

AR 180-71



IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN 30 DAYS OF ASSESSED CHARGES. Checks should be made payable to: City of Milwaukee and a copy of the bill should be included with your appeal.

IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK
When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

IF THE CHARGES HAVE ALREADY APPEARED ON YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

PLEASE READ CAREFULLY:

This Board may only determine if the City Department followed proper administrative procedures. It cannot hear appeals as to whether a Building Order is valid or not (those must be appealed to the Standards and Appeals Commission).

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
(414) 286-2231

DATE: 8/11/18

RE: 7953 W. Modford Ave
(Address of property in question)

Pursuant to Chapter 68 of the Wisconsin Statutes and Section 320-11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the administrative procedure followed by Dept of Neighborhood Services
(Name of City Department)

Amount of the charges \$

Charge relative to: Dangerous Dog

I feel the City's procedure was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received:

No investigative process to place to determine the dog in question is actually dangerous.

Byron A. Johnson
Signature

Byron A. Johnson
Name (please print)

7953 W. Modford Ave
Mailing address and zip code
53218

414-839-3717
Daytime phone number

CITY OF MILWAUKEE
CITY CLERK'S OFFICE
2018 AUG +2 P 2:26



Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

July 24, 2018

Byron Johnson
7953 W Medford Ave
Milwaukee WI 53218

Dear Byron Johnson:

The Prohibited Dangerous Animal Appeal Hearing was held on July 19, 2018 at 11am at the City of Milwaukee Lake Tower office. Present were Steve Obst, DNS officials and the three member hearing panel.

After testimony was received by all respective parties, the panel went into committee and rendered a decision declaring your dog, Griffin, to be a prohibited dangerous animal. Based on that decision, the order from the Department of Neighborhood Services stands.

You are ordered to euthanize your dog, Griffin, within seven days or permanently remove your animal from the City of Milwaukee.

If the animal is taken outside the city, you must provide the inspector with the full name, address and phone number of the person where the dog is proposed to reside. The City of Milwaukee will contact that municipality to determine if the animal will be accepted.

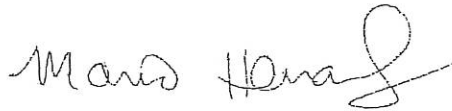
Failure on your part to comply with this order may cause the issuance of a citation which may result in a forfeiture ranging from \$150 to \$1,000 for each day of violations, disobedience, omission, neglect or refusal. In accordance with Chapter 200 Milwaukee Code, a re-inspection fee may be charged for any re-inspection, except no fee shall be charged for the final re-inspection when compliance is recorded. Re-inspection fees shall be a lien upon the real estate where the re-inspections were made.



July 24, 2018
Page 2

If the owner or caretaker further contests the determination, he or she may, within 5 days of receiving the panel's decision, appeal the decision to the administrative review appeals board. Enclosed is the appeal form. Return the form along with the \$25 filing fee to the address on the form.

Sincerely,



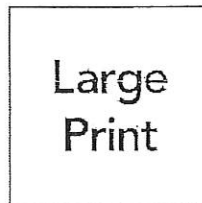
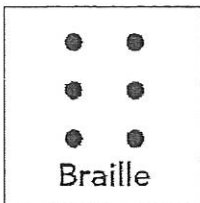
Mario Hernandez, Manager
Residential Code Enforcement

Enclosure

Cc: Petersen, Inspector
J. McDowell, Humane Officer, MADACC
Dr. Libby Gutting D.V.M., MADACC
Dave Krey, South Milwaukee
City Clerk

Ref: prohibited ruling

This material is available in alternative formats for individuals with disabilities upon request. Please contact ADA Coordinator, ADACoordinator@milwaukee.gov, 414-286-3475, TTY: 711. Provide a 72 hour advance notice, seven days for Braille, to ensure accommodation of request.



Receipt of A.R.A.B. Appeal Fee

Date:	8/2/2018
Received Of:	Byron Johnson
Property at:	Order to euthanize dog
Received By:	JP
Check # (If Applicable):	Ck#cash
Amount Received	\$25.00

CITY OF MILWAUKEE
2018 AUG -2 P 2:26
CITY CLERK'S OFFICE



Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
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July 24, 2018

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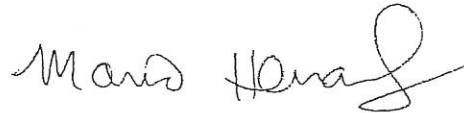


