AGENDA
PUBLIC WORK'S COMMITTEE SPECIAL MEETING
Thursday, April 6, 2017
5:30 P.M., Allouez Village Hall

1. CALL TO ORDER / ROLL CALL

2. MODIFY/ADOPT AGENDA

3. HEARING TO CONSIDER APPEAL FROM SHEVA ASHOURI AND CRAIG LAIRD REGARDING BITE INVESTIGATION / DANGEROUS DOG DETERMINATION PER VILLAGE ORDINANCE 151-9(C) (5)

4. ACTION RE: DANGEROUS DOG DETERMINATION APPEAL

5. ADJOURNMENT

NOTE: It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above noticed meeting to gather information; no action will be taken by any governmental body at the above noticed meeting other than the governmental body specifically referred to above in this notice.

January 18, 2017

Village of Allouez

Re:

To Whom It May Concern:

We, Sheva Ashouri and Craig Laird, wish to file an appeal in regards to the decision made in the case regarding our two dogs, Pretty Boy and Tiffany. It was determined that they have been 'deemed dangerous' and we are now required to remove them from our home and subsequently, the Village of Allouez. This decision was based on an incident that occurred 11/5/16 in which neither of our dogs showed any aggression whatsoever towards anyone present at the scene other than the Doberman involved. This Doberman, who is owned by the Yangs, was noted by her owners in the vet's report to be "sketchy" and had to be muzzled at all times, which makes us think she has aggression issues towards other animals and humans. We have taken multiple precautions to prevent my dogs from leaving the fenced backyard including padlocking the gate and ensuring there are no gaps or holes in fencing they can escape through. We also do not ever allow our dogs outside of the house unleashed and they are never allowed to roam free inside the house unless we are home. If not, they are kenneled in their crates inside. The decision to deem our dogs dangerous was based on a hypothetical 'what if they got out again?' scenario and decided by those who do not know our dogs. Pretty Boy and Tiffany are UKC registered show dogs and we have bred and shown dogs for years in California prior to moving to Wisconsin. They have been through behavioral training and have never exhibited aggression towards people or other dogs. We have never had a dog escape or any incidents like the one mentioned above. We are responsible dog owners with much knowledge of the species and the breed that we own in particular. Our dogs have been in UKC shows around many other dogs within close proximity and have never had a problem with even aggression towards other dogs. They have never bitten another dog in the past and I believe the situation on 11/5 was purely circumstantial. We would like to appeal the decision and request that the Village of Allouez take a look at what we have done to secure our dogs and prevent further incidents from happening.

Thank you for your time,

Sheva Ashouri and Craig Laird

January 6, 2017

Sheva Ashouri & Craig Laird
3309 Patrick CT
Allouez, WI 54301

Dear Ms. Ashouri and Mr. Laird,

I am writing to inform you that based on the incident involving your dogs (Pretty Boy and Tiffany) on November 5, 2016, that they meet the definition of dangerous as defined in Village of Allouez ordinance 6.10.

As a result, in accordance with 6.10, I am declaring them dangerous and informing you that you have 5 days to remove them from the village.

I am enclosing the appropriate ordinance with the procedure for you to follow if you want to object to this declaration, as well as, the dangerous dog investigation summary.

Please feel free to call me with any questions or concerns. You can reach me at 819-6709.

Sincerely,

Monica Hoff
Animal Control/Humane Officer
Village of Allouez
920-819-6709

Copy: Brad Lange- Administrator-Village of Allouez
Village of Allouez municipal court

Bite Investigation /Dangerous Dog Determination

Individual bitten: Doberman Pinscher dog (Sascha) belonging to Judy and Roger Yang.

