City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final

Board of Health

Wednesday, September 11, 2019 | **7:00 AM** | **Council Chambers, 6th Floor**

1. Call meeting to order

2. Roll call of membership

3. Approval of minutes from previous meeting

19-1299

Attachments: August 2019 BOH Minutes.pdf

4. Public Hearings/Appearances

5. Action Items

19-0944 Appeal of Dangerous Animal-Snap

Attachments: Declaration and Order of Dangerous Animal.pdf
Dangerous Animal Appeal-Snap.pdf
Exhibit 1 received by the Board on 081419.pdf
Atty Maurer's supporting documents received by the Board on 081419 .pdf
Definitions from 3-1 of Appleton Municipal Code (Supp 90).pdf
Dangerous Animal Regulations.pdf

Legislative History

8/14/19	Board of Health	held

19-1308 Weights & Measures and Environmental Fee Proposals

Attachments: Fee Proposals 2019.pdf

6. Information Items

19-1176 Update on Vaping-Related Issues

Attachments: CDC Severe Pulmonary Disease Associated with Using E-Cigarette Products.pd

Legislative History

8/14/19	Board of Health	presented

19-1177 Variance Approvals

Attachments: Noise Variance Requests 9.11.19.pdf

Legislative History

8/14/19	Board of Health	presented

18-0162 Other Business

16-1394 The Board of Health may go in to closed session pursuant to Wis. Stat. Sec. 19.85(1)(f) .

16-1395 The Board of Health will then reconvene into an open session and conduct further business.

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.

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100 North Appleton Street
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Meeting Minutes - Final
Board of Health

Wednesday, August 14, 2019 | **7:00 AM** | **Council Chambers, 6th Floor**

1. Call meeting to order

2. Roll call of membership

Present: 5 - Hanna, Spears, Vogel, Nelson and Mielke

3. Approval of minutes from previous meeting

Present: 5 - Hanna, Spears, Vogel, Nelson and Mielke

19-0943 June 2019 BOH Minutes

Attachments: June 2019 BOH Minutes.pdf

A motion was made by Dr. Nelson, seconded by Dr. Vogel, to approve the June minutes. Motion carried by the following vote:

Aye: 5 - Hanna, Spears, Vogel, Nelson and Mielke

4. Public Hearings/Appearances

5. Action Items

19-0944 Appeal of Dangerous Animal-Snap

Attachments: Declaration and Order of Dangerous Animal.pdf
Dangerous Animal Appeal-Snap.pdf
Snap Hearing Docs - Owners.pdf

This item was held and committee will reconvene the hearing at the September 11 Board of Health meeting.

6. Information Items

19-0945 May 2019 Monthly Report

Attachments: May 2019 Monthly Report.pdf

This item was presented.

19-1178 Second Quarter 2019 Report

Attachments: Second Quarter 2019 Report.pdf
Second Quarter 2019 Executive Summary.pdf

This item was presented.

19-1183 Second Quarter 2019 Budget Performance Review

Attachments: Department Budget Review Second Quarter 2019.pdf
Summary Budget Review Second Quarter 2019.pdf

This item was presented.

19-1176 Update on Vaping-Related Issues

Attachments: Wisconsin Department of Health Services News Release-Vaping.pdf
Resolution #9-R-19 E-Cigarette Use in Young Adults.pdf

This item was presented.

19-1184 Resolution #10-R-19 Beekeeping Permit Process Change

Attachments: #10-R-19 Beekeeping Permit Process Changes.pdf

This item was presented.

19-1177 Variance Approvals

Attachments: Variance Requests 8.14.19.pdf

This item was presented.

19-1187 The Board of Health may go into closed session according to State Statute Section 19.85(1)(a) for the purpose of deliberating an appeal of a dangerous animal declaration and then reconvene into open session.

7. Adjournment

A motion was made by Dr. Nelson, seconded by Alderperson Spears, that the meeting be adjourned. Motion carried by the following vote:

Aye: 5 - Hanna, Spears, Vogel, Nelson and Mielke

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

CITY OF APPLETON
A Wisconsin Municipal Corporation

Petitioner,

v.

Jeffrey J Verner & Christine Morrissey
As owner of *Snap: Female, Black and White, Outagamie 2019 #2420, vaccinated 2019 crossroads veterinary clinic*

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 6 **day of** June**, 2019 at** 8:00 **am/pm.**

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

I, JEFF VERNER (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: 6-6-2019

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-SENSITVE:

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. William Krieg, Appleton Police Department, ACA Darin Glad, Appleton City Attorney's Office, and Kurt Eggebrecht, Health Department

06/06/2019

Jeffrey J Verner & Christine Morrissey

RE: DECLARATION AND ORDER OF DANGEROUS ANIMAL

Dear *Jeffrey J Verner*, Christine Morrissey

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, *Snap: Female, Black and White, Outagamie 2019 #2420, vaccinated 2019 crossroads veterinary clinic,* 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:

- *On 05/24/2018 Appleton Police Department personnel were dispatched to the location of 1102 N Union Street concerning a report of a dog attack. Upon the officer's arrival, it was reported that your dog "Snap" (identified above), left its property aggressively charged at other people walking their dog. The investigation showed that Snap's actions were deemed to be classified in violation of city ordinance ac 3-15(b), Molestation. (Ref. #A18018497).*

- *On 05/26/2019 your dog, Snap, was involved in another dog attack. The investigation showed that Snap jumped over his fence and left the property of 1102 N Union street and attacked another dog. It was reported that Snap attacked the animal's neck and pinned the dog down. Snap then attacked its owner when multiple people were trying to break up the animal attack. The wounds suffered by owner Jeffrey needed to have medical attention at the Appleton Medical Center. This attack was documented as an Animal at Large, Unprovoked attack. (Ref. #A19017292).*

Due to repeated instances of Snap being involved with Unprovoked Animal Attacks and Animal Molestations while being off property and having an aggressive disposition to attack other animals and humans, it has been determined that the dog "Snap" is a dangerous animal.

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

Mr. Kurt Eggebrecht, M.Ed.
100 N Appleton St.
Appleton, WI 54911

Christine Morrissey & Jeffrey Verner
1102 N Union St
Appleton WI, 54911
(920) 851- 1039 (Jeffrey - cell phone)
(920) 221-5059 (Christine – cell phone)

Dear Mr. Eggebrecht, 6/6/2019

I am writing to contest the Declaration and Order of Dangerous Animal conferred upon our dog Snap by order of the City of Appleton's Humane Officer.

Snap is a rescue dog that we have had for 5 years. She was adopted on 4/25/2014 from New Pawsabilities Animal Rescue in Oshkosh, WI. We do not know under what conditions she survived prior to her rescue, though we were told she came from Kentucky, that she was severely malnourished upon rescue and that she had several puppies, 3 of whom were rescued with her. For all we know she may have been used as a bait dog. She was still quite filthy and was bathed immediately upon bringing her home. The bath revealed many scars on her legs, ears and face.

She has resided here at this address since her adoption date without incident, until May 24, 2018. That incident was initially determined to be Animal at Large by the investigating officer. A supervisor later added the Molestation violation. No persons or other animals were injured. She was enticed by the smell of a brat fry down the street and took off running when Jeffrey let her out of the yard to go back to the house.

Regarding the incident that occurred 5/26/2019, it was inaccurately reported that Snap jumped the gate. The gate was mistakenly left open by a neighbor who entered the yard to chat with Jeffrey.

The other dog involved in the attack on our property has demonstrated aggressive behavior toward other dogs it encounters on its walks. We have witnessed this on several occasions as the owners have walked it past our property. Lunging, growling, barking and snapping. If not for the harness they would have no control of that animal at all. Snap did rush at it from what I understand, but not entirely unprovoked. That dog did not sustain any wounds, nor did its owner. People who tried to help break up the fight when it had Snap by the ear and would not let go, were bitten by that dog. Snap sustained wounds to her ear that required stitches at the Animal Referral Center. Jeffrey was not bitten

by Snap out of malice, she was defending herself from the dog that had her ear in its grip.

Both incidents with Snap occurred under the supervision of Jeffrey. I had explained to him many times that when Snap is outside she must be on a leash or secured inside the fence. Jeffrey was at fault, not Snap. He was mistakenly under the false and arrogant impression that he had complete voice control of her with no formal training in dog obedience. He is completely aware that he has put his dog at risk of being euthanized and is very remorseful for his ignorance regarding dog behavior.

We both fully intend to comply with the leash requirements, as well as keeping her secured in the house and the yard. We have had a lock on the gate for years on the off chance that a neighbor child would open it and let her out accidently. For her own safety, we will muzzle her on walks.

If still deemed necessary, we would register her each year and pay the $75 fee.

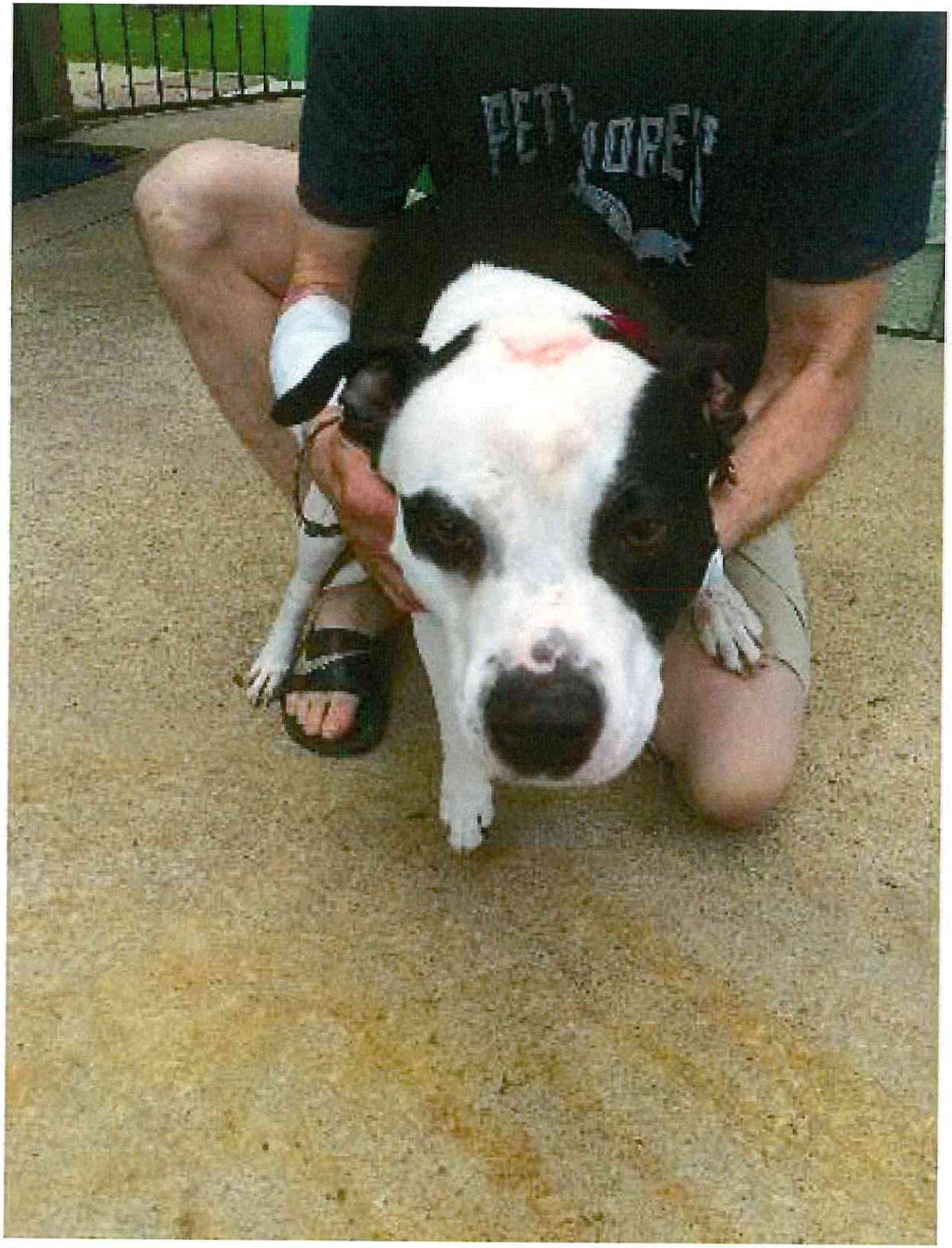
We do respectfully request the requirement for liability insurance in the amount of a million dollars be waived. Having spoken to several liability insurers, they were of the opinion that amount is excessive. These are usually within the $100,000 - $500,000 range with $300,000 being common. The quote we received for $500,000 of insurance was $3000 per year, and that is an expense we simply can not afford.

Snap is not a threat to any human. She is a very sweet girl who loves attention and affection. She has been around many children, including my grandchildren, and people of all ages with no threat of harm. We would like an opportunity to prove that she poses no threat to any person. We would love to bring her in for a visit. Our veterinarian would also be able to attest that Snap is a very good girl who absolutely adores people. It would be a shame to have to destroy this wonderful dog.

Sincerely,

Christine Morrissey

Christine Morrissey


PET SORE'S

Google Maps

615 E Spring St

1102 N Union St.

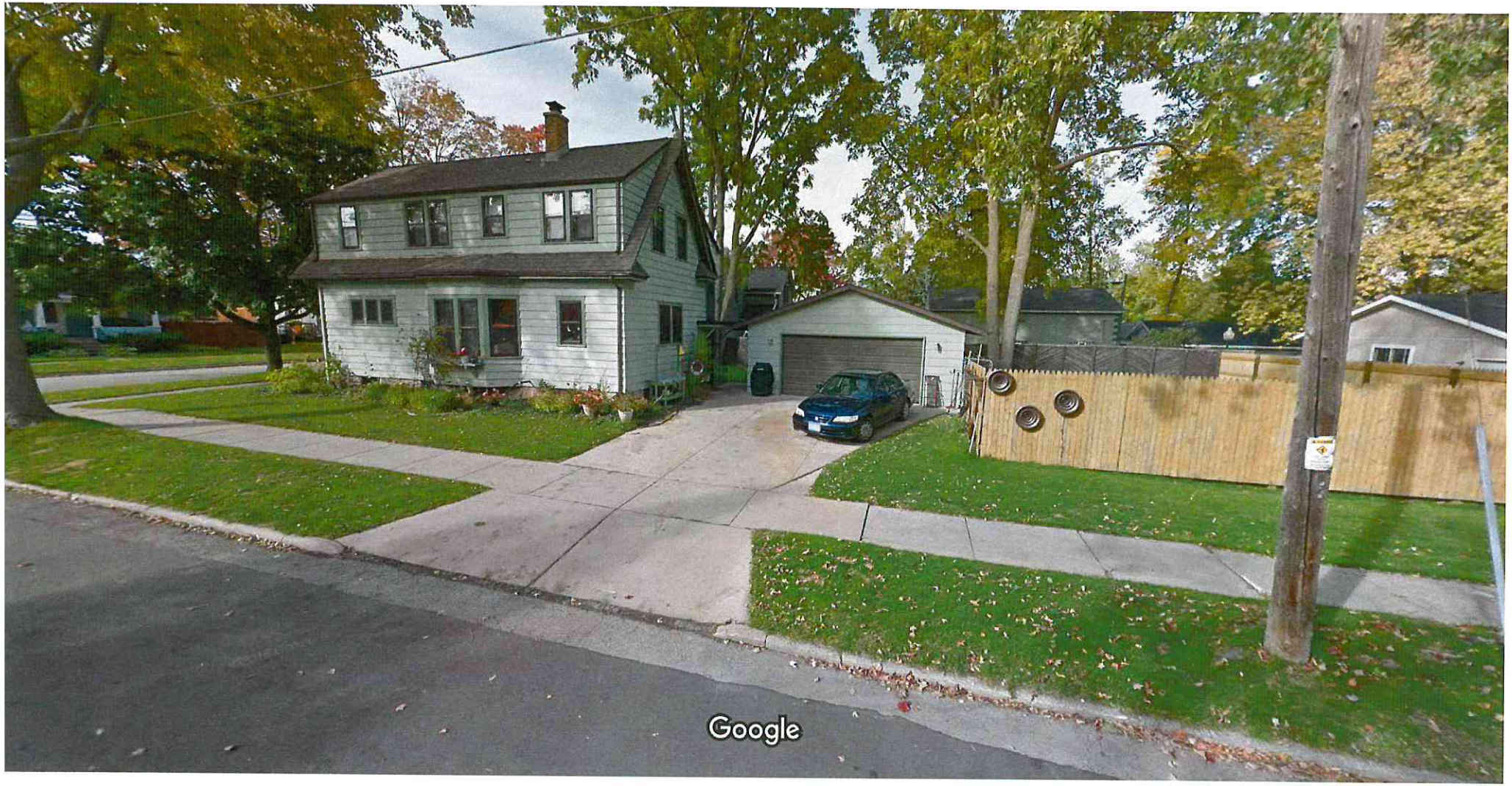


Image capture: Oct 2016 © 2019 Google

Appleton, Wisconsin

Google

Street View - Oct 2016

Google Maps

615 E Spring St

1102 N Union St.

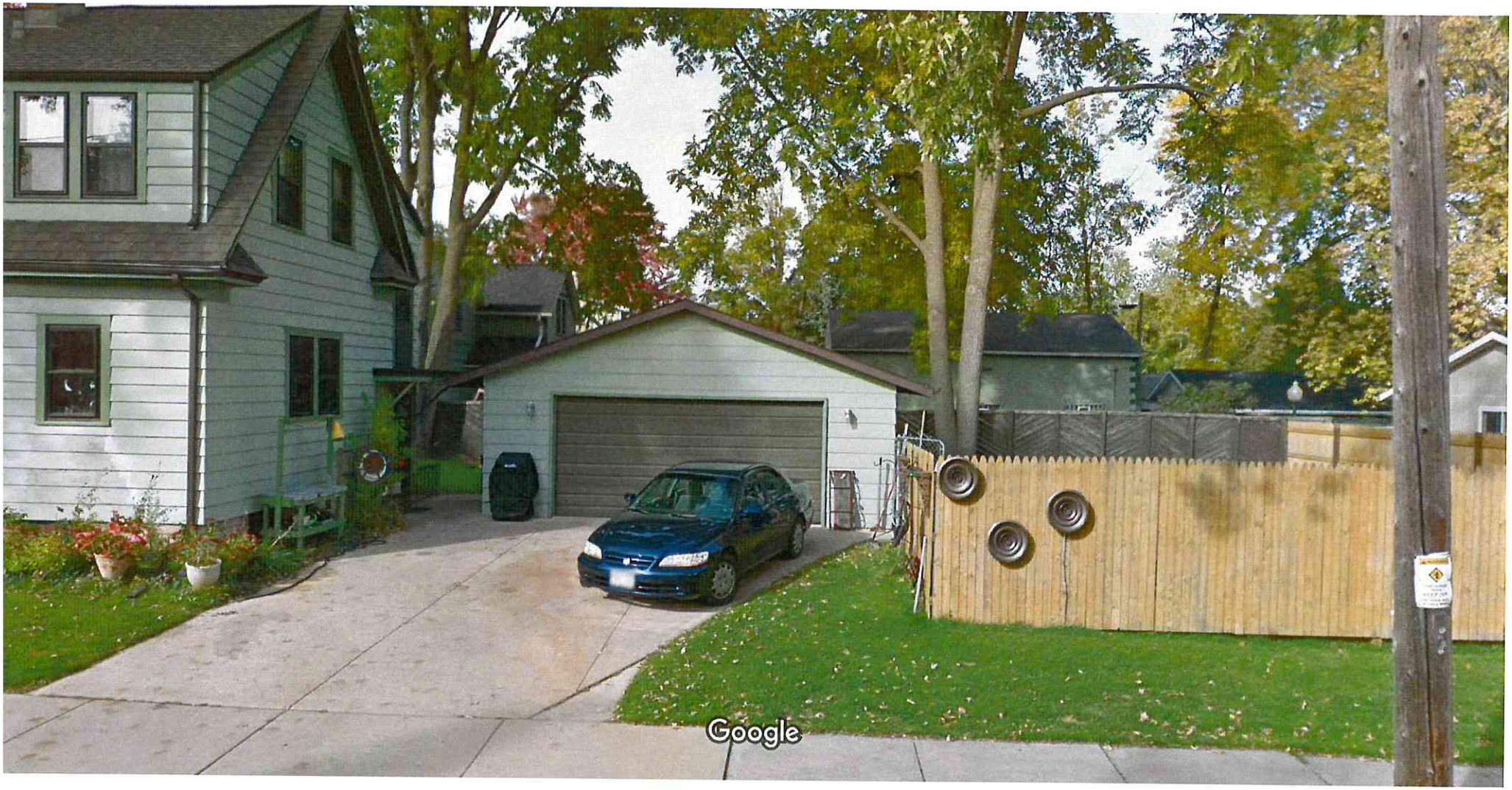


Image capture: Oct 2016 © 2019 Google

Appleton, Wisconsin

Google

Street View - Oct 2016

Date: 5/27/19 Animal License Receipt

Animal License: 2420 Year: 2019

Dog/Cat: D County: O

Owners Name: MORRISSEY CHRISTINE Phone number: 920 954-5431

2nd Owner Name: VERNER JEFFREY Phone number: 920 851-1039

Address: 1102 N UNION APPLETON WI 54911

Dangerous: N Dangerous Fee Collected: N

Animal Name: SNAP Breed: TERRIER MIX

Color: BLACK/WHITE Sex: F Neutered Y=Yes: Y

Date Of Rabies Shot: 2017/12/04 Rabies Exp.Year: 2020 Free License:

License Cost: 11.00 License Date: 2019/05/27

Clinic Name: CROSSROADS VETERINARY CLINIC Clinic Phone: 920 749-9400
Issued By: CHOFFMANN
Narrative:

* THIS LICENSE EXPIRES DECEMBER 31, 2019 *
* AFTER MARCH 31ST A $5.00 LATE FEE APPLIES *

Although your animal may have a 3 year vaccination, WI STATE STATUTE 174.07 requires presentation each year of evidence that a dog is current ly immunized against rabies prior to issuance of an animal license. CITY of APPLETON ordinance Sec 3-67 requires a rabies certificate be presented each year for cats and dogs.