July 24, 2018

Page 2

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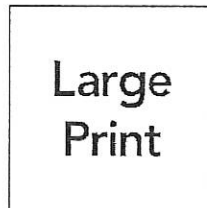
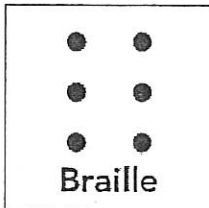
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J. McDowell, Humane Officer, MADACC
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Ref: prohibited ruling

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Hearing
Notice

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BYRON JOHNSON
7953 W MEDFORD AVE
MILWAUKEE WI 53218



9590 9402 2601 6336 2496 20

2. Article Number (Transfer from service label)

7016 1370 0001 4941 2514

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

[Signature]
SUSAN

C. Date of Delivery

7/17/18

D. Is delivery address different from item 1? If YES, enter delivery address below:

- ☐ Yes
- ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

Decision
Letter

7016 1370 0001 4939 4735

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

- \$ _____
- Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) \$ _____
 - ☐ Return Receipt (electronic) \$ _____
 - ☐ Certified Mail Restricted Delivery \$ _____
 - ☐ Adult Signature Required \$ _____
 - ☐ Adult Signature Restricted Delivery \$ _____

Postage

\$ _____

Total Postage and Fees

\$ _____

Sent To

Street: BYRON JOHNSON
7953 W MEDFORD AVE
City, S: MILWAUKEE WI 53218

7-27-18
Postmark
Here
[Signature]

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions.

PLEASE SIGN IN

7/19/18 PROHIBITED DANGEROUS ANIMAL HEARING RE: 7953 W Medford Ave

FULL NAME (PRINT)

ADDRESS (ZIPCODE)

Steve Obst

4760 Three Meadow Drive

Brookfield, WI 53005

Byron Johnson

7953 W. Medford Ave

Menasha, WI 53228







From: jan@synergisticdogtraining.com
Subject: Unfortunate death of a neighbors beloved pet
Date: Jul 9, 2018 at 2:49:13 PM
To: Byron Johnson johnson34@wi.rr.com

"Predatory drift" is a glitch in the system of the domestic dog, so to speak, and I want to stress that it is not aggression, although it often gets labelled as such by those unfamiliar with it. Predatory drift is when a dog gets aroused by the high-pitched sounds, the energetic struggles or the frenetic behaviour of an animal or even a person and becomes predatory towards it. The dog focuses with great intent on the object of its arousal.

Predation sounds like a pretty scary word and can create fears about aggression, but it is not the same. Predatory drift is just that - a drift from prey drive to predatory. It becomes dangerous when the object of predation is SMALL. Dogs may have lost the kill sequence of the predatory act, but a greater size and strength difference can result in death very easily. This is not an act of aggression, but the expression of a latent aspect of the prey drive.

The research on the subject suggests that any dog has the potential to drift from prey drive to predation. Dogs that have never shown any predatory proclivities, past aggression to other dogs and even dogs that are considered well-socialized can display it. It happens in an instant and is generally not preventable if it has not been witnessed in the past. This is where it gets its "unpredictable aggression" label from.

This is a description of predatory drift by Joan Klucha. Joan Klucha has been training dogs in tracking and obedience for more than 14 years. She worked with the Vancouver Police dog squad for seven years.

Byron Johnson has been training for longer than Joan and with breeds of dogs that are more apt to show predatory drift. His dog Griffin (G) has never had a problem (shown predatory drift) with any dogs or humans before this unfortunate accident.

It must be recognized that G was not acting out of aggression but out of prey drive and predatory drift. This dog has been training at my place, as well as other training venues for the 3 years I've known Byron. The dog is totally reliable and has characteristics of the German Shepherd Dog that are desired in the competition he was bred for. This dog is not just a pet. G was breed for generations to be the type of well-balanced dog that has the necessary prey drive to compete in a highly competitive sport. Obsessive amounts of time and money is spent on breeding, buying and training a dog of this caliber. Therefore, I feel it is not appropriate to consider euthanasia or relocation as the solution to a canine behavioral accident. This dog is a part of Byron's life and is more than a pet. But a mistake was made and an accidental death of a beloved pet occurred.

Byron Johnson, himself, is a highly trained, highly valued dog trainer known country wide for his superior expertise. Byron is also the most responsible person I know. Not only in his dog training but as a person. He would never jeopardize a dog's well-being in any form or fashion. Ever. And that's why his honesty in being a responsible trainer is well known. Money will not change Byron's attitude about training unsound dogs that are a menace to people or other animals. He is totally committed to being a good human being and an advocate for well trained, balanced, social dogs.

