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JUN 29 2017

CITY OF WEST ALLIS
CITY CLERK

To the City of West Allis,

We, Gregory Manlove and Cassandra Najera, are writing in response to the dangerous dog ordinance for our dog Porter "Bubba" Najera. We would like to first state that the incident that occurred on the front porch of our home was a single occurring incident and has never happened before nor will ever happen again. Porter is a family friendly, patient, and silly dog. He has gone through an extensive two week long one-on-one training with Suburban K-9 and his trainer, Jessica, can speak on behalf of his good behavior if need be.

He has since lived with us for over a year in the Buckler residence condominiums downtown wherein he was always very well behaved with everyone that he came in contact with in the hallways and outside in the city. We lived on the ninth floor of twelve in one of eleven separate units per floor. The staff at the front desk was always very fond of his good behavior and high tolerance towards strangers and delivery persons both at the front desk and within the hallways.

He is also a very social dog and frequents many dog parks as well as extensive walks in around both downtown Milwaukee and West Allis. He likes meeting new people in the street, shaking their hands and sitting for good praise. He also enjoys frequenting dog parks such as Roverwest in the Riverwest neighborhood, Curry dog park in Tosa, and the Run Way in Oak creek. In the parks he is very friendly with other dogs and people alike and loves making new friends. He has become a staple dog for the people of the Riverwest neighborhood and has made friends throughout the parks system.

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Upon moving to West Allis he took a liking to his new home and backyard and loves going on long walks through the new town. The incident that occurred was that of a pizza delivery man getting bit by porter on our front porch when he was accidentally let out upon the man's arrival. As most dogs do find the need to bark at any stranger that comes to the door be it a delivery man, postal worker, or friend, Porters behavior was not out of the norm. What occurred after, however, was very out of the norm for Porter and we have taken further training methods to pacify his aggression towards approaching strangers such as having friends ring the door bell or knock at the front door and correcting his behavior then as well as having our friends give him a treat when they enter the home to allow him time to sniff them etc. These methods have proven successful and his aggression has begun to pacify.

We would like to end this letter by restating that Porter is a very friendly dog whose actions that night were a single occurrence that will not be repeated again. Thank you for your time and consideration.

Sincerely,

Greg Manlove and Cassandra Najera

414-405-6876
414-305-0204

Oper: WQLS.ML. Type: CC Drawer: 1
Date: 6/29/17 01 Receipt no: 44879
A1 APPEAL-ARRB
NAJERA, CASSANDRA 1.00 \$50.00
CK CHECK PAYMEN 194 \$50.00
Total tendered \$50.00
Total payment \$50.00
Trans date: 6/29/17 Time: 16:57:39

ORDER DANGEROUS DOG


Date: 05/30/17Owner's Name(s): Cassandra M. NajeraAddress: 8319 W RogersAddress: West Allis, WZName of Dog: PorterDescription of Dog: Tan/Short hair/Male/Hound 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 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 file an appeal pursuant to the provisions of Section 7.126(5)(b).

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

Signature: 
Name of Officer / Department**Service: (check one)**☒ in-person☐ mail

If in person, complete the following:

Date/Time: 05/30/17Name of person served: Cassandra M. NajeraLocation: 8319 W Rogers

(6) Harboring Dangerous Dogs.

(a) Dangerous Dogs Regulated.

1. Prohibited dangerous dogs are not allowed in the City. No person may bring into or keep in the city any dog that is a prohibited dangerous dog under this section.
2. No person may harbor or keep a dangerous dog within the city unless all provisions of this section are complied with.
3. No person shall obstruct, provide false information, or otherwise unreasonably interfere with officers of the department in the enforcement section or in the capture of any dog suspected of being dangerous.
4. The issuance of a citation for a violation of this section need not be predicated on a determination that a dog is a dangerous dog.

(b) Registration. The owner of any dog declared dangerous, shall register it with the Police Department upon disposition, and annually thereafter on or before April 1st of each year, by providing a current color photograph of the dog and payment of a seventy-five (\$75.00) registration fee.

(c) Leash and Muzzle.

1. No owner or caretaker, harboring or having the care of a dangerous dog may permit such a dog to go outside its dwelling, kennel or pen unless the dog is securely restrained with a leash no longer than ten (10) feet in length.
2. No person may permit a dangerous dog 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 dog and capable of physically controlling and restraining the dog, is in physical control of the leash.
3. A dangerous dog may be securely leashed or chained to an immovable object, with the owner or caretaker being in the physical presence of the dog at all times when it is so leashed or chained.
4. A dangerous dog outside of the dog's dwelling, kennel or pen shall be muzzled in a humane way by a muzzling device sufficient to prevent the dog from biting persons or other animals.

(d) Confinement.

1. Except when leashed and muzzled, all dangerous dogs 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 dog 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 childproof 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 dog shall be locked with a key or combination lock when the dog 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 dogs 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 dog 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 dog to exit the building on its own volition. No dangerous dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only

obstacles preventing the dog from exiting the structure.

(e) Signs. The owner or caretaker of a dangerous dog 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 dog on the property. A similar sign is required to be posted on the kennel or pen of the dog. In addition, the owner or caretaker shall conspicuously display a sign with a symbol warning children of the presence of a dangerous dog.

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

(g) Microchip Requirements. Within thirty (30) days after dog has been designated dangerous, the owner must provide written proof from a licensed veterinarian that a microchip has been placed in the dog so that the dog can be easily identified. The microchip must be numbered, and the number must be provided to the Police Department within twenty-four (24) hours of placement.

(h) Liability insurance. The owner or caretaker of a dangerous dog shall present to the Health Officer or Humane Officer a certificate of insurance that the owner has procured liability insurance in an amount not less than \$1,000,000.00 for any personal injuries inflicted by the dangerous dog. Whenever such policy is cancelled or not renewed, the insurer and dog's owner or caretaker shall notify the Health Officer or Humane officer of such cancellation or non-renewal in writing by certified mail.

(i) Waiver.

1. Upon request, by the owner or caretaker, the Administrative Review Board may waive any requirement specified in subsections (b) to (h) that is deemed to be inappropriate for a particular dangerous dog.
2. The Health Officer may waive the provisions of subsections (b) to (h) for a military dog, or circuses, zoos or other animal shows or exhibitions, which are properly licensed, upon presentation by the dog's owner or handler of satisfactory arrangement for safe keeping of the dog.

(j) Notification. The owner or caretaker shall notify the Police Department within twenty-four (24) hours if a dangerous dog is unconfined, has attacked another animal, has attacked a human being or has died. The owner or caretaker shall notify the Police Department immediately if a dangerous dog is at large. No person may sell or transfer possession of a dangerous dog to another person without first notifying the person to whom the dangerous dog is being sold or transferred of the fact that such dog is a dangerous dog and of any requirement imposed upon the selling or transferring party by this division. No person may sell or transfer possession of a dangerous dog 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 dog. If the dangerous dog is sold or given away to a person residing outside the City, the owner or caretaker shall present evidence to the Police Department that he or she has notified the Police Department or other law enforcement agency of the dog's new residence, including the name, address and telephone number of the new owner of the dangerous dog.

(k) Euthanasia.

1. If the owner or caretaker of a dog that has been designated a dangerous dog is unwilling or unable to comply with the regulations for keeping the dog in accordance with this section, he or she may have the dog humanely euthanized by an animal shelter, the humane society or a licensed veterinarian.
2. 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.