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POLICE DEPARTMENT

222 South Walnut Street • Appleton, WI 54911-5899

(920) 832-5500 • Fax: (920) 832-5553

<http://www.appleton.org/police>

August 3rd, 2016

Jessica L Owen
6725 SmokeTree Pass
Appleton, WI 54913

RE: DECLARATION AND ORDER OF DANGEROUS ANIMAL

Dear Jessica,

Please let this letter and the attached order serve as your notice that the City of Appleton's Humane Officer has formally declared your animals, Kinley (F, N-, R-, L- German Shepherd), ADMIRAL (M, N-, R-, L- German Shephard), as a **dangerous animal**, pursuant to the City of Appleton Municipal Code, Section 3-131.

I have declared your animal as dangerous after conducting my investigation, which is summarized below:

- Appleton Police Department personnel were informed of an animal attack that happened in front of your address of 6725 SmokeTree Pass. In the report, it was stated that your dog Kinley left your property and charged a person walking his dog on the street. It was reported that this individual had to pull his dog to safety from Kinley (identified in paragraph 1), trying to attack it. The investigation showed that Kinley's aggressive behavior was founded to be in violation of AC 3-15(b) Animals Molesting Passerby's. and AC 3-15(b) Animal at large (Ref. #16-029084).
- On 08/02/16 your dogs, Admiral and Kinley (identified in paragraph 1) were involved in another incident where they left their property and molested a runner on the street. In that incident it was reported that Kinley and Admiral left their property and charged a runner in the street. This runner stated that the dogs aggressively came at her barking and growling and trying to nip at her. The investigation showed that Kinley and Admiral's aggressive behavior was founded to be in violation of AC 3-15(b) Animals Molesting Passerby's. And AC 3-15(b) Animal at large (Ref. #16-029051).

- On 08/02/16 your dogs, Admiral and Kinley (identified in paragraph 1) were involved in yet another incident where they left their property and proceeded to bite and molest a walker on the street. In the report it stated that the walker was on the far side of the street when Kinley came charging at her and bit her. The walker also stated that Admiral also came off the property and acted in an aggressive manner towards her by barking and growling at her. The investigation showed that Kinley and Admiral's aggressive behavior was founded to be in violation of AC 3-15(b) Animals Molesting Passerby's., AC 3-15(b) Animal at large, and AC 3-15 (b) Attacks without provocation. (Ref. #16-029236).

Due to the above repeated instances of Kinley and Admiral, displaying an aggressive disposition towards animals and humans it has been determined that the dogs "Kinley and Admiral" are to be declared as dangerous animals for the City of Appleton.

IMMEDIATE ACTION IS REQUIRED:

Because your animal has been declared dangerous, you must comply with leashing, muzzling, and confinement requirements **IMMEDIATELY**, as set forth in City of Appleton Municipal Code Section 3-132. You must, **within thirty (30) days**, comply with all other requirements of City of Appleton Municipal Code Section 3-132 of the dangerous declaration. The pertinent section of the municipal code is attached to this document. This order is intended to protect against injurious results to human beings and domestic pets caused by unprovoked attacks by your animal.

APPEAL RIGHTS ARE TIME-SENSITIVE:

If you or any other owner or caretaker of the above-named animal wishes to contest the attached Order, **within 72 hours YOU MUST deliver to the Health Officer a written objection** to the order stating specific reasons for contesting the order. Failure to timely file an objection will result in your forfeiture of the right to appeal this Order.

The health officer, Kurt Eggebrecht, M.Ed. with the City of Appleton Health Department can be reached at:

Kurt Eggebrecht, M.Ed.
100 North Appleton Street
Appleton, WI 54911

Phone: 920-832-6429

Fax: 920-832-5853

Email: kurt.eggebrecht@appleton.org

I have enclosed copies of the City of Appleton Municipal Ordinances pertaining to this matter. Please review and comply with City of Appleton Municipal Code Section sections 3-1, 3-2, 3-131, 3-132, 3-133, and 3-134.

If you have any further question, please contact the City of Appleton Health Department.

Sincerely,

Matt Fillebrown

Lead CSO #9563 / Humane Officer
Appleton Police Department

Enclosures:

Order

City of Appleton Municipal Code Sections 3-1, 3-2, 3-131, 3-132, 3-133, 3-134

CC: LT. Kelly Gady, Appleton Police Department, ACA Amanda Jadin, Appleton City Attorney's Office, and Kurt Eggebrecht, Health Department

IN THE CITY OF APPLETON,
OUTAGAMIE COUNTY,
STATE OF WISCONSIN

CITY OF APPLETON
A Wisconsin Municipal Corporation

Petitioner,

v.

Jessica L. Owen
As owner of Kinley and Admiral

Respondent.

ORDER DECLARING ANIMAL DANGEROUS

As the owner and/or caretaker of the above-named animal, you are hereby notified that the City of Appleton has declared that the above-named animal is dangerous pursuant to the City of Appleton's Municipal Code 3-131.

Because the animal has been declared dangerous, you are further notified that you must immediately comply with leashing, muzzling, and confinement requirements of City of Appleton Municipal Code Section 3-132. You must, within thirty (30) days, comply with all other requirements of City of Appleton Municipal Code Section 3-132 of the dangerous declaration.

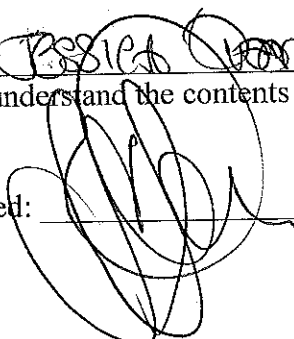
This order remains in effect, even if appealed, until modified or withdrawn. This order is in effect for the lifetime of the animal.

SO ORDERED, this 4th day of August, 2016 at 9:05 (am)pm.



Matthew Fillebrown, Certified Humane Officer
Appleton Police Dept. City of Appleton, WI

I, Jessica Owen (respondent's printed name), acknowledge receipt of this order and understand the contents of the order, including the time limits if I wish to appeal.

Signed: 

Date: 8/4/16

Sofia Ryan