

Preston D. Cole Commissioner

Thomas Mishefske Operations Director

Michael Mazmanian Operations Director

July 9, 2018

SAMANTHA & 1757 S 115TH CT #104 MILWAUKEE WI WEST ALLIS WI 53214

Dear DEAR MS CONE:

Please be advised that a "Dangerous Animal" appeal hearing is scheduled for Thusday, July 19, 2018 at 10:00 am regarding an injury and/or attack which you either witnessed, were part of, or have some knowledge of having happened on 6/20/18. The appellant is dog owner Kurtis Gelhar.

You are hereby requested to appear on the above date as your testimony may be crucial to the status of this animal. The scheduled hearing will be held at 4001 S. 6th Street, 3rd Floor.

Directions: Take J-43 South to the Howard Ave, exit. Turn left onto Howard Ave, (you will be going west on Howard Ave.). Turn left again onto S. 6th Street and proceed to the Robert Anderson Building (formerly a water tower) located on the west side of the street. There is plenty of parking available on both S. 6th Street and on Norwich Ave.

If you have any further questions or comments, contact my office at 286-5771 between the hours of 8:00-9:30 a.in.

Sincerely,

Mario Hernandez, Manager Residential Code Enforcement

CC: Hupy & Abraham, s.c.

This material is available in alternative formats for individuals with disabilities upon request. Provide a 72 hour advance notice, seven days for Braille, to ensure accommodation of request. Anyone who requires an auxiliary aid or service for this event should contact the City of Milwaukee ADA Coordinator @ (414) 286-3475 or ADA Coordinator @ milwaukee.gov as soon as possible but no later than 72 hours before the scheduled event. TTY: 711.







MH:mo Ref: dangwit

/dns ·



Department of Neighborhood Services Enforcement Section 841 N. Broadway Milwaukee, WI 53202

Inspection Date 06/28/2018 ORD-18-08329

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

KURTIS GELHAR 6304 N 119TH ST MILWAUKEE, WI 53225

Re: 6304 N 119TH ST

Taxkey #: 148-0501-000

A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below within 7 days of service of this order.

1) 78-23.1 The Commissioner has declared your animal to be a Dangerous Animal. Comply with Section 78-23-1 through 7 and 9 and 10 of the Milwaukee Code of Ordinances OR have your dangerous animal euthanized at the Milwaukee Area Domestic Animal Control Commission or other licensed veterinarian. Provide written proof of the euthanization to the Department of Neighborhood Services.

For any additional information, please phone Timothy Twaddle at 414-286-5438 or between the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday. Violations can also be viewed on our website at www.milwaukee.gov/lms.

Per Commissioner of Neighborhood Services By -

Recipients:

KURTIS GELHAR, 6304 N 119TH ST, MILWAUKEE, WI 53225

KURTIG R GELHAR, 6304 N 119TH ST KIMBERLY L GELHAR, MHWAUKEE, WI 53225 NOTMA: Lef 6/28/16 32

OFFICIAL NOTICE OF VIOLATION

The City of Milwaukee - Department of Neighborhood Services

To Whom It May Concern:

Let this letter serve as notice that we are filing an appeal regarding our dog, Gidget, being classified as a dangerous animal. We feel this decision was made based solely on the injuries sustained by the child on 06/20/2018 and the account of the family. Yes, the extent of the child's injuries was terrible, but more than once her father said to people that his daughter was "attacked" by a dog. This is a lie. Gidget did not attack the child. The parents were fully aware that abuse trauma and a head injury led Gidget to sometimes be unpredictable if she was startled or frightened. Several attempts were made to put Gidget somewhere away from everyone but the child's mother insisted that we allow her to stay out because her daughter loves dogs and had been around Gidget before. While we were outside, the child asked her parents if she could pet Gidget and they gave their permission. Gidget was playing happily and came over to greet her and she pet her on the back. There was absolutely no problem at this time. However, a little while later, Gidget had taken one of her toys and was lying down with it when the child came up beside her and tried to touch her head. It was at this time that Gidget was startled and she turned and bit the child. Again, she did not attack the child. It was one bite and she immediately let go. Had it been an adult who had startled her and been bit, it would have been an injury to the hand. However, given the height of the child, the bite was, unfortunately, to her face. It was a terrible accident, and I deeply regret that I did not follow my own instincts to put Gidget somewhere else while we had friends over.