City of Appleton
Finance Department
P.O. Box 2519
Appleton, WI 54912 - 2519
(920) 832-6442
Appleton.org

Receipt	
Receipt Number	9838

Receipt Date
05/27/19

Received From: Verner, Jeffrey

Description		Amount
pddog #2420		$11.00
	Amount Paid:	$11.00
	Payment Method:	CHECK

Payment Type	Amount
CHECK	$11.00

AMT TENDERED:	$11.00
AMT APPLIED:	$11.00
CHANGE:	$0.00

Accounts are not considered paid until checks have cleared the financial institution.

beyond
obedience

Behavioral History, Evaluation and Recommendations for "Snap" Verner

Date: 6-15-19

Veterinarian and phone #: Crossroads Vet Clinic, Dr. Kumbalek, (920) 749-9400

Date of most recent vet visit: Last seen June 5th 2019 to have stitches from ear/face area removed. December 2018 for annual wellness exam. Owners have a letter from the clinic attesting to Snap's appropriate behavior in the clinic and towards staff.

Known health problems/medical history: Luxating patella repaired at Animal Referral Center Sept 2016 (cost owners approx. $3,000), since then there has been no evidence of pain or discomfort.

Where did you obtain your pet?: New Pawsibilities in Oshkosh, WI – early history relatively unknown - had been from Kentucky, found malnourished, with mange (contagious skin disease) and had had puppies.

DOB: Guessing Spring 2013

Age when acquired: About 1-1.5 year old

Owners describe pet's personality: Sweet, affectionate, loves people, happy, loyal, trustworthy while left home alone, doesn't have accidents in the house, loves car rides, tolerates storms/fireworks, dislikes mower/stays away from mower, dislikes the cold and rain.

Food Brand and Feeding Schedule: Taste of the Wild and ¼ can Evolve wet food daily (high quality dog food) – she's a good eater, motivated by food, and hasn't shown signs of guarding/possessiveness towards humans over food/water/bones.

Exercise frequency/routine: Exercise - within two fenced areas of the property or an occasional walk (but varies on weather – she dislikes cold and rain). The city has instructed owners to muzzle her if they are out walking or refrain from walking.

Other pets in household: Jedi – 14 year old, male cat – Snap and Jedi get along well and cohabitate well together.

Where does the pet sleep at night?: In bed with Jeff

Do you confine your pet? Where? When?: She used to be crated but is now loose in the house when owners are absent from the home. She's trustworthy, doesn't chew, destroy anything or have accidents. Jedi and Snap get along while owners are away from home too!

Formal Training: No formal classes

Collar/Leash type: Jeff – walks with body harness and retractable leash, Chrissy – walks with Gentle Leader and nylon leash. Overall, she walks well (no regular pulling or difficulty controlling).

Favorite reward: Food treats

Cues/Commands pet is familiar with: Sit, wait, shake, hi5, roll over, leave it, "no", doesn't beg/lays on floor while owners eat.

Other notes:

- Jeff's job is somewhat flexible.
- If owners travel, they'd typically take Snap with them.
- Owners have guests occasionally to the home and have never worried about or questioned how Snap would interact with anyone.
- Jeff and Chrissy are contesting Snap's "Dangerous Dog" designation with the Appleton Board of Health July 10th2019. The police and city attorney will be present as well. When asked how many "Dangerous Dog's" exist in the city, Jeff was told only 5-6 dogs.
- If the "Dangerous Dog" designation is withheld - the city is requiring 1) Jeff and Chrissy to take out a 1 million dollar liability policy for Snap – amounting to $3-5K/year for owners to get coverage. The insurance company Jeff called, had never quoted a 1 million dollar lability policy before 2) Snap to be relocated/rehomed outside city limits with new owners being made aware of the "Dangerous Dog" designation 3) Euthanasia.

Direct Behavior Assessment (completed by Kirstin with Beyond Obedience, LLC):

- **Initial Greeting:** Friendly, confident/non-fearful, jumped up once or twice but listened to owners to get down/off, eager to interact, mid-level wagging tail, calmed quickly and laid down after first few minutes of Kirstin being in the home. She allowed Kirstin to shake hands with both owner without showing any discomfort or insecurities with a new stranger interacting with her owners.
- **Petting/Handling:** Loves being close, buries head in Kirstin's lap, leans in for more scratches, permits tail, feet and ear handling. Loose, wiggling body and tail. Doesn't show sensitivity in being touched around ear/face area that had previously been injured in dog fight.
- **Complying with basic command from stranger:** Snap was anxious to get attention from Kirstin and would follow a basic command like "sit" prior to Kirstin agreeing to engage. Respectful when told to "get off"/body blocked from jumping-up.

- **Eye Contact:** Makes and holds eye contact with stranger, soft eyes, eager to work and please, looks to owners for interactions/attention/treats often.
- **Reaction to feeding:** Eager to eat kibble food, allows Kirstin to remove bowl and replace with more food – no signs of growling, freezing, body tension, lip quiver etc. Loose body and tail despite some pressure from Kirstin during four small bowl refills.
- **Reaction to removing other valued resource:** Kirstin offered a food stuffed kong to Snap. She allowed Kirstin to remove the item and was eager to re-engage with the kong when it was replaced. She walked away with the kong to be able to engage with it without being disturbed but showed no body tension, growling, freezing etc.
- **Introduction to an artificial dog:** Initially Kirstin placed an artificial German Shorthair in the fenced lot adjacent to the driveway, without Snap seeing. Owners then escorted Snap to the fenced area, we closed/locked the gate and dropped the leash to observe Snap's response. Upon seeing the stuffed dog, Snap immediately froze. Her front hackles gradually started to raise (piloerection). She stayed very still for several seconds and just watched. Eventually, the remaining hackles began to rise and she moved very slowly to position herself behind Jeff. There she began a low growl, her body became stiffer and her head lowered. She displayed a definitive "*defensive response*" (reaction based on fear). When Kirstin and Jeff proceeded to approached the stuffed dog, she became a bit more interested but also approached with some hesitation (body low to ground, slow movements, head down etc.). Upon coming up to the dog she immediately went straight to the rear of the dog to sniff. Her movement was slow and stiff but appropriate and non-invasive. The exchange obviously evoked hesitation and fear from Snap. Kirstin did not observe a confident, dog-social-dog -- but instead one that likely possesses some social deficits and uncertainties with other dogs.
- **General Observations:** Snap loves to play and run (darts playfully around yard) but also settles well in the home too. She essentially ignores Jedi unless he's up on Jeff's shoulders and then she becomes a bit agitated for attention herself. Snap often got up to engage with owners or Kirstin for treats or attention but was also content resting during our appointment while we chatted.

History:

- **<u>Prior to 5/26/19 Snap had never shown any aggression or roughness towards any human</u>.**
- For several years (2014-2019), Snap cohabitated with owner's other dog, "Grommet", until he passed. Upon first meeting one another, Snap was aloof to Grommet. The two occasionally had squabbles around valued resources like bones and food but there was never any physical damage inflicted to either dog.
- "Beauty" and "Beast" - Bulldogs next door have interacted positively with Snap a couple of times.
- During a daycare assessment at Clever K9's 6/27/14 – two months after first acquiring Snap – Staff noted that she needed some work with allowing handling/going in and out of her suite and playing with other dogs – they did not reject her from staying at their facility or fail her in her evaluation -- but suggested she come on quieter days.
- Chrissy's sister has a male Jack Russel (Pippen) who is very food possessive. July 2014 while all at a family cabin together, the dogs got into a squabble over food -- but neither

dog was injured. Owners then removed valued resources and the dogs cohabitated fine the rest of the weekend without issue.

- Snap has a perch/seat near the side window of the home and will watch outside as people/dogs pass on the sidewalk. She will begin to bark if she sees a passing dog (a common issue for many dogs) but will cease the behavior if owners ask for her to stop and threaten use of water bottle spritz.
- Snap has spent time around at least 6 children in the neighborhood and within the extended family (ages 2+). There have never been any issues with children.
- Over the years, Snap has visited Jeff and Chrissy's workplaces and interacted with a number of co-workers without issue.
- Owners have observed the second dog (from Episode #2, a Shepherd Mix) involved in the 5/26/19 incident on walks with it's owner. They report seeing it bark and lunge towards passing dogs in the past. They had heard its owners are also working with another trainer to address their behavior concerns with their own dog but have no idea who they are working with or the type of training approach being used?
- While walking Snap on leash, owners have observed that Snap often has NO response to some passing dogs. If the other dog is responding (barking/lunging) towards her, she may bark or pull but owners are able to control her, have her sit and get her focused onto them. She doesn't usually start any provocation, but she's reacted if the other dog acts out first. Owners don't recall ever being in a position where they felt she's been out of control or unmanageable on walks or around other dogs.
- **Episode #1** (last spring/summer 2018): A copy of the actual report/citation would be recommended here. Snap was in the large gated area around lunchtime. Jeff went to grab her and return her to the house. He had entered the gated area but the gate was ajar as he was attempting to leash Snap. Snap ended up darting free between his legs and through the open gate and up the street. Jeff had noticed a neighbor walking his dog (Bella) west on the opposite side of the street and wondered if Snap might've approached them. Jeff ran inside to grab his keys and drove down the block to find Snap browsing around a rummage sale table at 430 E. Spring Street. Jeff opened the car door and Snap jumped in. No one from the property appeared to be around to talk to. Neighbor and Bella were across the street by then (neighbor holding Bella in his arms) and Jeff asked if anything had happened? Bella's owner indicated that Snap did not bother them but that she had chased a small white dog into the open front door of 430 E. Spring St. Jeff took Snap back home and ended up going back to work. After work, he found an orange notice on the door asking Jeff to contact police. Jeff complied. The investigating officer visited Jeff and reported that he was being cited with having a "Dog at Large" and a "License Violation Warning". The officer explained that no person, pet or property had been harmed and no other citation was necessary. Two days later, however, the officer's supervisor had the original officer call back and explain that the citation "Molesting a Passerby or Vehicle" was being added so there would be three fines to pay.
- **Episode #2** (5/26/19, 1:30pm): Jeff and Snap were BBQing in the fenced area adjacent to the home. The shorter, black gate, was unknowingly left ajar enough that Snap could squeeze through. When Jeff realized she'd escaped, he darted around the front of the house. At that point, he saw Snap and the second dog (a Shepherd mix) both standing and a fight was already ensuing in their front yard. Jeff did not observe who started it, but <u>did not</u> see Snap pinning or standing over the other dog – both dogs were upright. <u>*The fight*</u>

Professional installation and training service recommended. Example: Consider a layout with a double gate system and locks. Ideally, a gate should be positioned so Snap enters the gated area (adjacent to the house). This means, installing the gate on the opposite side of the back door.

- Formulate a new plan for increased exercise – a dog that doesn't receive enough exercise, variety and stimulation will be more prone to escaping/roaming as a means to entertain and expend energy. We need to be able to walk/run her and the yard will not be sufficient for this in and of itself. Seek out quieter neighborhoods, industrial park parking lots, cemeteries etc. Bring high-value treats with you for redirection and focus. Toss a handful of treats out to any approaching stray or unknown dog.
- Acclimate Snap to a basket muzzle that will allow her to pant and take treats. Remember, however, if she'd be approached by an unexpected aggressive dog, she would not be able to protect herself, So, this approach could present risk to her. See video for slow intro approach: https://www.youtube.com/watch?v=1FABgZTFvHo&t=426s
- Block visual vantage points in the bay window with a frosted window cling to prevent patrolling and barking – even when you aren't home. Use the Through a Dog's Ear CD to promote relaxation and drowned out noises that could trigger barking.
- Preference: walking Snap on a Gentle Leader (possible pair with a Martingale collar and linked to Gentle Leader with coupler?) and nylon leash – equipment that promotes the most control. Bring high-value treats (chicken, cheese, hotdog etc – bits the size of pencil eraser) with on every outing for redirection and attention but also to toss out to any oncoming stray/loose dogs.

Overall Conclusions and Considerations:

Snap has no previous history of aggression towards humans, familiar or unfamiliar. She is friendly, happy, loves contact with people of all ages/genders etc. She cohabitates well with cat, Jedi, and has interacted with several other dogs as well. She may possess some resource guarding issues when other dogs are present (a common canine issue) and displays some insecurities and hesitations around other unknown dogs (also common). This suggests some weakness in the area of dog-dog social skills but could be addressed.

Based on observations shared from 5/26/19, it's hard to tell which of the two dogs officially started the fight. Technically, Snap was still on her property when she encountered the Shepherd being walked in front of her home. There is also some evidence that the Shepherd had been observed previously lunging/barking/reacting toward other dogs on it's walks - so the Shepherd may have some dog-dog reactivity or on-leash related issues and could have been the instigator of the fight.

In Episode #2, ***the Shepherd was the dog to inflict harm to Snap and still did not receive any damage or injury from Snap in return. The Shepherd also latched on and wouldn't let go for a prolonged period of time – inflicting severe pain and damage. Once it finally released its bite, Snap did not show signs of wanting to pursue or retaliate. I am much more concerned about the extent and nature of the Shepherd's aggression than Snap's response to being on the receiving end of the aggression.***

As a canine behavior professional, I do feel the bite to Jeff's arm in Episode #2 was, in fact, **provoked and justified considering the circumstance!** Certified dog trainers do not lump all cases of aggression into one category – instead, we classify types of aggression based on motivation and function. The bite to Jeff's arm was inflicted as a result of "Pain-Elicited,

escalated quickly with the Shepherd mix biting and adhering itself to the left side of Snap's face and ear. The dog would not let go despite being prompted (pulling on leash) by it's owner. There were several witnesses to the event. When Jeff realized that the Shepherd was not releasing and he heard *Snap screaming*, he knelt down to try and get a grip on her to help pull her away and unlatch the jaws of the other dog. *With the Shepherd still attached to her face/ear, Snap directed a single bite to Jeff's right forearm and immediately released.* Somehow, the Shepherd next released its grip from Snap's face/ear too. Jeff does not recall how this was ultimately accomplished but knows that the man then left with his dog. He remembers scooping up Snap, who *did not show signs of pursing the other dog in retaliation, and showed no resistance as Jeff brought her inside*. Jeff's arm needed medical attention. The incident was reported at the hospital and Jeff received 5 stitches to the Level 3-4 bite wound. Snap was later seen and treated at the Animal Referral Center. ***The bites Snap received from the Shepherd were likely Level 4 bites.*** Owners should get copies of full records from Snap's care at the Referral Center and follow-up work done at Crossroads. Officer Pullen talked to Jeff at the hospital and gathered an account of the incident. Later that night, after collecting other witness statements, Pullen visited Jeff's home, met Snap (while leashed), and took pictures of her injuries. *No canine temperament evaluation or history was ever gathered.* Officer Pullen did state, however, that the ***Shepherd had received no injuries from Snap.*** Officer Fillebrown later issued a citation that was given to Jeff and Chrissy for "Attack Without Provocation", has deemed Snap a "Dangerous Dog" and has mapped out the options for Jeff and Chrissy going forward. Jeff and Chrissy plan to contest the "Dangerous Dog" designation on July 10th 2019 with the Board of Health. Please also see explanation below.

- After Episode #2, owners discovered there had been a mistake with the citations given a year ago. Instead of documenting the episodes as one occurrence, they'd incorrectly documented them as 2 separate events, incorrectly making the episode (5/26/19) Snap's third offense. Jeff believes he's now worked to resolve this mistake with authorities and Snap's record.

Recommendations:

- Seek statements from any/all caregivers and those having repeated or regular contact with Snap (groomer, daycare, neighbors, dog owners of dogs she's interacted with etc.) who can report on her typical temperament and behavior.
- Seek out the formal report from the initial offense last year – make sure a total of only two episodes exist on her record and the reporting issue that occurred was actually resolved.
- Seek out more detailed and complete medical records for the care Snap received due to her injuries inflicted on 5/26/19 (both from Referral Center and follow-cup care at Crossroads). What damage was done to her? Level of bite(s)? How many stiches/staples etc.? How much did it cost to repair?
- Consider a second behavior assessment performed by another Certified Canine Behavior Professional. Informed and educated evaluations of the individual dog are important and helpful to your case.
- Formulate a new plan for containment in the yard – Ensure two secure measures of containment. Example: Consider an e-fence encompassing the physical fenced areas.

Redirected Aggression". According to the ASPCA – "Pain-Elicited Aggression" results when an otherwise gentle, friendly dog can behave aggressively while in pain. "Redirected Aggression" occurs when a dog is aroused into an aggressive response by an animal that she/he is prevented from attacking. At that time, she/he may redirect this aggression onto someone else nearby. For these reasons, people are often bitten when trying to break up a dog fight.

Finally, it is fair to note, that it is common for breed-discriminatory factors to influence laws, judgements and life/death decisions regarding Pit-type mix dogs. There is no credible evidence that breed determines or predicts dangerousness! Each dog deserves to be evaluated on a fair, thorough and individual basis.

Also, please see:

- https://www.aspca.org/about-us/aspca-policy-and-position-statements/position-statement-pit-bulls
- https://www.aspca.org/about-us/aspca-policy-and-position-statements/position-statement-dangerous-dog-laws

Follow-up info: Owners will contact Beyond Obedience, LLC if further assistance is needed.

CALL/EMAIL WITH QUETIONS OR CONCERNS!!

Beyond Obedience, LLC www.beyondobediencellc.com 920.886.0393

APPLETON POLICE DEPARTMENT

LIMITED VEHICLE/DRIVER RECORD INFORMATION REQUEST FORM

REQUIRED FOR DISCLOSURE OF PERSONAL INFORMATION OR HIGHLY RESTRICTED PERSONAL INFORMATION

The Federal Driver's Privacy Protection Act (DPPA) (18 U.S.C. § 2721) prohibits the disclosure of certain "personal information" or "highly restricted personal information" which originates from a State motor vehicle record. Under current controlling law, disclosure of each item "personal information" or "highly restricted personal information" must be justified by the specific permissible use identified below. Failure to provide such justification may result in redaction of the record requested. Such information shall not knowingly be disclosed or otherwise made available without the express consent of the person to whom the information pertains or unless specifically permitted by the DPPA. For purposes of determining whether such information should be released or redacted, please complete and return this form.

(PLEASE PRINT LEGIBLY)

I. REQUESTER INFORMATION

DATE OF REQUEST 06-10-19 REQUESTER PHONE 920-851-1039

REQUESTER NAME/COMPANY JEFFREY S. VERNER

REQUESTER ADDRESS 1102 N. UNION ST.

