

3-20-17

City Clerk

West Allis City Hall

7525 West Greenfield Avenue

West Allis, WI

RECEIVED

MAR 23 2017

CITY OF WEST ALLIS
CITY CLERK

Re: Order Dangerous Dog

Dated 3-3-17

Gentlemen,

I wish to contest the above referenced order. On February 19 I walked my dog. On the way home my dog defecated on my next door neighbor's lawn. I put my dog in my house and returned outside to clean it up. As the next day was garbage pickup day, I had two large garbage bags in my hands. I have a hard time going down my side steps so I have to go backwards. I had a piece of paper toweling to pick up the feces which ^{were} on my neighbor's front lawn.

ce was focused on picking it up and heard Neighbor's dog start to bark. My dog apparently got out of my house unbeknownst to me and ran up my neighbor's driveway. My neighbor started yelling "Wayne, come get your dog!" as fast as I could I went onto her driveway. I called for my dog and she came running. My neighbor, Denise, said Wayne your dog bit me and showed me two red spots on her ankle.

My dog has never done anything like this. She does not have a propensity or disposition to attack or threaten safety of humans or domesticated animals. She is a collie/beagle mix.

Wayne
414-329-5724

3-20-17

City Clerk

West Allis City Hall

7525 West Greenfield Avenue

West Allis, WI

RECEIVED

MAR 23 2017

CITY OF WEST ALLIS
CITY CLERK

Re: Order Dangerous Dog

Dated 3-3-17

Gentlemen,

I wish to contest the above referenced order. On February 19 I walked my dog. On the way home my dog defecated on my next door neighbor's lawn. I put my dog in my house and returned outside to clean it up. As the next day was garbage pickup day, I had two large garbage bags in my hands. I have a hard time going down my side steps so I have to go backwards. I had a piece of paper toweling to pick up the feces which ^{were} on my neighbor's front lawn.

ce was focused on picking it up and heard neighbor's dog start to bark. My dog apparently got out of my house unbeknownst to me and ran up my neighbor's driveway. My neighbor started yelling "Wayne, come get your dog!" as fast as I could I went onto her driveway. I called for my dog and she came running. My neighbor, Denise, said Wayne your dog bit me and showed me two red spots on her ankle.

My dog has never done anything like this. She does not have a propensity or disposition to attack or threaten safety of humans or domesticated animals. She is a collie/beagle mix.

Wayne M.
414-329-5724

RECEIVED

MAR 23 2017

CITY OF WEST ALLIS
CITY CLERK

To Whom It May Concern,

I am writing this in regards to a Dangerous Dog Citation received by Wayne Misurek for his dog "Lolly". We would like to contest the order, disagreeing that she should be labeled as a "Dangerous Dog".

The situation that occurred was very out of the ordinary for Lolly. She is usually not off her leash in the first place. She snuck out the storm door while Wayne was cleaning up her "mess" left on the neighbor's yard.

There are numerous dogs in our family (Bulldogs, Pitbulls, Labs, Collies etc.) and Lolly enjoys playing with all of them and we have never had any problems whatsoever.

Wayne is semi-disabled and having Lolly has been a Godsend for him. There have been several times when his blood sugars have been so "out of whack" that he was delirious and couldn't stay awake, but Lolly knew something was wrong and would bark and jump

on Wayne until she got his attention and he was able to "snap out of it" long enough to give himself Insulin.

In the few years that Wayne has had Lolly, a lot has changed. Wayne adopted Lolly with his wife Rhonda who passed away less than a year later. Wayne was then diagnosed with Kidney Cancer, which he treated with Radiation and Chemotherapy. Lolly was by his side every step of the way and served as Wayne's only source of comfort. During a hospital stay, we (Wayne's son and daughter-in-law) took care of Lolly at our home. Our son, not used to having her around, forgot to let her inside one day and she tried to make it home to Wayne. Lolly was lured over by a neighbor and offered up to MADACC who held her until we came and got her later that day. When I picked her up at the facility, she was praised for her sweet and kind demeanor.

Wayne soon entered remission but shortly after broke his ankle at

home. If it weren't for Lolly barking in distress, we would not have known that Wayne was in desperate need of medical attention.