Byron deeply regrets the injury and subsequent death of another persons dog.

Please consider a more fair alternative to this situation, by requiring that G, when off Byron's fenced in property and in public, that the dog wear a basket muzzle and be kept on leash. The death of another dog was an unfortunate accident that stems from dogs being dogs, and a big dissimilarity in size.

Thank you.

JAN WOLF 

Sent from my iPad

Department of Neighborhood Services
Attn: DNS Residential Division Manager
4001 S. 6th St 1st floor
Milwaukee, WI 53221

To Whom It May Concern,

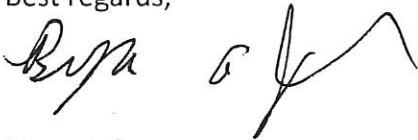
On the morning of Wednesday, June 20th, 2018 I took my dog (Griffin) to Butler Frontier Park. Upon arrival, I checked the park for activity (like I have done for the past 16 years). After believing everything was clear, I entered a wooded area with my dog. While walking in the woods, Griffin and another dog were engaged in an incident. The gentleman who had the other dog contacted the Butler Police Department, and information was provided to them at this period of time.

Upon returning home on Wednesday, June 26th, 2018, I saw a notice was attached to my door. Once read, I made contact with Inspector Timothy Twiddle on June 27th, 2018. In speaking with him, he made me aware the other dog had passed away, and he would be sending me more information regarding the incident. The paperwork was received on Friday, June 29th, 2018. In reading the paperwork, I noticed my options to correct this issue was to either microchip and remove my dog, or have him euthanized.

I am writing today to appeal the removal and/or euthanasia of my dog. I have been training dogs for the past 16 years, Griffin has been temperament tested (AKC Canine Good Citizen title), and have had dogs on the property since 1985 with no previous occurrences. If provided the opportunity to discuss this matter further, I believe a better solution can be found.

In the event there are questions, please feel free to contact me via my mobile device: 414-839-3717, or via email: johnson34@wi.rr.com.

Best regards,



Byron Johnson
7953 W Medford Ave
Milwaukee, WI 53218

2018 JUN 29 PM 4:11
BYRON JOHNSON
7953 W MEDFORD AVE
MILWAUKEE, WI 53218
414-839-3717
johnson34@wi.rr.com



INSPECTION REPORT AND ORDER TO CORRECT CONDITION

BYRON ALRIC JOHNSON
7953 W MEDFORD AV
MILWAUKEE, WI 53218

Re: 7953 W MEDFORD AV

Taxkey #: 187-0198-000

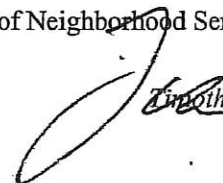
A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below **within 7 days of service of this order.**

1) 78-25 The Commissioner has declared your animal to be a Prohibited Dangerous Animal. Present the animal to the Milwaukee Area Domestic Animal Control Commission for the purpose of having a microchip inserted for identification (the cost of the procedure is your responsibility); then permanently remove the animal from the City of Milwaukee providing the Department with documentation of where the animal is relocated OR have the 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.

<<<GRIFFIN>>>

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 -



Timothy Twaddle

Recipients:

~~dog owned by Stephen Obst,~~ *Notmailed 6/27/18*
BYRON ALRIC JOHNSON, 7953 W MEDFORD AV, MILWAUKEE, WI 53218

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 Attn: DNS Residential Division Manager, 4001 S 6th St, 1st floor, Milwaukee WI 53221. Phone 414-286-5771.

If an appeal is pursued, it is your responsibility, as the appellant, to file with the appropriate department. Please contact the inspector that issued this order if you are unclear on this issue. Filing 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. necesita ayuda para la traducción, de esta información, comuníquese con el 'Centro Hispano' Council for the Spanish Speaking, Inc., 614 W. National Avenue, Milwaukee, 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 53208, xovtooj yog (414) 344-6575.

Complaint No. ENF.AC-18-00793

ANIMAL BITE RECORD (NON-HUMAN EXPOSURE)

Date of Bite 6/19/18

Inspector's Name Twaddle

Aggressor:

Animal Owner Byron A Johnson Address 7953 W Medford

Date of Birth 5/21/78 Phone No. (home) 839-3717 (work) _____

Name of biting animal griffier Breed german shep Age 5 Sex M

Color sable

Is aggressor vaccinated against Rabies? 0 Exp. _____ Tag No. _____

2013

Reported by _____ 1 Citizen 2 Police 3 MADACC 4 Other (2)

Victim:

Owner of Injured Animal Stepner DBST Phone No. (home) 262-781-1554

Address of injured animal 4760 Three Meadows Dr Phone No. (work) Brookfield WI 53005

Type of animal _____ Breed _____ Name Snickers Age _____

Wound Location died

Is victim vaccinated against rabies? _____ Exp. _____ Tag No. _____

Comments: Butler Police called to report attack

____ Animal was declared dangerous. (Attach copy to this form.)

☒ Animal was declared prohibitively dangers. (Attach copy to this form.)

