



Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
mschultz@westalliswi.gov

Michael Albrecht
2153 S. 88 St.
West Allis, WI 53227

November 16, 2017

Subject: Decision by City of West Allis Administrative Appeals Review Board (AARB) in regard to the Appeal of the Dangerous Dog Order for Michael Albrecht of 2153 S. 88 St.

Dear Mr. Albrecht:

This letter is to formally notify you of the determination made by the City of West Allis Administrative Appeals Review Board (AARB) from its meeting on October 30, 2017 regarding your appeal.

At the meeting, the Board decided unanimously to rescind the Dangerous Dog Order for your dog, Bella.

Thank you for the time you took in making your appeal and attending the meeting. If you have any questions, or need further information or clarification, please feel free to contact me.

Sincerely,

Monica Schultz
City Clerk

Enclosure

cc: Mayor Devine
Health Commissioner
City Attorney
Police Department

9/26/2017

To: West Allis City Clerk

From: Michael Albrecht

2153 S. 88th Street

West Allis, WI 53227

To whom it may concern,

I am writing this letter to appeal the enclosed order to register my dog as dangerous within the city limits. I have owned Bella for a little over a year and have never had any issues with her before, she has two small children in the home and has never gone after them. This was an isolated incident and I feel it is unfair to have me label her as dangerous. We have a fenced in backyard and if she is in the front yard which is very rare, she is tied up and someone is outside with her. She is a family pet and to ask me to either remove, euthanize or label her is wrong. The said incident was just an accident, there are no other documents of her attacking anyone/anything registered anywhere.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Albrecht". The signature is written in a cursive style with a large, stylized initial "M".

Michael Albrecht

RECEIVED

SEP 27 2017

**CITY OF WEST ALLIS
CITY CLERK**

Oper: WALSJANEL Type: CC Drawer: 1
 Date: 9/26/17 01 Receipt no: 66741
 A1 APPEAL-AARB
 1.00 \$50.00
 MICHAEL ALBRECHT-D DOG
 CA CASH PAYMENT \$50.00
 Total tendered \$50.00
 Total payment \$50.00

Trans date: 9/27/17 Time: 12:44:01

Michael albrecht 327@GMail.com

CITY OF WEST ALLIS

*** CUSTOMER RECEIPT ***

Oper: WALSJANEL Type: CC Drawer: 1
 Date: 9/26/17 01 Receipt no: 66741

Description	Quantity	Amount
A1 APPEAL-AARB	1.00	\$50.00

Trans number: 2024530
 G/L account number:
 10000004290205
 MICHAEL ALBRECHT-D DOG

Tender detail	
CA CASH PAYMENT	\$50.00
Total tendered	\$50.00
Total payment	\$50.00

Trans date: 9/27/17 Time: 12:44:01

*** THANK YOU FOR YOUR PAYMENT ***



**West Allis
Police Department**

Date: September 14, 2017
To: Michael Albrecht
From: Sgt. Peter Borree

Mr. Albrecht,

On 09/04/17, your dog, Bella, was involved in an incident and you were issued a City of West Allis Dangerous Dog Order. You are required to comply with city ordinance 7.126(6), which includes proof of liability insurance, proof of spay/ neuter compliance, a \$75.00 payment for registration of the dog at the West Allis Police Department, and a color photograph of the dog. You must also comply with the leash and muzzle requirements, confinement requirements, and signage requirements. Attached you will find a copy of city ordinance 7.126(6).

You have 30 days from the date of the incident to appeal this order in writing to the City Administrative Review Board. Enclosed is a checklist for you to follow if you wish to keep your dog in the City of West Allis. Please fill out the form and return it to me. If you have chosen to remove the dog from the City of West Allis, you must provide information as to where the dog is now located, or proof of euthanasia. Failure to comply with the order can result in up to a \$1,000.00 fine per day of non-compliance.

If you have any questions, Please contact me at 414-302-8000.

Thank you,

A handwritten signature in black ink, appearing to read "P. Borree".

Peter Borree
Desk Sergeant

17-34991

ORDER DANGEROUS DOG

Date: 9/4/17

Owner's Name(s): Michael Albrecht

Address: 2153 S 88 St

Address: _____

Name of Dog: Bella

Description of Dog: 2 years old German Shepherd and
blue heeler mix

Pursuant to West Allis Revised Municipal Code Section 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 requirement of 7.126(6) (see back 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 the City Attorney's Office at (414) 302-8450.