Lolly has been Wayne's therapy dog, comfort, exercise incentive and best friend since his wife's death three years ago. The thought of losing her because he can't afford the insurance requested is devastating to him.

This has been a nightmarish experience that we all have learned from and I can assure you that every precaution will be taken from this day forward. Because of Wayne's fixed income, he is limited to what he can afford to comply with but we are willing to do whatever is possible to keep Lolly with Wayne.

Her kind, loving demeanor does not reflect a Dangerous Dog's personality, the situation in question was an isolated incident. All the neighborhood children love her, she has people who request to walk her

down. If it is meant for belly breathing
in this case, the person is not breathing
the way they are in the posture. They
of course, breathe.

belly breathing. They are trying to
use their diaphragm. It is not
the way they are breathing. The thought of
belly breathing is not the right
way to breathe. The question is, how
to breathe.

There is a right way to
breathe. That is, the way
from the nose. The way that
the body is designed to take
the air in. The way that
the body is designed to take
the air in. The way that
the body is designed to take
the air in.

It is not the way to breathe with
the mouth. It is not the way to breathe
with the mouth. It is not the way to breathe
with the mouth. It is not the way to breathe
with the mouth.

It is not the way to breathe with
the mouth. It is not the way to breathe
with the mouth. It is not the way to breathe
with the mouth. It is not the way to breathe
with the mouth.

just because of her attitude, and she is beloved in our family. Please take this letter in to consideration when making your decision about Lolly's fate. She has been a wonderful companion and had a second of questionable judgement. Wayne takes all responsibility for it and hopes that you see past it and are willing to give her the benefit of the doubt.

If you would like more information or have any questions, please don't hesitate to contact me, as I care for Wayne and handle any situations he may have.

KERRY MISUREK (Wayne's daughter-in-law)
KERRYANN215@ATT.NET, 414-520-7290

Thank you for your time,
I look forward to hearing from you,

Kerry Misurek

ATTN: Lolly has an appointment at MADACC on April 5th to get spayed. She also got a Milw County Dog License. Her tag # is 14342

just because of his attitude, and
she is a very nice family friend.
The letter is to her husband.

When I was young, I was about
10 years old, and I had a very
good friend.

He was a very nice person,
and I was very close to him.
I was very happy to see him.

I was very happy to see him,
and I was very close to him.
I was very happy to see him.

I was very happy to see him,
and I was very close to him.
I was very happy to see him.

I was very happy to see him,
and I was very close to him.
I was very happy to see him.

I was very happy to see him,
and I was very close to him.
I was very happy to see him.

I was very happy to see him,
and I was very close to him.
I was very happy to see him.

I was very happy to see him,
and I was very close to him.
I was very happy to see him.

ATTN: CITY CLERK OF
WEST ALLIS

Contesting Request associated
with Dangerous Dog Order
dated 3-3-17

Owner: Wayne Misurek
2152 S. 97th St. West Allis

Dog Name: Lolly

RECEIVED

MAR 23 2017

CITY OF WEST ALLIS
CITY CLERK

CITY OF WEST ALLIS

*** CUSTOMER RECEIPT ***

Oper: WALSAMN Type: CC Drawer: 1
Date: 3/23/17 01 Receipt no: 21319

Description	Quantity	Amount
A1	APPEAL-AARB 1.00	\$50.00

Trans number: 1965055

G/L account number:
10000004290205
MISUREK

Tender detail		
CK CHECK PAYMEN	6187	\$50.00
Total tendered		\$50.00
Total payment		\$50.00

Trans date: 3/23/17 Time: 12:39:46

*** THANK YOU FOR YOUR PAYMENT ***



West Allis Police Department

Incident Report

Date: 03/01/2017
CFS Code-1: ZMS9872
Incident Report Number: 17-006386

Incident Report

Incident Report Number: 17-006386
Between: Date - Time: []
And/At: Date-Time: 2/19/17 14:40

Incident Location: 2156 S 97 St, West Allis, WI, 53227

CFS Code-1: ZMS9872
CFS Code-2: []
CFS Code-3: []
Offense Code-4: []
CFS Code-5: []
CFS Code-6: []
CFS Code-7: []
CFS Code-8: []

V Name (Last, First, Middle): Elton, Denise A
DOB: 06/17/1969
Race/Sex: W/F

Address: (Address, City, State, Zip) 2156 S 97 St, West Allis, WI, 53227
Home Phone Number: []