____ Rott/Pit order issued. (Attach copy to this form.)

7953 W Medford Ave

Complaint No. _____

ADDENDUM TO BITE REPORT

Animal Owner's Name Byron A. JohnsonAddress of Animal 7953 W. Medford.Date and Time of Day of Bite 6/19/18Where Bite Occurred (address, yard, sidewalk, street, etc.) Butler Frontier park. along by
Menominee RiverType of Injury (puncture, scratches, laceration, abrasion) Broken Rib, puncture,
pierced lung

Circumstances of Bite

Animal Owner's Statement Byron Johnson: Walking in the park by the river,
Leash was on his person, not on the dog. The dog
was out of his sight for 5 seconds, and he came
around the corner and saw OBST, who was visibly upset.
The dog had a prey response and attacked OBST's dog.
by the time he came around the corner.

Person Bitten's Statement Stephen OBST: walking on a path at
and a German Shepard came at him at a high rate
of speed and slammed into his dog, attacking him.
The dog had (sarcers) & sustained a broken rib, a punctured
lung and died of "sepsis".

Witnesses (name, address, phone number) _____

BUTLER POLICE DEPARTMENT



12621 W. Hampton Ave.

Butler, WI 53007

Phone (262) 781-2431

Fax (262) 783-2539

DISPATCH: 262 446 5070

FAX TRANSMITTAL SHEET

To: Rupita From: BPD
Company: City Mtlw. Date: 06-25-18
Fax Number: 4-286-3386 Total Number of Pages Including Cover: 5
Re: Dog bite report
Notes/Comments:

per our conversation
this am.

Thank you

R Mateick

Victim animal
died 6-21-18 - the
supplement has not
been added to date

IMPORTANT WARNING: This message is intended for the use of the person or entity to which it is addressed and may contain information that is privileged and confidential, the disclosure of which is governed by applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is **STRICTLY PROHIBITED**. If you have received this message in error, please notify the sender immediately and arrange for the return or destruction of these documents.

ORIGINAL



Village of Butler Police Department

Officer Report for Incident T18002594

Nature: ANIMAL VICIOUS Location:
Address: 5251 N 127TH ST BUTL_V: @FRONTIER PARK, BUTLER
BUTLER

Offense Codes:

Received By: CRAIG KL How Received: Agency: BUP
Responding Officers:
Responsible Officers: FUS JC Disposition: CIT 06/20/18
When Reported: 08:21:59 06/19/18 Occurred Between: **.*.*.* **/**/** and **.*.*.* **/**/**

Assigned To: Detail: Date Assigned: **/**/**
Status: Status Date: **/**/** Due Date: **/**/**

Complainant: 306029

Name: BUTLER POLICE DEPARTMENT,

Address: 12621 W HAMPTON AV
BUTLER, WI 53007

DOB: **/**/**

Dr Lic:

Race:

Sex:

Phone: (262)446-5070 DISP

Alert Codes:

Offense Codes

Reported:

Observed:

Additional Offense: ANBT Animal Bite

Circumstances

LT10 Field or Woods

Responding Officers:

Unit:

Responsible Officer: FUS JC

Agency: BUP

Received By: CRAIG KL

Last Radio Log: **.*.*.* **/**/**

How Received:

Clearance: MCI Adult muni cit & released

When Reported: 08:21:59 06/19/18

Disposition: CIT Date: 06/20/18

Judicial Status:

Occurred between: **.*.*.* **/**/**

Misc Entry:

and: **.*.*.* **/**/**

Modus Operandi:

Description:

Method:

Officer Report for Incident T18002594

Page 2 of 5

Involvements

Date	Type	Description	
06/19/18	Name	BUTLER POLICE DEPARTMENT,	Complainant
06/19/18	Name	OBST, STEPHEN GERARD	OWNER VICTIM DOG
06/19/18	Name	JOHNSON, BYRON A	CITED DOG AT LARGE
06/19/18	Cad Call	08:21:59 06/19/18 ANIMAL VICIOUS	Initiating Call

Officer Report for Incident T18002594

Page 3 of 5

Narrative

T18002594

On Tuesday June 19, 2018 I was working as a Patrolman for the Village of Butler Police Department. My tour of duty was from 6 a.m. to 4 p.m. and I was assigned to squad 724.

