

**VILLAGE OF LITTLE CHUTE
ORDINANCE NO. 7, SERIES OF 2013**

**AN ORDINANCE AMENDING THE VILLAGE OF LITTLE CHUTE MUNICIPAL CODE -
CHAPTER 6 ANIMALS, SECTIONS 6-1, 6-6, 6-12, 6-13, 6-14, 6-20 AND 6-21-
ALLOWING VIETNAMESE POTBELLED/MICRO PIGS**

BE IT ORDAINED by the Village Board of Trustees, Village of Little Chute, Outagamie County, Wisconsin as follows:

Sec. 6-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means mammals, reptiles and birds.

At large means to be off the property of the owner or caretaker and not under restraint. A dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig within an automobile, or in an automobile of any other persons with the consent of the owner of said ~~dog or cat~~ animal, shall be deemed to be upon the owner's property.

Bodily harm means bodily injury including, but not limited to, a bruise, abrasion, scratch, bite mark, puncture, laceration, any fracture of a bone, a concussion, a loss or fracture of a tooth or any temporary loss of consciousness, sight or hearing.

Caretaker means any person who, in the absence of the owner, temporarily harbors, shelters, keeps or is in charge of a dog, cat, Vietnamese potbellied pig/Micro pig or any other domesticated bird or animal.

Confined means restriction of an animal at all times by the owner to an escape-proof building, vehicle or other enclosure.

Cruel means causing unnecessary and excessive pain or suffering or unjustifiable injury or death. Additionally, it shall be unlawful to tease, annoy, disturb, molest or irritate an animal that is confined to the owner's property.

Dangerous animal means any of the following:

- (1) Any animal which, when unprovoked, inflicts bodily harm on a person, domestic pet or animal on public or private property.
- (2) Any animal which repeatedly chases or approaches persons in a menacing fashion or apparent attitude of attack, without provocation, upon the streets, sidewalks or any public grounds or on private property of another without the permission of the owner or person in lawful control of the property.
- (3) Any animal with a known propensity, tendency or disposition to attack, to cause injury to, or otherwise threaten the safety of humans or other domestic animals.

Domestic animal means any animal which is normally considered tame or domesticated and suitable for home life with humans.

Dwelling unit means a building or portion thereof designed to be used exclusively for residential purposes.

Farm animal means any warm-blooded animal normally raised on farms in the United States and raised for food or fiber.

Kennel means any premises wherein any person engaged in the business of boarding, breeding, buying, letting for hire, training for a fee or selling of dogs or cats.

Law enforcement officer has that meaning as appears in Wis. Stats. § 967.02(5), and includes a humane officer under Wis. Stats. § 58.07, but does not include a conservation warden appointed under Wis. Stats. § 23.10.

Licensing authority means the political body authorized to issue animal licenses.

Molest means excessive barking, **squealing**, running up to or charging, threatening, jumping on or otherwise harassing people or other domestic animals or the passing public that are in the public right of way or on public property, or on their own property or property of anyone other than the owner or custodian of the animal.

Owner means any individual that has the right of property in an animal or who keeps, harbors, cares for, acts as its caretaker or who knowingly permits an animal to remain on or about his premises/property for five or more consecutive days.

Pet means any animal kept and treated as a pet.

Pet store means any retail establishment in a commercially zoned building whose business includes the sale of live animals.

Prohibited dangerous animal means any of the following:

- (1) Any animal that, while off the owner's or custodian's property, has killed a domesticated animal without provocation.
- (2) Any animal that, without provocation, inflicts serious bodily harm on a person on public or private property.
- (3) Any animal brought from another city, village, town or county that has been declared dangerous or vicious by that jurisdiction.
- (4) Any dog that is subject to being destroyed under Wis. Stats § 174.02(3).
- (5) Any dog trained, owned or harbored for the purpose of dog fighting.

Public nuisance animal means any animal which:

- (1) Habitually pursues any vehicle or passerby upon any public street, alley or highway in the village.
- (2) Molests people, domestic animals, or passing vehicles.
- (3) Attacks persons or domestic animals without provocation when such persons or domestic animals are peacefully conducting themselves in a place where they are lawfully entitled to be.
- (4) Is at large on school grounds, parks or cemeteries.
- (5) Is repeatedly at large.

- (6) Damages private or public property.
- (7) Barks, whines, ~~or~~ howls **or squeals** in an excessive, or continuous or untimely fashion.
- (8) Does not have the current vaccination as required by [section 6-3](#)
- (9) Is the subject of [section 6-6](#)
- (10) Is the subject of repeated violations under this chapter.

Restraint means that the animal is secured by a leash or lead, and under the control of a responsible person and obedient to that person's command, or within the real property limits of its owner or caretaker.

Render sterile refers to a surgical procedure that has been performed on an animal that renders it incapable of siring or bearing offspring. The term includes neutering and spaying.

Serious bodily harm means bodily harm which causes death, creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury requiring medical care or treatment.

Unrestrained animal is any animal not subject to restraint by the owner or lawful custodian.

Veterinary hospital or clinic means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of disease and injuries of animals.

Wild animal means any nonhuman primate, raccoon, skunk, fox, wolf, or any animal which is in part of the canis lupis species, any animal raised for fur-bearing purposes or any other animal or hybrid thereof which can normally be found in the wild state, or poisonous reptiles, crocodilians and any other snake or reptile exceeding three feet in length.

(Code 2006, § 7-1-1(b); Ord. No. 3(Ser. of 2011), § 1, 1-19-2011; Ord. No. 1(Ser. of 2013), § 1, 2-6-2013)

Sec. 6-6. - Rabies quarantine.

