



1 **City of Racine, Wisconsin**
2 **Common Council**

3 **AGENDA BRIEFING MEMORANDUM**

4 **COMMITTEE: Finance and Personnel**

LEGISLATION ITEM #: 0889-22

5 **AGENDA DATE: January 9, 2023**

7 **DEPARTMENT: City Attorney’s Office**

8 **Prepared By: Deputy City Attorney Marisa L. Roubik**

10 **SUBJECT:** Communication sponsored by Alder Taft on behalf of the City Attorney’s Office submitting
11 the claim of Benjamin Bower for consideration for disallowance.

13 **EXECUTIVE SUMMARY:**

14 Benjamin Bower filed a claim with the City requesting \$50,000.00 for damages allegedly arising
15 from being bitten by a stray dog on or about July 11, 2022. The City denies liability and recommends that
16 this claim be disallowed.

18 **BACKGROUND & ANALYSIS:**

19 Benjamin Bower, of 1028 State Street, Racine, Wisconsin, filed this claim for reimbursement in
20 the amount of \$50,000.00 for damages allegedly arising from being bitten by a stray dog on or about July
21 11, 2022. The City denies liability for the damages alleged in this claim.

22 According to police reports, City of Racine Community Service Officers (“CSO”) were attempting
23 to apprehend two stray dogs that were found roaming throughout the neighborhood in the vicinity of the
24 Claimant’s residence. On multiple occasions during the lengthy pursuit of these strays, the dogs had been
25 allegedly observed displaying signs of aggression towards people they encountered while running loose.
26 When the dogs neared the home of the Claimant and his female friend, both a CSO and a responding Racine
27 Police Officer informed them that the dogs were aggressive and the Claimant and his female friend should
28 remain in their fenced-in yard, away from the dogs. Contrary to this directive, the Claimant and his female
29 friend attempted to approach the dogs with a bowl of water and some dog treats, which was well received
30 by the dogs at first. The Claimant volunteered to use his fenced-in yard to corral the two dogs; however,
31 before being able to do so, the dogs began barking and growling at him and one of the dogs charged at the

32 Claimant and bit him in the leg. The Claimant is alleging that the City is responsible for the medical bills
33 he incurred as a result of this dog bite. The City denies liability and recommends that this claim be
34 disallowed.

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36 **BUDGETARY IMPACT:**

37 Assuming the recommendation to deny this claim is adopted, this item would have a \$0.00 impact
38 on the City's budget.

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40 **RECOMMENDED ACTION:**

41 That the disallowance of this claim be recommended for approval.

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