CITY Appleton STATE WI ZIP 54911 REQUESTER EMAIL JSBASE@SBCGLOBAL.NET

II. REQUESTED INFORMATION

TYPE OF RECORD/S SOUGHT INCIDENT REPORT A19017292

DATE/S OF RECORD/S SOUGHT 5-26 ADDRESS OF INCIDENT 1102 N UNION ST

NAME OF PERSON ABOUT WHOM RECORDS ARE REQUESTED, IF KNOWN JEFFREY AND OR SNAP

REASON FOR REQUEST OF PARTICULAR ITEMS OF *"PERSONAL INFORMATION"* OR *"HIGHLY RESTRICTED PERSONAL INFORMATION"* Contesting Dangerous Dog Designation

III. AUTHORIZATION

I/We are authorized under the Driver's Privacy Protection Act to obtain the identified records containing personal information based upon the following:

(CIRCLE ALL THAT APPLY)

1. ☐ Authorized for use, if Requester has obtained the written consent from the person about whom the information pertains.
   a. ☐ I am requesting a copy of my own record.
   b. ☐ I am a parent or legal guardian or a minor child and I am requesting a copy of his/her record.
   c. ☐ I am requesting the record of another person and have attached their *written and notarized* consent.
2. ☐ For use in connection with matters of a motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers to carry out the purposes of the Automobile Information Disclosure Act, the Anti-Car Theft Act of 1992, and the Clean Air Act.
3. ☐ A government agency (Federal, State, local, or tribal) or employed by such, for the purposes of the government agency to carry out its official functions.
4. ☐ A Federal, State, Circuit, local, or tribal court, or employed by such, for the purposes of the court to carry out its official functions.
5. ☐ A law enforcement agency, or employed by such, for the purpose of the law enforcement agency to carry out its functions.

CONTINUED ON NEXT PAGE

6. ☐ Authorized representative, agent, contractor, or employed by such, of a legitimate business and the vehicle/driving record being requested will be used for normal course of business, but only to:
   a. ☐ Verify accuracy of the personal information;
   b. ☐ If such information as so submitted is not correct or is no longer correct, to obtain correct information, but only for purposes of preventing fraud, pursuing legal remedies, or collecting a debt.
7. ☐ Authorized for use in connection with any civil, criminal, administrative, or arbitral proceedings in any federal, state, circuit, local, or tribal court or agency, or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution of enforcement of judgments and orders, or pursuant to an order of a federal state circuit local or trial court.
8. ☐ Authorized for use in research activities and producing statistical reports, as long as the personal information is not published, re-disclosed, or used to contact individuals.
9. ☐ Authorized representative, agent, contractor, or employed by such, of an insurer, insurance support organization, or self-insured entity and the vehicle/driving record(s) being requested will be used only in connection with the following:
   a. ☐Claims investigation;
   b. ☐Anti-fraud activities;
   c. ☐Rating or underwriting.
10. ☐Authorized for use in providing notice to the owners of towed or impounded vehicles.
11. ☐Authorized representative or owner of a licensed private investigative agency or licensed security service and the vehicle/driving record is being requested for the use of purposes permitted under the Driver's Privacy Protection Act.
12. ☐Authorized as an employer, or its agent or insurer for use in obtaining or verifying information relating to a holder of a commercial driver license (CDL).
13. ☐Authorized representative or owner of a private toll transportation facility for use in the operation of the facility.
14. ☐For any other use specifically authorized under the law of the State that holds the record, if such use is related to the operation of a motor vehicle or public safety

IV. PENALTIES

The Driver Privacy Protection Act (DPPA) is enforced by the U.S. Department of Justice, which may seek civil and criminal penalties for improperly obtaining, disclosing, or using personal information from a motor vehicle record for a purpose not permitted by the DPPA. In addition, private citizens may also seek civil damages in Federal Court.

V. CERTIFICATION

I agree that the use of the records I have requested is specifically authorized under the laws of the State of Wisconsin and the DPPA and that my intended use of the records is related to the operation of a motor vehicle or public safety or for other use as identified above.

I certify that the information and statements on this request are true and correct and understand that the unauthorized disclosure of information obtained from these records for a purpose other than stated on this request form, or the sale or other distribution of the information to a person or organization not disclosed in this request, may result in civil and criminal penalties imposed under Title 18 U.S.C. Section 2724.

I further understand that I have the right to request a mandamus review of the responses provided to this request under Wisconsin Statute Section 19.37(1).

REQUESTER SIGNATURE

6-10-19
DATE SIGNED

FOR RECORDS USE ONLY

PROCESSED BY: _____ DATE: _____ RECORDS RELEASED: _____

22:05:59 05/26/2019 - LAVINE J [redacted]
9567 requesting an officer at [redacted] for citations

Call
Long-Term Call ID 19D081332

Active Call Nature Animal Call Type 1 Priority 4
Address✓ E SUMMER ST & N UNION ST City APC APPLETON
Calls 7 Dupl 0 Names 0 w/Alrts 0 Wants 0 Prem 0 Adr 0
Intersection of: E SUMMER ST & N UNION ST
Zones ✠ ✠ ✠ Determinant Alarm
Directions

Complainant
Number
Last Fst Mid
Address DOB
City ST ZIP SSN
Phone Race Sex Prev Calls Wants Adr
Alert

Contact
Contact Katelyn Pohl Telephone [redacted]
Address

Information
Info (See below)

License Plate State
How Received 9 911 Line Occurred between 13:30:40 05/26/19
Received By KERNOSKY M and 13:38:31 05/26/19
Hold Until : : / / When Reported 13:30:50 05/26/19

= = = =

You are Notified to Pay or Appear

Appearance Required: [ ] Date: SEP-11-2019 Time: 08:30 AM

OUTAGAMIE COUNTY CIRCUIT COURT COMMISSIONER
320 S WALNUT STREET
APPLETON, WI 54911

Form No. and Version CT: MUNI 0405

CITATION NO.: 2Q802H97XS

Juvenile: Court Use

DEPOSIT: $232.00 Cash: N Card: N

Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip
VERNER, JEFFREY JOHN
[redacted]

Birth Date: 3/21/1963
Sex: [redacted] Race:
HT WT Hair Eyes: [redacted]

Driver License/Identification Card Number State Exp. Yr.
[redacted]

Other Identification Number ID Type

License Plate Number Plate Type State Exp. Yr.

Defendant Telephone Number
(920) 851-1039

Name and Address of Parent/Guardian/Legal Custodian (If minor defendant)

Telephone Number of Parent/Guardian/Legal Custodian

Plaintiff
CITY OF APPLETON

Ordinance Violated: AC 3-15(A)

Adopting State Statute:

Violation Description

Ordinance Description
ANIMAL AT LARGE 2ND

Week Day Date Time
SUNDAY 05/26/2019 06:40 AM

From/AT Hwy No. and/or Street Name
ON 1102 N UNION AT

County: OUTAGAMIE - 44
City/Village/Town: APPLETON - 58, CITY

Agency Space
A19017292

Officer Name
OFFICER M. FILLEBROWN

Officer ID: 9563
Department: APPLETON POLICE DEPARTMENT

Date Citation Served: 06/06/2019
Method: IN PERSON

Residence Contact Name: JEFFREY VERNER
(If left with person at defendant's address)
Age:

INSTRUCTIONS - READ CAREFULLY

MANDATORY APPEARANCE? If your citation is marked as a mandatory court appearance, you MUST appear in court. The appearance not mandatory instructions do not apply to you.

APPEARANCE NOT MANDATORY?

IF YOU WISH TO DISPUTE THE CITATION, you must either appear in court or enter a not guilty plea by mail prior to your court date. You may do so even if you have already paid the deposit or posted a bond. Please include either:

- a photocopy of your citation, OR
- your correct name and mailing address, citation number, court appearance date listed on the citation, offense, and arresting police agency.

These should be mailed to the court address written under YOU ARE NOTIFIED TO APPEAR. The court will schedule another court date and/or a trial before a judge without a jury.

IF YOU DO NOT WISH TO DISPUTE THE CITATION, simply mail in the deposit amount on the citation by the court date, with a statement saying you do not wish to contest the citation. Please include either:

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- your correct name and mailing address, citation number, court appearance date listed on the citation, offence, and arresting police agency.

Make check payable to the clerk of court and mail it to the court address written under YOU ARE NOTIFIED TO APPEAR. You do not need to appear. The court will either:

- accept your nonappearance as a plea of no contest, find you guilty and keep the deposit amount as payment for your citation; OR
- decline to accept the deposit and order you to appear in court by summons or warrant.

IF YOU DO NOTHING, the court may either:

- issue a warrant for your arrest, OR
- issue a summons for you to appear in court, OR
- find you guilty for failing to appear in court and order you to pay the forfeiture and costs imposed by the court.

WISCONSIN NON TRAFFIC CITATION AND COMPLAINT

You are Notified to Pay or Appear

Appearance Required: NO | Date: SEP-11-2019 | Time: 08:30 AM

OUTAGAMIE COUNTY CIRCUIT COURT COMMISSIONER
320 S WALNUT STREET
APPLETON, WI 54911

Form No. and Version CT: MUNI 0405

CITATION NO.: 2Q802H97XR

Juvenile | DEPOSIT | Cash- | Card
$200.50 | N | N

Court Use

Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip
VERNER, JEFFREY JOHN
[redacted]

Birth Date: 3/21/1963
Sex: [redacted]
Race
HT | WT | Hair | Eyes
[redacted]

Driver License/Identification Card Number | State | Exp. Yr.
[redacted]

Name and Address of Parent/Guardian/Legal Custodian (If minor defendant)

Other Identification Number | ID Type

License Plate Number | Plate Type | State | Exp. Yr.

Defendant Telephone Number
(920) 851-1039

Telephone Number of Parent/Guardian/Legal Custodian

Plaintiff
CITY OF APPLETON

Ordinance Violated
AC 3-15(B)

Adopting State Statute

Violation Description

Agency Space
A19017292

Ordinance Description
ATTACKS WITHOUT PROVOCATION 1ST

Week Day | Date | Time
SUNDAY 05/26/2019 | 06:40 AM

From/AT Hwy No. and/or Street Name
ON 1102 N UNION AT

County | City/Village/Town
OUTAGAMIE - 44 | APPLETON - 58, CITY

Officer Name
OFFICER M. FILLEBROWN

Officer ID | Department
9563 | APPLETON POLICE DEPARTMENT

Date Citation Served, | Method
06/06/2019 | IN PERSON

Residence Contact Name | Age
JEFFREY VERNER
(If left with person at defendant's address)

INSTRUCTIONS - READ CAREFULLY

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- decline to accept the deposit and order you to appear in court by summons or warrant.

IF YOU DO NOTHING, the court may either:

- issue a warrant for your arrest, OR
- issue a summons for you to appear in court, OR
- find you guilty for failing to appear in court and order you to pay the forfeiture and costs imposed by the court.

WISCONSIN NON TRAFFIC CITATION AND COMPLAINT

WARNING / VIOLATION NOTICE

Date	Time	Police Number	Document Number
MAY-26-2019	7:58 PM	A19017292	2Q914BV3QS

Defendant (Last Name, First, Middle): VERNER, JEFFREY JOHN

Birth Date: 3/21/1963

Sex: [redacted]

Race: [redacted]

[redacted]

Telephone Number: [redacted]

HT WT Hair Eyes

Driver License/Identification Card Number: [redacted]

State Exp. Yr.

Vehicle Identification Number Vehicle Year

License Plate Number Plate Type State Exp. Yr.

Make Type Color Model

County: OUTAGAMIE - 44

City/Village/Town: APPLETON - 58, CITY

ON Hwy No. and/or Street Name: N UNION ST

Estimate Distance: 23 FT N

From/AT Hwy No. and/or Street Name: E SPRING ST

GPS Coordinates: 44.27153230776 -88.3982434310

Officer ID: 9567

Officer Name: CIVILIAN R. PULLEN

Department: APPLETON POLICE DEPARTMENT

Agency Space: 1035

THIS NOTICE WAS ISSUED FOR THE FOLLOWING VIOLATION(S)

	SECTION No (s)	DESCRIPTION(S)
1	AC 3-66	LICENSE REQUIRED FOR DOGS AND CATS -- ANIMAL LICENSING FOR (1) DOG. "SNAP".

Additional Instructions For Defendant

ALL ANIMALS ARE REQUIRED TO BE LICENSED IN THE CITY OF APPLETON. TO LICENSE SNAP PLEASE BRING RABIES VACCINATION PAPERWORK TO THE APPLETON POLICE DEPARTMENT TO LICENSE SNAP. FOR FURTHER QUESTIONS, YOU MAY CALL THE FRONT DESK AT (920)832-5500.

Equipment, Registration or Miscellaneous Violations

The violations indicated must be corrected at once.

All future operation without correction is illegal.

REPORT IN PERSON

You must bring this notice together with proof of compliance with the law for the violations indicated above to any law enforcement officer for certification by:

JUNE 10, 2019

Then mail certification.

Failure to comply may result in court action.

MAIL TO: APPLETON POLICE DEPARTMENT
222 SOUTH WALNUT STREET
APPLETON, WI 54911

OFFICER CERTIFICATION

The owner or driver has complied as directed and the violations have been corrected.

X _____

(Officer Signature) (Badge Number)

_____

(Employing Agency)

_____

(Date)

You are Notified to Pay or Appear

Appearance Required: [ ] Date: AUG-14-2019 Time: 08:30 AM

OUTAGAMIE COUNTY CIRCUIT COURT COMMISSIONER
320 S WALNUT STREET
APPLETON, WI 54911

Form No. and Version CT: MUNI 0405

CITATION NO.: 2Q814BV3FJ

Juvenile: Court Use

DEPOSIT: $232.00 Cash- N Card N

Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip
VERNER, JEFFREY JOHN
[redacted]

Birth Date: 3/21/1963
Sex: [redacted] Race:
HT: WT: Hair: Eyes: [redacted]

Driver License/Identification Card Number: [redacted] State: Exp. Yr.

Other Identification Number: ID Type:

License Plate Number: Plate Type: State: Exp. Yr.

Defendant Telephone Number
(920) 851-1039

Name and Address of Parent/Guardian/Legal Custodian (If minor defendant)

Telephone Number of Parent/Guardian/Legal Custodian

Plaintiff
CITY OF APPLETON

Ordinance Violated: AC 3-15(B)

Adopting State Statute:

Violation Description

Agency Space
A19017292
1035

Ordinance Description
MOLESTS PASSEBY OR VEHICLES 3RD

Week Day: SUNDAY
Date: 05/26/2019
Time: 07:58 PM

From/AT Hwy No. and/or Street Name
ON N UNION ST 23 FT N OF E SPRING ST

County: OUTAGAMIE - 44
City/Village/Town: APPLETON - 58, CITY

Officer Name: R. PULLEN
Officer ID: 9567
Department: APPLETON POLICE DEPARTMENT

Date Citation Served: 05/26/2019
Method: IN PERSON

Residence Contact Name: JEFFREY JOHN VERNER
Age: 56
(If left with person at defendant's address)

INSTRUCTIONS - READ CAREFULLY

MANDATORY APPEARANCE? If your citation is marked as a mandatory court appearance, you MUST appear in court. The appearance not mandatory instructions do not apply to you.

APPEARANCE NOT MANDATORY?

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- your correct name and mailing address, citation number, court appearance date listed on the citation, offense, and arresting police agency.

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- decline to accept the deposit and order you to appear in court by summons or warrant.

IF YOU DO NOTHING, the court may either:

- issue a warrant for your arrest, OR
- issue a summons for you to appear in court, OR
- find you guilty for failing to appear in court and order you to pay the forfeiture and costs imposed by the court.

WISCONSIN NON TRAFFIC CITATION AND COMPLAINT

We are the Ward family that lives across the street from Snap, JJ and Chrissy's house pet. We have lived in our neighborhood for 16 years. We have two bulldogs that have played with Snap in each other's yard and have never had any issues with aggression. JJ and Chrissy are very responsible pet owners and would never intentionally put anyone or anyone's pet in harm's way.

We have all interacted with Snap and she has never lunged at us or shown aggression towards us or our children. Snap has recently been through some sadness and lost her companion Grommet, a beautiful Staffordshire terror mix, to cancer. Snap was with Grommet for 6 years and got along with him. My two bulldogs, Snap and Grommet played very well together and Grommet is missed greatly by one of my own bulldogs. My male bulldog "Beast" will look out the window for Grommet waiting to get a glimpse of him. I can just imagine how Snap is also feeling the great loss and is still looking for her buddy.

I do not condone the actions of any dog hurting anyone but I do know that a dog will defend themselves and their owner if another dog is showing signs of aggression. I feel that if I was walking my own dogs by JJ and Chrissy's house the day in question, and Snap accidentally got out, then I wouldn't need to be writing this letter.

Please take into consideration some of the circumstances I have discussed in this letter before you make any decisions about Snap. She is a beautiful dog that loves her family and home. JJ and Chrissy are very responsible pet owners but sometimes unfortunate things happen to the best of owners. Thank you for your time and consideration.

Lynn Ward

Jarrett Ward

615 E. Spring Street

Appleton, Wi. 54911

Crossroads Veterinary Clinic
W5493 County Road KK
Appleton, WI 54915
Phone: (920) 749-9400 Fax: (920) 749-0162

www.CrossroadsVet.org
Follow us on Facebook!

Christine Morrissey (# 11252)
1102 N Union St. Main Phone: (920) 221-5950
Appleton, WI 54911 Work Phone: (920) 968-9302 ext:

Jun 01, 2019
Invoice Number 190684

Snap (# C)
Species: Canine
Sex: Female Spayed
Age: 6 years and 11 months old
Breed: Terrier Mix
Coat Color: Black/White
Weight: 48.2 lbs.

Date	Code	Description	Qty		Price
06/01/2019	145	**Rabies Examinations**	1 Each	$	87.57

Total for Snap:	$	87.57
Total Invoice:	$	87.57
Previous Balance:	$	0.00
Total Amount Due:	$	87.57
3. MC/VISA/Discover/AmEx	$	87.57
(Remaining Balance: $0.00)		
Total Payments - Thank you:	$	87.57
New Balance Due:	$	0.00

Dr. Cheryl Foster

Name	Performed	Due Date
Snap (# C)		
Annual Bordetella Booster:	12/08/2018	12/08/2019
Annual Heartworm Test:	12/08/2018	12/08/2019
Annual Lepto Booster:	12/08/2018	12/08/2019
Annual Lyme Booster:	12/08/2018	12/08/2019
Fecal (Bring Stool Sample):	12/08/2018	12/08/2019
DHPP Booster:	12/04/2017	12/03/2020
Rabies:	12/04/2017	12/03/2020

FUTURE APPOINTMENTS:

Patient Name	Date	Start Time	Appt. With
Snap (# C)	06/05/2019	08:10 AM	Dr. Cheryl Foster

Note: SURGERY appointment time listed on this sheet are NOT correct. Please refer to your surgery packet for the correct drop off time or call our office at (920) 749-9400.