At approximately 821 a.m. I was dispatched to Frontier park for a dog bite. Upon arrival at Lower Frontier Park I made contact with Stephen G. Obst [REDACTED] who was waking down the path towards the parking lot.

Mr. Obst was visibly upset and shaken. He was wet from his feet to his chest and said he had lost his glasses in the attack and couldn't see very well. He said the owner of the two German shepherd's returned the dogs to his vehicle and had gone back to look for OBST's glasses.

Mr. OBST said he was walking with his dog Snickers on the nature path along the river when a German shepherd came running down the path toward them and attacked his dog. He said he was attempting to free his dog from the mouth of the German Shepherd when he fell into the water and that's when his glasses came off. He said the owner, who was subsequently identified as Byron A. Johnson [REDACTED] came running up and was able to get control of his dog. He said the dog wasn't on a leash and didn't even have a collar on.

I took pictures of Snickers injuries. From the brief exam Mr. OBST did he had a puncture mark on his left side and under his belly. While taking pictures, Mr. JOHNSON came walking up and did locate Mr. OBST's glasses.

Mr. JOHNSON was apologetic and thought nobody else was in the park because he didn't see any other vehicles. Mr. OBST said he had parked at Upper Frontier park and walked down. Mr. JOHNSON said he didn't have his dogs on a leash and didn't have the collar on. He said he heard voices and went running ahead and saw Griffin on top of Snickers. He said he has trained dogs for many years so he knew how to separate the dogs. He put his arms around his dog's neck and squeezed until Griffin released Snickers.

I did take pictures of his dog Griffin that was involved. He said the rabies vaccine is current and he does have a dog license. I confirmed this with his veterinary at the Butler Animal Hospital.

I told Mr. JOHNSON I would be issuing a citation for a violation of the leash ordinance. I issued citation J4800NZM2Z with a mandatory court date of July 12, 2018 at 530 p.m. The citation will be picked up in person by Mr. JOHNSON or mailed to him at his request.

I have no further information, Officer Fus Butler Police Department, 708.

Responsible LEO:

Officer Report for Incident T18002594

Page 5 of 5

Name Involvements:

CITED DOG1679411

AT LARGE :

Last: JOHNSON

First: BYRON

Mid: A

DOB: [REDACTED]

Dr Lic:

Address: 7953 W MEDFORD AV

Race: [REDACTED]

Sex: [REDACTED]

Phone: (414)839-3717

City: MILWAUKEE, WI 53218

OWNER1406386

VICTIM DOG :

Last: OBST

First: STEPHEN

Mid: GERARD

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED]

Sex: [REDACTED]

Phone: (262)781-1554

City: [REDACTED]

Complainant : 306029

Last: BUTLER

First:

Mid:

POLICE

DEPARTMENT

DOB: **/**/**

Dr Lic:

Address: 12621 W HAMPTON AV

Race:

Sex:

Phone: (262)446-5070

City: BUTLER, WI 53007

DISP



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

Inspection Date
06/26/2018
ORD-18-08223

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

Department Copy

COPY

Re: 7953 W MEDFORD AV

Taxkey #: 187-0198-000

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) 78-25 The Commissioner has declared your animal to be a Prohibited Dangerous Animal. Present the animal to the Milwaukee Area Domestic Animal Control Commission for the purpose of having a microchip inserted for identification (the cost of the procedure is your responsibility); then permanently remove the animal from the City of Milwaukee providing the Department with documentation of where the animal is relocated OR have the 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.

<<<GRIFFIN>>>

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 -

Timothy Twaddle

Recipients:

dog owned by Stephen Obst ,
BYRON ALRIC JOHNSON, 7953 W MEDFORD AV, MILWAUKEE, WI 53218

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 Attn: DNS Residential Division Manager, 4001 S 6th St, 1st floor, Milwaukee WI 53221. Phone 414-286-5771.

If an appeal is pursued, it is your responsibility, as the appellant, to file with the appropriate department. Please contact the inspector that issued this order if you are unclear on this issue. Filing 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, comuníquese con el 'Centro Hispano' Council for the Spanish Speaking, Inc., 614 W. National Avenue, Milwaukee, 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.



