ordered destroyed by a peace officer or humane officer when, in the judgment of a court of competent jurisdiction, the dog represents a continuing threat of serious harm to human beings or domestic animals.

(7) PENALTY. Any person who violates any provision of this section shall, upon conviction, be subject to the payment of a forfeiture, as provided in sec. 25.04 of this Code. A separate offense shall be deemed committed on each day on which a violation of this section occurs or continues.