Animal Referral Center
FOX VALLEY

4706 New Horizons Blvd., Appleton, WI 54914
Phone: (920) 993-9193 Fax:(920) 993-8492

Christine Morrissey (# 108708)
1102 N. Union Street Home Phone: (920) 954-5431
Appleton, WI 54911 Work Phone: (920) 221-5950 ext:

May 26, 2019

Invoice Number 238113

Snap (# D)
Species: Canine
Sex: Female Spayed
Age: 6 years and 10 months old
Breed: Terrier Mix
Coat Color: Black/White

Date	Description	Qty		Price
05/26/2019	**Emergency Consult & Exam**	1.0000	$	120.00
	NSAID Panel-In House	1.0000	$	57.60
	IV Catheter Peripheral	1.0000	$	55.00
	Butorphanol inj 10mg	4.7000 per mg	$	33.90
	Dexmedetomidine inj. 0.5mg	0.1200 per mg	$	28.55
	Laceration pack and supplies	1.0000	$	78.50
	Laceration Repair	1.0000	$	147.35
	Antisedan inj. 5mg	0.1200 per mg	$	20.15
	E-Collar Buster or Rite Fit (all sizes)	1.0000 Each	$	23.35
	Cephalexin 500mg Capsules	14.0000 Capsule	$	21.80
	Carprofen (Rimadyl) 100mg Chewable Tabs	7.0000 Chewable	$	35.60
	NSAID Panel-In House	1.0000	$	57.60
		Total for Snap:	$	679.40

Kayla Erickson DVM

Total Invoice:	$	679.40
Previous Balance:	$	(600.00)
Total Amount Due:	$	79.40
Credit Balance	$	600.00
Total Payments - Thank you:	$	600.00
New Balance Due:	$	79.40

Current Accounts Receivable Status

Current Invoice:	0 to 30 Days	31 to 60 Days	61 to 90 Days	Over 90 Days	Total A/R
$ 679.40	$ 79.40	$ 0.00	$ 0.00	$ 0.00	$ 79.40

Animal Referral Center
FOX VALLEY

4706 New Horizons Blvd., Appleton, WI 54914
Phone: (920) 993-9193 Fax:(920) 993-8492

Christine Morrissey (# 108708)
1102 N. Union Street Home Phone: (920) 954-5431
Appleton, WI 54911 Work Phone: (920) 221-5950 ext:

May 26, 2019

Invoice Number 238114

Payment on Account

Previous Balance:	$	79.40
Total Payments - Thank you:		
Visa	$	79.40
New Balance Due:	$	0.00

Animal Referral Center
FOX VALLEY

4706 New Horizons Blvd., Appleton, WI 54914
Phone: (920) 993-9193 Fax:(920) 993-8492

Christine Morrissey (# 108708)
1102 N. Union Street Home Phone: (920) 954-5431
Appleton, WI 54911 Work Phone: (920) 221-5950 ext:

May 26, 2019

Invoice Number 238090

Payment on Account

Previous Balance:	$	0.00
Total Payments - Thank you:		
Visa	$	600.00
New Balance Due:	$	(600.00)

Current Accounts Receivable Status

Current Invoice:	0 to 30 Days	31 to 60 Days	61 to 90 Days	Over 90 Days	Total A/R
$ 0.00	$ (600.00)	$ 0.00	$ 0.00	$ 0.00	$ (600.00)

Animal Referral Center
FOX VALLEY

108708D Morrissey, Snap (920) 954-5431
Terrier Mix,Sex: FS,07/15/2012,Black/White
American Animal Hospital Of Neenah (920) 725-8522 ext:
Dr. Lisa Hatfield
Previous Patient ID#

TREATMENT PLAN / ESTIMATE & AUTHORIZATION

TREATMENT PLAN and ESTIMATE

LABORATORY Hematology, chemistry, blood gas, virology, cytology, microbiology, urinalysis, coagulation ...		
IMAGING Radiology, ultrasound, endoscopy, contrast studies, interpretation ...		
SPECIAL DIAGNOSTICS ECG, blood pressure, pulse oximetry, centesis ...		
FLUID THERAPY Catheters, buretrols, IV sets, fluids, fluid pumps, monitoring ...		
PROCEDURES / SURGERY / ANESTHESIA / OXYGEN Surgical prep, instrumentation, surgery room, supplies, sedation, tranquilization, premeds, induction, anesthesia, anesthetist, oxygen ...		
INJECTIONS / MEDICATIONS Supplies, pharmacy, technician services, injections, oral, topical, in-hospital, dispensed ...		
HOSPITALIZATION / MONITORING / TECHNICIAN SERVICES Intensive care, critical care, isolation, support equipment, monitors, professional medical services ...		
DOCTOR SERVICES / OFFICE/ WOUND CARE / OTHER Examination, consultation, rechecks, aftercare, wound prep, drains, splints, bandage, professional services, misc ...		
TOTAL ESTIMATE	$ 600	$ 750

Notes:

sedation & laceration repair

AUTHORIZATION

1. I understand that this estimate is based on the initial examination of my pet and that it may change as further diagnostic and therapeutic procedures dictate. The estimate range is intentionally broad to anticipate problems and unforeseen factors that can occur with any medical patient. I understand that this is only an estimate and that the final charges are based on actual procedures performed. The preliminary diagnostic and therapeutic plans have been discussed with me along with the attendant risks. I understand that no warranty has been made as to result or cure.
2. During my pet's hospitalization I agree to be available by phone at all times for consultation with my pet's doctor(s). In the event I cannot be reached, I authorize the doctors and staff to perform those procedures which may be necessary for my pet's well-being and urgent medical needs and I agree to be responsible for the associated charges.
3. I agree to be responsible for all charges relating to my pet's medical care at the completion of services. I understand that an initial deposit is required equal to the low estimate and that further deposits may be required as care progresses. I understand that credit is not available and I agree to pay the balance of all charges in full at the end of hospitalization. I also understand that if charges are not paid in full at the time of service, even though I agree to pay, any charges not paid will immediately be delinquent, and subject to interest at the rate of 1%.
4. I understand I may leave personal items with my pet but that the hospital will not be responsible if they are lost or damaged.
5. I understand that as the owner/authorized agent I am the individual with whom the doctors are authorized to discuss my pet's medical care. If I am unavailable or unable to discuss my pet's medical care, I authorize _____ as a secondary contact.
6. In the event of a cardiopulmonary arrest (loss of normal heart beat and breathing), I understand that I will be called to discuss options for my pet's care. Until I can be reached, I authorize the following (please select one option):
   ☒ Cardiopulmonary Resuscitation (CPR) as deemed necessary by the doctor to try to restore normal heart beat and breathing. (Add'l charges may apply.)
   ☐ Do not attempt resuscitation.

Procedures Requiring Anesthesia

7. I understand that some risk exists with anesthesia and/or surgery and that I am encouraged to discuss any concerns I have about those risks with the attending veterinarian before the procedure is initiated. My signature on this form indicates that any questions I have regarding the following issues have been answered to my satisfaction; (1) an explanation of the procedure, (2) the degree of recovery expected, (3) possible complications, (4) length, type, extent and cost of follow-up care required, (5) an estimate of the cost of the procedure and (6) reasonable medical and/or surgical alternatives.

Owner/Agent Chelsea Morrissey Doctor Maryann Jackson Date 5/26/19

Best phone no. to be contacted 920-221-5950

Paid Deposit _____ ☐ Cash ☐ Check ☐ Credit card Staff _____

Animal Referral Center
FOX VALLEY
4706 New Horizons Blvd., Appleton, WI 54914 (920) 993-9193

Your pet's hospitalization: Questions and Answers

We understand how difficult it is to leave your pet in someone else's care. It is important that you feel comfortable with us and that you know that your pet will be left in the hands of professionals who care. The following is a list of questions most frequently asked by clients when their pets are hospitalized. If this handout does not address all of your concerns, please let us know so that we may answer any additional questions you might have.

1. Can I call for updates on my pet's condition?

   – Yes. Our doctors and staff would be happy to provide updates on your pet's condition during his/her hospitalization. We are authorized to speak to the owner/authorized agent for the pet. This person is designated in the medical record and is also the individual responsible for authorization of care, payment of services and decisions regarding continued care.

   – We understand that other family members and friends will be concerned about your pet's condition. We ask that you relay that information to them; this will help keep our doctors more available to provide medical care to their patients.

2. Can I visit my pet during the hospitalization?

   – Visiting hospitalized patients is welcomed and is only discouraged when the visit causes stress or anxiety for the patient and is therefore detrimental to their recovery.

   – Visits must be scheduled for specific times. If you have scheduled a visit more than 2 hours in advance, you should call just before leaving to ensure that the visit will still be OK. If during that time we have had many emergencies arrive, it might be necessary to reschedule your visit.

   – The number of family members who are permitted to visit at one time might be limited depending on whether the visit will take place in our family visitation room or in our ICU. Also, children under 18 years of age must be accompanied by an adult.

   – If you are asked to make a visit brief or if we request that you end a visit earlier than you expected, please understand that these requests are made with concern for your safety and so that we may provide the best care possible for your pet and for all of our patients.

   – Please understand that due to confidentiality laws, we are obligated to maintain the privacy of the families of our patients. As a result we are unable to share with you information regarding the other patients in our hospital.

3. How do I arrange for my pet to be picked up?

   – Once it has been decided that it's time for your pet to be discharged, we will schedule a specific discharge time. The time that is scheduled must allow our doctors and staff an adequate amount of time to prepare any medical records, discharge instructions and medications that will be sent with you and your pet.

4. How long will it take to discharge my pet?

   – The discharge is an important part of your pet's medical care so we recommend that you plan on allowing anywhere from 15 to 45 minutes depending on the extent of your pet's discharge instructions.

   – When you arrive for discharge, the receptionist will accept your payment for the total balance due and give you an itemized invoice. A member of our medical support team will then review your discharge instructions with you and answer any questions you might have. If you were unable to speak to the doctor on the phone when your discharge was scheduled, the doctor would be happy to speak with you at the time of discharge if he or she is available.

*Please note: We will review your discharge instructions and answer any questions you might have prior to bringing your pet to you. We do this because we have found that during the excitement of being reunited with their pet, many clients divert their attention towards their pet and away from the important discharge instructions.

June 19, 2019

Wisconsin Department of Health

1 West Wilson Street

Madison, WI 53703

To whom it may concern:

I am writing in regards to my brother, Jeff Verner's dog Snap. I have had the opportunity and pleasure of getting to know Snap as I cleaned for my brother and his wife for several years. Snap is one of the friendliest, well-tempered, loving dogs I know. My daughter, who was around 5 at the time, also had several interactions with Snap who never once made her feel uncomfortable. Snap was always very sweet and gentle with her. I cannot recall any occasion where I ever felt threatened or uncomfortable in Snaps presence.

Sincerely,

Amy L Huebner

Amy L. Huebner

4801 Edgeway Dr

West Bend, WI 53095

amyhuebner1@gmail.com

To: The Dept. of Health/All whom it may concern:
06/19/2019

Regarding "SNAP" the dog incident.

I would like to start out by saying the owners (JJ & Chrissy Verner) of Snap are very caring, dog loving & precautionary people. I have known them for 10+ yrs. and without a doubt have never had an issue with any of their pets. Generally they always have the dog(s) in the fenced in area when letting them out, on a leash while walking and picking up the feces right away.

Snap is not an aggressive dog. She is around our family and my 2 grandchildren, along with several other neighbors a lot and we have never had an incident or been fearful in any way. She is the one suffering right now because of this incident.

In closing I ask that you please take this into consideration.

Thank You,

Sherry & Jeff Meyer

Sherry Meyer &
Jeff Meyer

My name is Jack Walker. I Live next to Jeff. Ive never had a problem with Snap. She always seemed to me to be a very Loving dog. Every time she sees me, she just wants some attention. On the day in question, I didn't see the Initial contact, but the other dog had Snap by the ear and wouldn't let go. The other dog had no marks like Snap attacked the othe dog. She could have been checking out the other dog like dogs do and she could have been the attachee instead of the agressor. I think it just turned out to be an unfortunate situation.

Crossroads
Veterinary Clinic

June 11 2019

To whom it may concern,

I have performed a wellness exam twice on Snap. She was a little nervous for her exams but did not show signs of aggression towards me or my staff. If you have further questions regarding this patient please contact me.

Thank you,

Dr. Stacey Kumbalek
920-749-9400

Waukesha County Humane Society
Appleton, Wisconsin
920-749-9400

Animal Referral Center
FOX VALLEY

4706 New Horizons Blvd.,Appleton, WI 54914
Phone: (920) 993-9193 Fax:(920) 993-8492

Crossroads VC (WI)
W5493 County Trunk KK
Appleton, WI 54915
Fax: (920) 749-0162

This letter is in reference to Snap, the 6 years and 11 months old, FS Terrier Mix owned by ***Christine Morrissey***.

Problems / Diagnosis:
Dog fight wound

Snap was seen on 05/26/2019.

Presenting Complaint: dog Fight wound
Snap is a 7 year old FS Terrier who was in a dog fight at 1:30 today. She is current on vaccines

Initial Assessment:
Temperature:100.8 Pulse: 160 Respiration: 30
MM: pink CRT: 2 LOC: BAR BP:
Pain Score: Wt: 23.5kg

Body Condition: No significant abnormalities
Hydration: No significant abnormalities
Ears: 2 punctures to internal left pinna and external distal pinna
Eyes: No significant abnormalities
GI/Abdominal Palpation: No significant abnormalities
Heart/Cardiovascular: No significant abnormalities
Lungs/Trachea: No significant abnormalities
Lymph nodes: No significant abnormalities
Thyroid gland: No significant abnormalities
Mouth/Teeth/Gums: No significant abnormalities
Musculoskeletal: No significant abnormalities
Nervous System: No significant abnormalities
Nose/Throat: No significant abnormalities
Skin/Haircoat: Puncture to top of head
Urinary/Reproductive: No significant abnormalities
Rectal Exam: No significant abnormalities

Options offered:
1. sedation and wound repair

Options chosen:
1

Clinician comments:
Snap was BAR on presentation and had moderate bloody discharge from her left ear. A NSAID panel was performed and there was a hepatopathy. Could be related to blunt trauma from today. recommended recheck with local vet in 5

days. A peripheral catheter was placed and she was sedated with butorphanol 0.3mg/kg IV and dexdomitor 5mcg/kg IV. The wounds were clipped and flushed and scrubbed with chlorhex. The wounds were closed with 3-0 monoweb. She was reversed with 5mcg/kg atipamezole. An e-collar was placed and she was sent home with carprofen 2.2 mg/kg PO BID and cephalexin 500mg PO BID. It is recommended to recheck with local vet in 10-14 days

DVM:Kayla Erickson

Medications Dispensed:

Carprofen (Rimadyl) 100mg Chewable Tabs QTY: 7

RX Info: Give 1/2 tablet every 12 hours for pain
Please call with any questions.

Medications Dispensed:

Cephalexin 500mg Capsules QTY: 14

RX Info: Give 1 capsule every 12 hours
Please call with any questions.

Catalyst Dx

05/26/2019 07:40 PM

CREA	1.3	0.5-1.8 mg/dL	
BUN	14	7-27 mg/dL	
BUN/CREA	11		
ALT	162HIGH	10-125 U/L	
AST	77HIGH	0-50 U/L	
ALKP	13LOW	23-212 U/L	

Thank you for the referral of Snap Morrissey. We appreciate that you trust us to care for your clients and their pets in the same personal and professional manner that you provide. Please do not hesitate to call with any questions or concerns.

To review discharge instructions for Snap please refer to the separate discharge instructions sheet.

Sincerely,

Fox Valley Animal Referral Center

Christine Morrissey
1102 N Union St.
Appleton WI 54911
(920) 954-5431

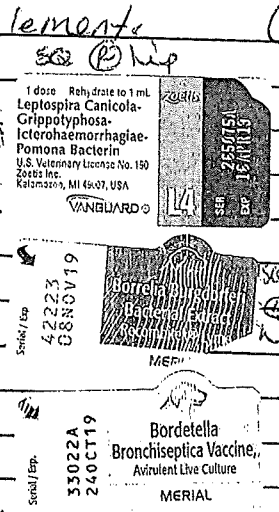
11252

Snap
D.O.B.: 07/11/2012
Terrier Mix
Black/White

11252 C

Sex: FS
Sp : Canine

Date	Patient History
12/5/17	Lm with negative HWT results. (BT)
5.8.18	☺ Picked up Rx for Tiheart Green x6
12.8.18	VX Lepto Lyme Bord(oral) HWT(Neg) 4DX NT 48.2
6wk	Fecal(Neg ☹) EAG call Monday w/ Both lab results.
4mo	~~Over the~~ Very infrequently will have Head wobble - tremor. seems fully aware of surrounding - lasts for no more than 2 min. Nov/d/c/s/lump/Tmp/pur.its. occ. scooting. Diet: Taste of the Wild High Prairie 3/4 BID Evolve canned 1/8 BID. Cod liver supplement. (HZ)
	Both Jeff & Christine here today - did not need to muzzle - did ~~[illegible]~~ good w/ Holly restraining & Jeff distracting @ head - occ. struggling, no growling or biting.
	PE: BCS=5/9, BAR, EENT=N, no otoscopic exam. Oral=N, Integ=N. H/L=ascultated N. Abd=palpN. MS=N. Neuro=N LN=N.
	☺ showed video of head tremor - only noticed ~4x since they have had him - minor seizure likely - ☺ to continue to monitor.
	AG - both 1/2 full, P material expressed.
	NT - put in lab w/ Jeff @ head & Holly holding well. did ok - struggled some, did not become aggressive.
	☺ didn't need preventatives today. (ER)
12.10.18	Lmom w/ Neg HWT & NPS Fecal
1.26.19	Request from Chewy Pharmacy for TriHeart 26-50# x6 - Lmom written Script ready for Pickup.
5.30.19	☺ called to schedule Rabies Bite checks post FVARC visit. Snap was involved in a dog fight. Husband was bit. Appointment Scheduled
6.1.19	Bite ✓ #2 - nov/D/c/sn/lump/lump/pur 2 P/une (52.0) wiggly
	Recent Sens. feeding TOTW, 1/4C canned, 3/4C BID dry
	☺ Got bit while trying to break up fight FVARC and PT bite ✓
	PE. wounds over ~~[illegible]~~ (L) ear canal bleeding well otic exam well. H/L (N) abd (N) Neuro (N) Ate treats happily!
	Passed Bite ✓ #2
6.5.19	Bite ✓ #3 - S/R - ~~[illegible]~~ to ~~[illegible]~~ to ✓ BW OK to ✓ (SL)
	monitoring panel with HW in December unless having problems



Christine Morrissey
1102 N Union St.
Appleton WI 54911
(920) 954-5431

11252

Snap
D.O.B.: 07/11/2012
Terrier Mix
Black/White

11252 C

Sex: FS
Sp : Canine

Date	Patient History
6-5-19 cont.	A3 - Neu - (N) Abd - (N) EENT - (N) skin - removed a few stitches near but are dissolvable. A few punctures still oozing a little, continue to monitor for complete resolution.
DB 6-4-19	Passed rabies bite #3
	Email request sent to Dr. written statement from SK.
	Composed - emailed to [illegible]

6/27/19

I have lived in this house for a year and a half. Not once have I ever felt that myself nor my family has been in any danger as far as Snap goes. She has been around my children plenty of times. Not once has she displayed any aggressive behavior. She has sat in my lap and licked my face and my children's faces. We have played with her. And I believe once or twice fed her with our hands. She is a beautiful and gentle dog. The kids are afraid of most dogs, but not Snap. Because they have grown up next door to her and have gotten to know her. She is a sweetheart who has never brought any harm to anyone. She has not bitten a single person and I feel that it says alot about what kind of dog she is.

Jena Schimmel
Ben Schimmel

Christine Morrissey - Statement Regarding the Events of May 26th, 2019:

I was upstairs cleaning the bathroom for company. I heard barking and looked out the window across from the bathroom that looks onto the patio yard as I knew that's where Snap was and wondered what she was barking at. I didn't see anything, but as I was looking I heard yelling and screaming and a dog in pain, coming from the front and ran to look out my bedroom window.

I saw a man running toward our house from the red house across the street. Jeff was on the ground in the front yard and people on the sidewalk, I didn't see Snap, or the other dog. Snap must have been under Jeff in the yard. I ran downstairs and got there just as Jeff was carrying Snap into the house. He set her down, I could see her head was bloody. He went to the kitchen sink and held his arm under running water.

He said, "I have a problem and showed me his arm with the gash. I gave him a clean towel to wrap around it and an ice pack and drove him to Theda Care Emergency.

I waited as he received 5 stitches. The police were called and he waited to talk to them while I went home to deal with Snap's injuries. The skin behind her left ear looked shredded, she had a puncture through her ear. There was a slice on her head and also a puncture mark. She would not hold still for me to clean her ear, but she let me wash some of the blood off the top of her head.

Officer Pullen gave Jeff a ride home. We brought Snap outside on her leash and she greeted Officer Pullen in her usual friendly manner. He took photos of her injuries and Jeff's. He left to speak with witnesses, saying he would be back later.

I took Snap to the referral center. They needed to sedate her to clean and stitch her wounds. They told me it would be 2 – 3 hours, and sent me home to wait for their call.

I returned home and cleaned up the blood that was on the rug, the floor the furniture, the kitchen appliances and the walls. It was evident that Snap had been shaking her head to try to relieve the pain in ear, as blood had spattered everywhere. There was a large stain on the rug from where she had laid her head.

The referral center called in the evening and I went to pick Snap up. The bill for her treatment was $769.00.

At about 10 PM Officer Pullen knocked on the front door. Jeff and Snap were both sleeping. I spoke with the officer for a few minutes, he explained that Snap would need to be quarantined for 10 days, and that we were being cited for Dog at Large and Molests Passerby or Vehicle, he told me it was Snap's 3rd offense which I questioned. He also told me that the other dog was not injured, nor was the owner. He said other people were bitten by that dog, as they tried to help, but their injuries had not required medical attention. He said that the other dog and

owner were working with a behaviorist from the Fox Valley Humane Association, who recommended they walk the dog past our house as it was a "trigger" for their dog.

