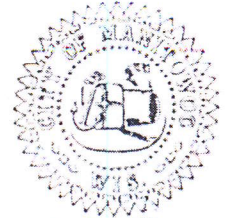


15-168 A 1

CITY OF MANITOWOC
WISCONSIN, USA
www.manitowoc.org



COPY

January 9, 2015

TO: Manitowoc Police Department Shift Commander

FROM: Kathleen M. McDaniel, City Attorney

RE: Notice – Biting and Attacking Animal
male Yellow Lab Mix, SCOOBY DOO
Owner – Ashley M. Lambert

Enclosed are two (2) copies of the Notice regarding the above-related matter.

Please serve the original Notice on the above-mentioned individual by **4:30pm TODAY** and return one copy plus a Certificate of Service to the City Attorney's Office.

If you have any questions regarding this matter, please feel free to contact me.

Best Regards,

Kathleen M. McDaniel
City Attorney

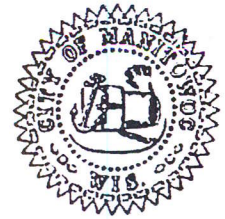
Enclosures

officer Hayner
picked up 1/9/15, 3:00 pm
jn



CITY OF MANITOWOC

WISCONSIN, USA
www.manitowoc.org



January 9, 2015

Ashley M. Lambert
1105 Dewey Street
Manitowoc, WI 54220

Served by Manitowoc Police Department

NOTICE

RE: Male Yellow Lab Mix, SCOOBY DOO- Biting and Attacking

Dear Ms. Lambert:

It has come to the City's attention that your male Yellow Lab Mix, SCOOBY DOO has been involved in a complaint in which your dog has attacked/bit another person/animal within the City of Manitowoc, in violation of City Ordinance 14.020 (12).

Since your animal has displayed a record of attacking and/or biting, you are in violation of this ordinance. Please ensure that your dog is kept under control and causes no further damage, threat or injury to the safety and welfare of the people or property of the City of Manitowoc until you comply with this Order. Failure to comply will result in legal action to have your dog euthanized pursuant to Wisconsin law.

ORDER

By the Authority granted pursuant to City Ordinance 14.020 (12) you are hereby ordered to remove your animal from the City limits of Manitowoc. You will be given **forty-eight (48) hours** from the receipt of this notice to permanently remove this animal. If you fail to take immediate and appropriate action to remove this animal, the City of Manitowoc will take legal action to have your animal euthanized. Citations can be issued on a daily basis for each day beyond the forty-eight (48) hours that you remain in violation of Ordinance 14.020 (12). Furthermore, the City can impound your animals until such time as a Court Order is obtained to dispose of the animal properly.

City of Manitowoc

By: 

Kathleen M. McDaniel
City Attorney
City of Manitowoc

Enclosure

cc: Tony Dick, Chief of Police
Scott Luchterhand, Interim Deputy Chief of Police
Justin M. Nickels, Mayor



(7) Dogs and Cats in Public Places. No dog or cat whether licensed or unlicensed, muzzled or not muzzled shall be allowed upon the streets of the City of Manitowoc or in public places, such as railway depots, hotels, restaurants, theaters, public conveyances, stores and the like, unless on a suitable and dependable leash not longer than eight feet in length. A female dog or cat in heat must be confined on the owner's property at all times.

(8) Collars to Keep on Dogs and Cats. Every dog and cat over the age of six months, whether kennel licensed or individually licensed, shall at all times wear a substantial, durable collar to which shall be attached securely the license tag required. No license tag shall be used on the collar of any dog or cat other than the one for which it is issued. No person shall remove the collar or tag or both from any dog or cat without the consent of the person to whom the license is issued.

(9) Defecation on Private and Public Property Prohibited. It shall be unlawful for any person owning or in control of any dog or cat to allow or permit such animal to defecate on any private or public property owned by another unless such person shall remove all feces so deposited by such animal.

(10) Impoundment. Impoundment of dogs in the City of Manitowoc shall be governed by Wis. Stat. § 174.06. Impoundment of cats shall be treated identically to the impoundment of dogs.