That being said, in the almost eight years since we rescued Gidget, she has never once displayed aggression or malice to any person or dog. As I said, she has, on occasion, snapped at us if we startle her, but she has never just snapped at us or tried to harm us – or any other guest we have ever had – in any way. When we go out for walks, she is excited and happy when she sees people and loves when they stop to pet her. On these walks, there are also several neighborhood dogs whom she will greet excitedly. She has never once tried to go after another animal or even barked at people or animals as they pass. Nor has she ever been aggressive towards strangers who may walk by our house when she is in the yard. We have several neighbors and other people who have spent time with Gidget who are willing to write letters attesting to the fact that she is not a mean or aggressive dog. She is a dog who was startled and who thought she needed to protect herself. While the child did not purposely antagonize or provoke Gidget, the lawyer we spoke with informed us that provocation of a dog

does not have to be intentional. Something as simple as a child trying to give a dog a hug could startle it and it may feel threatened and that, according to the lawyer, constitutes a form of provocation. I am in no way saying that the child or anyone else is to blame in this situation, but it needs to be clear that this was not a case of a dog just lunging at or maliciously attacking a child. We have every intention of ensuring that something like this does not happen again by making sure that Gidget is put in a separated area when we have people over. However, we feel that there needs to be more of an actual "investigation" into the situation before our dog is classified as dangerous or vicious.

If you have any questions and/or if you could provide us with what information you need to move forward with this appeal, please feel free to contact me at . Thank you for your time.

Sincerely

Kimberlyn Gelhar

Regarding:

Kurtis and Kimberlyn Gelhar

6304 N 119th Street

Milwaukee, WI 53225

ANIMAL BITE RECORD	Complaint No. TT ENF-AC-18-0071235
Milwaukee Neighborhood Services	
Animal Owner Burtis Gerhar Address L	1004 N 11942 D
Date of Birth Phone No. (home) (w	ork) 53235
Reported by 3 1 Citizen 2 Police 3 Hospital 4 Physician 5 MADA	CC 6 Other
Person Bitten Date of Birth Sex Parent/Guardian if minor Sarrautra Care	· j
Address 1757 5. 115 Ct Apt 104 Phone No. (home)	(work)
Victim notified to contact physician Yes 🗹 No 🔲 Date	
Rabies vaccination status Current None Unknown Tag No Vaccination Date Expira	Norwood. Animal Horge
Is animal quarantined Yes No lif yes, location	1ADACE
Animal Type 1 Dog 2 Cat 3 Other	
How Bite Occurred 1 Provoked 2 Unprovoked 3 Playful 4 U	nknown 5 Conflicting Statements
Wound Location (specify) · License No.	
Name of Animal Glace License No Breed pt bull max Mestagolor Black white Age	
Deinopostion H6	einspection Reinspection Are 6/28/18 Date
Handouts	
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Activity A Postal Duldogowna pro	ne DW/ Ulctim + family 1 4
	14 Dangerous Animal .T
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Insp. 1D 825670 Tueddie M.	<u></u>
Comments MADACC Sunday Lly 15 release such dule) · · · · · · · · · · · · · · · · · · ·
Comments / 11/11/11/11 / 1/2/2/2014 1/2/2014 1/2/2014	

Handouts 1 Educational Material; 2 License Application; 3 Educational Material & License Application

Activity 4-Quarantine at Home 5-No Contact DNS 393; 6-No Contact DNS 72; 7-Conference 8-Quarantine Release 9-Notify Person Bitten 10- Inspect-Not Actionable; 11- License/Rabies Vaccination Enforcement; 12- Quarantine at MADACC; 13- Interim Inspection; 14- Other Enforcement; 15- Referred; 16- Animal Lab Test; 17- Recommend MD Treatment Letter; 18- Citation Issued 19-Other.

Complaint No
ADDENDUM TO BITE REPORT
Animal Owner's Name Kurtis Gelhar
Address of Animal 6304 W. 119th
Date and Time of Day of Bite 6/20/18 6:15 pm
Where Bite Occurred (address, yard, sidewalk, street, etc.)
Type of Injury (puncture, scratches, laceration, abrasion) <u>laceratums</u> to the 51de of
face, lip and nose,
Circumstances of Bite
Animal Owner's Statement Kimberlyn Gela: Blanding around in
Backyard Victim wanted to pet the dog. The dog
- had a toy and the wanted to put the dog away.
The child went for the dog and kin tried to
grab her and the dog was startled and bit
the shild.
Person Bitten's Statement Samantha, The dog was Nice when they got tre
asked if she could fet the dog. Samuetha told
her she could. She approached the dog from the side
and the doy a Hacked her.
J
Witnesses (name, address, phone number)

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ENF_AC_18-00763

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Reports

File Date: 06/21/2018 Application Status: Open Description of Work: dog blie

Case Detail: Detail

Case Type: Animai Nulsance Case

Address: 6304 N 119TH ST, MILWAUKEE, WI 532251117

Owner Name: KURTIS R GELHAR

Owner Address: 6304 N 119TH ST, KIMBERLY L GELHAR, MILWAUKEE, WI 53225

Violator Name: Please see the Case Summary page for a complete list of violators.