I am very upset that no one took into account how that dog's provocations affected my dog. I have seen that dog on numerous occasions barking and lunging at people, dogs, and cars. Just recently it lunged and gnashed at Jeff's truck as he drove past the Wire Works building on Lawe Street.

We had Snap evaluated by a behaviorist on Saturday, June 15th, and she was deemed to be a good girl, her behavior toward people is appropriate, and her behavior with the test dog was also appropriate. We have tried to get a 2nd opinion, but everyone else we have contacted is booked. We were lucky the 1st time as Kirstin had just had a cancellation. We have an appointment with Lindsey Bernier in August, and she has put us at the top of her cancellation list.

I am a lover of dogs and I am grateful people are willing to take on problem dogs to work with and rehabilitate them. But my dog should not be held accountable for another dog's issues. She is friendly and affectionate. She is not dangerous. She loves to greet people on her walks, and to be required to muzzle her in public is like torture to her. She is so distracted by the contraption on her face that she can't do anything but try to hook a claw into and pull it off. Muzzles are also not recommended by the behaviorist we consulted, as it leaves Snap defenseless against an attack, and unable to defend us if we are assaulted.

Jeff regrets that he did not go to court last year to contest the additional citation of Molests Passerby or Vehicle that was tacked on to the initial Dog At Large, because he can see now that it is prejudicial. He felt at the time that it was an opportunistic addition after the fact, as no person or property was injured. But going to court takes time during the work week, so he paid the fines and forgot about it. It was also the source of the confusion over how many citations had actually been issued. I believe this has now been straightened out in the police records dept.

I have always been very concerned about keeping Snap secure, either in the fenced yard or on a leash. Not because I was afraid she would injure or attack anyone, but because she is a terrier and terriers are born to chase... rabbits, squirrels, chipmunks, birds... I was worried that she would chase something and be hit by a car. Lawe Street can be a very busy street depending on the time of day, and Wisconsin Avenue is only 2 blocks north of our house.

In closing, a series of unfortunate events have put our dog in the position of being unfairly labeled as dangerous. My husband is now acutely aware that she must be on a leash or secured in the fenced yards any time that she is outside. I would request the Board take into account the evaluation from our behaviorist, the character witness statements from friends, neighbors and family, and the extenuating circumstance of the other dog's regularly repeated inappropriate behavior as it lunges past our property. It is my hope that you will rescind the

Dangerous Dog Declaration and expunge the citations issued on 5/26/19. Snap was not "at large," she was on our property, and she was the victim in the attack.

Jeffrey Verner – Statement Regarding the Events of May 26, 2019:

On Sunday, May 26that 1:30 PM while cooking ribs on the grill on my patio our neighbor, Jack Walker, stopped over. At that time the gate was left ajar and I witnessed Snap wander onto the driveway. I immediately followed calling her name. I saw her tail go up, alerted to what were another dog and people passing the front of our house. She ran toward them. I chased her to the front of the house to see her meet the other dog on our front yard and proceed to be attacked on the left side of her face and ear. I dove to the ground grabbing Snap and asking for assistance to get the other dog to release its bite. The dog's owner was tugging at the leash.

Snap was yelping in obvious pain, and it felt like her ear was being torn and going on forever. At that point I attempted to reach around to grab the other dog's jaw and force it to release, and Snap inadvertently bit my arm once and released. In reflex I pulled my arm away as she was letting go, and ended up with a gash wound. I do not know who was able to get the other dog to release Snap. It was dragged away attempting to return. I remained over Snap. Somebody else was trying to assist me, I told them to let go and Snap made no attempt to retaliate or struggle to escape me. I carried snap into the house.
My wife, Chrissy, took me to the hospital where I received 5 stitches, Officer Pullen arrived and took me home to be interviewed and to photograph injuries to myself and Snap. I was in a state of shock at that time and do not recall my specific statement of events then.

Chrissy-

Yes, Lynne casually brought this up in conversation and I was a bit confused and caught off guard. Apparently she was working with the other dog/family at the time of the incident. I'm not sure why this hadn't been divulged to me sooner since your case had been referred to me from her.

From the sounds of it, Lynne may have been recruited from the city for testimony. She did say things happened very quickly and I think she even said something like "I didn't see all of it". So, in regards to contacting her, I'm not sure what to advise or if it would help/hurt. While she was present, she may be bound to sticking with one side or another, I'm not sure how that works. Could be a conflict of interest. Still probably ok to let your lawyer know about the situation.

The Referral bill is pretty vague. I'm surprised they don't include pictures, more detailing of the bite level etc when its a consequence of a dog fight. As a trainer, I feel like that info could be helpful! Still, you incurred a hefty fee and injury was significant enough that she was put under to receive care. I assume your vet was following up on the "hepatopathy" mentioned in the report?

I'm sure Vicky is extremely busy and overwhelmed in her new role at the shelter. Maybe the lawyer would have some pull connecting with her?

Snap is lucky to have you guys!

Best wishes,
Kirstin

On Tue, June 25, 2019 5:17 pm, Christine Morrissey wrote:
> Hi Kirstin,
>
>
> JJ told me he talked to you, and that Lynne Shaw was with the other dog
> owners on the day of the incident. Do you think that she would speak with
> our lawyer if I gave him her contact info? I don't know if it would be
> helpful or hurtful to our case, but it would give him another eyewitness
> account, which at the moment only the police are privy to.
>
> I have the medical documentation from the Referral Center and our regular
> vet. The Referral Center bill was $769.00, and the bill from our vet was
> about $85.00. Both are in the folder we left with the lawyer to make
> copies. Neither report mentions the number of stitches nor the bite level
> inflicted. Attached is the copy from the Referral Center which we
> received electronically. There are no pictures, except for the ones the
> police officer took, and they were not shared in the police report we
> requested. The police are not divulging any information regarding the
> other dog, other than what Officer Pullen told me on the night of the

> fight, which was that there were no other serious injuries (2 people who
> tried to help get the other dog to release Snap's ear were bitten by that
> dog, but nothing that required medical attention) and the other dog was
> not injured.
>
> I have called Vicki Prey twice and left messages, with no response.
>
>
> We will try the other trainers to see if they have any availability to
> perform a 2nd evaluation. Thank you for the list.
>
> And thank you for checking in.
>
>
> Sincerely,
> Chrissy
>
>
>
> ----- Original Message -----
>
>
> From: "Kirstin Zaspel" <info@beyondobediencellc.com>
> To: "Christine Morrissey" <merryminion@tds.net>
> Sent: Tuesday, June 25, 2019 9:46:55 AM
> Subject: Checking in
>
>
> Chrissy and Jeff-
>
>
> I gave a call to Jeff today looking for a short update. Glad to hear
> you've connected with a lawyer! That should be very helpful!
>
> Some questions to consider over medical records - total cost to treat
> injuries, how many stitches? Level of bite inflicted if noted, pictures,
> tissue glue? Confirmation that other dog had no injuries, incurred no
> medical bills etc. if you can confirm this?
>
> If Jody isn't going to work out - Some other trainers that I'd trust to
> do an evaluation (if they'd have availability prior to July 10th) -
>
> Silvia Golz http://lovethedogyouhave.com/
> Lynsie Bernier https://www.idealdogtrainer.com/
> Maggie Keipple https://www.practicaldogobedience.com/
> Carrie Tetzlaff Admissions Manager at Oshkosh Humane Society - knows a lot
> on behavior and assessing dogs for adoption etc.
>
> You may have less of a chance getting someone to show up July 10th now
> but at least a documented evaluation could help...
>
> Best wishes,
> Kirstin
>

>
>
> Kirstin Zaspel MS, CPDT-KA
> Beyond Obedience LLC
> 4442 N Star Point Ln
> Appleton, WI 54913
> phone: 920.886.0393
> email: info@beyondobediencellc.com
> website: www.beyondobediencellc.com
>
>
> "Dogs are not our whole life, but they make our lives whole."
> -Roger A. Caras
>
>
>
>
>

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Callie Huffman
129 Denhardt Ave
Neenah, WI 54956

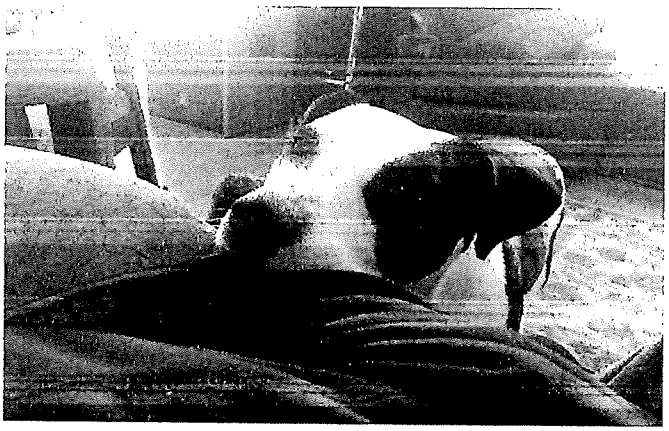
To whom it may concern,

I am writing this letter on behalf of Snap Morrissey-Verner. I am the daughter of Christine Morrissey, and step-daughter of Jeffrey Verner. I have been in regular contact with Snap since my mother and JJ rescued her in 2014. I visit their home at least every other week, often with my young son, Grayson, in tow. In all the years I have known Snap she has never once come off as aggressive or dangerous to me, my child or any other animals. Snap has always been around other animals, Jedi (the cat) and Grommet (another larger dog) until his passing earlier this year. I've never had any qualms of having my child around her, it's apparent that she adores Grayson.

It is unimaginable that the city is going to label this gentle, loving dog as dangerous and potentially order her destruction due to incidences that are of no fault of her own. Not only would this destroy the life of an innocent animal, but it would also break the hearts of her parents and those of the children that know and love her as family.

I implore you to consider an alternative. I've attached a couple pictures of Snap with my son, Grayson.

The first picture is of snap and Grayson "dancing". Grayson's favorite song use to be *Beat It*, by Michael Jackson. He'd put on that hat and show off his best Jackson moves. Snap was always right there dancing along.



The second picture is Snap gently resting her little head on Grayson's leg. He likely had a snack in hand that she thought he might want to share with her. As you can see, patiently waiting for him – not aggressively taking anything.

We love Snap and do not want to see anything happen to her. Thank you for your time and consideration.

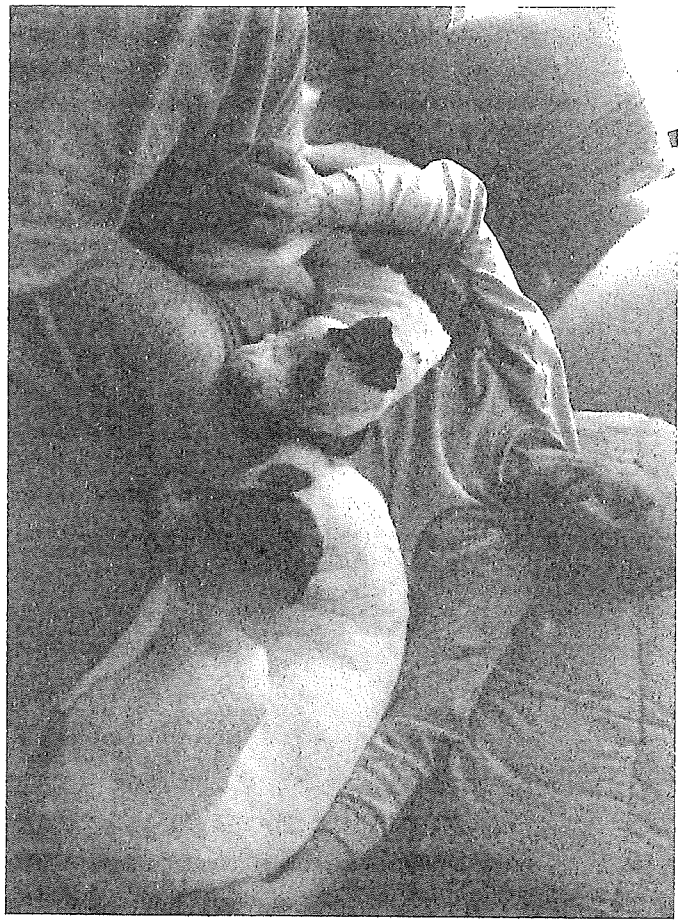
Sincerely,

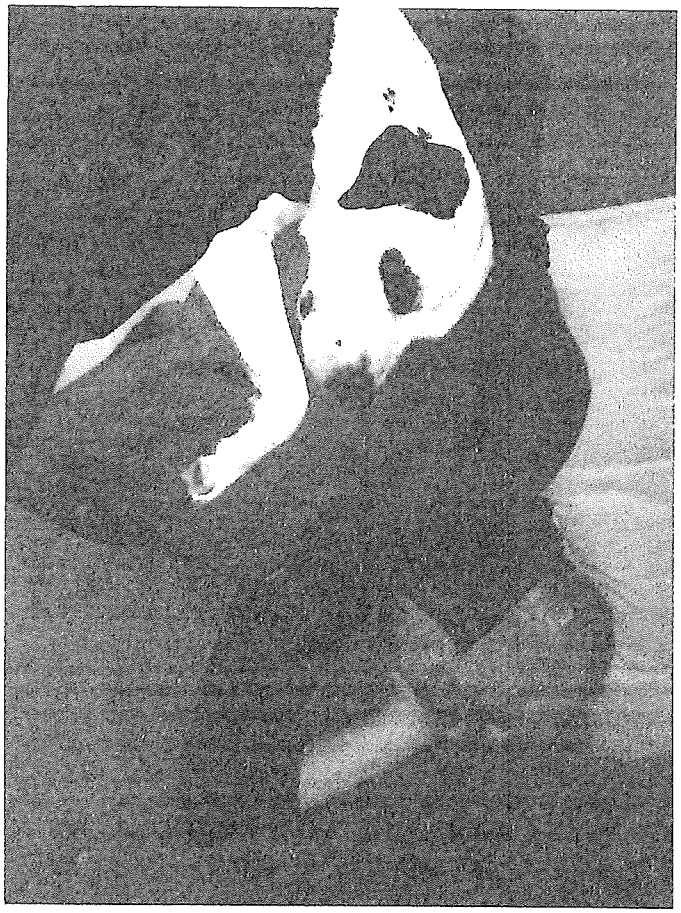
Callie L Huffman

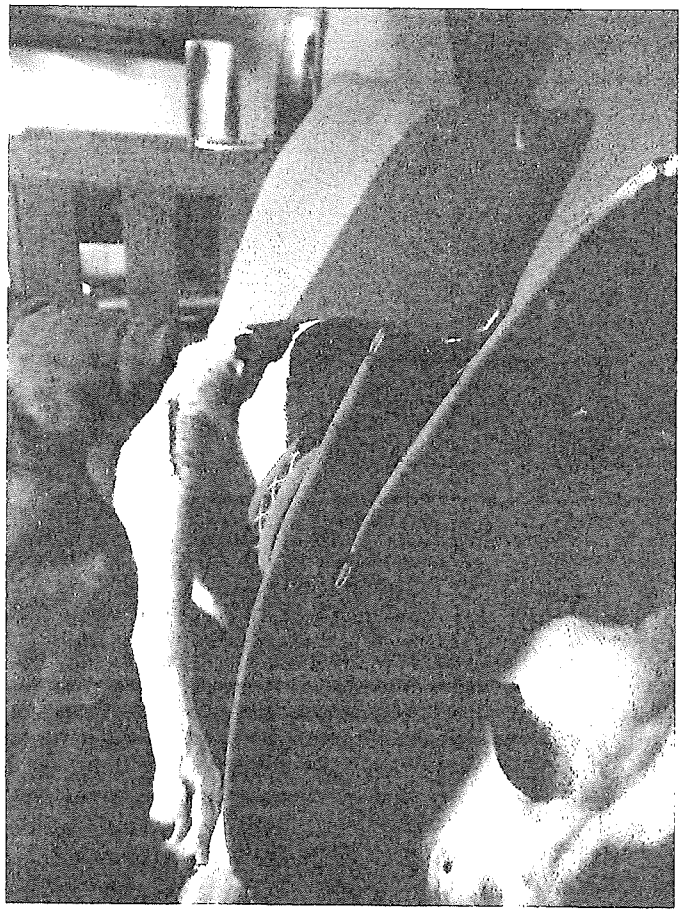
6/27/19

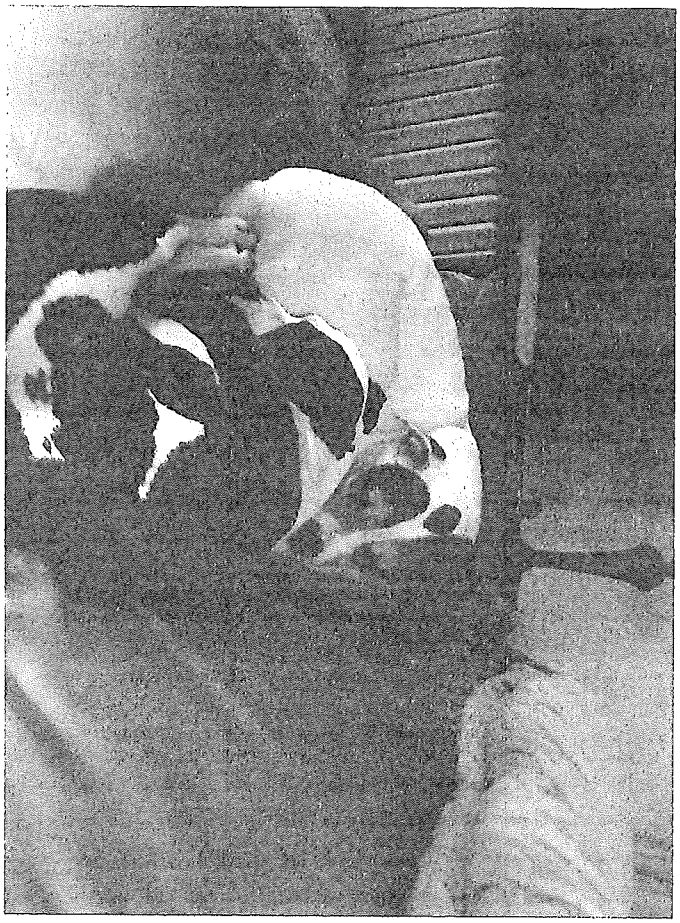
I have lived in this house for a year and a half. Not once have I ever felt that myself nor my family has been in any danger as far as Snap goes. She has been around my children plenty of times. Not once has she displayed any aggressive behavior. She has sat in my lap and licked my face and my children's faces. We have played with her. And I believe once or twice fed her with our hands. She is a beautiful and gentle dog. The kids are afraid of most dogs, but not Snap. Because they have grown up next door to her and have gotten to know her. She is a sweetheart who has never brought any harm to anyone. She has not bitten a single person and I feel that it says alot about what kind of dog she is.