Owner name: Sheva Ashouri & Craig Laird

Dogs' names: "Pretty Boy"-American bulldog-intact male 2 ½ yrs
"Tiffany" –English bulldog-intact female-4yrs

1. **Gender of dogs:** see above 2. **Age approx:** see above

3. **Breed:** see above

4. **License:** not at time of attack

5. **Description of incident:** (date, time, place, victim, witnesses, etc): On Saturday, November 5, 2016 at approximately 9:45 am Ms. Judy Yang states that she was walking on Patrick Court with her dog "Sascha" when two dogs started chasing her. She made her way onto Hoffman Rd. She states that the two dogs circled her and her dog, barking, harassing and finally biting her dog. She stated that the smaller dog grabbed her dog's shoulder and the larger dog grabbed her dog's leg and both started pulling in opposite directions. At that point some by-standers came by and managed to get the attacking dogs off her dog and helped transport her dog to a veterinarian. (see attached police report and witness statements).

6. **Status of dogs prior to bite:** (pain, threatened, cornered, tied or loose) Dogs were loose and off the property of their owners on the public street. Owners state that female dog (Tiffany) was coming into heat.
Victim dog (Sascha) was on leash with owner on public street.

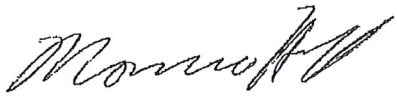
7. **Degree of attack/bite:** (number of bites, depth of bites, Dunbar scale score, what made dogs stop?) Multiple scratches and puncture wounds on body. 4 inch laceration to right shoulder and 2 inch laceration to caudal hock (see veterinarian report 11/5/2016). Bite assessment on Ian Dunbar scale-level 4/5. Dogs had to be forcibly stopped by the efforts

of 2-3 people including one person using a heavy stick to deter the larger dog"Pretty Boy"(see witness statements).

8. **History:** (previous bites, aggression) Owners state that there is no history of previous aggression/attacks. They stated that the dogs are always inside fence or on leash when going for walks and under control of owners.
Neighbors stated that dogs bark at the dogs in the adjoining yards when they are outside. In the past they have run up and down the fence barking at other dogs (see witness statements).

9. **Visit by ACHO:** (observations): Neither dog displayed any aggression towards me as a stranger in the house. Dogs appear well cared for and well socialized with people. Owners stated that this was an isolated incident and that gate was accidently left open possibly by children visiting the home. Owners said that the gate now has a padlock on it to prevent future accidents.
(note): Pretty Boy and Tiffany were the two dogs shown to me during my visit. After talking to neighbors at a later date it was stated by neighbors that there has been a 3rd dog at the Ashouri-Laird residence. This dog was described as a grey pit bull which also matches the general description of one of the attacking dogs. In a follow-up phone conversation with Ms. Ashouri, she stated that this dog is her aunt's dog that visits on occasion, but was not there on the day of this incident. This investigation is conducted with the understanding that the two dogs loose on the day that this incident occurred are the two dogs that the owners brought out during my visit.

10. **Designation (dangerous):** Based on the information received from witnesses and the veterinarian's report, the two dogs, Pretty Boy and Tiffany, do meet the requirements to be declared dangerous under Village of Allouez ordinance.
However, based on the owner's willingness to take added measures to contain their dogs (padlock on fence) and the non-aggression towards people (neither dog displayed any aggression toward the people that were at the scene), it may be appropriate during the appeal process for the board to consider modifying the current ordinance in this case to allow the owners to maintain possession of their dogs within village boundaries conditional upon additional security measures being taken to contain the dogs. This is assuming that the owners choose to appeal the dangerous dog declaration.



