



Steven A. Braatz, Jr.
City Clerk
City Clerk's Office
414.302.8220
sbraatz@westalliswi.gov

August 20, 2018

Amy Schoenfeldt
2231 S. 67th Place
West Allis, WI 53219

Subject: Decision by City of West Allis Administrative Appeals Review Board
(AARB) in regard to the Appeal of the Dangerous Dog Order for
Amy Schoenfeldt of 2231 S. 67th Place.

Dear Amy Schoenfeldt:

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 July 11, 2018 regarding your appeal.

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

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,

Steven A. Braatz, Jr.
City Clerk

SB:ljr

cc:
Mayor Devine
Health Commissioner
City Attorney
Police Department



City of West Allis
Meeting Agenda
Administrative Appeals Review Board

Wednesday, July 11, 2018

4:00 PM

City Hall, Common Council Chambers
7525 W. Greenfield Ave.

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

18-00409 Approval of Meeting Minutes - January 11, 2018 and January 18, 2018

Attachments: Draft Minutes - January 11, 2018
 Draft Minutes - January 18, 2018

D. NEW AND PREVIOUS MATTERS

18-00404 Dangerous Dog Order for Appeal by Travis Kreuser and Martha Solis-Villasenor, 1468 S. 94th St.

Attachments: Appeal Letter

a.) Case announcement - City Clerk
b.) Presentation of City Position – Health Dept.
c.) Presentation by Appellant – Travis Kreuser and Martha Solis-Villasenor (dog Justice)
d.) Response of effected individual
e.) Questions, Discussion, and Decision by the Administrative Appeals Review Board.

18-00410 Dangerous Dog Order for Appeal by Tiffany Robinson and Quintin Harris of 2224 S. 65th St.

Attachments: Appeal Letter

a.) Case announcement - City Clerk
b.) Presentation of City Position – Health Dept.
c.) Presentation by Appellant – Tiffany Robinson and Quintin Harris (dog Mela)
d.) Response of effected individual
e.) Questions, Discussion, and Decision by the Administrative Appeals Review Board.

18-00411 Dangerous Dog Order for Appeal by Amy Schoenfeldt of 2231 S. 67th Place.

Attachments: Appeal Letter

- a.) Case announcement - City Clerk
- b.) Presentation of City Position – Health Dept.
- c.) Presentation by Appellant – Amy Schoenfeldt (dog Lolah)
- d.) Response of effected individual
- e.) Questions, Discussion, and Decision by the Administrative Appeals Review Board.

E. ADJOURNMENT



All meetings of the Administrative Appeals Review Board are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

NON-DISCRIMINATION STATEMENT

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

LIMITED ENGLISH PROFICIENCY STATEMENT

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.

Amy Schoenfeldt
2231 S. 67th Place
West Allis, WI. 53219
06/07/2018

City Clerk
West Allis City Hall
7525 W. Greenfield Ave.
West Allis, WI.

Original

To Whom It May Concern:

I am writing today to contest a Dangerous Dog Order, and a citation stating that I allowed my dog to run at large, and all requirements of the order and citation. I would like to provide an understanding of the situation in hopes that my dog will not be stuck with this shameful label of being dangerous because she has never shown aggression to any person or dog, not even once, since the day I purchased her at 8 weeks old.

On 05-19-2018, my dog Lolah and my significant other's dog, Rocky, were in my fence-in yard. The gate was latched shut, and I always have beware of dog signage on both gate doors for safety, even though my dog has never shown aggression toward any person or animal before. The dogs are not able to get out of my yard unless someone opens the door and lets them out because my fence is occlusive around my yard, and they are not able to jump high enough to get even close to making it over. I also usually sit out there with them to keep an eye on them.

The night of the incident, I was sitting out with the dogs, and my significant other's sons, when my immediate next-door neighbor asked if I could go and get my significant other from inside the house since they had invited us all over for a barbeque and the food was done. While I was upstairs to get him, my neighbor came over to get the boys so they could start making their plates, and when he did, the dogs got let out of the gate. Because my neighbor's next-door neighbor had her young dog outside, Lolah and Rocky were said to run over there and per her report to the police officer, "the white pit bull" was nipping at her dog, and she told the officer she the dog's name was Lola. The dog did not suffer any serious injury from my understanding per the other dog owner's own report, though I was not present to witness anything myself. The dog did not require any medical attention, and no skin was broken, nor was he made to bleed because of the nipping.