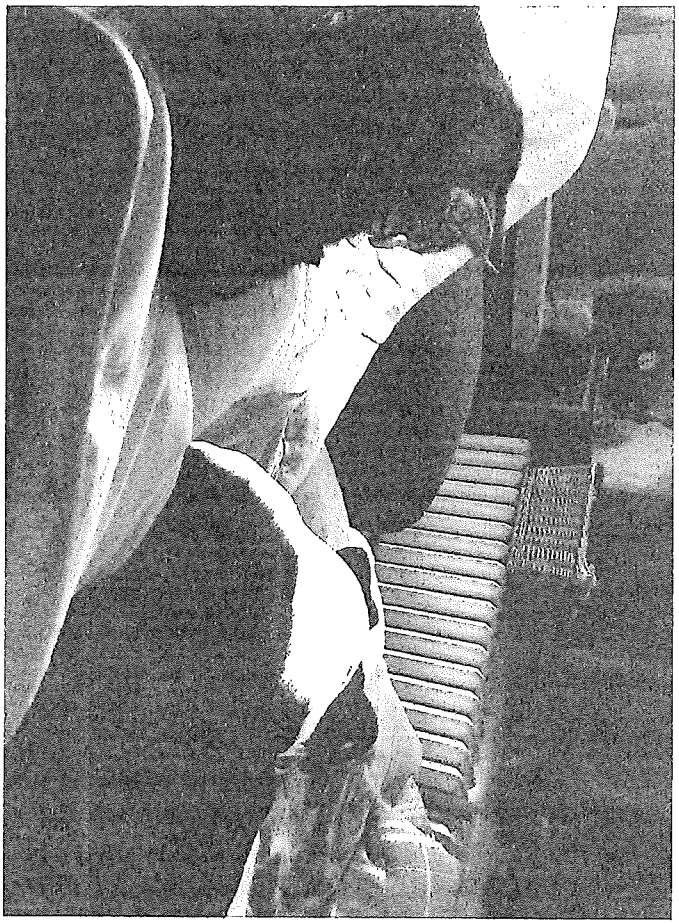
Jena Schimmel
Ben Schimmel

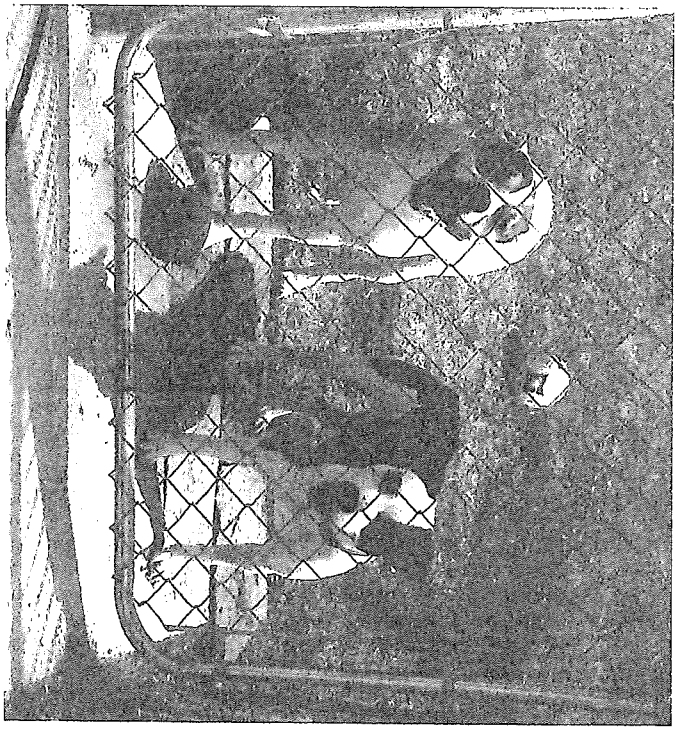












CITY OF APPLETON
COMMON COUNCIL
BOARD OF HEALTH

CITY OF APPLETON
A Wisconsin Municipal Corporation,

vs.

Christine Morrissey and Jeffrey Verner
Owners and/or caretakers of Snap, the dog

STIPULATION

The City of Appleton, by Humane Officer Matthew Fillebrown, and Christine Morrissey and Jeffrey Verner, hereby stipulate and agree as follows:

1. That Christine Morrissey and Jeffrey Verner are the owners and/or caretakers of Snap the dog.

2. That Ms. Morrissey, Mr. Verner, and Snap reside at 1102 N. Union Street, Appleton, WI 54911.

3. That on or about April 25, 2014, Ms. Morrissey and Mr. Verner adopted Snap from an animal rescue.

4. The on or about May 24, 2018, Snap was found to be running at large and molesting a passerby. Mr. Verner was cited and found guilty of Animal at Large and Animal Molesting a Passerby.

5. That on or about May 26, 2019, Snap was again found to be running at large. It is alleged that Snap attacked another animal and bit Mr. Verner- causing wounds that required medical attention. Mr. Verner was cited for animal attacks without provocation and animal at large- 2nd offense.

6. That on June 6, 2019, Matthew Fillebrown, Humane Officer for the City of Appleton, declared Snap as a Dangerous Animal.

7. That Sec. 3-131 of the Appleton Municipal Code requires an owner or caretaker of an animal that has been declared dangerous to immediately comply with leashing, muzzling, and confinement requirements of Sec. 3-132 of the Appleton Municipal Code and with all other requirements in that section being satisfied within thirty (30) days of the dangerous declaration.

8. That on June 6, 2019, Ms. Morrissey and Mr. Verner filed an appeal of Dangerous Animal declaration.

9. That the appeal of Ms. Morrissey and Mr. Verner specifically reference a hardship in obtaining the $1,000,000 liability insurance as required by Sec. 3-3-132(g).

10. That Humane Officer Matthew Fillebrown is agreeable to waiving the $1,000,000 liability insurance requirement in exchange for Ms. Morrissey and Mr. Verner agreeing to waive their appeal before the Board of Health.

11. That the Parties respectfully request that the Board of Health adopt this agreement to waive the $1,000,000 liability insurance requirement. All other Dangerous Animal requirements set forth in Sec. 3-132 of the Appleton Municipal Code shall continue in full force and effect.

12. That if the Board does not adopt this agreement in full, the Parties reserve their right to present evidence at the next regular Board of Health meeting.

13. That Ms. Morrissey and Mr. Verner understand and acknowledge that they have the right to a hearing and freely and voluntarily waive that right to a hearing as consideration for this agreement.

14. That the parties have had the opportunity to review and discuss this agreement with counsel or have decided to forego that opportunity and, in either case, enter this agreement freely and voluntarily.

NOW THEREFORE, based upon the foregoing it is requested by the parties:

1. That the Board of Health uphold Humane Officer Matt Fillebrown's declaration of Snap, the dog, as a dangerous animal pursuant to Sec. 3-131 of the Appleton Municipal Code.

2. That the Board of Health waive the $1,000,000 liability insurance requirement as set forth in Sec. 3-132(g) pursuant to Sec. 3-132(h).

3. That the Board of Health require that Ms. Morrissey and Mr. Verner, as caretakers and owners of Snap, to comply with all other requirements of a Dangerous Animal pursuant to Sec. 3-132 including the registration, leash and muzzle, confinement, signage, and spay and neuter requirement.

_____ Date:_____

Matthew Fillebrown
Humane Officer, City of Appleton

_____ Date:_____

Christine Morrissey
Owner/ Caretaker of Snap

_____ Date:_____

Jeffrey Verner
Owner/ Caretaker of Snap

APPROVED BY BOARD OF HEATLH ON :_____

CL-19-0503

Lynsie Bernier, CPDT-KA
Ideal DOG LLC
528 N Main St
Oshkosh, WI 54963
8/5/19

To Whom It May Concern,

On Monday August 5th, 2019 I met Jeffrey Verner and his dog "Snap" at my training facility located at 528 N. Main Street in Oshkosh, WI and performed a Canine Behavior Assessment on "Snap". Jeffrey was present but did not participate in the evaluation exercises. This was my first-time meeting both Jeffrey and "Snap". Jeffrey sought my Professional Dog Training services due to my being a Certified Professional Dog Trainer (CPDT-KA (Knowledge Assessed) through the Certification Counsel for Professional Dog Trainers (CCPDT). I have been assessing dog behavior professionally for 17 years.

Jeffrey shared with me that Kirstin Zaspel, MS, CPDT-KA from Beyond Obedience had also evaluated "Snap" on June 15th, 2019. I did not discuss the results of that assessment with Kirstin or Jeffrey before I evaluated "Snap" to ensure objectivity. I greeted Jeffrey and "Snap" and then immediately began the assessment. I have included the original copy of the results and kept a photo copy for my records.

The Canine Behavior Assessment was completed in a time span of approximately 45 minutes. The assessment includes testing Sociability with People, Food/Resource Guarding, Handling and Restraint, Arousal and Recovery, Prior Training, and Social Reaction to another Dog. At no time during my assessment or interactions with "Snap" did she show any aggressive responses.

My recommendation based on the assessment results for Jeffrey was to begin a training program with "Snap" to help her stay calm and focused in the presence of unfamiliar dogs both during leash walks and at home. She displayed excited and frustrated behavior on leash during the exposure to an unfamiliar dog assessment, but no outward aggressive response was noted. This behavior is not uncommon for pet dogs. Training for polite leash walking using training aids such as front clip anti-pulling harnesses, head halters and having the handler reward quiet and calm behavior help tremendously to improve this behavior.

In my experience dogs who have suffered an attack as "Snap" has, being bitten and injured by the dog passing her yard often have post traumatic responses. The training I recommended will also assist in reducing her fear responses in the future.

Sincerely,

Lynsie Bernier, CPDT-KA

@ Ideal DOG LLC
528 N. Main St.
Oshkosh WI

CANINE BEHAVIOR ASSESSMENT

Assessment Date: 8/5/19 **Evaluator** Lynsie Bernier, CPDT-KA

Dog's Name "SNAP" **Owner** Jeffrey Verner

Age: 7yr. **Breed:** Terrier mix **Sex:** M MN F (FS)

Outcome:

Assessment:
1. June 15th 2019 w/ Beyond obedience @ owner's home
2. Ideal DOG August 5th 2019
3.
4.

Behavior Treatment Program:
Type of program(s):

Lead facilitator:

Start date: Reassessment date:

Additional comments/recommendations:

In the testing area, ignore dog for 2 minutes and observe the dog's behavior.

- ❑ Is the dog sexually mature? Yes No Sexually intact? Yes No
- ❑ Is the dog cautious with environment? Yes No With tester? Yes No
- ❑ Is the dog aroused? Yes No
- ❑ Are there any signs of friendliness? Yes No
- ❑ Does the dog solicit attention? Yes No
- ❑ How quickly does dog acknowledge tester? Time Immediately
- ❑ Is the dog stressed? Yes No
- ❑ Does the environment outside the room distract the dog? Yes No
- ❑ Does the dog urine mark the room? Yes No
- ❑ Does the dog jump on the table or other room furniture? Yes No
- ❑ Does the dog lay down (relaxed)? Yes No
- ❑ Does the dog hide under the desk or chair? Yes No

Back Stroking Test: Stroke from withers to tail, slowly 3 times with a pause for 3 seconds in between strokes.

During Stroking:

- ☑ Dog relaxes ears
- ❑ Dog looks at you softly
- ❑ Dog looks at you
- ☑ Dog gets closer for more interaction
- ❑ Dog bellies up
- ❑ Dog freezes
- ❑ Dog moves farther away from you.
- ❑ Dog gets over-stimulated/agitated
- ❑ Dog whips body or head toward hand
- ❑ Dog is cautious
- ❑ Dog is stressed
- ❑ Dog has no reaction

In Between Stroking:

- ❑ Dog moves closer to tester
- ❑ Dog remains where he is
- ☑ Dog moves away — distracted by sounds
- ❑ Dog moves away (hides) and stays
- ❑ Dog gets over-stimulated

After Stroking:

- ❑ Dog moves closer to tester
- ❑ Dog remains where he is
- ☑ Dog moves away — distracted.
- ❑ Dog gets over-stimulated
- ❑ Dog goes to recorder
- ❑ Dog solicits petting or attention

Personality Test: Initiate affectionate interaction by sweet-talking and petting for 20 seconds

Super social

- ☒ Dog remains/becomes calm and gentle
- ❑ Dog remains/becomes excited and exuberant
- ❑ Dog remains/becomes rough/over-stimulated

Social with encouragement, remains social

- ❑ Dog remains/becomes calm and gentle
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- ❑ Dog remains/becomes rough/over-stimulated

Social with encouragement, quickly disengages

- ❑ Dog remains/becomes calm and gentle
- ❑ Dog remains/becomes excited and exuberant
- ❑ Dog remains/becomes rough/over-stimulated

Not Social

- ❑ Dog is distracted
- ❑ Dog is fearful of you
- ❑ Dog is stressed

Aggressive

- ☐ Growls
- ☐ Whale-eye
- ☐ Offensive pucker
- ☐ Freeze and stare
- ☐ Level 1 bite with no signs of friendliness or decreased motor activity
- ☐ Level 2,3,4 or 5 bite
- ☐ Snaps with no signs of friendliness or decreased motor activity

After personality test:

- ☒ Dog is calm and gentle – Sat at my feet
- ☐ Dog is excited and exuberant
- ☐ Dog is rough and over-stimulated
- ☐ Dog is stressed

Body Sensitivity Test: handle 3 times for 1 second during the test. Test progression:

Ears :	Very _____	Somewhat _____	Not at all XXX	easier harder (same)
Front Paw:	Very _____	Somewhat _____	Not at all XXX	easier harder (same)
Back Paw:	Very _____	Somewhat _____	Not at all XXX	easier harder (same)
Tail:	Very _____	Somewhat _____	Not at all XXX	easier harder (same)

During body sensitivity test:

- ☒ Dog is calm and gentle
- ☐ Dog is excited and exuberant
- ☐ Dog is rough and over-stimulated
- ☐ Dog is stressed

Physical Control and Restraint/Dominance Responses:

Teeth Exam: Exam dogs teeth for 3 seconds, repeat 2 more times

- XX Dog is relaxed and allows exam
- _____ Dog is not relaxed, but allows exam
- _____ Dog struggles and you are able to complete exam
- _____ Could not complete exam _____
- ☐ Exam got easier
- ☐ Exam got harder
- ☒ Exam stayed the same

Pain Response Test:

Pinch dogs' thigh for one full second with moderate amount of pressure:

- ☒ No response
- ☐ Dog responds- pokes, licks, whines
- ☐ Dog snaps, freezes, nips, whips around
- ☐ Dog growls, tooth displays, hard eye, offensive puckers or bites

Arousal and Recovery Test:

Jump around, move hands and move around testing room for 15 seconds using a higher voice. Then stop and stand still.

During test:

- ☒ Dog watches tester
- ☒ Dog follows tester
- ☐ Dog uses mouth _____
- ☐ Dog barks _____
- ☐ Dog mounts tester
- ☐ Dog jumps up
- ☐ Dog jumps up with force
- ☐ Dog freezes and stares at you
- ☐ Dog growls
- ☐ Dog snaps
- ☐ Dog muzzle punches tester

- ❑ Dog nips
- ❑ Dog offensive puckers
- ❑ Dog tooth displays
- ❑ Dog bites
- ❑ Dog is stressed so cannot be engaged
- ❑ Dog is fearful so cannot be engaged
- ❑ Dog has no response

After test:

- ☒ Dog calms readily
- ❑ Dog remains aroused
- ❑ Dog hides

Rawhide Test:
Give dog a rawhide; let him take it where he chooses. After he has settled in, use the Assess-A-Hand(own hand if comfortable) to touch rawhide say, "Can I have that?" Repeat approach to take rawhide with test-a-hand 2 more times. If you feel comfortable, try to take with own hand.

Where dog is after settling:

- ☒ Dog settles next to recorder or tester, but not under a barrier next to my chair
- ❑ Dog takes rawhide across room from tester/recorder
- ❑ Dog settles under barrier
- ❑ Dog does not settle
- ❑ Dog is not interested

When tester approaches with test-a-hand:

_____ Dog is relaxed, chews, wags and acknowledges tester
_____ Dog is relaxed, chewing on rawhide
X Dog goes to rawhide and body blocks tester or picks up rawhide
_____ Dog is not relaxed, chewing on rawhide
_____ Dog whale eyes
_____ Dog freezes
_____ Dog growls
_____ Dog snaps
_____ Dog offensive puckers
_____ Dog tooth displays
_____ Dog bites test-a-hand or real hand

Result:

- ☒ Could take away with own hand
- ❑ Could trade for rawhide easily
- ❑ Could trade for rawhide with difficulty
- ❑ Could not take rawhide away

Play and toy excitement test:
Take a toy and flick it along the floor to engage the dog in play. Toss 2 different toys, three times for each toy. Use a stuffed toy and a tennis ball.

Responses:

- ❑ Not interested
- ❑ Sniffs toy
- ❑ Follows toy, but does not pick up
- ❑ Picks up toy and immediately drops it (loved the stuffed toy)
- ☒ Engages in play with the toy
- ☒ Retrieves toy
- ❑ Intense with the toy
- ❑ Possessive (describe behavior)_____

Prior Training: Try the following commands without manipulating dog:
Sit, Shake, Down, Speak
Other tricks: Roll over
Reward with treats
Does the dog take treat gently, somewhat rough, very rough? (circle one)

Stranger Test

First person Kristi male or female

Have a person knock on the door. Tester calls out, "Come in!: Stranger walks into the room and greets the dog. Person actively tries to socially engage the dog for 30 seconds by sweet-talking and petting.

Initially dog: (please circle all that apply)

jumps up politely mouths person approaches backs up growls alarm barks

lunges sniffs person sniffs environment stares tail wagging

solicits attention generally stressed hides licks polite social crouches

cautious jumps up with force mounts stranger relaxed aroused

During Stranger interaction:

- ☒ Dog is social
- ☐ Dog disengages from tester
- ☐ Dog seeks attention
- ☐ Dog is cautious
- ☐ Dog is initially cautious, then social

Second person _____ male or female

not needed - friendly w/ 1st test

Have a person knock on the door. Tester calls out, "Come in!: Stranger walks into the room and greets the dog. Person actively tries to socially engage the dog for 30 seconds by sweet-talking and petting.

Initially dog: (please circle all that apply)

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During Stranger interaction:

- ☐ Dog is social
- ☐ Dog disengages from tester
- ☐ Dog seeks attention
- ☐ Dog is cautious
- ☐ Dog is initially cautious, then social

Dog Test:

Tester dog is a neutered male or spayed female who is mildly/moderately/very dog social. → 12yr old Boston Terrier 25 lb dog

@ 10 ft away

lunges barks growls offensive posture controllable on leash

backs up growls dog aggressive defensive posture not easily controlled on leash

tense freeze relaxed stressed responds to handler's cues

Other observations: excited, pulled towards, whine - no barking

(No slip collar is used)

- ☐ Dog avoids tester dog
- ☐ Dog is cautious with other dog
- ☐ Dog appears status-seeking
- ☐ Dog is dog-dog aggressive

Food Bowl Test:
Place a bowl of mixed dry and canned food on floor. Allow dog to begin eating. **Step 1:** Take Assess-A-Hand (use own hand if comfortable)and stroke dog's back two times, while talking nicely to dog. **Step 2:** Reach hand towards bowl, next to muzzle (not touching) and leave hand near bowl for 3 seconds.

X 1. Relaxed and continues eating or disengages from bowl
_____ 2. Keeps eating,
_____ 3. Eats faster
_____ 4. Nose deeper
_____ 5. Punches bowl
_____ 6. Tense
_____ 7. Moves body around bowl
_____ 8. Watches tester
_____ 9. Whale eye
_____ 10. Freeze
_____ 11. Growl
_____ 12. Snap
_____ 13. Offensive pucker
_____ 14. Nip/Bite
_____ 15. Lunges toward tester with growl/snap/bite towards tester

Dog would not eat

Could you take it away with your own hand? Yes No

Could you trade for the food bowl? Yes No

Traded easily or Difficult to trade

Safe Hug Test: Safe hug for 15 seconds.

During Hug:

- ☐ Dog is relaxed
- ☐ Dog is tolerant
- ☐ Dog somewhat struggles
- ☒ Dog is tense
- ☒ Dog is stressed
- ☐ Dog struggles fiercely
- ☒ Dog struggles and cannot complete
- ☐ Dog snaps
- ☐ Dog whale eyes
- ☐ Dog freezes
- ☐ Dog growls, tooth displays, puckers, nips or bites

Could you complete the test for full 15 seconds? Yes No

Why could you not complete test? Scared of restraint

After Hug:

- ☒ Dog remains socially engaged with tester
- ☐ Dog leaves and engages in environment
- ☐ Dog avoids tester

Mental Sensitivity Test:
While dog is distracted and sniffing something, clap hands loudly and shout "hey" 1X

- ☒ Dog responds immediately, stops what he was doing and comes to tester
- ☐ Dog responds, looks at you, disengages from what he is doing
- ☐ Dog looks at you, then continues with what he was doing
- ☐ Dog seems oblivious

Lynsie Bernier, CPDT-KA
Ideal DOG LLC
528 N Main St
Oshkosh, WI 54963
8/5/19

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Lynsie Bernier, CPDT-KA

@ Ideal DOG LLC
528 N. Main St.
Oshkosh WI

CANINE BEHAVIOR ASSESSMENT

Assessment Date: 8/5/19 **Evaluator** Lynsie Bernier, CPDT-KA

Dog's Name "SNAP" **Owner** Jeffrey Verner

Age: 7yr. **Breed:** Terrier mix **Sex:** M MN F (FS)

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Assessment:
1. June 15th 2019 w/ Beyond obedience @ owner's home
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4.