Signature: [Handwritten Signature] West Allis P.D.
Name of Officer / Department

Service: (check one)

Date/Time: 9/4/17 @ 1739

Name of person served: OWNER

Location: 2153 S 88 St



West Allis Police Department

Incident Report

Incident:
Harboring a Vicious Dog/Animal

Incident Report Number: **17-034991** Between: Date - Time: And/At: Date-Time: **9/4/17** **10:30**

Incident Location:
2153 S 88 St, West Allis, WI, 53227

CFS Code-1: **7399E** CFS Code-2: **ZTP1851** CFS Code-3: Offense Code-4:

CFS Code-5: CFS Code-6: CFS Code-7: CFS Code-8:

CN Name (Last, First, Middle): **Albrecht, Michael Leo** DOB: **08/30/1995** Race/Sex: **W/M**

Address: (Address, City, State, Zip)
2153 S 88 St;WA, West Allis, WI, 53227 Home Phone Number:

Employer: **Regency Senior Communities** Work Phone Number: **(262) 789-1699**

Employer Address: **13750 W National Ave, New Berlin, WI 53151** Cell Phone Number: **(414) 315-6753**

CN Name (Last, First, Middle): **Heck, Jennifer K** DOB: **04/06/1979** Race/Sex: **W/F**

Address: (Address, City, State, Zip)
2101 S 88 St;WA, West Allis, WI, 53227 Home Phone Number:

Employer: Work Phone Number:

Employer Address: Cell Phone Number: **(414) 881-9370**

SUMMARY

On 09/04/17 at approx. 1647 hrs., officers were dispatched to 2101 S. 88 St., for a dog vs dog bite. Investigation revealed Michael Albrecht's dog (Bella) charged and bit Jennifer Heck's dog while it was being walked. There only appeared to be one puncture wound. Michael was issued a Dangerous Dog form.

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

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

Other Vehicle Information: NCIC#

Reporting Officer(s): **Mussatti, Kevyn** Payroll Number: **9906** Payroll Number: Report Date: **09/04/2017**

Time Received: **16:44:14** Time Cleared: **17:38:06** Unit(s) Assigned: **221** Pages: **1 Of 3**

Reviewed by: **Clerical and Coding Manz, Tracy** Payroll Number: **9656** Copy To:

Date:

09/04/2017

CFS Code-1: 7399E

Incident Report Number:

17-034991

West Allis Police Department**Continuation**Incident Report Number
17-034991Incident Location:
2153 S 88 St, West Allis, WI, 53227Incident Date:
09/04/2017**NAMES****Contact-1**

Lacasse, Stephanie Jean W/F-35 of 2168 S 86 St, West Allis, WI, 53227
 DOB: 01/30/1982
 Cell Phone: (414) 460-5533

Contact-2

Day, Tyler D W/M-18 of 1625 S 90 ST 4, WEST ALLIS, WI, 53214
 DOB: 08/16/1999
 HT: 500 WT: 150 Hair: Bald/Shaved
 Eyes: Blue
 Cell Phone: (414) 595-6203

NARRATIVE**INITIAL CALL**

On 09/04/17 at approx. 1647 hrs., officers were dispatched to 2101 S. 88 St., for a dog vs dog bite that occurred earlier in the day. Upon arrival, I made contact with Jennifer K. Heck, F/W 04/06/79, and Stephanie J. Lacasse, F/W 01/30/82.

STATEMENT OF JENNIFER K. HECK

Jennifer said her dog, Jax, was attacked by two other dogs while her friend, Stephanie was walking him. She said it occurred some time between 1030 hrs and 1100 hrs. Jax had a puncture in the upper right rear leg, and was limping around.

Jax is a male three year old english setter. He is white with tan spots. His rabies vaccination tag is #7350. I asked Jennifer if she wanted the owner of the dog to receive a citation. She said she did not want that and just wanted it documented.