Employer: []
Work Phone Number: (414) 345-4620

Employer Address: []
Cell Phone Number: (414) 241-7933

CN Name (Last, First, Middle): Misurek, Wayne R
DOB: 12/21/1952
Race/Sex: W/M

Address: (Address, City, State, Zip) 2152 S 97 St, West Allis, WI, 53227
Home Phone Number: []

Employer: []
Work Phone Number: (414) 327-5475

Employer Address: []
Cell Phone Number: (414) 239-5724

SUMMARY
*SP I RECEIVED THIS REPORT ON 3-7-17
NO ACTION TAKEN DUE TO DEDUCTION*

Ofc. Rapp reports:
On 02/19/2017 Denise A Elton, FW, 06/17/1969 came to the WAPD to report a dog bite. At about 1440 hours, Elton was bit on the lower leg by a white and tan mixed-breed dog owned by Wayne R Misurek, MW, 12/21/1952, of 2152 S. 97 St. Elton did not want any charges filed, but wanted police aware of the incident. Officers spoke to Misurek, who identified the dog as "Lollie." Misurek could not find proof of rabies vaccination, but said the dog was vaccinated at MADACC and records would be kept there. Photos of Elton's injuries were uploaded to the department server. On 03/01/2017 I received vaccination paperwork for Lollie, with an expiration in 2019.

Misurek was the subject of three Animal Noise Complaints since January of 2015.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number: [] State: [] Expiration Year: [] Vin: [] Insurance Company: []

Other Vehicle Information: [] NCIC# []

Reporting Officer(s): Rapp, Brandon
Payroll Number: br2626
Report Date: 03/01/2017

Time Received: 15:49:15
Time Cleared: 15:49:42
Unit(s) Assigned: 299, 234
Pages: 1 Of 2

Reviewed by: Stikl, Megan
Payroll Number: 9872
Copy To: []

West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

17-006386

2156 S 97 St, West Allis, WI, 53227

02/19/2017

NARRATIVE

On 02/19/2017 Denise A Elton, FW, 06/17/1969 came tot he WAPD. Elton told me that she lives at 2156 S 97 St. in West Allis. Her neighbor, Wayne R Misurek, MW, 12/21/1952, lives next door at 2152 S 97 St.

Elton told me that Misurek has a white and tan mixed-breed dog named "Lollie." Lollie frequently barks and is often tied to a lead in the back yard for long periods of time. Elton told me she had made complaints about this dog in the past. I found three animal complaints at 2152 since January of 2015.

Elton said that about 1440hrs on this day, she was leaving her house walking her dog. Lollie ran out from the back yard and started snarling and snapping at her dog. Elton tried to pick up her dog to remove it from the confrontation, and she was bit in the ankle by Lollie. Misurek came out of his house and apologized for the dog bite, and claimed his dog had been vaccinated for rabies.

Elton did not want to press charges but wanted the police notified of the bite.

Photographs:

I took photos of Elton and her injuries and uploaded them to the department server.

- 1- Overview of Elton
- 2- Right ankle, inside, showing bite marks
- 3- Right ankle, outside, showing bite marks

Elton did not desire any first aid, and said she would have follow up with her physician.

Contact with Wayne Misurek:

Officers went to 2152 S 97 St. and spoke with Misurek. Misurek said he is partially disabled and Lollie escaped the back door while he had the door open. He was apologetic for the situation with Lollie and Elton. Misurek said Lollie was vaccinated at MADACC but he could not find the vaccination paperwork.

On 03/01/2017 I received a printout form MADACC showing treatment history of Lollie, and proof of rabies vaccination good until 2019. A copy of this printout was submitted for scanning. The Dangerous Dog Order and Rabies paperwork was completed and issued to Misurek.

This report will be forwarded to the Health Dept.