When I was speaking with the officer, I tried to explain to him that Lolah is not the white pit bull, she is the black one with only a small amount of white on her body, and that Rocky was the white pit bull with only the small amount of black on his body. I can provide pictures of the dogs as evidence, or even bring Lolah in so that you can see her color, along with the order I was issued that states "white pit bull." However, he wrote down exactly her words instead of accepting my information regarding the misunderstanding.

The following are my reasons for contesting the dangerous dog order for my dog Lolah:

1. The order contains the wrong information about which dog the incident occurred with because one dog is mostly black and the other is mostly white, and Lolah is the mostly black pit bull.
2. My gates contained proper signage that dogs are on the property prior to the incident.
3. The dogs did not escape from the yard, nor did anyone who lives on my property allow them to escape or purposely run at large, but instead they were let out by a neighbor which is what even allowed contact of the animals in the first place since the dogs are not able to get out of the yard when both gates are closed and latched.
4. Lolah is a pit bull, and pit bulls love to play rough with each other. She has never showed aggression or caused harm to any dog or person prior to this event, and neither has Rocky. I believe that Rocky was trying to play rough with the dog since he nipped it rather than biting it, because that is what Lolah & Rocky do to each other when they play with each other. They have never shown true aggression toward each other or fought, but they do play rough in that way. And knowing this to be a fact, I usually only allow them to play with other pit bulls or dogs of other breeds that they know very well for safety and prevention of any incidents that could happen just as an even further preventative measure.
5. I have always had home owner's insurance with liability, and my insurer is aware that I have 2 pit bulls that reside at my house because I try to be as responsible of a pet owner as possible, though I only own Lolah personally.
6. Also, the letter sent to me by the West Allis Police Department states that the event occurred on 04/11/2018, but the date it occurred and in which I was issued the Dangerous Dog Order and citation was actually on 05/19/2018.
7. Both Rocky & Lolah are currently registered, which both took place at MADACC Milwaukee location, and should be on file. I was not aware that it did not cover West Allis registration since I thought West Allis was in Milwaukee County. If I am required to re-register them with the City of West Allis, I am more than willing to do so if I may be granted an extension.

8. Neither are spayed or neutered, but I planned to do so to Lolah on my own anyway and my significant other agreed to neuter/spay Rocky as well. If this is ordered, I am very willing to comply if allowed a time extension to complete this order.
9. I am willing to go to any length to prove my dog is not aggressive, including have her assessed by a person trained to do so, even around a dog she has never met before because I am that confident that she will be found not aggressive or dangerous.

Please have mercy when deciding regarding this order because I truly think its all a huge misunderstanding to begin with. Thank you for your time.

Sincerely,

Amy Schoenfeldt

ORDER DANGEROUS DOG

Date: 5/19/18

Owner's Name(s): Amy L. Schoenfeld

Address: 2231 S 67 Pl

Address: _____

Name of Dog: Lola

Description of Dog: white pitbull

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: [Signature] West Allis PD
Name of Officer / Department

Service: (check one)

Date/Time: 5/19/18 2:32

Name of person served: Amy L. Schoenfeld

Location: 2231 S 67 Pl

WEST ALLIS CITY MUNICIPAL COURT
11301 W LINCOLN AVE
WEST ALLIS, WI 53227

Juvenile

DEPOSIT
\$187.00

Cash- Card
N N

Court Use

Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip

SCHOENFELDT, AMY L

2231 S 67TH PL
WEST ALLIS WI 53219

Birth Date

4/14/1984

Sex

F

Race

W

HT

510

WT

205 LBS

Hair

BLOND

Eyes

BLUE

Driver License/Identification Card Number

S514-0128-4634-08

State

WI

Exp. Yr.

2021

Other Identification Number

ID Type

License Plate Number

Plate Type

State

Exp. Yr.