(a) *Dogs, ~~and cats,~~ or Vietnamese potbellied pigs/Micro pigs* confined. If a district is quarantined for rabies, all dogs, ~~and cats,~~ **or Vietnamese potbellied pigs/Micro pigs** within the village shall be kept securely confined, tied, leashed or muzzled. Any dog, ~~or cat,~~ **or Vietnamese potbellied pig/Micro pig** not confined, tied, leashed or muzzled is declared a public nuisance animal and may be impounded. All officers shall cooperate in the enforcement of the quarantine. The village clerk shall promptly post in at least three public places in the village notices of quarantine.

(b) *Exemption of vaccinated dog or cat from village quarantine.* A dog or cat which is immunized currently against rabies, as evidenced by a valid certificate of rabies vaccination or other evidence, is exempt from the village quarantine provisions of subsection (a) of this section if a rabies vaccination tag or substitute tag is attached to the dog's or cat's collar.

(c) If any dog or cat for which the owner holds a current rabies certificate is involved in a bite or scratch incident, the owner shall quarantine and confine the animal under the supervision of a licensed veterinarian for at least ten days from the date of the incident. The animal shall not be allowed to come in contact with other animals or people during the period of confinement. Supervision of a veterinarian

includes, at a minimum, examination of the animal on the first day, on the tenth day, and on one intervening day.

(d) Any dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig involved in a bite or scratch incident that has not been vaccinated or has not been revaccinated within the prescribed times must be confined at a veterinary hospital or a place designated by the police department.

(e) The owner of any dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig involved in a bite or scratch incident is responsible for any expenses incurred.

(Code 2006, § 7-1-5; Ord. No. 3(Ser. of 2011), § 1, 1-19-2011)

Sec. 6-9. – Dogs, ~~and~~ cats, and Vietnamese potbellied pigs/Micro pigs restricted on cemeteries.

No dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig shall be permitted in any public cemetery. Every dog specially trained to lead blind persons shall be exempt from this section.

(Code 2006, § 7-1-8)

Sec. 6-12. - Injury to property by animals.

It shall be unlawful for any person owning or possessing an animal, dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig to permit such animal, dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig to go upon any parkway or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate thereon.

(Code 2006, § 7-1-11)

Sec. 6-13. - Barking dogs, ~~or~~ crying cats, or squealing pigs.

It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, ~~or~~ any cat which habitually cries or howls, or any Vietnamese potbellied pig/Micro pig which habitually squeals to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such ~~dogs and cats~~ animals are hereby declared to be a public nuisance. A dog, ~~or~~ cat, or Vietnamese potbellied pig/Micro pig is considered to be in violation of this section when two formal, written complaints are filed with the village board within a four week period.

(Code 2006, § 7-1-12)

Sec. 6-14. - Prohibited wild animals and restricted species.

(a) No person shall keep or permit to be kept any wild animal as a pet.

(b) Except as otherwise permitted within this section, no person shall keep, sell or offer for sale within the village any horses, cows, pigs, goats, sheep, bees, pigeons, chickens, geese, ducks or other fowl or any other domestic animal other than a dog, cat, rabbit, small caged birds, Vietnamese potbellied pigs/Micro pigs, small caged animals or reptiles or aquatic and amphibian animals, kept solely as pets.

(c) No person shall exhibit or permit to be kept on their premises or any public place any wild animal for display or exhibition purposes, whether gratuitously or for a fee.

(d) The prohibitions in subsection (c) of this section do not apply when the creatures are in the care, custody or control of a veterinarian for treatment.

(e) Public or private educational institutions, nonprofit organizations, itinerant or transient carnivals, circuses or other theatrical performances may seek, from the health officer, a limited exemption from this section provided the display will be of limited duration and meet any other requirements or conditions mandated by the health officer and the location complies with provisions of [chapter 44](#), pertaining to zoning of the village. The person or organization having custody and control of any animal permitted by this section shall be responsible for compliance with all other provisions of this chapter while the animal remains within the village limits.

Sec. 6-20. – Dognapping, ~~and~~ catnapping, and pignapping.

No person may take the dog, ~~or~~ cat, or pig of another from one place to another without the owner's consent or cause such a dog or cat to be confined or carried out of the village or held for any purpose without the owner's consent. This section does not apply to law enforcement officers or humane society agents engaged in the exercise of their official duties, or as otherwise permitted herein.

(Code 2006, § 7-1-20)

Sec. 6-21. - Limitation on number of animals.

No person or household shall keep more than six animals, the maximum number of dogs being three, the maximum number of rabbits being two, the maximum number of Vietnamese potbellied pigs/Micro pigs being two, on any village lot, land parcel, home or dwelling unit if in a multiple dwelling unit, with the exception of a litter of pups or kittens, which may be kept for a period of time not to exceed five months from birth. This section does not apply to premises holding a valid kennel license.

(Code 2006, § 7-1-21; Ord. No. 1(Ser. of 2013), § 1, 2-6-2013)

Section I. Chapter 6 of the Village of Little Chute code of ordinances is hereby amended by additions and/or subtractions to the content in Sections 6-1, 6-6, 6-12, 6-13, 6-20, and 6-21 as follows.

Section II: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the above provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or its applications.

Section III: Effective Date. This Ordinance shall become effective on the date of passage.

Section IV: State Law. Nothing therein precludes additional or alternative enforcement in accordance with Chapter 174 Wisconsin Statutes or other applicable state law.

Date introduced: June 26, 2013
Approved and Adopted: August 7, 2013

VILLAGE OF LITTLE CHUTE

By: _____
Michael R. Vanden Berg, Village President

Attest: _____
Sandy Berkers, Village Deputy Clerk