Reporting Officer(s):

ID Number

ID Number

Pages:

Rapp, Brandon

br2626

2 Of 2

West Allis Health Department
Rabies Quarantine Order



Public Health
West Allis Health Department

Animal Owner's Name: Henry R. Mueser

Animal Owner's Address: 2150 W. 97th St., West Allis

Animal Owner's Telephone Number: 414-739-5721

Name of Animal: Louise Type of Pet: Dog Cat Other (List) _____

Date Bite Occurred: 2/17/2017 Was a person bitten? Y N Did the Bite Break the Skin? Y N

Date of Animal's Rabies Vaccination: 7/17/2016 Dog/Cat License Tag Number: _____

Per the Revised Municipal Code of the City of West Allis 7.12(5) the animal identified above and owned/harbored by you at the indicated address is hereby ordered confined, under the conditions defined below, for purposes of quarantine for possible rabies exposure.

- This animal has bitten or otherwise potentially exposed a person or other animal to rabies virus and is quarantined for a minimum of 10 days from the date of the incident.
 - Proof of valid rabies vaccination provided. In home quarantine ordered. See Quarantine conditions below.
 - Proof of valid rabies vaccination is NOT provided. Animal is ordered to be impounded at:
 - MADACC
 - Local Veterinarian Clinic: _____
 - Animal owner is responsible for all costs associated with quarantine/impoundment of the animal.
- This animal has bitten or otherwise potentially exposed a person or other animal to rabies virus AND is exhibiting symptoms consistent with rabies. This animal is ordered to be euthanized for rabies testing. Animal owner is responsible for all costs associated with euthanization and testing.

Quarantine conditions:

- The animal must be seen by a veterinarian within 24 hours for a health clearance. A copy of the veterinarian's report must be submitted to the West Allis Health Department.
- The animal must be confined at all times in an enclosed space that prevents contact with people, other pets, and wild animals. Animal may only be outside only for purposes of toileting and must be kept on a leash.
- At no time may the animal be removed from the premises without prior written permission of the West Allis Health Department. In an emergency, the animal may be taken to a vet. Immediately notify the Health Department.
- If at any time during the quarantine period the animal becomes ill, shows signs of abnormal behavior, or dies, the West Allis Health Department must be notified immediately.
- The Health Commissioner may authorize, at any time that the animal be euthanized for purposes of laboratory testing for rabies.
- Animals without a valid rabies vaccination must be vaccinated after the quarantine period, prior to being released to the owner.
- If the animal does not have a valid Milwaukee County Animal License the owner must obtain the license and submit proof of license to the West Allis Health Department.
- The animal will be released from quarantine only upon completion of the prescribed requirements and by written authorization of the West Allis Health Department.

I understand and agree to abide by the conditions under which the above named animal, for which I am the responsible owner or custodian, is to be quarantined. I understand that violation of the conditions of this quarantine order, whether by volition or negligence, is punishable under the Revised Municipal Code for the City West Allis.

Henry Mueser
Animal owner name (print)

PAUL HARTMANN
Animal owner signature

3/13/17
Date

[Signature]
Serving official name (print)

Serving official signature

Date

White - Police Department Copy

Pink - Health Department Copy

Yellow - Owner's Copy

Submit completed report to the Health Department within 24 hours.

7120 W National Ave, West Allis, WI 53214
Fax - 414-392-8628

ORDER DANGEROUS DOG

Date: 3/3/2017

Owner's Name(s): WAYNE R MURPHY 12/21/52

Address: 2152 S. 97. St, West Allis WI, 53227

Address: _____

Name of Dog: LOLLIE

Description of Dog: BROWN/WHITE MIXED BREED (Border Collie / Beagle)

MUNICIPAL A278145

Pursuant to West Allis Revised Municipal Ordinance 7.126, your dog, described above, is hereby declared to be a dangerous dog.

Within **30 days** of the date of this order, you must comply with the requirements of 7.126(6) (See back of sheet). A West Allis police officer will conduct a follow-up investigation to ensure compliance with the requirements.

If you wish to contest this order or any of the requirements of 7.126(6), you must, within 30 days after receipt of the order, deliver to the City Clerk a written objection to the order stating specific reasons for contesting the order. The City Clerk is located at City Hall at 7525 West Greenfield Avenue, West Allis, Wisconsin.

If you have questions about this order, please contact Assistant City Attorney Jenna Merten at (414) 302-8450.

Signature: B. Rapp B. Rapp, OFFICER 160, WAPD
Name of Officer / Department

Service: _____
Date/Time: 3/3/17 2:35 hrs

Name of person served: Wayne Murphy by H. Brown

Location: 2152 S. 97 St