STATEMENT OF STEPHANIE J. LACASSE

After speaking with Jennifer I spoke with Stephanie. She said she was walking Jax at approx. 1030 hrs. While walking on the west sidewalk in front of 2153 S. 88 St., she heard two dogs barking and running toward her, from behind. Moments later, behind the dogs, was a teenage male who was trying to get the dogs back. The two dogs looked like they were biting Jax, until the male was able to get both

Reporting Officer(s):
Mussatti, KevynID Number
9906

ID Number

Pages:
2 Of 3

West Allis Police Department**Continuation**

Incident Report Number 17-034991	Incident Location: 2153 S 88 St, West Allis, WI, 53227	Incident Date: 09/04/2017
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dogs back inside the residence. She ultimately walked toward Jennifer's residence to return Jax.

Jennifer said the incident took place for less than 30 seconds. She did not know which dog caused the puncture in the back leg. She said both dogs were shorter, but stockier. She did not know what kind of dogs they were, but thought possibly a pitbull mix. She said she did not see them with leashes.

STATEMENT OF MICHAEL L. ALBRECHT

After speaking with Jennifer, I responded to the incident address, 2153 S. 88 St. I made contact with the owner, Michael L. Albrecht, M/W 08/30/95, and his friend, Tyler D. Day, M/W 08/16/99. Michael said the two dogs involved in the altercation belonged to him. He did not witness the incident, but Tyler did.

Michael said Bella is a two year old female blue heeler german shepherd mix. She is black with some tan. The second dog, Lola, is a one year old female pitbull bullmastiff mix. She is tan in color.

Michael said the rabies vaccinations are up to date and he would give me the date/vet information of the rabies shots for the dogs.

STATEMENT OF TYLER D. DAY

After speaking with Michael, I spoke with Tyler. He said he was with the two dogs before they exited the residence. They were near the back door when someone opened the door, and the dogs went outside. He saw the dogs playing on their way toward the front, and heard barking. He immediately ran to the front to see them jumping on another dog. He was able to get both dogs inside the house, and said the incident did not take more than 25 seconds.

Tyler did not know which dog bit Jax. I asked Michael and Tyler which dog was aggressive with other dogs. They said Bella was the protective one, and believed she may have been the one to bite Jax.

DANGEROUS DOG FORM

Michael was issued the Dangerous Dog Form. The original copy was ultimately sent to the Department of Health.

CASE DISPOSITION

Two dogs (Bella and Lola) were able to get out of a residence and they rushed toward another dog (Jax) being walked. Jax had one puncture mark on his rear leg.

Michael Albrecht was issued a Dangerous Dog form. Jennifer Heck, the owner of Jax, did not want a citation issued.

Reporting Officer(s): Mussatti, Kevyn	ID Number 9906	ID Number	Pages: 3 Of 3
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City Attorney's Office

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jenna R. Merten
Nicholas S. Cerwin
Assistant City Attorneys

October 20, 2017

Stephanie Jean Lacasse
2168 South 86th Street
West Allis, Wisconsin 53227

Re: Matter of the Appeal of the Dangerous Dog Order of Bella, owner,
Michael Albrecht

Dear Ms. Lacasse:

Enclosed please find an original and one copy of a subpoena for you to testify as a witness in regard to the above referenced case. Please sign and date the original and return it to this office in the enclosed, self-addressed, stamped envelope. The copy may be retained for your records.

If you have any questions, please feel free to contact me. Thank you for your cooperation in this matter.

Very truly yours,

Nicholas S. Cerwin
Assistant City Attorney

Enclosures



City Attorney's Office

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jenna R. Merten
Nicholas S. Cerwin
Assistant City Attorneys

October 20, 2017

Tyler D. Day
1625 South 90th Street, #4
West Allis, Wisconsin 53214

Re: Matter of the Appeal of the Dangerous Dog Order of Bella, owner,
Michael Albrecht

Dear Mr. Day:

Enclosed please find an original and one copy of a subpoena for you to testify as a witness in regard to the above referenced case. Please sign and date the original and return it to this office in the enclosed, self-addressed, stamped envelope. The copy may be retained for your records.

If you have any questions, please feel free to contact me. Thank you for your cooperation in this matter.

