

City of Elroy

(c) **Dangerous Animals.** It shall be unlawful for any person within the City of Elroy to own, harbor or keep any dog, cat or other domestic animal or fowl which:

1. Habitually pursues any vehicle upon any public street, alley or highway in the City.
2. Assaults or attacks any person or destroys property.
3. Repeatedly breaks from leash or enclosure and trespasses or defecates upon property other than that on which the animal is kept.
4. Kills, wounds, or worries any domestic animal.
5. 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.
6. Is tied or confined in a manner as to prevent utility personnel from reading meters.
7. Is tied or confined in a manner as to allow the animal to interfere, threaten or menace the passing public or neighbors.

The owner of a classified Dangerous Animal shall immediately provide proof that they have corrected the violation. If action has not been taken to correct the violation, each day thereafter will be considered a subsequent violation and a fine imposed. In addition, upon the second violation, such animal must be removed from the City of Elroy until such time that the owner proves proof to the Police Department or animal control officer or City Council that they are in compliance with each of the following conditions and specifications.

1. Any dangerous dog shall be securely confined indoors or if kept outdoors, shall be kept in a securely enclosed and locked pen or structure adequate to confine the dog and located upon the premises of the owner of the dog. Any such pen or structure shall have secure sides and a secure top and if it has no bottom secured to the sides, the bottom is such that the dog cannot dig under the sides. Such pen or structure shall provide any such dog with adequate space and protection from the elements and shall be kept in a clean and sanitary condition.

2. The owner of a dangerous dog shall provide the police or Animal Control Officer or City Council with a color photograph of the dog taken within the last twelve months, suitable for use in identifying the dog.

3. The owner of any dangerous dog shall notify the police, Animal Control Officer or City Council within twenty-four (24) hours if such dog is loose or missing, if such dog has attacked or wounded a human being or another animal, or if such dog has been sold, leased, given away, died or if custody has been transferred to another person for more than forty-eight (48) hours. If such dog has been sold, leased, given away, or custody has been so transferred, the owner shall provide the police, Animal Control Officer or the City Council with the name, address and telephone number of the new owner, lessee, or custodian who shall be required to comply with the conditions of this section if the dog is kept within the city. If the owner of a dangerous dog moves

such a dog to a different address such owner shall notify the proper authorities of the new address within twenty-four hours.

4. The police, Animal Control Officer or City Council shall be permitted the right to inspect the enclosure in which any dangerous dog is kept at any time.

5. **Leash and Muzzle.** No person shall permit a dangerous dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit such 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. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition all dangerous dogs on a leash outside the animal's kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

6. All conditions and specifications herein referring to a "dangerous dog" will apply to all dangerous animals or fowl as deemed appropriate by the Common Council.

(d) **Vicious Dogs and Animals.** It shall be unlawful to own, keep, harbor, act as custodian or permit to remain on or about any premises with the City of Elroy any vicious dog or animal as defined in this section.

For purposes of enforcing this section, a dog shall be deemed as being of a vicious disposition if, it bites a person in unprovoked circumstances on or off the owner's premises, inflicts serious wounds to a person including multiple bites or serious disfigurement, serious impairment of health or serious impairment of any bodily function, or kills a person.