

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

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CITY OF APPLETON  
A Wisconsin Municipal Corporation

Petitioner,

v.

*John Prost & Kristin Armitage* as owner of: Bear:Male, Rottweiler/Mix, Black, L-, R+ 2023  
Wrightstown Vet Clinic 2023

Respondent.

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**ORDER DECLARING ANIMAL DANGEROUS**


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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* AS 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This order remains in effect, even if appealed, until modified or withdrawn.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 animals.

**SO ORDERED on November 13<sup>th</sup> 2023**

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

I, John Prost (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: 11/14/23

**APPEAL RIGHTS ARE TIME-SENSITIVE:**

If you or any other owner or caretaker of the above-named animals 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 Deputy Director, Charles Sepers, with the City of Appleton Health Department can be reached at:

**Health Director - Dr. Charles Sepers**

100 North Appleton Street

Appleton, WI 54911

*Phone: 920-832-6433*

*Fax: 920-832-5853*

*Email: Charles.Sepers@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: CPT. Lewis- Appleton Police Department, ACA Zak Buruin - Appleton City Attorney's Office, and Charles Sepers - Health Department

November 13<sup>th</sup> 2023

*John Prost & Kristin Armitage*

**RE: DECLARATION AND ORDER OF DANGEROUS ANIMAL**

*Dear John Prost & Kristin Armitage*

Please let this letter and the attached order serve as your notice, that the City of Appleton's Humane Officer has formally declared your animal: Bear: Male, Rottweiler/Mix, Black, N+, L-, R+ 2023 Wrightstown Vet Clinic 2023, 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:

**Incident # A23056239:** On 11/08/2023 the Appleton Police Department was dispatched to 519 N Summit Street in regards to Bear attacking another domesticated animal. It was determined that this attack happened off of Bear's property and that he was at large. It was also determined that this attack was considered to be a unprovoked attack. The wounds caused by Bear needed approximately 23 staples to close the wounds on the victim dog's neck. Citations for At Large AC 3-15(a) and Unprovoked Animal attack AC 3-15(b) was issued.

Due to Bear's unprovoked attack vs a domesticated animal that caused significant bodily harm, Bear: Male, Rottweiler/Mix, Black, N+, L-, R+ 2023 Wrightstown Vet Clinic 2023, is being 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.