Very truly yours,



Nicholas S. Cerwin
Assistant City Attorney

Enclosures

SUBPOENA

CITY OF WEST ALLIS : ADMINISTRATIVE APPEALS REVIEW BOARD : MILWAUKEE COUNTY

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

THE STATE OF WISCONSIN TO:

TYLER D. DAY
1625 South 90th Street, #4
West Allis, Wisconsin 53214

PURSUANT TO SECTION 805.07 OF THE WISCONSIN STATUTES, you are hereby commanded to appear in person before the West Allis Administrative Appeals Review Board, 7525 West Greenfield Avenue, Room 128, West Allis, Wisconsin, on the **30th** day of **October 2017**, at **4:00 p.m.**, to give evidence in the matter of the appeal of the Dangerous Dog Order of Bella, owner Michael Albrecht. Failure to appear may result in punishment for contempt which may include monetary penalties, imprisonment and other sanctions.

Issued this 20th day of October, 2017.

CITY OF WEST ALLIS



Nicholas S. Cerwin, Assistant City Attorney

P.O. Address:
7525 West Greenfield Avenue
West Allis, Wisconsin 53214
414/302-8450

Service admitted this _____ day of _____, 2017.

X _____
Signature of Witness



City Attorney's Office

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jenna R. Merten
Nicholas S. Cerwin
Assistant City Attorneys

October 11, 2017

Jennifer K. Heck
2101 South 88th Street
West Allis, Wisconsin 53227

Re: Matter of the Appeal of the Dangerous Dog Order of Bella, owner,
Michael Albrecht

Dear Ms. Heck:

Enclosed please find an original and one copy of a subpoena for you to testify as a witness in regard to the above referenced case. Please sign and date the original and return it to this office in the enclosed, self-addressed, stamped envelope. The copy may be retained for your records.

If you have any questions, please feel free to contact me. Thank you for your cooperation in this matter.

Very truly yours,

Nicholas S. Cerwin
Assistant City Attorney

Enclosures

SUBPOENA

CITY OF WEST ALLIS : ADMINISTRATIVE APPEALS REVIEW BOARD : MILWAUKEE COUNTY

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

THE STATE OF WISCONSIN TO:

JENNIFER K. HECK
2101 South 88th Street
West Allis, Wisconsin 53227

PURSUANT TO SECTION 805.07 OF THE WISCONSIN STATUTES, you are hereby commanded to appear in person before the West Allis Administrative Appeals Review Board, 7525 West Greenfield Avenue, Room 128, West Allis, Wisconsin, on the **30th** day of **October 2017**, at **4:00 p.m.**, to give evidence in the matter of the appeal of the Dangerous Dog Order of Bella, owner Michael Albrecht. Failure to appear may result in punishment for contempt which may include monetary penalties, imprisonment and other sanctions.

Issued this 11th day of October, 2017.

CITY OF WEST ALLIS



Nicholas S. Cerwin, Assistant City Attorney

P.O. Address:
7525 West Greenfield Avenue
West Allis, Wisconsin 53214
414/302-8450

Service admitted this _____ day of _____, 2017.

X _____
Signature of Witness

SUBPOENA
CITY OF WEST ALLIS : ADMINISTRATIVE APPEALS REVIEW BOARD : MILWAUKEE COUNTY

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

THE STATE OF WISCONSIN TO:

STEPHANIE JEAN LACASSE
2168 South 86th Street
West Allis, Wisconsin 53227

RECEIVED
OCT 30 2017
CITY OF WEST ALLIS
CITY CLERK

RECEIVED
OCT 30 2017
WEST ALLIS
CITY ATTORNEY

PURSUANT TO SECTION 805.07 OF THE WISCONSIN STATUTES, you are hereby commanded to appear in person before the West Allis Administrative Appeals Review Board, 7525 West Greenfield Avenue, Room 128, West Allis, Wisconsin, on the **30th** day of **October 2017**, at **4:00 p.m.**, to give evidence in the matter of the appeal of the Dangerous Dog Order of Bella, owner Michael Albrecht. Failure to appear may result in punishment for contempt which may include monetary penalties, imprisonment and other sanctions.

Issued this 20th day of October, 2017.

CITY OF WEST ALLIS



Nicholas S. Cerwin, Assistant City Attorney

P.O. Address:
7525 West Greenfield Avenue
West Allis, Wisconsin 53214
414/302-8450

Service admitted this 26th day of
October, 2017.

X Stephanie Lacasse
Signature of Witness