Monica Hoff
Animal Control/Humane Officer
Village of Allouez

Attachments: police report
witness statements
veterinarian report
Ian Dunbar bite scale

B A

Brown County Sheriff's Office			Supplementary Report
Incident Report Number: 16-046633	Incident Location: Patrick Ct/Hoffman Rd;BCSO		Incident Date: 11/05/2016
New Incident: Animal Call/At Large	Original CFS Code - 1: 9006	New CFS Code -1 : 9006	New CFS Code - 2:

SUMMARY

Animals running at large
No custodial arrest
Cited and released
Witness statement taken

NAMES

Police Officer
Rousseau, Deputy Justin W/ of 2684 Development DR;BCSO, Bellevue,WI,54311
Work Phone:(920) 448-4200

Arrested owner
Ashouri, Sheva M U/F-29 of 3309 Patrick CT;BCSO, Allouez,WI,54301
DOB: 03/19/1987
Cell Phone:(951) 570-8913

Witness-1
Longlais, Heather L W/F-41 of 415 St Francis DR;BCSO, Allouez,WI,54301
DOB: 10/21/1975
Cell Phone:(920) 562-7910

Witness-2 Roger
Yang, Judy X A/-33 of 3310 S Clay ST;BCSO, Allouez,WI,54301
DOB: 01/07/1983
Cell Phone:(920) 639-9700

Witness-3
Weinstein, Thomas D W/M-63 of 3030 Ridgeview CT;BCSO, Allouez,WI,54301
DOB: 10/09/1953
HT: 506 WT: 195 Hair: Gray or Partially Gray
Eyes: Brown
Cell Phone:(920) 265-5506 Home Phone:(920) 336-0330

Witness-4
Schmidt, Jody Lee W/M-43 of 1716 S Ridge RD;GBPD, Green Bay,WI,54304
DOB: 03/09/1973

Reporting Officer(s): Rousseau, Justin A.	Payroll Number: 1310	Payroll Number:	Report Date: 11/06/2016
Reviewed by: Maloney, Timothy M.	Payroll Number: 116	Copy To:	Page: 1 Of 3

and would never attack another dog. I advised Sheva I would speak with her at her home, and Sheva returned home.

I arrived at Sheva's house and spoke with her. A male also exited the house and spoke with me. Sheva again stated her dogs would never attack anyone. The male stated the one dog had a couple marks on its face, but the other one wasn't breathing heavy and didn't have anything on its face when it got back. Sheva admitted her dog was out of the yard, and didn't know how they got out. I issued and explained Sheva a citation for Allouez Ordinance A6.02 - Animals at large. Sheva stated she understood.

I contacted Roger Yang, husband of Judy Yang, owner of the dog that was attacked, and advised him the incident number in case he needed it.

No further information
End of report

BROWN COUNTY SHERIFF'S DEPARTMENT

STATEMENT FORM

Incident # 16-46633

Page 1 of 1

Time: 10:30 a.m. Date: 11-5-16 Place: Hoffman Rd & Patrick Ct.

Statement From: Jody L. Schmidt Age: 43 D.O.B.: 3/9/73

Address: 1716 S. Ridge Rd, Green Bay, WI 54304 Telephone: 920-606-3322

By: J. Rousseau #1310 In Presence Of:

(1) On Saturday, 11-5-16, at approximately 10:00 A.M.,
(2) I, Jody Schmidt, was traveling E/B on Hoffman Rd
(3) at Patrick Ct. I saw a lady and her dog in the
(4) street on Hoffman Rd. There were 2 other dogs attacking
(5) her dog and a man trying to help her. The 2 dogs
(6) pulled the other dog up onto the sidewalk and were pulling
(7) the dog in both directions. The dog was getting attacked
(8) was a Doberman. The 2 dogs attacking it were a
(9) pit-bull and a bulldog. I stopped my truck and helped
(10) get the 2 dogs off the Doberman. Another lady
(11) stopped and helped. We hit and kicked the 2 dogs
(12) and got them off. I thought the Doberman was
(13) dead. The first guy took the Doberman and owner
(14) to the animal hospital. I called the police. After
(15) it was all done, I heard the 2 dogs were back
(16) at their owners' at 3309 Patrick Ct. The lady later
(17) walked out of 3309 Patrick and started arguing about
(18) how nice her dog was and it wouldn't attack anyone.
(19) This statement was written for me in my own words by
(20) J. Rousseau #1310.
(21)
(22)

I have given this statement of my own free will and no force, threats or promises were made to me to obtain this statement of 1 pages. It is true and correct to the best of my knowledge. J Rousseau #1310 has read the statement to me and I have read it.

