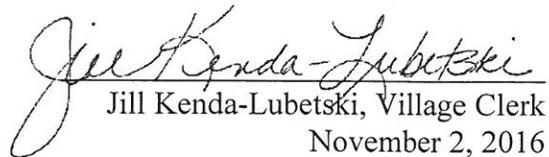


**TRAFFIC & PUBLIC SAFETY
COMMITTEE MEETING**
Thursday, November 10, 2016
Earl McGovern Board Room; 5:30 P.M.



PLEASE TAKE NOTICE that a meeting of the Traffic and Public Safety Committee will be held at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

- I. Roll Call
- II. Persons Desiring to be Heard
- III. Consideration of Minutes: September 8, 2016
- IV. Report of Staff/Committee Members
- V. Old Business
 - A. Oak Leaf Trail Crossing at North Teutonia Avenue/CTHD Signage and Advance Warning Discussion.
 - B. Citizen Request – “Do Not Pass” Signage on West County Line Road West of Railroad Tracks to East of North Carlotta Lane.
- VI. New Business
 - A. North 60th Street and West Fairy Chasm Road Pedestrian Crossing Signage/Pavement Marking Discussion.
 - B. No U-Turn Sign Request at West Brown Deer Road/STH 100 (EB/WB) and North 60th Street Discussion.
 - C. Brown Deer Ordinance, Chapter 6 – Animals Discussion.
- VII. Adjournment


Jill Kenda-Lubetski, Village Clerk
November 2, 2016

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

Chapter 6 - ANIMALS^[1]

Footnotes:

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State Law reference— Animals generally, Wis. Stats. chs. 172—174; cruelty to animals; Wis. Stats. ch. 951; animal health, Wis. Stats. ch. 95.

ARTICLE I. - IN GENERAL

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 every living warm-blooded creature (except a human being), reptiles and amphibians.

At large means that an animal is off the premises of its owner and not on a leash or otherwise under the immediate control of a person capable of restraining the animal. An animal that is properly restrained or confined in a motor vehicle is not at large.

Bird includes all domesticated members of the Avian Species.

Cat includes all domesticated members of the Felis Catus species, male or female.

Dog includes all domesticated members of the genus Canis, male or female.

Domesticated includes any bird or animal of any species which lives in or about the habitation of humans or which is usually raised and tended by humans in order to contribute to the support of a family or the wealth of the community.

Kennel includes any establishment for the commercial care, harboring, or breeding of more than two dogs and/or cats.

Officer means any peace officer, health officer, humane officer, department of natural resources game warden, Milwaukee Area Domestic Animal Control Commission (MADACC) officer or any rabies control officer designated by the village board, or any other person designated under Wis. Stats. § 95.21.

Owner includes any person, firm, corporation or other legal entity owning, harboring, sheltering, or keeping a dog, cat, domesticated bird or animal. The owner or occupant of any premises on which a dog, cat, domesticated bird or animal remains or to which it customarily returns daily for a period of three days, is presumed to be harboring, sheltering, or keeping such dog, cat, domesticated bird or animal within this definition.

(Prior Code, § 6-1.01)

Sec. 6-2. - Rabies control.

The village hereby adopts Wis. Stats. § 95.21 and Wis. Admin. Code ch. ATCP 13.

(Prior Code, § 6-1.02)

Sec. 6-3. - Restrictions on owner of animals.

- (a) It shall be a violation of this chapter for any person to own:
- (1) An animal that habitually pursues any vehicle, including bicycles, upon any public street;
 - (2) An animal that assaults or attacks any person; or
 - (3) An animal that kills, wounds, threatens, or assaults any domestic animal.
- (b) No person shall use any animal for the purpose of causing or encouraging the animal to attack human beings or domestic animals, including animal fighting.

(Prior Code, § 6-1.03; Ord. No. 10-01, § I(E), 1-25-2010)

Editor's note— Section I(E) of Ord. No. 10-01, adopted Jan. 25, 2010, changed the title of § 6-3 from "Dogs and cats at large" to "Restrictions on owner of animals."