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

Inspection Date
06/26/2018
ORD-18-08223

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

BYRON ALRIC JOHNSON
7953 W MEDFORD AV
MILWAUKEE, WI 53218

COPY

Re: 7953 W MEDFORD AV

Taxkey #: 187-0198-000

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Per Commissioner of Neighborhood Services By -

Timothy Twaddle

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dog owned by Stephen Obst ,
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The City of Milwaukee - Department of Neighborhood Services

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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 53208, xovtooj yog (414) 344-6575.



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

Inspection Date
06/26/2018
ORD-18-08223

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

Department Copy

Re: 7953 W MEDFORD AV

Taxkey #: 187-0198-000

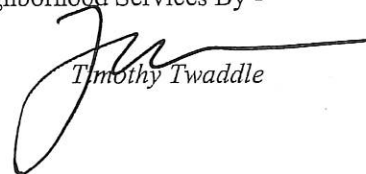
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**City of Milwaukee
Department of Neighborhood Services
Environmental and Nuisance Division**

Address: 7953 W. Medford. Date: 6/26/18

A Neighborhood Services inspector called at the above premises today and found no one in.

☒ Please phone 286-5438 between the hours of
7:30 and 9:30.

☐ Please make an appointment with the undersigned.

☐ Please phone for information. Ask for _____

REMARKS: call Regarding incident with dog.
06/26/2018

Name Twaddle



Complaint No. ENF.AC-18-00793

ANIMAL BITE RECORD (NON-HUMAN EXPOSURE)

Date of Bite 6/19/18

Inspector's Name Thadde

Aggressor:

Animal Owner Byron A Johnson Address 7953 W Medford

Date of Birth 5/21/78 Phone No. (home) 835-3717 (work) _____

Name of biting animal griffin Breed german shep Age 5 Sex m

Color sable

Is aggressor vaccinated against Rabies? 0 Exp. _____ Tag No. _____

2013

Reported by _____ 1 Citizen 2 Police 3 MADACC 4 Other (2)

Victim:

Owner of Injured Animal Stepner DBST Phone No. (home) 262-781-1554

Address of injured animal _____ Phone No. (work) _____

Type of animal _____ Breed _____ Name Snickers Age _____

Wound Location died

Is victim vaccinated against rabies? _____ Exp. _____ Tag No. _____

Comments: Butler Police called to report attack

_____ Animal was declared dangerous. (Attach copy to this form.)

_____ Animal was declared prohibitively dangers. (Attach copy to this form.)

_____ Rott/Pit order issued. (Attach copy to this form.)

Complaint No. _____

ADDENDUM TO BITE REPORT

Animal Owner's Name Byron A JohnsonAddress of Animal 7953 W. Medford.Date and Time of Day of Bite 6/19/18Where Bite Occurred (address, yard, sidewalk, street, etc.) Butler Frontier park. along by
Menominee RiverType of Injury (puncture, scratches, laceration, abrasion) Broken Rib, puncture,
pierced lung

Circumstances of Bite

Animal Owner's Statement Byron Johnson: Walking in the park by the river,
Leash was on his person, not on the dog. The dog
was out of his sight for 5 seconds, and he came
around the corner and saw OBST, who was visibly upset.
The dog had a prey response and attacked OBST's dog.
by the time he came around the corner.

Person Bitten's Statement Stephen OBST: Walking on a path at
and a German Shepard came at him at a high rate
of speed and slammed into his dog, attacking him.
The dog had (sarcoptes) & sustained a broken rib, a punctured
lung and died of "sepsis".

Witnesses (name, address, phone number) _____

BUTLER POLICE DEPARTMENT



12621 W. Hampton Ave.

Butler, WI 53007

Phone (262) 781-2431

Fax (262) 783-2539

DISPATCH: 262 446 5070

FAX TRANSMITTAL SHEET

To: Rupita From: BPD
Company: City Milwaukee Date: 06-25-18
Fax Number: 4-286-3386 Total Number of Pages Including Cover: 5
Re: Dog bite report
Notes/Comments:

per our conversation
this am.

Thank you

A handwritten signature in cursive script, appearing to read "R. Matlock".

Victim animal
died 6-21-18 - the
supplement has not
been added to date

IMPORTANT WARNING: This message is intended for the use of the person or entity to which it is addressed and may contain information that is privileged and confidential, the disclosure of which is governed by applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is **STRICTLY PROHIBITED**. If you have received this message in error, please notify the sender immediately and arrange for the return or destruction of these documents.