J Rousseau #1310
Witness

Signed:

Witness

Statement was concluded 10:40 a.m. / 11-5-16
(Time) (Date)

FORMS:PATROL:STMT.DOC

Witness statements regarding Brown County Sheriff incident # 16-046633

Judy Yang stated that she was walking with her dog on Patrick Ct and 2 dogs chased her barking and circling around her and her dog. She tried to get away from these dogs but as she got onto Hoffman Rd the dogs were able to grab her dog, one at the front end and one at a hind leg and started pulling her dog in opposite directions. Several passerbys helped to get these dogs off of her dog and she was given a ride to the veterinarian by one of these people.

Jody Lee Schmidt stated that he saw two dogs biting a Doberman which was on leash with owner. The dogs were biting this dog and pulling it in opposite directions. The smaller dog was pulled off by woman at the scene and he and another man had to use a stick to get the other pit bull type dog to let go. That dog ran off. He also made a statement for the police.

Heather Longlais stated that when she drove up, two men were trying to stop two dogs that were attacking a doberman dog being walked on the leash. She was able to pull off the smaller dog. She saw the other dog in its yard afterward and talked to female later identified by police as owner.

Thomas Weinstein stated that he turned corner and saw a girl and dog (Doberman) running and two dogs attacking the Doberman. He got out of car and one of the dogs had bitten the Doberman in the neck area and the other had it by the hind leg. He states that they were tugging the doberman in opposite directions. A woman pulled the smaller dog off but it took himself and another man with a 3 ft stick to get the larger dog to let go. He stated the two dogs attacked as team and latched onto the Doberman.

Neighbor 1 states that when her dogs are outside the bulldogs next door bark and run at the fence.

Neighbor 2 states that the female bulldog seems to the most aggressive towards other dogs.

Neighbor 3 stated that the 3rd dog a grey pit bull on one occasion had run under the fence into their yard.

Client Name: Roger Yang
Address :

Phone:

Patient Name: Sascha
Species: Canine
Breed: Doberman Pinscher
Sex: FS
Birthdate:

11/05/2016 — Surgery - Wound management

PRE - Owner declined Pre-A Blood work
Induced
Dexdomitor 0.8 ml
Ketamine 0.4 ml
Butorphanol 0.4 ml
IM right hind
IV cath placed.

Pen g 2.5ml SQ

IN - Patient intubated and maintained on isoflurane and oxygen.
Wounds were clipped and flushed copiously with saline and LRS.
Bilat hind nails x 4 were worn and bleeding. Paws were soaked in Nolvasan and quick stop was applied to all bleeding nails.

R lateral shoulder; muscle laceration. Wound was flushed deep into muscle. Wound was debrided PRN. Skin was closed surgical staples.

R caudal hock; wound was flushed and debrided PRN. Skin was closed with 3-0 nylon simple cont pattern.

Bupivicaine was instilled in both wound sites.

POST - Antisedan 0.8 ml IM
Recovered quickly and uneventfully.

Since this was a Saturday morning, we offered 24 hour care at GBARC, owner declined and chose to take Sascha home for home monitoring.

MORTALI *Provider: 6 6-Dr. Becky Krull*
Operator: AV - Autumn Vallier
Create/Edit User Name: Accounts Receivable 1
Create/Edit Date: Fri, Nov 18, 2016 02:45 PM

11/05/2016 — SOAP - Bite Wound

S - Dog was just in a dog fight involving 2 other dogs that were in a fenced yard but escaped through the gate according to the owner and a witness. Sascha was on a leash in her owners control. Another client, Tom Weinstein, presented as witness with Ms. Yang. Sascha's regular DVM are Dr. Mau and Dr. Sarah Wolfe for routine vaccine care.