Sec. 6-4. - Animals at large.

- (a) It shall be unlawful for the owner of any animal to permit or allow such animal to be at large. Any animal found at large shall be deemed to be so with the permission or at the sufferance of the owner.
- (b) It shall be unlawful for any person other than the owner of the animal or his agent to open any door or gate of any private premises, or to otherwise entice or enable any animal to leave any private premises for the purpose or with the result of setting such animal at large.

(Prior Code, § 6-1.04)

State Law reference— Livestock at large, Wis. Stats. § 172.01; dogs at large, Wis. Stats. § 174.042.

Sec. 6-5. - Offensive actions by animals.

- (a) The owner or person walking a dog or cat on property other than his own private property shall remove any excrement promptly after it is deposited by such dog or cat and dispose of it in a waste container on the animal owner's property. The owner is required to carry a scoop, bag or other item to assist in carrying the excreta back to his property.
- (b) No person may own or keep, or harbor any animal or bird which by frequent barking, howling, or otherwise, for an extended period of time causes a nuisance.

(Prior Code, § 6-1.05; Ord. No. 10-01, § I(F), 1-25-2010)

Sec. 6-6. - Animals suspected of being infected with rabies.

- (a) The owner of any dog or cat shall be responsible to have such animal vaccinated at periodic intervals to ensure effective immunization against rabies at all times. Proof of rabies immunization shall be evidenced by a certificate of immunization from a licensed veterinarian presented at the time of licensing of a dog or cat or renewal of such licensing.
- (b) Any person who shall suspect that any animal is infected with rabies shall report his suspicion to the village authorities, describing the animal and giving the name of the owner, if known. Any such animal shall, upon demand of such health official, be delivered to the official. If, upon examination by the health authorities, the animal is suspected of being infected with rabies, the animal may be killed by an officer of the police department or humane officer in the most humane manner and in a manner which avoids damage to the animal's head.

(Prior Code, § 6-1.06)

Sec. 6-7. - Animals causing injury and vicious dogs.

- (a) *Reporting animal bites.* Any owner of any animal which has bitten any person shall cause the animal to be confined and isolated for a period of at least ten days. This quarantine may be on the premises of the owner if the animal is immunized currently against rabies. Notice in writing of such bite shall be made to village health authorities immediately. Village health authorities may order such animal to be immediately examined by a trained individual or, at the owner's expense, by a licensed veterinarian immediately and also have such animal reexamined by a trained individual or licensed veterinarian at the owner's expense. Said examiner shall issue to the health department a certified statement of determination as to whether or not the animal is infected with rabies. An animal will be released from

confinement only after a determination that it is free from rabies and a proper written release is obtained from the health department, police department or humane officer upon demand. If a quarantine cannot be imposed because the animal cannot be captured, the officer may kill the animal. The officer may kill an animal only as a last resort or if the owner agrees. The officer shall attempt to kill the animal in a humane manner which avoids damage to the animal's head.

(b) *Regulation of vicious dogs.*

(1) *Definition.* As used in this section, the term "dangerous or vicious dog" means any dog, except dogs utilized by law enforcement officers in the performance of their duties, that fits into any of the following categories:

- a. Any dog which, when unprovoked, bites or otherwise causes bodily injury to a person or a domestic pet or animal, whether on public or private property.
- b. Any dog with a demonstrated propensity, history, tendency or disposition to attack, cause injury to, or otherwise threaten the safety of humans or domestic pets or animals.
- c. Any dog not in strict conformity with the rabies control program of the village.
- d. Any dog that has killed a domestic pet or animal without provocation while off its owner's property.
- e. Any dog that has been declared dangerous or vicious by any agency or department of another municipality, county, or state shall be subject to the provisions of this chapter for the remainder of its life. The person owning or having custody of any dog designated as a dangerous or vicious dog by any municipality, county, or state government shall notify the police department and village clerk of the dog's address and the conditions or restrictions of maintenance already imposed by the other agency or department within ten days of moving the animal into the village. All of the restrictions and conditions of maintenance of any dog declared dangerous or vicious by any municipality, county, or state shall remain in force while the dog remains in the village, unless expressly modified in writing by the chief of police or his designee. In addition, all of the provisions of this chapter shall apply to such dog unless the restrictions or conditions of maintenance imposed by the other agency or department are more restrictive than the requirements of this chapter.