Defendant Telephone Number

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

Telephone Number of Parent/Guardian/Legal Custodian

Plaintiff

CITY OF WEST ALLIS

Ordinance Violated

WA-7.121(3)

Adopting State Statute

Violation Description

Ordinance Description

ALLOW DOG TO RUN AT LARGE

Week Day

Date

Time

SATURDAY 05/19/2018

08:49 PM

From/AT Hwy No. and/or Street Name

2239 S 67TH PL

County

MILWAUKEE - 40

City/Village/Town

WEST ALLIS - 60, CITY

Agency Space

18-018602

Officer Name

OFFICER K. WEBSTER

Date Citation Served,

05/23/2018

Method

MAILED

Officer ID

9900

Department

WEST ALLIS POLICE DEPARTMENT

Residence Contact Name

Age

(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?

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.

WISCONSIN NON TRAFFIC CITATION AND COMPLAINT

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:

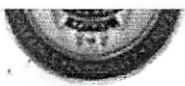
- a photocopy of your citation, OR
- your correct name and mailing address, citation number, court appearance date listed on the citation, offense, and arresting police agency.

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.



West Allis Police Department

Date: May 23, 2018
To: Amy L. Schoenfeldt
From: West Allis Police Department

Ms. Schoenfeldt,

On 04/11/18, your dog 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 or email at kwebster@westalliswi.gov.

Thank you,

Officer Kyle Webster

West Allis Police Dept.

		West Allis Police Department		Incident Report	
		Incident: Allow Dog to Run at Large			
Incident Report Number: 18-018602		Between: Date - Time		And/At: Date-Time 5/19/18 20:49	
Incident Location: 2233 S 67 Pl, West Allis, WI, 53219					
CFS Code-1: 7399D		CFS Code-2: 7399E		CFS Code-3: ZJF9874	
CFS Code-4: 7399D		CFS Code-5: 7399E		CFS Code-6: ZJF9874	
CFS Code-7: 7399D		CFS Code-8: 7399E		CFS Code-9: ZJF9874	
CFS Code-10: 7399D		CFS Code-11: 7399E		CFS Code-12: ZJF9874	
Name (Last, First, Middle) V Goldberg, Aaron		DOB: 08/28/1974		Race/Sex W/M	
Address: (Address, City, State, Zip) 2239 S 67 Pl;WA, West Allis, WI, 53219				Home Phone Number	
Employer				Work Phone Number	
Employer Address				Cell Phone Number (312) 720-2251	
Name (Last, First, Middle) CM Mueller, Judy A		DOB: 02/17/1949		Race/Sex W/F	
Address: (Address, City, State, Zip) 2239 S 67 Pl;WA, West Allis, WI, 53219				Home Phone Number (414) 541-0755	
Employer				Work Phone Number	
Employer Address				Cell Phone Number	
<p>SUMMARY</p> <p>Webster reports: On 05/19/18 at 2049 hrs., officers responded to 2233 S. 67 Pl. for an animal on animal attack. Investigation revealed a pitbull named Lola owned by Amy L. Schoenfeld attacked a 6 month old puppy cared for by Judy A. Mueller. A dangerous dog order was issued and this investigation is ongoing.</p>					
Vehicle Information: (Year, Make, Model, Style, Color)					
License Number:		State:		Expiration Year:	
Vin:		Insurance Company:			
Other Vehicle Information:				NCIC#	
Reporting Officer(s): Webster, Kyle				Payroll Number : 9900	
				Report Date: 05/20/2018	
Time Received: 20:49:29		Time Cleared: 21:37:18		Unit(s) Assigned: 235, 236, 233	
Pages: 1 Of 3					
Reviewed by: Clerical and Coding Manz, Tra		Payroll Number : 9656		Copy To	

Date: 05/20/2018

CFS Code-1: 7399D

Incident Report Number: 18-018602

West Allis Police Department**Continuation**

Incident Report Number

18-018602

Incident Location:

2233 S 67 Pl, West Allis, WI, 53219

Incident Date:

05/19/2018

NAMES**Offender**

Schoenfeldt, Amy L W/F-34 of 2231 S 67 Pl, West Allis, WI, 53219

DOB: 04/14/1984

HT: 510 WT: 205 Hair: Blonde or Strawberry

Eyes: Blue

Cell Phone: (414) 688-3486

NARRATIVE

My involvement on scene was recorded by my department issued body worn camera. The following narrative is a summary and is not verbatim.