ORIGINAL



Village of Butler Police Department

Officer Report for Incident T18002594

Nature: ANIMAL VICIOUS

Location:

Address: 5251 N 127TH ST BUTL_V: @FRONTIER PARK, BUTLER
BUTLER

Offense Codes:

Received By: CRAIG KL

How Received:

Agency: BUP

Responding Officers:

Responsible Officers: FUS JC

Disposition: CIT 06/20/18

When Reported: 08:21:59 06/19/18

Occurred Between: **.*.*.* **/**/** and **.*.*.* **/**/**

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 306029

Name: BUTLER POLICE DEPARTMENT,

Address: 12621 W HAMPTON AV
BUTLER, WI 53007

DOB: **/**/**

Dr Lic:

Race:

Sex:

Phone: (262)446-5070 DISP

Alert Codes:

Offense Codes

Reported:

Observed:

Additional Offense: ANBT Animal Bite

Circumstances

LT10 Field or Woods

Responding Officers:

Unit:

Responsible Officer: FUS JC

Agency: BUP

Received By: CRAIG KL

Last Radio Log: **.*.*.* **/**/**

How Received:

Clearance: MCI Adult muni cit & released

When Reported: 08:21:59 06/19/18

Disposition: CIT Date: 06/20/18

Judicial Status:

Occurred between: **.*.*.* **/**/**

Misc Entry:

and: **.*.*.* **/**/**

Modus Operandi:

Description:

Method:

Officer Report for Incident T18002594

Page 2 of 5

Involvements

Date	Type	Description	
06/19/18	Name	BUTLER POLICE DEPARTMENT,	Complainant
06/19/18	Name	OBST, STEPHEN GERARD	OWNER VICTIM DOG
06/19/18	Name	JOHNSON, BYRON A.	CITED DOG AT LARGE
06/19/18	Cad Call	08:21:59 06/19/18 ANIMAL VICIOUS	Initiating Call

Officer Report for Incident T18002594

Page 3 of 5

Narrative

T18002594

On Tuesday June 19, 2018 I was working as a Patrolman for the Village of Butler Police Department. My tour of duty was from 6 a.m. to 4 p.m. and I was assigned to squad 724.

At approximately 821 a.m. I was dispatched to Frontier park for a dog bite. Upon arrival at Lower Frontier Park I made contact with Stephen G. Obst [REDACTED] who was walking down the path towards the parking lot.

Mr. Obst was visibly upset and shaken. He was wet from his feet to his chest and said he had lost his glasses in the attack and couldn't see very well. He said the owner of the two German shepherd's returned the dogs to his vehicle and had gone back to look for OBST's glasses.

Mr. OBST said he was walking with his dog Snickers on the nature path along the river when a German shepherd came running down the path toward them and attacked his dog. He said he was attempting to free his dog from the mouth of the German Shepherd when he fell into the water and that's when his glasses came off. He said the owner, who was subsequently identified as Byron A. Johnson [REDACTED] came running up and was able to get control of his dog. He said the dog wasn't on a leash and didn't even have a collar on.

I took pictures of Snickers injuries. From the brief exam Mr. OBST did he had a puncture mark on his left side and under his belly. While taking pictures, Mr. JOHNSON came walking up and did locate Mr. OBST's glasses.

Mr. JOHNSON was apologetic and thought nobody else was in the park because he didn't see any other vehicles. Mr. OBST said he had parked at Upper Frontier park and walked down. Mr. JOHNSON said he didn't have his dogs on a leash and didn't have the collar on. He said he heard voices and went running ahead and saw Griffin on top of Snickers. He said he has trained dogs for many years so he knew how to separate the dogs. He put his arms around his dog's neck and squeezed until Griffin released Snickers.

I did take pictures of his dog Griffin that was involved. He said the rabies vaccine is current and he does have a dog license. I confirmed this with his veterinary at the Butler Animal Hospital.

I told Mr. JOHNSON I would be issuing a citation for a violation of the leash ordinance. I issued citation J4800NZM2Z with a mandatory court date of July 12, 2018 at 530 p.m. The citation will be picked up in person by Mr. JOHNSON or mailed to him at his request.

I have no further information, Officer Fus Butler Police Department, 708.