(2) *Exceptions.* A dog shall not be categorized as vicious if it bites, attacks or menaces any person, domestic pet or animal in order to:

- a. Defend its owner, caretaker or another person from an attack by a person or animal.

- b. Protect itself, its young or another animal.
 - c. Defend itself against any person or animal that has provoked, tormented, assaulted or abused it.
 - d. Defends its owner's property against harm, the threat of harm, or a reasonably perceived threat of harm, by trespassers.
- (3) *Notification of hearing.* If a police officer or health officer determines that a dog is vicious, as defined in this section, he may declare the dog to be a vicious dog. The police officer or health officer shall immediately inform the owner in writing, by personal service or certified mail, of such determination. If an owner contests the designation of the dog as vicious, the owner must make a written request for a hearing to the chief of police within ten days of receipt of the notice. The chief of police or his designee will convene a hearing. At the hearing, the owner, the police department, the health department, or any other interested party shall have the opportunity to present evidence as to why the dog should not be declared vicious. Any other interested party shall be notified in writing of the hearing by regular mail. The hearing shall be held promptly within such time as reasonably practicable in the discretion of the chief of police, but not less than seven days after receipt of the request for hearing. Pending the outcome of the hearing, the dog must be securely confined in a humane manner either on the premises of the owner, a licensed veterinarian, MADACC (Milwaukee Area Domestic Animal Control Commission), or such other place or manner, any of which to be determined in the discretion of the chief of police or his designate. After the hearing, the owner shall be notified in writing of the determination. If a determination is made that the dog is vicious, the owner shall comply with the provisions of this chapter in accordance with a time schedule established by the chief of police, but in no case more than 30 days after the date of determination. He may appeal the decision within five days of receiving the decision to the board of appeals. If the board of appeals shall also determine that the dog is vicious, the owner shall comply in accordance with a time schedule established by the board of appeals. In the absence of a time schedule from the board of appeals, the owner shall comply with the time schedule previously established by the chief of police.
- (4) *Signage.* The owner of a vicious dog shall display in a prominent place on his premises a warning sign in letters no less than two inches high, stating that there is a vicious dog on the premises. This sign shall be clearly visible and capable of being read from any public property, street or highway adjacent to the premises. In the event that the entrance to the premises is not visible from an adjacent street or highway, such as an apartment or

condominium unit, then such sign shall be displayed on all entrance doors to the owner's premises. A similar sign shall be required to be posted on the pen or kennel of the animal. The sign or signs shall contain a symbol warning children of the presence of a vicious animal.

- (5) *Confinement.* All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel on the premises of the owner except when leashed and muzzled. When constructed in an open yard, the pen or kennel must be childproof from the outside and dog proof from the inside. A strong metal double fence with adequate space between fences (at least two feet) must be provided so that a child cannot reach into the dog enclosure. The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a vicious dog shall be locked with a key or combination lock when the dog is within the structure. The structure shall have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house vicious dogs shall comply with all zoning and building regulations of the village. No vicious dog may be kept on a porch, patio or in any part of a house or structure on the premises of the owner that would allow the dog to exit the house or structure on its own volition, except through a door leading directly to a pen or kennel meeting all of the requirements of this subsection. No vicious dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dog from exiting the house or structure.
- (6) *Leash and muzzle.* No person owning, harboring or having care of a vicious dog may permit such dog to go outside of its kennel or pen unless the dog is securely kept on a leash no longer than four feet in length. No person may permit a vicious dog to be kept on a chain, rope, leash or similar restraining device outside its kennel or pen unless a person competent to govern the animal is in physical control of the restraining device and remains in position to control the dog at all times. The dog may not be leashed to inanimate objects such as trees, posts or buildings. A vicious dog outside the dog's kennel shall be muzzled in a humane way by a muzzling device sufficient to prevent the dog from biting persons or other animals. A vicious dog shall not be required to be muzzled when either shown in a sanctioned American Kennel Club Show or upon prior written approval by the chief of police or his designee.

