



Office of the City Attorney

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September 24, 2025

Memorandum

To: O&L Committee
From: Brian Running
Re: Vicious Dogs

There was recently a vicious dog attack in the City that resulted in very severe injuries to another dog. The dog apparently has a history of vicious attacks on dogs and people. This matter was brought to our attention by a lawyer representing the owner of the injured dog, who felt that the City's response to the incident was insufficient. In our investigation of the matter and our review of the remedies available to us in our code, we discovered that we do in fact have some gaps in our code for handling these kinds of situations.

The gap results in large part from the County's decision not to continue providing humane officer services, and not to track vicious dog incidents any longer. Municipalities in the county are now on their own to provide humane officer services and to enforce applicable state laws. Our proposed solution to the gap is to pass an ordinance adopting the state law penalties for dog attacks, allowing us to impose forfeitures in Municipal Court; and to appoint a City humane officer or officers to exercise the authority granted by state law for dealing with humane treatment of animals.

Adopting the state law penalties for vicious dogs can be accomplished by amending Mun. Code §11.01 to include Wis. Stat. §174.02(2) in the table of offenses. The statute provides for penalties of up to \$2500 for first offenses, and up to \$5000 for subsequent offenses.

Appointing humane officers would require that the officers receive the training and certification required in Chapter 173 of the state statutes. It is recommended that the appointments be of police officers so that they have all the authority of sworn officers in addition to the authority of humane officers.

The Mayor supports this proposal. We would like it to be added to the next O&L agenda for discussion.