

**IN THE CITY OF APPLETON, OUTAGAMIE COUNTY,
STATE OF WISCONSIN,
BEFORE THE BOARD OF HEALTH**

CITY OF APPLETON
A Wisconsin Municipal Corporation
Petitioner,

v.

Jessica Owen
As the owner of Kinley,
Respondent.

The Board of Health for the City of Appleton hereby UPHOLDS Humane Officer Fillebrown's designation of the Respondent's dog, Kinley, as a Dangerous Animal, under City of Appleton's Municipal Code 3-131, but subject to only the following requirements:

(a) *Dangerous animals regulated.*

(1) No person may harbor or keep a dangerous animal within the city unless all provisions of this section are complied with. Any animal that is determined to be a prohibited dangerous animal under this division shall not be kept or harbored in the city.

(2) The issuance of a citation for a violation of this section need not be predicated on a determination that an animal is a dangerous animal.

(b) *Registration.* The owner of any animal declared dangerous, shall register it with the Police Department upon disposition, and annually thereafter on or before April 1 of each year, by providing a current color photograph of the animal and payment of a seventy-five dollar (\$75.00) registration fee.

(c) *Leash and muzzle.*

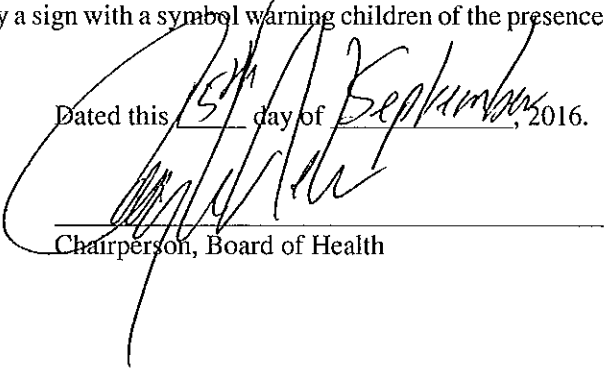
(1) The animal must be kept on a leash no longer than 4 feet when outside of its residence, UNLESS the animal is being kept in the enclosed fence on the premise of the owner and is under the control of a person 16 years of age. If within the fence or on a leash as set forth above, the caretaker must be sixteen (16) years of age or older and competent to govern the animal as well as capable of physically controlling and restraining the animal.

(2) A dangerous animal may be securely leashed or chained to an immovable object, with the owner or caretaker being in the physical presence of the animal at all times when it is so leashed or chained.

(3) A dangerous animal outside of the animal's dwelling, kennel or pen shall be muzzled in a humane way by a muzzling device sufficient to prevent the animal from biting persons or other animals, UNLESS the animal is being kept in the enclosed fence on the premise of the owner and is under the control of a person be sixteen (16) years of age or older and competent to govern the animal as well as capable of physically controlling and restraining the animal.

(d) *Signs.* The owner or caretaker of a dangerous animal shall display, in prominent places on his or her premises near all entrances to the premises, signs in letters of not less than two (2) inches high warning that there is a dangerous animal on the property. A similar sign is required to be posted on the kennel or pen of the animal. In addition, the owner or caretaker shall conspicuously display a sign with a symbol warning children of the presence of a dangerous animal.

Dated this 15 day of September, 2016.



Chairperson, Board of Health