(7)

Spay and neuter requirement. Within 30 days after a dog has been designated vicious, the owner of the dog shall provide written proof from a licensed veterinarian that the dog has been spayed or neutered. In the event that the owner submits a timely appeal of the designation, this requirement shall be stayed until such time as any further right to appeal has been exhausted or the designation has been overturned on appeal.

- (8) *Liability insurance.* The owner of the vicious dog shall present to the village manager's office a certificate of insurance that shows that the owner has procured liability insurance in the amount of at least \$100,000.00, insuring the owner for any personal injuries or physical damage inflicted by the vicious dog. In addition, the policy of insurance shall require a minimum of ten days' notice to the village of any cancellation or termination of such policy. In lieu of the liability insurance requirement, the owner of a vicious dog may present evidence of a surety bond in the sum of at least \$100,000.00, payable to any person injured or whose property has been damaged by the vicious dog. The proof of insurance or surety bond must be presented to the village manager's office each year at the time the dog's license is renewed.
- (9) *Required notification by owner.* The owner of a vicious dog shall immediately notify the police department if the dog escapes, is unconfined, has attacked another animal or human being, has died, or has been sold or given away. If the dog has been sold or given away, the owner shall give the police department the name, address, and telephone number of the new owner.
- (10) *Permit and tag required for a vicious dog.*
- a. The owner of a vicious dog shall, within three business days after the dog has been classified as vicious, or upon acquisition of such a dog, obtain an annual permit from the village clerk to harbor the dog. The fee for such permit shall be as established by the village board. The initial fee shall be prorated if issued after January 1 and shall be due on or before January 1 of each year thereafter.
 - b. At the time the permit is issued, a special tag shall be issued by the village to the owner of the vicious dog. The tag shall be worn at all times by the dog to clearly and easily identify it as a vicious dog.
 - c. The permit for maintaining a vicious dog shall be presented to an officer upon demand.
- (11) *Removal.* If the owner or caretaker of a dog that has been designated vicious is unwilling or unable to comply with the regulations for keeping the dog in accordance with this section, such owner or caretaker shall remove the dog from the village, with the

dog only being allowed to be returned if there is compliance with all regulations of this section. The owner shall remove the dog within 24 hours of service of written notice to do so. In the event that the owner refuses to accept such notice, the police department may attach the written notice to the front door of the owner's residence, and such notice shall be deemed served upon posting on the door.

(12) *Inspection.* The health department or police department may make whatever inquiry is deemed reasonably necessary to insure compliance with this section.

(c) *Court order to kill dog.* Any dog that has caused serious injury to a person or domestic animal on two separate occasions off the owner's premises without reasonable cause may be destroyed as a result of judgment rendered by a court of competent jurisdiction, as specified under Wis. Stats. § 174.02(3). The village board may authorize the village attorney to commence a civil action to obtain a judgment from a court ordering an officer to kill such a dog.

(Prior Code, § 6-1.07; Ord. No. 06-11, § I, 8-21-2006; Ord. No. 10-01, § I(D), 1-25-2010)

Sec. 6-8. - Impounding; repossession; disposal of dogs and cats.

(a) *Impounding.* No dog or cat shall run at large or be abandoned on any public or private lands within the village, and any person may seize or impound such dog or cat found at large. The fact that a dog or cat is without a proper license tag attached to its collar shall be presumptive evidence that it is unlicensed. Every duly authorized officer of the police department or humane officer finding a dog or cat at large shall seize such dog or cat and impound it in the place provided therefore and authorized by the village. Whenever any unlicensed dog or cat is so impounded and delivered to the proper officer of the village, said officer shall give notice thereof to the owner, if known, of such unlicensed dog or cat within 12 hours. Such notice shall be sufficient if given verbally to the owner, keeper, or member of the owner or keeper's family over 16 years of age.