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Type of program(s):

Lead facilitator:

Start date: Reassessment date:

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- ❑ Dog remains/becomes rough/over-stimulated

Social with encouragement, quickly disengages

- ❑ Dog remains/becomes calm and gentle
- ❑ Dog remains/becomes excited and exuberant
- ❑ Dog remains/becomes rough/over-stimulated

Not Social

- ❑ Dog is distracted
- ❑ Dog is fearful of you
- ❑ Dog is stressed

Aggressive

- ☐ Growls
- ☐ Whale-eye
- ☐ Offensive pucker
- ☐ Freeze and stare
- ☐ Level 1 bite with no signs of friendliness or decreased motor activity
- ☐ Level 2,3,4 or 5 bite
- ☐ Snaps with no signs of friendliness or decreased motor activity

After personality test:

- ☒ Dog is calm and gentle – Sat at my feet
- ☐ Dog is excited and exuberant
- ☐ Dog is rough and over-stimulated
- ☐ Dog is stressed

Body Sensitivity Test: handle 3 times for 1 second during the test. Test progression:

Ears :	Very _____	Somewhat _____	Not at all XXX	easier harder (same)
Front Paw:	Very _____	Somewhat _____	Not at all XXX	easier harder (same)
Back Paw:	Very _____	Somewhat _____	Not at all XXX	easier harder (same)
Tail:	Very _____	Somewhat _____	Not at all XXX	easier harder (same)

During body sensitivity test:

- ☒ Dog is calm and gentle
- ☐ Dog is excited and exuberant
- ☐ Dog is rough and over-stimulated
- ☐ Dog is stressed

Physical Control and Restraint/Dominance Responses:

Teeth Exam: Exam dogs teeth for 3 seconds, repeat 2 more times

- XX Dog is relaxed and allows exam
- _____ Dog is not relaxed, but allows exam
- _____ Dog struggles and you are able to complete exam
- _____ Could not complete exam _____
- ☐ Exam got easier
- ☐ Exam got harder
- ☒ Exam stayed the same

Pain Response Test:

Pinch dogs' thigh for one full second with moderate amount of pressure:

- ☒ No response
- ☐ Dog responds- pokes, licks, whines
- ☐ Dog snaps, freezes, nips, whips around
- ☐ Dog growls, tooth displays, hard eye, offensive puckers or bites

Arousal and Recovery Test:

Jump around, move hands and move around testing room for 15 seconds using a higher voice. Then stop and stand still.

During test:

- ☒ Dog watches tester
- ☒ Dog follows tester
- ☐ Dog uses mouth _____
- ☐ Dog barks _____
- ☐ Dog mounts tester
- ☐ Dog jumps up
- ☐ Dog jumps up with force
- ☐ Dog freezes and stares at you
- ☐ Dog growls
- ☐ Dog snaps
- ☐ Dog muzzle punches tester

- ❑ Dog nips
- ❑ Dog offensive puckers
- ❑ Dog tooth displays
- ❑ Dog bites
- ❑ Dog is stressed so cannot be engaged
- ❑ Dog is fearful so cannot be engaged
- ❑ Dog has no response

After test:

- ☒ Dog calms readily
- ❑ Dog remains aroused
- ❑ Dog hides

Rawhide Test:
Give dog a rawhide; let him take it where he chooses. After he has settled in, use the Assess-A-Hand(own hand if comfortable) to touch rawhide say, "Can I have that?" Repeat approach to take rawhide with test-a-hand 2 more times. If you feel comfortable, try to take with own hand.

Where dog is after settling:

- ☒ Dog settles next to recorder or tester, but not under a barrier next to my chair
- ❑ Dog takes rawhide across room from tester/recorder
- ❑ Dog settles under barrier
- ❑ Dog does not settle
- ❑ Dog is not interested

When tester approaches with test-a-hand:

_____ Dog is relaxed, chews, wags and acknowledges tester
_____ Dog is relaxed, chewing on rawhide
X Dog goes to rawhide and body blocks tester or picks up rawhide
_____ Dog is not relaxed, chewing on rawhide
_____ Dog whale eyes
_____ Dog freezes
_____ Dog growls
_____ Dog snaps
_____ Dog offensive puckers
_____ Dog tooth displays
_____ Dog bites test-a-hand or real hand

Result:

- ☒ Could take away with own hand
- ❑ Could trade for rawhide easily
- ❑ Could trade for rawhide with difficulty
- ❑ Could not take rawhide away

Play and toy excitement test:
Take a toy and flick it along the floor to engage the dog in play. Toss 2 different toys, three times for each toy. Use a stuffed toy and a tennis ball.

Responses:

- ❑ Not interested
- ❑ Sniffs toy
- ❑ Follows toy, but does not pick up
- ❑ Picks up toy and immediately drops it (loved the stuffed toy)
- ☒ Engages in play with the toy
- ☒ Retrieves toy
- ❑ Intense with the toy
- ❑ Possessive (describe behavior)_____

Prior Training: Try the following commands without manipulating dog:
Sit, Shake, Down, Speak
Other tricks: Roll over
Reward with treats
Does the dog take treat gently, somewhat rough, very rough? (circle one)

Stranger Test

First person Kristi male or female

Have a person knock on the door. Tester calls out, "Come in!: Stranger walks into the room and greets the dog. Person actively tries to socially engage the dog for 30 seconds by sweet-talking and petting.

Initially dog: (please circle all that apply)

jumps up politely mouths person approaches backs up growls alarm barks

lunges sniffs person sniffs environment stares tail wagging

solicits attention generally stressed hides licks polite social crouches

cautious jumps up with force mounts stranger relaxed aroused

During Stranger interaction:

- ☒ Dog is social
- ☐ Dog disengages from tester
- ☐ Dog seeks attention
- ☐ Dog is cautious
- ☐ Dog is initially cautious, then social

Second person _____ male or female

not needed - friendly w/ 1st test

Have a person knock on the door. Tester calls out, "Come in!: Stranger walks into the room and greets the dog. Person actively tries to socially engage the dog for 30 seconds by sweet-talking and petting.

Initially dog: (please circle all that apply)

Jumps up politely mouths person approaches backs up growls alarm barks

lunges sniffs person sniffs environment stares tail wagging

solicits attention generally stressed hides licks polite social crouches

cautious Jumps up with force mounts stranger relaxed aroused

During Stranger interaction:

- ☐ Dog is social
- ☐ Dog disengages from tester
- ☐ Dog seeks attention
- ☐ Dog is cautious
- ☐ Dog is initially cautious, then social

Dog Test:

Tester dog is a neutered male or spayed female who is mildly/moderately/very dog social. → 12yr old Boston Terrier 25 lb dog

@ 10 ft away

lunges barks growls offensive posture controllable on leash

backs up growls dog aggressive defensive posture not easily controlled on leash

tense freeze relaxed stressed responds to handler's cues

Other observations: excited, pulled towards, whine - no barking

(No slip collar is used)

- ☐ Dog avoids tester dog
- ☐ Dog is cautious with other dog
- ☐ Dog appears status-seeking
- ☐ Dog is dog-dog aggressive

Food Bowl Test:
Place a bowl of mixed dry and canned food on floor. Allow dog to begin eating. **Step 1:** Take Assess-A-Hand (use own hand if comfortable)and stroke dog's back two times, while talking nicely to dog. **Step 2:** Reach hand towards bowl, next to muzzle (not touching) and leave hand near bowl for 3 seconds.

X 1. Relaxed and continues eating or disengages from bowl
_____ 2. Keeps eating,
_____ 3. Eats faster
_____ 4. Nose deeper
_____ 5. Punches bowl
_____ 6. Tense
_____ 7. Moves body around bowl
_____ 8. Watches tester
_____ 9. Whale eye
_____ 10. Freeze
_____ 11. Growl
_____ 12. Snap
_____ 13. Offensive pucker
_____ 14. Nip/Bite
_____ 15. Lunges toward tester with growl/snap/bite towards tester

Dog would not eat

Could you take it away with your own hand? Yes No

Could you trade for the food bowl? Yes No

Traded easily or Difficult to trade

Safe Hug Test: Safe hug for 15 seconds.

During Hug:

- ☐ Dog is relaxed
- ☐ Dog is tolerant
- ☐ Dog somewhat struggles
- ☒ Dog is tense
- ☒ Dog is stressed
- ☐ Dog struggles fiercely
- ☒ Dog struggles and cannot complete
- ☐ Dog snaps
- ☐ Dog whale eyes
- ☐ Dog freezes
- ☐ Dog growls, tooth displays, puckers, nips or bites

Could you complete the test for full 15 seconds? Yes No

Why could you not complete test? Scared of restraint

After Hug:

- ☒ Dog remains socially engaged with tester
- ☐ Dog leaves and engages in environment
- ☐ Dog avoids tester

Mental Sensitivity Test:
While dog is distracted and sniffing something, clap hands loudly and shout "hey" 1X

- ☒ Dog responds immediately, stops what he was doing and comes to tester
- ☐ Dog responds, looks at you, disengages from what he is doing
- ☐ Dog looks at you, then continues with what he was doing
- ☐ Dog seems oblivious

ARTICLE I. IN GENERAL

Sec. 3-1. 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 any live, vertebrate creature, domestic or wild.

Animal at large means an animal that is off the property and/or premises of the owner and/or caretaker and not under restraint.

Animal control officer means any person designated by the Police Department to enforce the ordinances of the City and state statutes adopted by reference as they pertain to animal control.

Animal shelter means any facility operated by a humane society or municipal agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

Bodily Harm means bodily injury including, but not limited to, a laceration requiring stitches, any fracture of a bone, a concussion, a loss or fracture of a tooth or any temporary loss of consciousness, sight or hearing.

Caretaker means any person who, in the absence of the owner, temporarily harbors, shelters, keeps or is in charge of a dog, cat or any other domesticated bird or animal.

Confined means restriction of an animal at all times by the owner to an escape-proof building, vehicle or other enclosure.

Cruel means causing unnecessary and excessive pain, suffering or unjustifiable injury or death to an animal. Additionally, it shall be unlawful to tease, annoy, disturb, molest or irritate an animal that is confined to the owner's premises.

Dangerous Animal means any of the following:

(1) Any animal which, when unprovoked, inflicts bodily harm on a person, domestic pet or animal on public or private property.

(2) Any animal which repeatedly chases or approaches persons in a menacing fashion or apparent attitude of attack, without provocation, upon the streets, sidewalks or any public grounds or on private property of another without the permission of the owner or person in lawful control of the property.

(3) Any animal with a known propensity, tendency or disposition to attack, to cause injury to, or otherwise threaten the safety of humans or other domestic pets or animals.

Domestic animal means any animal which normally can be considered tame and converted to home life.

Dwelling unit means a building or portion thereof designed to be used exclusively for residential purposes.

Health officer means the City Health Officer or his duly designated representative.

Humane officer means an individual appointed as such in accordance with §173.03.

Kennel means any premises wherein any person engaged in the business of boarding, breeding, buying, letting for hire, training for a fee or selling of dogs or cats.

Leash means a strap, chain, or cord that is no more than eight (8) feet in length and of appropriate strength to control the animal, used by a person of sufficient capability to restrain, control, and guide an animal.

Licensing authority means the political body authorized to issue animal licenses.

Molests means excessive barking, running up to or charging, threatening, jumping on or otherwise harassing people or other domestic animals or the passing public that are in the public right-of-way, or on public property, or on their own property, or property of anyone other than the owner and/or caretaker of the animal.

Owner means any individual that has the right of property in an animal or who keeps, harbors, cares for, acts as its custodian or who knowingly permits an animal to remain on or about his premises/property for five (5) or more consecutive days.

Pet store means any retail establishment in a commercially zoned building whose business includes the sale of live animals.

Prohibited Dangerous Animal means any of the following:

(1) Any animal that is determined to be a prohibited dangerous animal under this division.

(2) Any animal that, while off the owner or caretaker's property, has killed a domesticated animal without provocation.

(3) Any animal that, without provocation, inflicts serious bodily harm on a person on public or private property.

(4) Any animal brought from another city, village, town or county that has been declared dangerous or vicious by that jurisdiction.

(5) Any dog that is subject to being destroyed under s. 174.02(3), Wis. Stats.

(6) Any dog trained, owned or harbored for the purpose of dog fighting.

Public nuisance means any animal which:

(1) Molests passersby or passing vehicles;

(2) Attacks persons or animals without provocation when such persons or animals are peacefully conducting themselves in a place where they are lawfully entitled to be;

(3) Is at large on school grounds, parks or cemeteries;

(4) Is repeatedly at large;

(5) Damages private or public property;

(6) Barks, whines or howls in an excessive, continuous or untimely fashion;

(7) Any animal not having the vaccination as required by §3-18 of the Appleton Municipal Code;

(8) Is the subject of repeated violations under this chapter.

Render sterile refers to a surgical procedure that has been performed on an animal that renders it incapable of siring or bearing offspring. The term includes neutering and spaying.

Restraint means that the animal is secured by a leash not more than eight (8) feet in length and under the control of a responsible person and obedient to that person's command, or within the real property limits of its owner.

Serious bodily harm means bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

Veterinary hospital or clinic means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of disease and injuries of animals.

Wild animal means any nonhuman primate, raccoon, skunk, fox, wolf, or any animal which is in part of the canis lupis species, any animal raised for fur-bearing purposes or any other animal or hybrid thereof which can normally be found in the wild state, or poisonous reptiles, crocodilians and any other snake or reptile exceeding six (6) feet in length.

(Code 1965, §23.02; Ord 4-93, §1-6-93; Ord 32-97m §1-4-16-97; Ord 116-00, §1, 12-23-00; Ord 58-04, §1, 4-27-04; Ord 17-05, §1, 3-8-05; Ord 13-16, §1, 2-9-16; Ord 50-16, §1, 7-12-16)

Cross reference(s) – Definitions and rules of construction generally, §1-2.

Sec. 3-2. Enforcement and penalties.

(a) The provisions of this chapter shall be enforced by employees of the Health Department, Police Department or other persons authorized by the City Health Officer or Chief of Police. The City Health Officer may grant any exemptions or variances to the enforcement of this chapter for dogs specially trained to lead blind or deaf persons, to provide support for mobility-impaired persons or to assist with emergency search and rescue operations.

(b) Police Department and Health Department personnel are authorized to catch and impound animals at large, with such authorization to include the pursuit of animals upon the premises of the owner, caretaker or other private property. It shall be a violation of this chapter to interfere with the Health Department, Police Department or other persons authorized by the City Health Officer or Chief of Police in the performance of their duties.

(c) Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in §1-16.

(Code 1965, §23.13; Ord 40-96, §1, 5-1-96; Ord 164-02, §1, 8-27-02; Ord 17-5, §1, 3-8-105)

Cross reference(s) - Citation for violation of certain ordinances, §1-17; schedule of deposits for citation. §1-18; health officer §2-261 et seq.; police department, §2-346 et seq.

Sec. 3-3. Authority to order general confinement of dogs and cats.

Whenever the safety of the public shall require it, the Mayor, by notice published in the official paper of the City, shall order that, for a period of twenty (20) days from and after the date of the notice, no dogs or cats shall be

DIVISION 2. DANGEROUS ANIMALS

Sec. 3-131. Procedure for declaring animal dangerous.

(a) Upon conducting an investigation the humane or law enforcement officer may issue an order declaring an animal to be a dangerous animal. Whenever an owner or caretaker wishes to contest an order, he or she shall, within seventy-two (72) hours after receipt of the order, deliver to the Health Officer a written objection to the order stating specific reasons for contesting the order. Upon receipt of the written objection, the matter shall be placed on the Agenda for the Board of Health to be reviewed at the next regular meeting. The Board of Health shall act as a quasi-judicial body allowing the animal's owner or caretaker an opportunity to present evidence as to why the animal should not be declared dangerous.

(b) After the hearing, the owner or caretaker shall be notified in writing of the Board's determination. If the Board upholds the determination that the animal is dangerous, the owner or caretaker shall comply with the requirements of §3-132. If the owner or caretaker further contests the determination, he or she may, within five (5) days of receiving the panel's decision, seek review of the decision by the Circuit Court.

(c) Upon an animal being declared dangerous, the owner or caretaker shall immediately comply with leashing, muzzling and confinement requirements of §3-132 with all other requirements in that section being satisfied within thirty (30) days of the dangerous declaration or reaffirmation thereof, or within such time as established by the Board of Health.
(Code 1965, §23.06(4)(e); Ord 17-05, §1, 3-8-05 ; Ord 117-07, §1, 7-24-07)

Sec. 3-132. Harboring dangerous animals.

(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) No owner or caretaker, harboring or having the care of a dangerous animal may permit such an animal to go outside its dwelling, kennel or pen unless the animal is securely restrained with a leash no longer than four (4) feet in length.

(2) No person may permit a dangerous animal to be kept on a chain, rope or other type of leash outside its dwelling, kennel or pen unless a person who is sixteen (16) years of age or older, competent to govern the animal and capable of physically controlling and restraining the animal, is in physical control of the leash.

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

(4) 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.

(d) ***Confinement.***

(1) Except when leashed and muzzled, all dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel that is located on the premises of the owner or caretaker and constructed in a manner that does not allow the animal to exit the pen or kennel on its own volition.

(2) When constructed in a yard, the pen or kennel shall, at a minimum, be constructed to conform to the requirements of this paragraph. The pen or kennel shall be child-proof from the outside and animal-proof from the inside. A strong metal double fence with adequate space between fences (at least two (2) feet) shall be provided so that a child cannot reach into the animal enclosure. The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a dangerous animal shall be locked with a key or combination lock when the animal is within the structure. The structure shall either have a secure bottom or floor attached to the sides of the pen or the sides of the pen shall be embedded in the ground no less than two (2) feet. All structures erected to house dangerous animals shall comply with all city zoning and building regulations. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

(3) *Indoor Confinement.* No dangerous animal may be kept on a porch, patio or in any part of a house or structure on the premises of the owner or caretaker that would allow the animal to exit the building on its own volition. No dangerous animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.

(e) ***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.

(f) ***Spay and neuter requirement.*** Within thirty (30) days after an animal has been designated dangerous, the owner or caretaker of the animal shall provide written proof from a licensed veterinarian that the animal has been spayed or neutered.

(g) ***Liability insurance.*** The owner or caretaker of a dangerous animal shall present to the Health Officer or Humane Officer a certificate of insurance that the owner or caretaker has procured liability insurance in an amount not less than $1,000,000 for any personal injuries inflicted by the dangerous animal. Whenever such policy is cancelled or not renewed, the insurer and animal's owner or caretaker shall notify the Health Officer or Humane Officer of such cancellation or non renewal in writing by certified mail.

(h) ***Waiver by Board of Health.*** Upon request, by the owner or caretaker, the Board of Health may waive any requirement specified in subsections (a) through (g) that is deemed to be inappropriate for a particular dangerous animal.

(i) ***Notification.*** The owner or caretaker shall notify the police department within twenty-four (24) hours if a dangerous animal is at large, is unconfined, has attacked another animal or has attacked a human being or has died. No person may sell or transfer possession of a dangerous animal to another person without first notifying the person to whom the dangerous animal is being sold or transferred of the fact that such animal is a dangerous animal and of any requirements imposed upon the selling or transferring party by this division. No person may sell or transfer possession of a dangerous animal to another person, agency, organization or the like without first notifying the Police Department in writing, at least three (3) days in advance of the sale or transfer of possession with the name, address and telephone number of the new owner of the dangerous animal. If the dangerous animal is sold or given away to a person residing outside the city, the owner or caretaker shall present evidence to the Police Department showing that he or she has notified the Police Department, or other law enforcement agency of the animal's new residence, including the name, address and telephone number of the new owner of the dangerous animal.

(j) *Euthanasia.* If the owner or caretaker of an animal that has been designated a dangerous animal is unwilling or unable to comply with the regulations for keeping the animal in accordance with this section, he or she may have the animal humanely euthanized by an animal shelter, the humane society or a licensed veterinarian.

(k) *Waiver.* The Health Officer may waive the provisions of subsections (b) to (g) for a law enforcement or military animal upon presentation by the animal's owner or handler of satisfactory arrangement for safe keeping of the animal.
(Ord 17-05, §1, 3-8-05)

Sec. 3-133. Certain animals not be declared dangerous.

Notwithstanding the definition of a dangerous animal in §3-1:

(a) No animal may be declared dangerous if death, injury or damage is sustained by a person who, at the time such injury or damage was sustained, was committing a trespass on the land or criminal trespass on the dwelling upon premises occupied by the owner of the animal; was teasing, tormenting, abusing or assaulting the animal; or was committing or attempting to commit a crime or violating or attempting to violate an ordinance which protects persons or property.

(b) No animal may be declared dangerous if death, injury or damage was sustained by a domestic animal which, at the time such was sustained, was teasing, tormenting, abusing or assaulting the animal.

(c) No animal may be declared dangerous if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

(d) No animal may be declared dangerous for acts committed by the animal while being utilized by a law enforcement agency for law enforcement purposes while under the control and direction of a law enforcement officer.
(Code 1965, §23.02(p); Ord 17-05, §1, 3-8-05)

Sec. 3-134. Prohibited dangerous animals.