(11) Loud or Barking Animals. No person shall keep, harbor, or own any dog, cat, or other animal that by loud or frequent or habitual barking, yelping, or howling, or by constant threat of attacking or biting, shall cause annoyance to the neighborhood or members of the public. No person shall refuse to deliver up to any police officer any dog, cat, or other animal when properly requested to do so under the provisions of this chapter.

(12) Attacking or Biting Dog, Cat, or Other Creatures.

(a) **Keep, Harbor, Own.** No person shall keep, harbor or own any dog, cat, or other creature which shall attack, bite or cause damage to any member of the public, a domestic animal or property of another whether the attack or damage is on public or private property, including the private property of the person owning the attacking or biting dog, cat, or other creature.

(b) **Removal or Impoundment.**

1. **Removal.** Any person ordered by the City to remove any attacking or biting dog, cat, or other creature from the City shall do so immediately.

2. **Impoundment.** Any dog, cat, or other creature ordered by the City to be impounded shall be immediately surrendered to the City police to be detained until such time as a court order is obtained for the disposition of the animal or creature.

(c) **Costs of Disposition.** Any person keeping, harboring or owning an attacking or biting dog, cat, or other creature shall pay all costs for the removal, impoundment, destruction or other disposition of said animal.

(d) **Failing to Comply.** Any person failing to comply with any written terms, conditions or restrictions imposed by the City regarding an attacking or biting dog, cat, or other creature shall be in violation of this section.

(e) All provisions of Wis. Stat. Chs. 169 and 174, as amended or modified from time to time, are hereby incorporated by reference.

(f) Penalties. Any person in violation of any provision of this section shall be subject to a forfeiture of not less than \$50.00 nor more than \$500.00 for first offense and not less than \$200.00 nor more than \$1,000 for any subsequent offenses. Each and every day that such violation continues shall be considered a separate offense.

(13) Harboring Sick or Injured Animals. No person shall keep or harbor a sick or injured animal unless that animal is receiving proper medical attention, food, drink, and shelter. The Manitowoc Police Department shall have the authority to seize any animal being so mistreated and transport the animal to the Humane Society or destroy it if necessary.

(14) Fur-Bearing Animal Farm Prohibited. No person, firm or corporation shall keep, operate, maintain or have a mink farm or farms, fox farm or farms or other fur-bearing animal farm or farms within the corporate limits of the City of Manitowoc, and the keeping, operating or maintenance of such a farm within the corporate limits of said City is hereby declared to be a public nuisance.

(15) Cruelty to Animals. No person shall willfully, maliciously or wantonly kill, maim, mutilate, disfigure or injure any horse, mule, cattle, sheep, dog, cat or other domestic animal except in cases expressly authorized by law, or administer poison to any such animal or expose any poison with the intent that the same may be taken or swallowed by any such animal. No person shall overdrive, overload, maim, wound, torture, torment, cruelly beat or kill any such animal or, being the owner or having the care or charge of any such animal, fail to provide necessary food, water, or shelter for any such animal. No person shall turn out and abandon, without proper care or protection, or cruelly work any such animal of which such person is the owner or has the care or charge when the animal is old, diseased, disabled or unfit for work. No person shall carry or confine any animal, fowl or bird in any cruel or inhumane manner or cause or procure or abet any cruelty above mentioned, or the fighting of bulls, dogs, cocks or any other animal.

(16) Penalties. Violations of subsection (1), (4), (5), (6), (7), (8), (10), (11) or (14) of this section shall be punishable by a forfeiture of not less than \$5.00 nor more than \$200.00. Violations of subsection (9) of this section shall be punishable by a forfeiture of not less than \$20.00 nor more than \$200.00. Violations of subsection (12), (13) or (15) of this section shall be punishable by a forfeiture of not less than \$50.00 nor more than \$500.00.

[Ord. 14-1358 § 1, 2014; Ord. 10-428 §§ 1 – 6, 2010; Ord. 07-116 § 1, 2007. Prior code § 14.03]

The Manitowoc Municipal Code is current through Ordinance 14-2632, passed December 1, 2014.

Disclaimer: The City Clerk's Office has the official version of the Manitowoc Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Code Renumbering: The City of Manitowoc reformatted their code in 2011. If you are looking for the text of an ordinance under the previous numbering system, please look to the cross-reference table.

City Website: <http://www.manitowoc.org/>
City Telephone: (920) 686-6950
Code Publishing Company