(b) *Repossession of dogs and cats.* The possession of any licensed or unlicensed dog or cat so seized or impounded may be obtained by the owner upon payment of the sum of \$25.00 to the village, plus the daily boarding fee imposed by the authorized agency for keeping such dog or cat for each day, or fraction thereof, during which the said dog or cat was impounded. The possession of any unlicensed dog or cat may be obtained by the owner after obtaining a license and paying the fees provided in this Code.

(c) *Disposal of dogs and cats.*

(1)

If any dog or cat that has been impounded for seven days has not been reclaimed by its owner, said dog or cat may be disposed of by the proper agency in the most humane manner.

- (2) Carcasses of dogs or cats must be disposed of in a sanitary manner within 24 hours after death. If possible, the village will notify owners of the disposal of their animal.
- (3) Whenever, in the opinion of any law enforcement officer, an animal is hopelessly injured or diseased so as to be beyond the probability of recovery, it shall be lawful for such officer to kill such animal.

(Prior Code, § 6-1.08)

Sec. 6-9. - Animal welfare.

- (a) *Cruelty.* The owner of any ill or injured animal shall be responsible to provide treatment to such animal.
- (b) *Food and water.* No person owning or having custody of any animal or bird may neglect or fail to provide it with necessary nourishing food at least once daily, and provide a constant supply of clean water to sustain the animal or bird in good health.
- (c) *Shelter.*
 - (1) No person may fail to provide any animal or bird in his charge with shelter from inclement weather to insure the protection and comfort of the animal or bird.
 - (2) When sunlight is likely to cause overheating or discomfort to any animal or bird, shade shall be provided by natural or artificial means to allow protection from the direct rays of the sun, but still allow air to pass to keep the animal cool.
 - (3) Dogs and cats that are normally or regularly kept outdoors shall be provided with moisture proof and windproof shelter of a size which allows the animal to turn around freely and to easily sit, stand and lie in a normal position, and to keep the animal clean, dry and comfortable.
 - (4) Motor vehicles or garages shall not be used as proper shelter under the provisions of this section, except that during winter months, a doghouse may be placed inside a garage for additional shelter.
- (d) *Area to be kept clean.* Any area where an animal is housed or allowed to remain shall be kept clean of feces, animal waste and other substances in order to keep the animal healthy and comfortable.
- (e) *Leashes.*

- (1) Chains, ropes or leashes shall be placed or attached in a manner that they not be entangled with another animal or object and shall be of sufficient length in proportion to the size of the animal to allow the animal proper exercise and convenient access to food, water and shelter.
 - (2) A leash shall be located so as not to allow the animal to trespass on public or private property, nor in such manner as to cause harm or danger to persons or other animals. A leash shall be located so as not to allow the animal to jump over an obstacle where the leash can become entangled and the animal be harmed in any manner.
- (f) *Enforcement.* The police department, health department or the Milwaukee MADACC may enforce any provision of this section, and all are authorized to confiscate and remove animals from a premises for violation of any part of this section. Animals removed because of such action may be stored or disposed of in a humane manner by the MADACC or its designee. Probable cause that such a violation exists is sufficient reason to confiscate such animal. Conviction is not required.
- (g) *Exception.* Subject to the provisions of Wis. Stats. § 174.01(2), any person may intentionally kill a dog only if such person is threatened with serious bodily harm by the dog and:
- (1) Other restraining actions were tried and failed; or
 - (2) Immediate action is necessary.

(Prior Code, § 6-1.09)

State Law reference— Animal cruelty, Wis. Stats. ch. 951.

Sec. 6-10. - Kennels prohibited in certain areas.

- (a) It shall be unlawful to establish, operate and maintain any kennel consisting of more than two dogs and/or cats at least six months of age within 100 feet of any church, school, hospital, sanitarium or building used wholly or partially for residence purposes in the village.
- (b) No public kennels shall be established, operated or maintained in any residence area within the village.

(Prior Code, § 6-1.10)

Sec. 6-11. - Certain animals prohibited.