INITIAL DETAILS

On 05/19/18 at 2049 hrs., officers responded to 2233 S. 67 Pl. for an animal on animal attack. On arrival, I spoke with Judy A. Mueller who was dog-sitting her son-in-laws puppy when it was attacked.

STATEMENT OF JUDY A. MUELLER (COMPLAINANT)

Judy was in the backyard of the address and was watching her son-in-laws six month old puppy, Youssi. Youssi is a beagle and pointer mix. Judy stated two dogs came into the yard and attacked Youssi. The dogs were on top of Youssi. I felt wet spots on Youssi's fur possibly from saliva. Judy recognized one of the dogs, a white pit-bull, as Lola. Judy stated Lola lived two houses north of the residence. Judy called Lola's name and her neighbor, Rick, separated the dogs. Judy stated the other dog involved was brown in color.

I attempted to speak with Judy's neighbor, but he was highly intoxicated and did not make sense when he spoke.

CONTACT WITH AARON GOLDBERG (VICTIM)

I subsequently spoke with Aaron over the phone. Aaron wanted a citation issued and said he would not be placing a fence around his yard.

CONTACT WITH AMY SCHOENFELDT (OFFENDER)

Amy said she has two pit bulls and one of the dog's name is Lola. Amy said her dog's were out and possibly got out because the gate of the fence was left open. Amy was inside of her residence during this incident. I was not able to

Reporting Officer(s):

Webster, Kyle

Payroll Number :

9900

Pages::

2 Of 3

West Allis Police Department**Continuation**

Incident Report Number

18-018602

Incident Location:

2233 S 67 Pl, West Allis, WI, 53219

Incident Date:

05/19/2018

definitively determine whether Amy's other dog was involved in the incident. Amy said Lola is not aggressive but her other dog, "Rocky", is aggressive. Amy said her dogs are black and white in color.

DANGEROUS DOG PAPERWORK

On scene, I issued Amy the dangerous dog form.

CITATION/APPEAL LETTER

On 05/23/18, I mailed a Citation for Allowing a Dog to Run at Large and the appeal letter to Amy's address.

CASE DISPOSITION

Amy was mailed a citation for allowing a dog to run at large. The dangerous dog form was completed and forwarded to the Health Department.

Reporting Officer(s):

Webster, Kyle

Payroll Number:

9900

Pages::

3 Of 3

You Are Notified to Appear

Appearance Required:

NO

Date

JUN-25-2018

Time

08:30 AM

Form No. and Version CT

MUNI

0405

CITATION NO.

1S8049LVR4

WEST ALLIS CITY MUNICIPAL COURT
11301 W LINCOLN AVE
WEST ALLIS, WI 53227

Juvenile

DEPOSIT

Cash- Card

\$187.00**N N**

Court Use

Defendant (Last Name, First, Middle), Street Address, P.O. Box, City, State, Zip

SCHOENFELDT, AMY L

2231 S 67TH PL
WEST ALLIS WI 53219

Birth Date

4/14/1984

Sex

F

Race

W

HT

510

WT

205 LBS

Hair

BLOND

Eyes

BLUE

Driver License/Identification Card Number

State

Exp. Yr.

Name and Address of Parent/Guardian/Legal Custodian (Parent)

Other Identification Number

ID Type

License Plate Number

Plate Type

State

Exp. Yr.

Defendant Telephone Number

Telephone Number of Parent/Guardian/Legal Custodian

Plaintiff**CITY OF WEST ALLIS**

Violation Description

Ordinance Violated

WA-7.121(3)

Adopting State Statute

Agency Space

18-018602

Ordinance Description

ALLOW DOG TO RUN AT LARGE

Week Day

Date

Time

SATURDAY 05/19/2018**08:49 PM**

From/AT Hwy No. and/or Street Name

2239 S 67TH PL

County

City/Village/Town

MILWAUKEE - 40**WEST ALLIS - 60, CITY**

Officer Name

OFFICER K. WEBSTER

Date Citation Served,

05/23/2018

Method

MAILED

Residence Contact Name

Age

Officer ID

Department

9900**WEST ALLIS POLICE DEPARTMENT**

(If left with person at defendant's address)

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**WISCONSIN NON TRAFFIC
CITATION AND COMPLAINT**