

**RESOLUTION NO. 2025-015  
VILLAGE OF CALEDONIA**

**A RESOLUTION AUTHORIZING THE VILLAGE OF CALEDONIA TO ENTER INTO AN  
AGREEMENT WITH ALBERTO JANUCHOWSKI FOR THE KEEPING OF ANIMALS  
PREVIOUSLY DECLARED PROHIBITED AND RELEASE OF CLAIMS**

The Village Board for the Village of Caledonia, Racine County, WI do resolve as follows:

**WHEREAS**, the Village of Caledonia issued a Prohibited Animal Notification to Alberto Januchowski (the “Owner”) on October 16, 2024 related to incidents involving his dog(s) alleged to have bitten domesticated animals on two occasions; and

**WHEREAS**, the Village received a request for an administrative review of the prohibited animal declaration per Section 4-1-7 of Caledonia’s Municipal Code; and

**WHEREAS**, the Village Administrator reviewed the decision of the Humane Officer and issued a formal Review of Initial Determination to the Owner on December 18, 2024; and

**WHEREAS**, the Owner appealed the determination pursuant to Title 4 Chapter 1 of Caledonia’s Municipal Code; and

**WHEREAS**, the Village has negotiated with the Owner, through his attorney, and the parties have reached an Agreement to allow Owner to keep the dogs within the Village subject to certain conditions, a copy of which is attached hereto as Exhibit A (the “Agreement”).

**NOW, THEREFORE, BE IT RESOLVED**, by the Village Board of the Village of Caledonia, that the Village approves of the Agreement for the Owner to keep his dogs within the Village subject to certain conditions; and

**BE IT FURTHER RESOLVED** by the Caledonia Village Board that the Village President and Village Clerk are authorized to execute any documents necessary to carry out the intent of this Resolution and the Village Administrator and Village Humane Officer are authorized in accordance with the Agreement to take any actions required.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 25 day of March, 2025.

**VILLAGE OF CALEDONIA**

By: Thomas R Weatherston  
Thomas Weatherston  
Village President

Attest: Jennifer Bass  
Jennifer Bass  
Village Clerk

**AGREEMENT FOR KEEPING OF ANIMALS PREVIOUSLY  
DECLARED PROHIBITED AND RELEASE OF CLAIMS**

The Agreement (the “Agreement”) documents the agreement between the Village of Caledonia (the “Village”) and Alberto Januchowski (“Owner) relating to the custody of two dogs—Ellie, a grey pit-bull, and Griz, a tan/red pit-bull—described in the Prohibited Animal Notification dated October 14, 2024, attached hereto as **Exhibit A** (the “Prohibited Animal Notification”), but this Release is not limited just to the claims asserted in the Prohibited Animal Notification.

The Village agrees to allow the Owner to keep dogs Ellie and Griz at their current residence of 4652 Charles Street, Racine, Wisconsin (the “Owner’s Property”) with the understanding that they will be subject to compliance with the conditions outlined below:

- 1. Maintain Health/Welfare**—The Owner agrees to maintain proper licenses and vaccinations for Ellie and Griz for the duration of their lives as required by Caledonia Municipal Code section 7-1-3(a).
- 2. Restraint while on the Owner’s Property: Fencing**—The Owner agrees to erect and maintain permanent, fixed fencing around the front, side and rear of the Property in a manner that will adequately maintain control of and restrict Ellie and Griz to the Property boundaries. All fencing shall be in compliance with Village ordinances, built to the satisfaction of the Village, and proper permits must be obtained. Attached **Exhibit B** is a diagram of the required fencing.
- 3. Restraint while off the Owner’s Property: Leashing**—While outdoors and not on the Owner’s Property, Ellie and Griz must be:
  - a. Attached to a leash not less than 6 feet in length;
  - b. Muzzled in a humane way by a device sufficient to prevent the dogs from biting persons or other animals;
  - c. Under the control of a person who is over the age of 16 year old and who is capable of maintaining control of the dogs; and
  - d. To the extent practicable, kept at least 25 feet from any other domesticated animal.
- 4. Failure to Maintain Control on or off the Owner’s Property**—If it is discovered that either of the dogs are unleashed off the Owner’s Property and/or if Ellie and/or Griz is involved in any bite incident or found to have charged at or attempted to bite any human or other domestic animal, the Owner further agrees to the following:

- a. If either one of the dogs is not leashed and muzzled in accordance with 3(b) above, and leaves the Owner's Property, the Owner agrees to permanently remove the dog(s) involved from the Village within 10 days; and
  - b. If either one of the dogs bites or charges or attempts to bite any human or other animal, the Owner agrees to voluntarily humanely euthanize the dog(s) involved in the incident within 10 days. If the Owner fails to do so, the Village shall have the right to take custody of the dog or dogs (if both are involved) and have the dog(s) humanely euthanized without seeking a court order under Wis. Stat. § 174.02(3).
5. **Park Prohibition**—The dogs may not enter or remain in any public park in the Village of Caledonia, including the Johnson Park Dog Run located at 4829 Hwy. 38, Caledonia, WI.
6. **Signage**—Within 10 days of the last party executing this Agreement, the Owner agrees to display signage in prominent places near all entrances to the Owner's residence identifying that there is a dangerous animal on the premises. This sign may read "Beware of Dog" or display similar generic language to convey the public's need to be aware of the propensity of the dogs to attack.
7. **Full Satisfaction and Release of Future Claims**—Owners understand that in making this Agreement they will have no right to make a claim against the Village and/or any of its agents, employees, or officers related to the Prohibited Animal Notification and actions taken under this Agreement, even if they later become dissatisfied with this Agreement for any reason whatsoever. In making this Agreement, all rights to bring any other claims arising from the Prohibited Animal Notification and this Agreement against anyone are fully extinguished, released and discharged. Finally, The Owner agrees to hold harmless and indemnify the Village and its agents, employees for any future harm caused by Ellie or Griz.
8. **Insurance**—The Owner shall maintain a homeowners or other insurance policy that covers incidents involving Ellie and Griz so long as the dogs remain on the Owner's Property. The Owner shall provide a certificate of insurance to the Village annually upon renewing Ellie and Griz's dog licenses.

In exchange for these promises, the Village agrees to allow the Owner to keep Ellie and Griz on the Owner's Property upon compliance with this agreement despite their designation as Prohibited Animals under the Village's ordinances.

The statements in this Agreement are contractual terms and are not mere recitals. Any questions concerning this Agreement shall be determined and governed by the terms of this Agreement and the law of the State of Wisconsin.

All parties signing below enter into this Agreement of their own free will and understand that this is a binding contract, enforceable by civil law.

**VILLAGE OF CALEDONIA:**

By: \_\_\_\_\_  
Thomas Weatherston,  
Village of Caledonia President  
Dated this \_\_\_\_ day of March 2025.

Attest: \_\_\_\_\_  
Jennifer Bass,  
Village of Caledonia Clerk  
Dated this \_\_\_\_ day of March 2025.

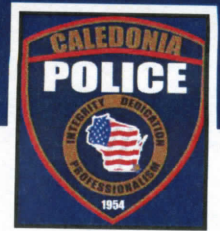
**OWNER: \_**

\_\_\_\_\_  
Alberto Januchowski  
Dated this \_\_\_\_ day of March 2025.

## EXHIBIT A

### VILLAGE OF CALEDONIA POLICE DEPARTMENT

5045 Chester Lane  
Caledonia, WI 53402  
Administration/Public Records  
262-835-4423  
Non-Emergency/Police Services  
262-886-2300



Chief of Police  
Christopher Botsch

### Prohibited Animal Notification

October 15, 2024

Alberto Januchowski

4652 Charles St.

Caledonia, WI 53402

Dear Mr. Januchowski:

The Village of Caledonia received notice that on September 28, 2024, two of your animals (Ellie, a grey pit-bull, and Griz, a tan/red pit-bull) were involved in a bite incident off of your property involving a domestic animal. It is the Village's understanding that this is the second time a report has been filed because the one of the animals in question has, when unprovoked, bitten and caused injury to domesticated animal. The prior similar bite incident occurred on March 13, 2024 and involved the pit-bull known as Ellie.

The Village has an ordinance that restricts the keeping of certain dogs, cats, and fowl (Village of Caledonia Municipal Code § 7-1-6(a)). After reviewing all of the information available regarding this bite incident, the fact that your dogs are unlicensed and you have been cited for that violation, and the fact that this is the second time one of your dogs has wounded a domestic animal within the Village, your animals, Ellie, a grey pit-bull, and Griz, a tan/red pit-bull, are, and have been declared prohibited animals by the Caledonia Police Department.

Per Caledonia Municipal Code Section 7-1-6(a)(5) and (7) "it shall be unlawful for any person within the Village of Caledonia to own, harbor or keep any dog or cat which...[k]ills, wounds or worries any domestic animal...[i]n the case of a dog, is unlicensed." In addition to issuing this Prohibited Animal declaration and any accompanying citations, the Village may concurrently seek a court order for the destruction of the animal under Wis. Stat. § 174.02(3).

Because your animals have been deemed prohibited, your animals are prohibited from being kept or harbored within the Village of Caledonia. You must remove your animals from the Village no later than 10 days from the date of this notice. Failure to remove the offending animals from the Village within the timeframe set forth above may result in the issuance of citations, the animals being impounded by the Police Department, and/or the Village seeking a court order for the humane destruction of the animals under Wis. Stat. § 174.02(3).

If you contest the designation of your animals being declared prohibited, you have the right to appeal pursuant to Title 4 Chapter 1 of the Caledonia Municipal Code. If you have any questions or concerns, please contact me at 262-835-4423.

Sincerely,

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Officer Andrew Gelden, Humane Officer  
Village of Caledonia Police Department