Responsible LEO:

Officer Report for Incident T18002594

Page 5 of 5

Name Involvements:

CITED DOG1679411

AT LARGE :

Last: JOHNSON

First: BYRON

Mid: A

DOB: [REDACTED]

Dr Lic:

Address: 7953 W MEDFORD AV

Race: [REDACTED] Sex: [REDACTED]

Phone: (414)839-3717

City: MILWAUKEE, WI 53218

OWNER1406386

VICTIM DOG :

Last: OBST

First: STEPHEN

Mid: GERARD

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED] Sex: [REDACTED]

Phone: (262)781-1554

City: [REDACTED]

Complainant : 306029

Last: BUTLER

First:

Mid:

POLICE

DEPARTMENT

DOB: **/**/**

Dr Lic:

Address: 12621 W HAMPTON AV

Race: Sex:

Phone: (262)446-5070
DISP

City: BUTLER, WI 53007

Parcel #: 1870198000

Menu Cancel Help

Full Name	Owner Status	Primary
BYRON ALRIC JOHNSON	A	

Owner Name 2	Phone
--------------	-------

()

Owner Name 3

Mail Address
7953 W MEDFORD AV

ORD-18	Mail City	Mail State	Mail Zip	Country/Region
-08223	MILWAUKEEWI		53218	

()

ENF_AC_18
-00793

()

My Tasks ()

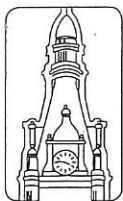
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Record ()

()

Parcels ()

()



City of Milwaukee
Department of Neighborhood Services
Environmental and Nuisance Division

Address: 7957 W. Martine Date: 6/20/18

A Neighborhood Services inspector called at the above premises today and found no one in.

☒ Please phone 700 9438 between the hours of
7:30 and 9:30.

☐ Please make an appointment with the undersigned.

☐ Please phone for information. Ask for _____.

REMARKS: all property is in good condition with no

Name Tina White

Title Inspector



Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

July 10, 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 Prohibited Dangerous Animal Panel. The hearing panel will convene on **Thursday, July 19, 2018 at 11:00 a.m.** on the **3rd Floor** of 4001 S. 6 Street.

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: prohibmcdowell





Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

July 10, 2018

Dr. Libby Gutting, D.V.M
Medical Director
Milwaukee Area Domestic Animal Control
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 Prohibited Dangerous Animal Panel. The hearing panel will convene on **Thursday, July 19, 2018 at 11:00 a.m.** on the **3rd Floor** of 4001 S. 6 Street.

Please review the enclosed case materials before you arrive.

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Very truly yours,

Mario Hernandez, Manager
Residential Code Enforcement

MH:mo
Enclosures

Ref: prohib vet





Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

July 10, 2018

South Milwaukee Health Department
C/o Dave Krey
2424 15th Avenue
South Milwaukee, WI 53172

Dear Mr. Krey:

Thank you for agreeing to participate as a member of the Department of Neighborhood Services Prohibited Dangerous Animal Panel. The hearing panel will convene on **Thursday, July 19, 2018 at 11:00 a.m.** on the **3rd Floor** of 4001 S. 6th Street.

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Residential Code Enforcement

MH:mo

Enclosures

Ref: prohibKrey





Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

June 12, 2018

BYRON JOHNSON
7953 W MEDFORD AVE
MILWAUKEE WI 53218

Re: Appeal Hearing on the order issued regarding a Prohibited dangerous animal located at 7953 W MEDFORD AVE

Dear BYRON JOHNSON:

Per your petition, the hearing of your appeal on the order issued to you on JUNE 26, 2018 in regard to your prohibited dangerous dog named "GRIFFIN", has been scheduled for **THURSDAY, JULY 19, 2018 at 11:00 a.m. at 4001 S. 6th Street on the 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 Prohibited 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.**

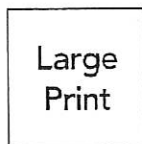
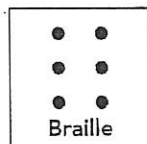
The appeal panel after hearing testimony will make a determination regarding the order issued to you on JUNE 26, 2018. If there is no appearance on your behalf at the above-mentioned hearing, it will be assumed that you do not wish to follow through on the appeal and the action of the committee will 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

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.





Department of Neighborhood Services

Preston D. Cole
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

July 10, 2018

Stephen Obst
4760 Three Meadows Dr
Brookfield WI 53005

Dear Mr Obst:

Please be advised that a "Prohibited Dangerous Animal" appeal hearing is scheduled for **Thursday, July 19, 2018 at 11:00 a.m.** regarding an injury and/or attack which you either witnessed, were part of, or have some knowledge of having happened on June 19, 2018. The appellant is dog owner Byron Johnson.

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 I-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 Marcie at 286-5771.

Sincerely,

Mario Hernandez, Manager
Residential Code Enforcement

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MH:mo Ref: prohibitedwit.wpd