Parcel No: 1480501000

Contact Info: Name

Organization Name

Contact Type Person Bitten Address

Contact Primary Address

Αœ

Custom Fields: GENERAL

Lagan ID

Priority

Case Type

Fire District

lmage

Other City Department

Confidential Status

ANIMAL BITE Date of Bite

if yes where is it quarantined

How did bite occur .

License Number

Cat breed

Animal Sex

MD Treatment letter

Vaccination Date

Where Occurred

NON-HUMAN EXPOSURE

Aggressor Animal Name

Expiration Date

Animal deleared prohibitively dangerous

Rebies test results

Rejationship Person Bitten

1757 S 115th Cl...

MPROP Land Use

<u>8810</u> Priority Type

Complaint Information

Aldermanic District undefined Police District

4 Side

ASR Number

Victim Notified to Contact Physician

Is there a hold on animal

Wound location

Dog breed Cat color

Animal PTS

Rabies vaccination status

Expiration Date

Owner of Injured Animal

Rabies Tag Number

Rott/Pitt Order Issued

CASE HISTORY

Change By Change Date Changed Comment Changed Complaint Changed Response District DSS Status Complaint Status Create date Create time Entry by Resource

Workflow Status: Task

Assigned To Timothy Twaddle Status

Status Date

Action By

Investigation Condition Status: Name

Short Comments

Status

Apply Date Date

Severity

Action By

Case Comments: View ID

initiated by Product: AV360

Total Fine Assessed: \$0.00 Total Fine Invoiced: \$0.00

https://av3.accela.com/portlets/spa/dashboard.do#/spaces/255f9

PV-1E (Rev. 02/15).....

MILWAUKEE POLICE DEPARTMENT VICIOUS ANIMAL REPORT

district 4		Date <u>06/22/20</u>	718
ame of person injured	Phone	D.O,B.	Sex
751 S. 115 th Ct. #104 West Allis, WI 53214	Samantha N. C	Cone	11 5 21
ddress	Name of Parent /	Guardian (if person inju	
304 N. 119 th St, Milwaukee, WI 53225		06/20/2018	6:15 P.M.
lace of occurrence		Date	Time
acial injuries		•	
xtent of Injuries			
limberlyn E. Gelhar			02/08/1962
lame of owner of dog		Phone	·D.O.B.
304 N. 119 th St. Milwaukee, WI 53225	T		
ddress			
Pit Bull mix	8	Female	None
Preed of dog	Age	Male or Female	License No.
he child approached the dog from the right significant the face an unknown amount of times the mouth, cheek and forehead. MADACC res	ide rear and startled s causind iniury suf	a the dog. The dog ficient for numerous	s stitches around
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JUST THE FAX

TO: DNS
AGENCY DNS
COMPANY
ADDRESS 4001 S. Lethsb 2 nd Floor
FAX NUMBER (AM) 286-5165
FROM D.D. Tilliams
BUREAU/LOCATION MPD/04
ADDRESS 6929 W. Silver Spring Ur.
FAX NUMBER (414) 985-7114
URGENT FOR REVIEW X_PLEASE REPLY PER YOUR REQUEST
THIS PAGE IS PAGE ONE OF 3 PAGES
COMMENTS:
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Department of Neighborhood Services 4001 S 6th Street, 2nd floor Milwaukee, WI 53221 286-5771

INSP Tuncedle

DIST /(7___

QUARANTINE ORDER

To: Curtix Gelhar Date: 6/26/18
A report has been received that someone was bitten by your dog/cat. Per Section 78-27 of the Milwaukee Code of Ordinances, you are hereby directed to confine your animal to your premises until 6/30/18
and to keep your animal under your control. Please arrange to be home when we return to inspect your animal on the above date. Do not sell or give away the animal until after the inspection is made on the above date. Your animal may
NOT receive a rables vaccination during the 10 day quarantine period following the day of the bite.
Owner's Address 6304 N.119+ 5+
Inspector Twandy 286-5438 . Earl Fel Inspection.
I hereby certify that on the $\frac{26}{26}$ day of $\sqrt{\omega c}$, 20 $\frac{17}{20}$ in the City of Milwaukee, State of Wisconsin, I duly
served an order, of which the above is a true copy, upon <u>Curtis Gellan</u> delivering to
and leaving with personally, said order.
Signed June DNS-344 Quarantine Order V1.0 TNW 10/17/07



Department of Neighborhood Services **Enforcement Section** 841 N. Broadway Milwaukee, WI 53202

Inspection Date 06/28/2018 ORD-18-08329

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

Department Copy

Re: 6304 N 119TH ST

Taxkey #: 148-0501-000

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A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below within 7 days of service of this order.