(a) *Not allowed in city.* No person may bring into or keep in the city any animal that is a prohibited dangerous animal under this section.

(b) Determination of a prohibited dangerous animal.

(1) The Health Officer or Police Department may determine an animal to be a prohibited dangerous animal whenever the Health Officer or Police Department finds that an animal meets the definition of prohibited dangerous animal or is a dangerous animal in non-compliance with any of the provisions of §3-132.

(2) Upon conducting an investigation and finding an animal meets the definition of a prohibited dangerous animal, the Police Department may issue an order declaring an animal to be a prohibited dangerous animal. Whenever an owner or caretaker wishes to contest an order, he or she shall, within seventy-two (72) hours after receipt of the order, deliver to the Health Officer a written objection to the order stating specific reasons for contesting the order. Upon receipt of the written objection, the matter shall be placed on the agenda for the Board of Health to be reviewed at the next regular meeting. The Board of Health shall act as a quasi-judicial body allowing the animal's owner or caretaker an opportunity to present evidence as to why the animal should not be declared a prohibited dangerous animal.

(3) Pending the outcome of the hearing, the animal may be confined subject to Sec. 173.21, Wis. Stats., or held at a location outside the limits of the City.

(4) After the hearing, the owner or caretaker shall be notified in writing of the Board's determination. If a determination is made that the animal is a prohibited dangerous animal, the owner or caretaker shall comply with subsection (a) within five (5) days after the date of the determination. If the owner or caretaker further contests the determination, he or she may, within five (5) days of receiving the panel's

decision, seek review of the decision by the Circuit Court.

(c) ***Destruction.*** Any dog that has caused bodily harm to a person, persons or a domestic animal on two (2) 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 sec. 174.02(3), Wis. Stats. The City Attorney may petition an appropriate court to obtain a court order to destroy such a dog.

(d) ***Enforcement.*** The Health Department and Police Department may make whatever inquiry is deemed necessary to ensure compliance with this section.

(e) ***Waiver.*** The Health Officer may waive the provisions of this section for a law enforcement or military animal upon presentation by the animal's owner or handler of a satisfactory arrangement for safe keeping of the animal.
Ord 17-05, §1, 3-8-05)

PROPOSED REVISIONS TO
WEIGHTS & MEASURES AND ENVIRONMENTAL HEALTH
FEE SCHEDULE

Base rates for Appleton Health Department Environmental Health and Weights & Measures fees were established in an independent Study authorized and funded by the Common Council in 1993. The final report was referred to as the Griffith Study.

Annually since 1993 we have evaluated the actual cost of services provided, reviewed our current fees for those services rendered, and made recommendations for increases where justified. The Board of Health has acted upon and approved these recommendations when submitted.

In recent years we have used the federally established and nationally recognized Consumer Price Index (CPI) as the factor in determining appropriate fee increases.

In 2003 we did an exhaustive study of the Weights and Measures Section to evaluate feasibility and costs of contracting with several area municipalities. From this study and with the assistance of John Hoft-March of our Finance Department, we recalculated our actual operating cost for operations within the City of Appleton. These figures are now updated annually.

Our device license fee rates are based upon the standardized, average amount of time spent to inspect, test and certify a device times the current operating cost per hour. With the new hourly rate and with special consideration to each fee we have developed the new Recommended Fees shown. Weights and Measures fees are calculated to the nearest whole dollar amount.

With the rate changes submitted we estimate a revenue increase of $1,780 or approximately 3.0%.

Similarly, attached is the proposal of the new fees recommended for the Master License Fee List. Based on the current number of licenses issued, this increase represents a $4,582.00 revenue increase, or approximately 3.0%.

APPLETON HEALTH DEPARTMENT – Weights and Measures
100 NORTH APPLETON STREET, APPLETON WI 54911-4799
920-832-6429 ☎ FAX 920-832-5853

PROPOSED REVISIONS TO
WEIGHTS AND MEASURES FEE SCHEDULE

NO. OF FEE	LICENSEABLE ITEM DESCRIPTION	CURRENT FEE	AVERAGE CITY LICENSE FEE 2019*	RECOMMENDED FEE	DOLLAR CHANGE	Number Of Device
1	Base Licensing Processing Fee	$40.00	$81.67	$45.00	$5.00	204
2	Portion Scale – Low Capacity	$10.00	$17.50	$11.00	$1.00	10
3	Scales 0 – 30 lbs	$19.00	$32.71	$20.00	$1.00	502
4	Scales 31 – 1000 lbs	$32.00	$54.50	$33.00	$1.00	42
5	Scales 1001 – 10,000 lbs	$52.00	$65.11	$53.00	$1.00	11
6	Scales 10,001 – 20,000 lbs	$70.00	$76.13	$70.00	0	
7	Point of Sale Systems	$19.00	$32.71	$20.00	$1.00	29
8	Prepack Scale	$19.00	$32.71	$20.00	$1.00	14
9	Person Weighing Scale	$30.00	$30.45	$30.00		
10	High Accuracy Scale with Weights or Pill Counter System	$40.00	$56.19	$45.00	$5.00	20
11	Hopper Scales	$105.00	$119.35	$110.00	$5.00	10
12	Linear Meter	$15.00	$15.75	$15.00	0	
13	Rules	$3.00	$3.15	$3.00	0	
14	Timing Device	$7.00	$16.43	$8.00	0	
15	Petroleum Pump	$20.00	$34.40	$20.00	0	
16	Vehicle Tank and Bulk Meter	$40.00	$81.00	$40.00	0	
17	Postal Scales	$10.00	$15.00	$11.00	$1.00	6
18	Estimating Dough Scale and Weights	$13.00	$32.71	$14.00	$1.00	12
19	Firewood Dealer	$20.00	No Others	$20.00	0	
20	Retail Price Scanner	1 – 8 $60.00 9 or more $7.50 each	$22.00 Each	1 – 8 $60.00 9 or more $7.50 each	0	
21	Unclassified Devices and Consultations to Government and Industry	$52.00 Per Hour	Not Available	$52.00 Per Hour	0	
22	Late Payment Fee	$60.00	$94.33	$60.00		
23	Penalty Fee for Nonregistration	Triple the Per Device Fee	Not Available	Triple the Per Device Fee	0	
24	Taxi Meters	$19.00	$18.90	$19.00	0	
25	Farm Market Scale	No Charge	$32.71	$19.00	0	
26	Reinspection Fee	$50.00	$100.00	$58.00	0	
27	Reinspection Fee 2nd Visit	N/A	N/A	$100.00	0	
28	Reinspection Fee 3rd Vist	N/A	N/A	$150.00	0	

Note: Last fee increase was in September 2017
*Cities (Green Bay, De Pere, Menasha, Milwaukee, and Oshkosh)

Environmental Fee Schedule - Proposed Changes

License Description	# in category	Appleton Current	Increase per establishment	Appleton proposed	Revenue Increase	State	Outagamie Co.	Winnebago Co	Menasha	Fon du Lac Co	Waupaca Co
Complex Rest	35	$277.00	$34.00	$311.00	$1,190.00	$540.00	$805.00	$564.00	$551.00	$540.00	$496.00
Moderate Rest	212	$256.00	$16.00	$272.00	$3,392.00	$330.00	$601.00	$464.00	$459.00	$433.00	$392.00
Simple Rest	2	$246.00	$0.00	$246.00	$0.00	$230.00	$403.00	$373.00	$390.00	$350.00	$311.00
Limited Rest	27	$226.50	$0.00	$226.50	$0.00	$105.00	$201.00	$196.00	$215.00	$178.00	$200.00
No Food (Tavern)	11	$127.00	$0.00	$127.00	$0.00	n/a	n/a	$151.00	n/a	$145.00	n/a
Temporary Rest	26	$131.00	$0.00	$131.00	$0.00	-	-	$178.00	$107.00	$100.00	-
Large Retail Food	13	$1,084.50	$0.00	$1,084.50	$0.00	$835.00	$1,101.00	$1,223.00	$1,186.00	$1,082.00	$950.00
Moderate Retail Food	16	$571.50	$0.00	$571.50	$0.00	$835.00	$824.00	$573.00	$459.00	$452.00	$500.00
Small Retail Food	21	$481.50	$0.00	$481.50	$0.00	$400.00	$824.00	$573.00	$459.00	$452.00	$330.00
Retail-Process Non Potentially Hazardous Food	19	$122.00	$0.00	$122.00	$0.00	$160.00	$337.00	$341.00	$317.00	$315.00	$300.00
Retail - No Food Processing	20	$113.50	$0.00	$113.50	$0.00	$45.00	$107.00	$127.00	$154.00	$129.00	$100.00
Retail <$25,000	17	$75.00	$0.00	$75.00	$0.00	$60.00	$119.00	$192.00	$222.00	$155.00	$125.00
Comb Tattoo/Pierce	4	$238.00	$0.00	$238.00	$0.00	$220.00	$378.00	$268.00	$450.00	$265.00	$290.00
Tattoo Only	11	$160.50	$0.00	$160.50	$0.00	$135.00	$250.00	$197.00	$305.00	$166.00	$229.00
					$4,582.00	Total Revenue Increase					

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Severe Pulmonary Disease Associated with Using E-Cigarette Products

Summary

The Centers for Disease Control and Prevention (CDC) is providing: 1) background information on the forms of e-cigarette products, 2) information on the multistate outbreak of severe pulmonary disease associated with using e-cigarette products (devices, liquids, refill pods, and cartridges), and 3) clinical features of patients with severe pulmonary disease. This health advisory also provides recommendations for clinicians, public health officials, and the public based on currently available information.

General Background

E-cigarettes typically contain nicotine, most also contain flavorings and other chemicals, and some may contain marijuana or other substances. They are known by many different names and come in many shapes, sizes and device types. Devices may be referred to as “e-cigs,” “vapes,” “e-hookahs,” “vape pens,” “mods,” tanks, or electronic nicotine delivery systems (ENDS). Some e-cigarette devices resemble other tobacco products such as cigarettes; some resemble ordinary household items such as USB flash drives, pens, and flashlights; and others have unique shapes. Use of e-cigarettes is sometimes referred to as “vaping” or “juuling.” E-cigarettes used for dabbing are sometimes called “dab” pens.

E-cigarettes can contain harmful or potentially harmful substances, including nicotine, heavy metals (e.g., lead), volatile organic compounds, and cancer-causing chemicals. Additionally, some e-cigarette products are used to deliver illicit substances; may be acquired from unknown or unauthorized (i.e., “street”) sources; and may be modified for uses that could increase their potential for harm to the user. For example, some e-cigarette pods or cartridges marketed for single use can be refilled with illicit or unknown substances. In addition, some e-cigarette products are used for “dripping” or “dabbing.” Dripping

involves dropping e-cigarette liquid directly onto the hot coils of an e-cigarette which can result in high concentrations of compounds (e.g., tetrahydrocannabinol [THC] and cannabinoid compounds). Dabbing involves superheating substances such as “budder”, butane hash oil (BHO), and “710” that contain high concentrations of THC and other plant compounds (e.g., cannabidiol [CBD]).

Youth, young adults, pregnant women, as well as adults who do not currently use tobacco products should not use e-cigarettes. E-cigarettes containing nicotine have the potential to help some individual adult smokers reduce their use of and transition away from cigarettes. However, e-cigarettes are not currently approved by the Food and Drug Administration (FDA) as a quit smoking aid, and the available science is inconclusive on whether e-cigarettes are effective for quitting smoking.

Outbreak Background

As of August 27, 2019, 215 possible cases have been reported from 25 states and additional reports of pulmonary illness are under investigation. One patient (in Illinois) with a history of recent e-cigarette use was hospitalized on July 29, 2019 with severe pulmonary disease and died on August 20, 2019. Although the etiology of e-cigarette-associated pulmonary disease is undetermined, epidemiologic investigations in affected states are ongoing to better characterize the exposures, demographic, clinical, and laboratory features and behaviors of patients. All patients have reported using e-cigarette products. The exact number is currently unknown, but many patients have reported using e-cigarettes containing cannabinoid products such as THC or CBD.

Based on reports from several states, patients have experienced respiratory symptoms (cough, shortness of breath, or chest pain), and some have also experienced gastrointestinal symptoms (nausea, vomiting, or diarrhea) or non-specific constitutional symptoms (fatigue, fever, or weight loss). Symptoms typically develop over a period of days but sometimes can manifest over several weeks. Gastrointestinal symptoms sometimes preceded respiratory symptoms. Fever, tachycardia, and elevated white blood cell count have been reported in the absence of an identifiable infectious disease. Many patients have sought initial care in ambulatory settings, some with several visits, before hospital admission.

Radiologic findings have varied and are not present in all patients upon initial presentation. Bilateral pulmonary infiltrates and diffuse ground-glass opacities have been reported. Many patients required supplemental oxygen, some required assisted ventilation and oxygenation, and some were intubated. Some patients have been treated with corticosteroids with demonstrated improvement. Antimicrobial therapy alone has not consistently been associated with clinical improvement. Assessment for infectious etiologies has been completed in many patients without an identified infectious cause. Several patients from one state have been diagnosed with lipoid pneumonia based on

clinical presentation and detection of lipids within bronchoalveolar lavage samples stained specifically to detect oil.

All patients have reported using e-cigarette products and the symptom onset has ranged from a few days to several weeks after e-cigarette use. Within two states, recent inhalation of cannabinoid products, THC or cannabidiol, have been reported in many of the patients. To date, no single substance or e-cigarette product has been consistently associated with illness. CDC is working closely with state health departments to facilitate collecting product specimens for testing at the U.S. FDA Forensic Chemistry Center.

Recommendations for Clinicians

1. Report cases of severe pulmonary disease of unclear etiology and a history of e-cigarette product use within the past 90 days to your state or local health department. Reporting of cases may help CDC and state health departments determine the cause or causes of these pulmonary illnesses.
2. Ask all patients who report e-cigarette product use within the last 90 days about signs and symptoms of pulmonary illness.
3. If e-cigarette product use is suspected as a possible etiology of a patient's severe pulmonary disease, obtain detailed history regarding:
    - Substance(s) used: nicotine, cannabinoids (e.g., marijuana, THC, THC concentrates, CBD, CBD oil, synthetic cannabinoids [e.g., K2 or spice], hash oil, Dank vapes), flavors, or other substances
    - Substance source(s): commercially available liquids (i.e., bottles, cartridges, or pods), homemade liquids, and re-use of old cartridges or pods with homemade or commercially bought liquids
    - Device(s) used: manufacturer; brand name; product name; model; serial number of the product, device, or e-liquid; if the device can be customized by the user; and any product modifications by the user (e.g., exposure of the atomizer or heating coil)
    - Where the product(s) were purchased
    - Method of substance use: aerosolization, dabbing, or dripping
    - Other potential cases: sharing e-cigarette products (devices, liquids, refill pods, or cartridges) with others
4. Determine if any remaining product, including devices and liquids, are available for testing. Testing can be coordinated with the local or state health departments.
5. Consider all possible causes of illness in patients reporting respiratory and gastrointestinal symptoms and of e-cigarette product use. Evaluate and treat for other possible causes of illness (e.g., infectious, rheumatologic, neoplastic) as clinically indicated. Consider consultation with specialists (pulmonary, infectious disease, critical care, medical toxicology) as appropriate.
6. Clinical improvement of patients with severe pulmonary disease associated with e-cigarette use has been reported with the use of corticosteroids. The decision to use corticosteroids should be made on a case-by-case basis based on risks and benefits and the likelihood of other etiologies.

7. Lipoid pneumonia associated with inhalation of lipids in aerosols generated by e-cigarettes has been reported based on the detection of lipid-laden alveolar macrophages obtained by bronchoalveolar lavage (BAL) and lipid staining (e.g., oil red O). The decision about whether to perform a BAL should be based on individual clinical circumstances.
8. Lung biopsies have been performed on some patients. If a lung biopsy is obtained, lipid staining may be considered during pathologic examination, and is best performed on fresh tissue. Routine pathology tissue processing (including formalin-fixation and paraffin-embedding) can remove lipids. Conducting routine tissue processing and histopathologic evaluation is still important. Consider consultation with specialists in pulmonary medicine and pathology to help inform any evaluation plan.
9. Patients who have received treatment for severe pulmonary disease related to e-cigarette product use should undergo follow-up evaluation as clinically indicated to monitor pulmonary function.

Recommendations for Public Health Officials

1. State public health officials should promptly notify CDC about possible cases via VapingAssocIllness@cdc.gov.
2. Contact CDC at VapingAssocIllness@cdc.gov for case classification criteria, reporting guidelines, case investigation forms, and questions about this outbreak.
3. Consider conducting case-finding activities that use existing data sources (e.g., local poison control center, coroner and medical examiner's office, and other applicable surveillance systems including syndromic surveillance). CDC has developed two working syndromic surveillance definitions (one version with specific symptoms and a second focused on e-cigarette product use). CDC will be programming these definitions in CDC's National Syndromic Surveillance Program's BioSense/ESSENCE platform for case-finding within the platform.
4. Consider asking the medical examiner or coroner's office and other pathologists to report possible cases, especially those without an alternative, likely diagnosis. If individuals are identified after death or at autopsy who showed signs of severe pulmonary disease as described above, medical examiners and coroners are encouraged to report the cases to their local or state health department. Thorough sampling of trachea, bronchi, and lung parenchyma with collection of fresh lung tissue for staining of lipids (e.g., oil red O) and submission of formalin-fixed, paraffin-embedded tissues for routine histopathology are recommended. For further consultation, public health officials can contact CDC's Infectious Diseases Pathology Branch at pathology@cdc.gov.
5. State health department officials seeking technical assistance with an epidemiologic investigation can contact CDC at VapingAssocIllness@cdc.gov. State health department officials seeking technical assistance with laboratory testing can discuss with their state health department laboratories or contact CDC at VapingAssocIllness@cdc.gov.

Recommendations for the Public

1. While this investigation is ongoing, if you are concerned about these specific health risks, consider refraining from using e-cigarette products**.**
2. Regardless of the ongoing investigation, anyone who uses e-cigarette products should not buy these products off the street (e.g., e-cigarette products with THC, other cannabinoids) and should not modify e-cigarette products or add any substances to these products that are not intended by the manufacturer.
3. Regardless of the ongoing investigation, e-cigarette products should not be used by youth, young adults, pregnant women, as well as adults who do not currently use tobacco products. If you use e-cigarette products, monitor yourself for symptoms (e.g., cough, shortness of breath, chest pain) and promptly seek medical attention if you have concerns about your health. CDC and FDA will continue to advise and alert the public as more information becomes available.
4. Adult smokers who are attempting to quit should use evidence-based treatments, including counseling and FDA-approved medications. If you who need help quitting tobacco products, including e-cigarettes, contact your doctor.
5. If you are concerned about harmful effects from e-cigarette products, call your local poison control center at: 1-800-222-1222.
6. We encourage the public to submit detailed reports of any unexpected tobacco or e-cigarette-related health or product issues to the FDA via the online Safety Reporting Portal: https://www.safetyreporting.hhs.gov.

For More Information

- For assistance with managing patients suspected of illness related to recreational, illicit, or other drugs, call your local poison control center at: 1-800-222-1222.
- Information on electronic cigarettes and similar devices: https://www.cdc.gov/e-cigarettes
- CDC Press Statement: https://www.cdc.gov/media/releases/2019/s0821-cdc-fda-states-e-cigarettes.html
- CDC Clinical Outreach and Communication Activity announcement: https://emergency.cdc.gov/newsletters/coca/081619.htm
- CDC's National Syndromic Surveillance Program's BioSense/ESSENCE: https://www.cdc.gov/nssp/index.html
- For more information, visit CDC Info: https://www.cdc.gov/cdc-info/index.html

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The Centers for Disease Control and Prevention (CDC) protects people's health and safety by preventing and controlling diseases and injuries; enhances health decisions by providing credible information on critical health issues; and promotes healthy living through strong partnerships with local, national, and international organizations.

Categories of Health Alert Network messages:

Health Alert - Requires immediate action or attention; highest level of importance

Health Advisory - May not require immediate action; provides important information for a specific incident or situation

Health Update - Unlikely to require immediate action; provides updated information regarding an incident or situation

HAN Info Service - Does not require immediate action; provides general public health information

The following noise variance requests have been approved by Health Officer, Kurt Eggebrecht:

I.C.S. Roofing and Siding Annual Employee Picnic
824 W Spencer St.
September 1, 7:00pm-11:00pm