O - Owner notes that Sascha can be "sketchy" and requests we keep her muzzled at all times. A muzzle was placed on Sascha in the back of owners car and then Sascha was lifted out of the car and walked into clinic under her own strength and ambulatory x 4.
Sascha has multiple scratches and puncture wounds on her body. ~4 inch laceration to her Right shoulder, 2 inch laceration to her R caudal hock.

Sascha was alert, slightly shaking, had pink tacky MM with CRT 1-2sec.

A - Bite Wounds that need flushing, debriding and closure. Requires sedation to perform procedure.

P - Informed owner that I recommend that Sascha be anesthestized to manage bite wounds properly. An estimate for recommended services was provided. Owner declined pre-A blood work but ok'd sedation and wound management.

Provider: 6 6-Dr. Becky Krull
Operator: AV - Autumn Vallier
Create/Edit User Name: Accounts Receivable 1
Create/Edit Date: Fri, Nov 18, 2016 02:39 PM

11/05/2016 Invoice - 2691 Tramadol 50 mg Tablets Quantity: 30.00

Quantity: 30.00
Fee: 8.00
Date/Time Performed: Nov 5 2016 11:53AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:53 AM

11/05/2016 RX# 53899.00 - Tramadol 50 mg Tablets

SIG -
Give 2-4 tablet by mouth every 8-12 hours
Remark -

Refills Left - 0
RX Expires Nov 5 2017
Inventory Expires Jan 4 2001
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:53 AM

11/05/2016 Invoice - 1999 * Write In- Surg Quantity: 1.00

Quantity: 1.00
Fee: 300.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 704 General Anesthesia Level 4 Quantity: 1.00

Quantity: 1.00
Fee: 132.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 772 Patient Monitoring Quantity: 1.00

Quantity: 1.00
Fee: 0.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 771 Pre- Anesthetic Exam Quantity: 1.00

Quantity: 1.00
Fee: 0.00
Date/Time Performed: Nov 5 2016 11:47AM

Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 700 Induce Anesthesia Quantity: 1.00

Quantity: 1.00
Fee: 72.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 810 I.V. Set Up Quantity: 1.00

Quantity: 1.00
Fee: 46.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 800 Fluid Treatment (IV) Quantity: 1.00

Quantity: 1.00
Fee: 37.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Invoice - 1 Medical Examination Quantity: 1.00

Quantity: 1.00
Fee: 63.00
Date/Time Performed: Nov 5 2016 11:47AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:47 AM

11/05/2016 Take Home Message - G-Post Sugery Discharge

Create/Edit Date: Sat, Nov 05, 2016 11:40 AM

11/05/2016 Invoice - 3523 Clavamox Tabs 375mg Quantity: 28.00

Quantity: 28.00
Fee: 119.00
Date/Time Performed: Nov 5 2016 11:40AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:40 AM

11/05/2016 RX# 53898.00 - Clavamox Tabs 375mg

SIG -
Give one tablet by mouth every 12 hours
(twice daily) until gone.
Remark -
Use until gone.

Refills Left - 0
RX Expires Nov 19 2016
Inventory Expires Jan 4 2001
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:40 AM

11/05/2016 Invoice - 2605 Deramaxx Tablets75mg Quantity: 7.00

Quantity: 7.00
Fee: 32.55
Date/Time Performed: Nov 5 2016 11:40AM
Provider: 6 6-Dr. Becky Krull
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:40 AM

11/05/2016 **RX# 53897.00 - Deramaxx Tablets75mg**

SIG -
Give 1/2 tablet by mouth every 24 hours (once daily) until gone.