1) 78-23.1 The Commissioner has declared your animal to be a Dangerous Animal. Comply with Section 78-23-1 through 7 and 9 and 10 of the Milwaukee Code of Ordinances OR have your dangerous animal euthanized at the Milwaukee Area Domestic Animal Control Commission or other licensed veterinarian. Provide written proof of the euthanization to the Department of Neighborhood Services.

For any additional information, please phone Timothy Twaddle at 414-286-5438 or between the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday. Violations can also be viewed on our website at www.milwaukec.gov/lms.

Per Commissioner of Neighborhood Services By -

Recipients:

KURTIS GELHAR, 6304 N 119TH ST, MILWAUKEE, WI 53225

KURTIS R GELHAR, 6304 N 119TH ST KIMBERLY L GELHAR, MILWAUKEE, WI 53225

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OFFICIAL NOTICE OF VIOLATION

The City of Milwaukee - Department of Neighborhood Services

FAILURE TO COMPLY

Failure to correct the violations noted herein within the time set, or failure to comply with the order as modified by an appellant board and maintain compliance, may subject you to prosecution and to daily penalties of \$150.00 to \$10,000 in the manner provided in Section 200-19.

Also, any infraction of this order may result in a citation under Section 200-12-5 of the Milwaukee Code of Ordinances Volume II.

RIGHT TO APPEAL

You may file an appeal within 72 hours. The Milwaukee Code of Ordinances requires that a written appeal of this order be received by the compliance date. If service of this order is made by mail, the appeal shall be received by the compliance date plus 5 days

Violations of Chapter 78-23 and 78-25 of the Milwaukee Code of Ordinances must be appealed in writing to Atm: DNS Residential Division Manager, 4001 S 6th St, 1" floor, Milwaukee WI 53221. Phone 414-286-5771.

If an appeal is pursued, it is your responsibility, as the apellant, to file with the appropriate department. Please contact the inspector that issued this order if you are unclear on this issue. Filling an appeal with the incorrect department may render your appeal null and void.

REINSPECTION FEES

In accordance with Section 200-33-48, a fee may be charged for any reinspection, except no fee shall be charged for the final reinspection when compliance is recorded. The fee is \$101.60 for the first reinspection, \$203.20 for the second and all subsequent reinspections. These fees include a 1.6% training and technology surcharge. Reinspection fees shall be a lien upon the real estate where the reinspections were made and shall be assessed and collected as a special tax. If you wish to contest the assessment of a reinspection fee, contact the inspector, and, if necessary, the inspector's supervisor. If no agreement is reached, an appeal form will be mailed to you, which you can complete and send to the City's Administrative Review Appeals Board. Any question regarding the actual appeal process, please contact the Administrative Review Appeals Board at (414) 286-2221. Please be aware that there is a fee required when filing an appeal.

TRADUCCION EN ESPAÑOL

Si Ud, necesite ayuda para la traducción, de esta información, comuniquese con el 'Centro Hispano' Council for the Spanish Speaking, Inc., 614 W. National Avenue, Milwakee, WI 53204. Teléfono: (414) 384-3700 o Community Advocates, 728 N. James Lovell St., Milwaukee WI, 53233, Teléfono: (414) 449-4777

LUS HMOOB

Yog koj xav tau kev pab txhais cov lus no, thov hu mus rau koomhaum Hmong/American Friendship Association, 3824 West Vliet Street, Milwaukee, WI 63208, xovtooj yog (414) 344-6575.



Preston D. Cole Commissioner

Thomas Mishefske Operations Director

Michael Mazmanian Operations Director

July 9, 2018

TO: City Clerk's Office

FR: Department of Neighborhood Services

OFFICIAL NOTICE OF ANIMAL HEARING

This is to notify you that on Thursday, July 19, 2018, a Dangerous animal hearing will be held regarding the Bulldog/ Mastiff mix, named Gidget, owned by Kurtis Gelhar residing at 6304 N 119th st.

The meeting will be held at: 4001 S. 6 Street

3rd Floor 10:00 a.m.

If you have any questions, please contact Marcie at (414) 286-5771.

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Anyone who requires an auxiliary aid or service for this event should contact the City of Milwaukee ADA Coordinator @ (414) 286-3475 or ADACoordinator@milwaukee.gov as soon as possible but no later than 72 hours before the scheduled event. This material is available in alternative formats for individuals with disabilities upon request. Provide a 72 hour advance notice for large print and 7 days for braille documents.