- (a) No person shall harbor, raise, or possess, either temporarily or permanently, a wild animal, including, but not limited to, a live monkey or other nonhuman primate, bat, raccoon, skunk, coyote or coyote-dog hybrid, fox, prairie dog, poisonous reptile, or snake, poisonous insect or

arachnid, cheetah, cougar, jaguar, leopard, lion, lynx, panther, tiger or hybrids thereof, wolf or wolf-dog hybrid, or any other animal or bird of prey which can normally be found in the wild state.

- (b) No swine, goat, sheep, horses, ponies, mules, donkeys, bees, chickens, turkeys, geese, cattle or fur-bearing animals shall be kept or harbored within the village except on such lots where the pursuit of agriculture is permitted principal or accessory use.
- (c) This section shall not be construed to apply to temporary educational events, circuses, or similar recreational events, or to animals in the custody of a veterinarian for treatment.

(Prior Code, § 6-1.12)

Sec. 6-12. - Protection of animals utilized by the police department.

It shall be unlawful for any person to willfully tease, taunt, torment, strike, kick, mutilate, disable or otherwise injure or kill or to interfere or to meddle with any dog or horse while such animal is being utilized by a law enforcement officer in the performance of any function or duty of said law enforcement officer.

(Ord. No. 09-04, § I, 9-21-2009)

Secs. 6-13—6-40. - Reserved.

ARTICLE II. - DOG AND CAT LICENSES^[2]

Footnotes:

--- (2) ---

State Law reference— Dog license tax, Wis. Stats. § 174.04 et seq.

Sec. 6-41. - License required.

- (a) All dogs five months of age or older which are harbored, sheltered, or kept within the village shall be licensed pursuant to the provisions of Wis. Stats. § 174.05.
- (b) All cats five months of age or older which are harbored, sheltered, or kept within the village shall be licensed by the village pursuant to the provisions of this article.

(Prior Code, § 5-6.01)

Sec. 6-42. - Term of license.

All cat licenses shall be obtained within 30 days from the date such cat becomes five months

of age and shall expire on December 31 of each year.

(Prior Code, § 5-6.02)

Sec. 6-43. - Fee.

The fee for a license required by this article shall be as established by the village board.

(Prior Code, § 5-6.03)

Sec. 6-44. - Special permit.

- (a) It shall be unlawful to harbor more than two dogs and/or cats as household pets in any residence or any home site unless a special permit (valid only for one year from date of issuance) allowing the harboring of more than two dogs and/or cats is obtained from the village manager; provided the village manager determines that the issuance of such special permit will not be inimical to the public health, safety and welfare, and the maintenance of a harmonious residential neighborhood. Such special permit may be revoked, or not renewed, by the village manager in the event he makes a further finding that the continuance of such special permit would injure public health, safety or welfare, or be inimical to harmonious residential neighborhood life.
- (b) The dogs and cats kept under the conditions of special permit shall be licensed in the regular manner and an annual special permit fee as established by the village board shall be charged.

(Prior Code, § 5-6.04)

Sec. 6-45. - Tags required.

No owner shall suffer his licensed dog or licensed cat to be at large or under control by any person without a collar containing a current license tag.

(Prior Code, § 5-6.05)

Secs. 6-46—6-63. - Reserved.

ARTICLE III. - PET SHOPS AND PET GROOMERS

Sec. 6-64. - Definitions.

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

Fowl means all domesticated birds ordinarily considered to be edible.

Grooming means care or service provided to the exterior of an animal to change its looks or improve its comfort, but shall not mean the treatment of physical disease or deformities.

Grooming shop means a business establishment wherein any domesticated bird or animal is received for grooming.

Pet shop means a business establishment where domesticated mammals, birds, or reptiles are kept for sale; provided, however, a kennel shall not be included within this definition.

(Prior Code, § 5-12.01)

Sec. 6-65. - Pet shops.