Remark -

Refills Left - 0
RX Expires Nov 5 2017
Inventory Expires Jan 4 2001
Create/Edit User Name: Front Desk 1
Create/Edit Date: Sat, Nov 05, 2016 11:40 AM

Dr. Ian Dunbar's Dog Bite Scale (Official Authorized Version)

An assessment of the severity of biting problems based on an objective evaluation of wound pathology

Level 1. Obnoxious or aggressive behavior but no skin-contact by teeth.

Level 2. Skin-contact by teeth but no skin-puncture. However, may be skin nicks (less than one tenth of an inch deep) and slight bleeding caused by forward or lateral movement of teeth against skin, but no vertical punctures.

Level 3. One to four punctures from a single bite with no puncture deeper than half the length of the dog's canine teeth. Maybe lacerations in a single direction, caused by victim pulling hand away, owner pulling dog away, or gravity (little dog jumps, bites and drops to floor).

Level 4. One to four punctures from a single bite with at least one puncture deeper than half the length of the dog's canine teeth. May also have deep bruising around the wound (dog held on for N seconds and bore down) or lacerations in both directions (dog held on and shook its head from side to side).

Level 5. Multiple-bite incident with at least two Level 4 bites or multiple-attack incident with at least one Level 4 bite in each.

Level 6. Victim dead.

The above list concerns unpleasant behavior and so, to add perspective:

Levels 1 and 2 comprise well over 99% of dog incidents. The dog is certainly not dangerous and more likely to be fearful, rambunctious, or out of control. Wonderful prognosis. Quickly resolve the problem with basic training (control) — especially oodles of Classical Conditioning, numerous repetitive Retreat n' Treat, Come/Sit/Food Reward and Back-up/Approach/Food Reward sequences, progressive desensitization handling exercises, plus numerous bite-inhibition exercises and games. Hand feed only until resolved; do NOT waste potential food rewards by feeding from a bowl.

Level 3: Prognosis is fair to good, provided that you have owner compliance. However, treatment is both time-consuming and not without danger. Rigorous bite-inhibition exercises are essential.

Levels 4: The dog has insufficient bite inhibition and is very dangerous. Prognosis is poor because of the difficulty and danger of trying to teach bite inhibition to an adult hard-biting dog and because absolute owner-compliance is rare. Only work with the dog in exceptional circumstances, e.g., the owner is a dog professional and has sworn 100% compliance. Make sure the owner signs a form in triplicate stating that they understand and take full responsibility that: 1. The dog is a Level 4 biter and is likely to course an equivalent amount of damage WHEN it bites again (which it most probably will) and should therefore, be confined to the home at all times and only allowed contact with adult owners. 2. Whenever, children or guests visit the house, the dog should be confined to a single locked-room or roofed, chain-link run with the only keys kept on a chain around the neck of each adult owner. (To prevent children or guests entering the dog's confinement area.) 3. The dog is muzzled before leaving the house and only leaves the house for visits to a veterinary clinic. 4. The incidents have all been reported to the relevant authorities — animal control or police. Give the owners one copy, keep one copy for your files and give one copy to the dog's veterinarian.

Level 5 and 6: The dog is extremely dangerous and mutilates. The dog is simply not safe around people. I recommend euthanasia because the quality of life is so poor for dogs that have to live out their lives in solitary confinement.

The Association of Pet Dog Trainers 101 N. Main Street, Suite 610, Greenville, SC 29601
www.apdt.com • information@apdt.com • 1-800-PET-DOGS

Village of Allouez, WI
Wednesday, March 29, 2017

Chapter 151. Animals

§ 151-9. Dangerous dogs.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

DANGEROUS DOG

Any dog which:

(1) Without provocation, while not under the control of its owner, chases, confronts, or approaches a person in a menacing fashion while off its owner's property and it is clear that the dog is not merely being protective in a particular set of circumstances.

(2) When unprovoked and while off its owner's property, approaches a domestic animal in a menacing fashion.

(3) When unprovoked and while off its owner's property, causes a non-severe, non-bite injury in a menacing fashion to any person or domestic animal.