Large Print







Department of Neighborhood

July 9, 2018 MILWAUKEE WI 53225

Ð	CERTIFIED MAIL® RECEIPT
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T1 -₹	S Total Postage and Fees S
무지미신	Sant To Street KURTIS GELHAR
	PS Form 3800, April 2015 PSN 7510-82000-9547 See Reverse for Instruction

Re: Appeal Hearing on the order issued regarding a dangerous animal located at 6304 N 119TH ST

Dear MR GELHAR:

KURTIS GELHAR 6304 N 119TH ST

Per your petition, the hearing of your appeal on the order issued to you on 6/28/18 in regard to your dangerous dog named "GIDGET", has been scheduled for Thursday, July 19, 2018 at 10:00 a.m. at 4001 S. 6th Street, 3rd floor. The appeal panel will be meeting to hear testimony from yourself, other citizens and the department regarding the circumstances concerning the issuance of the Dangerous Animal Order. Please be present at the hearing and should you decide to retain legal counsel, you must notify DNS five business days in advance of the hearing.

The appeal panel after hearing testimony will make a determination regarding the order issued to you on 6/28/18. If there is no appearance on your behalf at the above-mentioned hearing, it will be assumed that you do not wish to follow through on the appeal and the action of the committee will be based on the testimony set forth by the department and others.

Since personnel are brought in from outside the Department of Neighborhood Services, it is essential that you be present at the date and time specified herein.

Very truly yours,

Mario Hernandez, Manager Residential Code Enforcement

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This material is available in alternative formats for individuals with disabilities upon request. Provide a 72 hour advance notice, seven days for Braille, to ensure accommodation of request. Anyone who requires an auxiliary aid or service for this event should contact the City of Milwaukee ADA Coordinator @ (414) 286-3475 or ADA Coordinator @ milwaukee.gov as soon as possible but no later than 72 hours before the scheduled event. TTY: 711.



Large Print



MH:mo Ref: dangappeal





Preston D. Cole Commissioner

Thomas Mishefske Operations Director

Michael Mazmanian Operations Director

July 9, 2018

John McDowell, Shelter Supervisor Milwaukee Area Domestic Animal Control, MADACC 3839 W. Burnham Street West Milwaukee, WI 53215

Dear Mr. McDowell:

Thank you for agreeing to participate as a member of the Department of Neighborhood Services Dangerous Animal Panel. The hearing panel will convene on Thursday, July 19, 2018 at 10:00 a.m. at 4001 S. 6th Street, 3rd floor conference room.

Please review the enclosed case materials before you arrive.

Parking is allowed either around the building or free street parking is available on S. 6th Street and on Norwich Avenue.

If you have any questions, please call Marcie at 286-5771.

Very truly yours,

Mario Hernandez, Manager Residential Code Enforcement

MH:mo

Enclosures

Ref: dangmcdowell





Preston D. Cole Commissioner

Thomas Mishefske Operations Director

Michael Mazmanian Operations Director

July 9, 2018

South Milwaukee Health Department Dave Krey 2424 15th Ave. South Milwaukee, WI 53172

Dear Mr. Krey:

Thank you for agreeing to participate as a member of the Department of Neighborhood Services Dangerous Animal Panel. The hearing panel will convene on Thursday, July 19, 2018 at 10:00 a.m. at 4001 S. 6th Street, 3rd floor conference room.

Please review the enclosed case materials before you arrive.

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If you have any questions, please call Marcie 286-5771.

Very truly yours,

Mario Hernandez, Manager Residential Code Enforcement

MH:mo

Enclosures

Ref: dangKrey





Preston D. Cole Commissioner

Thomas Mishefske Operations Director

Michael Mazmanian Operations Director

July 9, 2018

Dr. Libby Gutting, DVM
Medical Director
Milwaukee Area Domestic Animal Control, MADACC
3839 W. Burnham Street
West Milwaukee, WI 53215

Dear Dr. Gutting:

Thank you for agreeing to participate as a member of the Department of Neighborhood Services Dangerous Animal Panel. The hearing panel will convene on Thursday, July 19, 2018 at 10:00 a.m. at 4001 S. 6th Street, 3rd floor conference room.

Please review the enclosed case materials before you arrive.

Parking is allowed either around the building or free street parking is available on S. 6th Street and on Norwich Ave.

If you have any questions, please call Marcie at 286-5771.

Very truly yours,

Mario Hernandez, Manager Residential Code Enforcement

MH:mo

Enclosures

Ref: dangvet