- (a) *Permit required.* No person shall operate a pet shop establishment unless such person holds a valid annual permit issued by the village clerk. When all applicable provisions of this article have been complied with by the applicant and a valid occupancy permit for this type of business has been issued by the building inspector, the village clerk shall issue a permit to operate upon the payment of a fee as established by the village board.
- (b) *Operation.* Pet shops shall be operated in accordance with the following requirements:
- (1) All animals shall be maintained in a healthy condition or, if ill, shall be given appropriate treatment immediately.
 - (2) The quarters in which the animals are kept shall be maintained in a clean condition, shall be in a good state of repair, and shall provide adequate protection.
 - (3) Animal pens or enclosures shall be large enough to provide freedom of movement to the animals contained therein.
 - (4) Food supplies shall be stored in rodent-proof containers, and food and water containers shall be kept clean.
 - (5) Litter and/or bedding material shall be changed as often as necessary to prevent an odor nuisance.
 - (6) Feces shall be removed from pens and enclosures daily to prevent health problems and shall be stored in a tightly covered metal container until final disposal.

- (7) Pens, premises and animals shall be kept free of insect infestations.
 - (8) No odor nuisances shall be permitted.
 - (c) *Record of sale.* Every pet shop permittee shall keep a record of every dog and cat sold by his establishment setting forth the date and source of acquisition, the date of rabies vaccination, the date of sale, and the name and address of the purchaser. Such records shall be maintained on the pet shop premises for at least one year following the date of sale of each dog and cat, and such records shall be open to inspection by the village at all times during which the pet shop is open to the public.
 - (d) *Sale of bats, foxes, raccoons and skunks prohibited.* No pet shop shall engage in the purchase, keeping, or sale of any species of bats, foxes, raccoons, or skunks.
- (Prior Code, § 5-12.02)

Sec. 6-66. - Pet grooming shops.

- (a) *Permit required.* No person shall operate a grooming establishment unless he holds a valid annual permit issued by the village clerk. When all applicable provisions of this article have been complied with by the applicant and a valid occupancy permit for this type of business has been issued by the building inspector, the village clerk shall issue a permit to operate upon the payment of a fee as established by the village board.
- (b) *Operation.* Pet grooming shops shall be operated in accordance with the following requirements:
 - (1) The floor of any room in which grooming operations are conducted or in which animals are kept shall be covered with an impervious, smooth, cleanable surface. The floors shall be cleaned and sanitized (disinfected) daily.
 - (2) All animal hair, feathers and manure shall be removed from the floors daily and shall be stored in tightly covered, waterproof containers in such a manner as to prevent a nuisance until final disposal.
 - (3) No dogs or other animals shall be kept in any grooming establishment between the hours of 9:30 p.m. and 7:00 a.m. Nothing in this section shall apply to an establishment where grooming is incidental to the operation of a veterinary hospital, a licensed pet shop, or a licensed kennel.
 - (4) The premises shall be kept free of insect infestations.
 - (5) The premises shall be maintained and operated in a nuisance-free manner.

(Prior Code, § 5-12.03)

Sec. 6-67. - Selling baby chicks.

No person shall display, give away, or sell baby chicks, ducklings, or any other young of domestic fowl as pets or novelties.

(Prior Code, § 5-12.04)

Sec. 6-68. - Turtles.

No person shall sell live turtles as pets or novelties.

(Prior Code, § 5-12.06)

Sec. 6-69. - Removal of dead animals.

Any person owning or having charge or control of any dead animal, except those intended for food purposes, shall remove the same from within the village limits within 24 hours after the time of death of the same. Any person who fails to do so shall relinquish all rights to any such animal, and the health officer of the village shall have the right to order any such animal removed after the expiration of such time.

(Prior Code, § 5-12.07)

Sec. 6-70. - Conformance to other regulations.

The operator shall conform to all applicable requirements of federal, state, county, and local laws, ordinances, and regulations.

(Prior Code, § 5-12.08)

Sec. 6-71. - Penalty.

If the village clerk determines, after notice to the permittee and hearing thereon, that there has been a violation of this article by the permittee, the clerk may revoke, suspend or decline to renew the permit.

(Prior Code, § 5-12.09)