DOMESTIC ANIMAL

Domesticated dogs and cats or other animals or fowl governed by this chapter.

MENACING FASHION

Demonstrating an intent or desire to cause injury by one or more of the following actions:

(1) An attempt to bite a person or another animal in such a fashion to show plainly to a reasonable person an unfriendly intent and put him in fear of attack.

(2) Growling or barking in an unfriendly manner while approaching or chasing a person or another animal.

(3) Growling or barking in an unfriendly manner while making physical contact with a person or another animal.

OFFICER

Any peace officer or a Brown County Sheriff's Department officer or Village of Allouez Code and Safety Enforcement Coordinator and Animal Control/Humane Officer.

OWNER

Any person, firm, corporation, or other organization owning, keeping, possessing, harboring, controlling, or having the care or custody, whether temporarily or permanently, of a dog or dogs.

PROVOKED

Any attack by an animal or physical injury caused by an animal shall be considered provoked if at the time the attack occurs or the injury is inflicted:

(1) The person who was attacked or injured was teasing, tormenting, abusing, or assaulting the animal;

(2) The animal was protecting a person, itself, its young or another domestic animal from an attack by a human being or another animal; or

(3) The person who was attacked or injured was committing a crime on the property of the animal's owner.

B. Dangerous dogs prohibited. No person shall own, keep, possess, return to, or harbor a dangerous dog within the Village. Any person who owns, keeps, possesses, harbors, or returns any dangerous dog to the Village, after it has been declared to be dangerous by an animal control/humane officer, owner's omission, quasi-judicial hearing, another Wisconsin municipality or appeal, shall be subject to a forfeiture of not less than $500 nor more than $1,000.

C. Procedure for declaring a dog dangerous.

(1) An animal control/humane officer may determine a dog to be dangerous whenever, upon investigation, that officer finds that the dog meets the definition of "dangerous dog" as delineated in Subsection **A**.

(2) The animal control/humane officer, upon making the determination that a dog is dangerous, shall issue a written order declaring the dog to be dangerous and demanding that the owner of the dangerous dog remove it from the Village within five days.

(3) If the owner objects to the declaration he or she may file a written objection contesting the declaration with the Village Clerk-Treasurer within five days of receiving the written declaration.

(4) Upon receipt of the owner's written objection within the prescribed five days, the matter shall be placed on the soonest Public Works Committee meeting agenda practicable for review.[1]

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

(5) The Public Works Committee shall act as a quasi-judicial body allowing the animal's owner an opportunity to present evidence as to why the animal should not be declared a prohibited dangerous dog.[2]

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

(6) Pending the outcome of the hearing, the animal may be confined subject to § 173.21, Wis. Stats., or held at a location outside the Village limits at the owner's expense.

(7) After the hearing, once the Public Works Committee has made a decision, the owner shall be immediately notified of the decision in writing by certified mail. If a decision is made that the animal is a prohibited dangerous dog, the owner shall comply with the order to remove the dog from the Village within five days after receiving the written decision, if not already removed.[3]

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

(8) If the owner further contests the Public Works Committee's decision, he or she may, within five days of receiving the written decision, seek review of the decision by the Circuit Court.[4]

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

(9) If the declared dangerous dog is not removed from the Village within five days of it being declared dangerous by the animal control/humane officer, owner's omission, quasi-judicial

hearing, another Wisconsin municipality or appeal, it may be seized and ordered destroyed pursuant to § 174.02(3), Wis. Stats.[5]

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

D. Manner and procedure for destruction of dangerous dogs. Whenever an officer or veterinarian is required to destroy a dangerous dog, the animal shall be destroyed in a humane manner which avoids damage to the animal's head.

E. Exemption for law enforcement dogs. The provisions of this section regarding dangerous dogs shall not apply to dogs owned by law enforcement agencies and used for law enforcement purposes.