

**CITY OF MONROE
ORDINANCE NO. 020/2014**

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON; AMENDING MONROE MUNICIPAL CODE
CHAPTER 8.04, ANIMAL CONTROL, RELATING TO THE
DEFINITION OF DANGEROUS DOGS AND
CERTIFICATES OF REGISTRATION FOR DANGEROUS
DOGS; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council desires to amend the definition of a "dangerous dog" to include those dogs that inflict multiple bites on other domestic animals; and

WHEREAS, the City Council has established that the owner of a dangerous dog must obtain a certificate of registration from the animal control authority; and

WHEREAS, the City Council desires to clarify the criteria for obtaining a certificate of registration; and the animal control officer's authority to issue such certificates of registration.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment of Subsection. Monroe Municipal Code Subsection 8.04.020(H) is hereby amended as follows:

H. "Dangerous dog" means (1) any dog that has inflicted severe injury or death on a human without provocation, (2) one that has killed a domestic animal without provocation while off the owner's property, (3) aggressively bites, attacks, or endangers the safety of humans, or (4) when previously declared a potentially dangerous dog, chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, **or bites a domestic animal.** Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

In the event of a declaration of dangerous dog as a result of subsection (H)(4) of this section, an owner may have the dangerous dog declaration removed if the owner of the dog can show that since the incident or action giving rise to the declaration, the owner has enrolled in and successfully completed the American Kennel Club's Canine Good Citizen® (CGC) Program, or a comparable course or program addressing dog ownership responsibilities offered by a similarly recognized entity, which alternate course or program and/or entity shall be approved by the city. In order to be eligible for

such reversal of declaration, the owner must show proof of registration for the program or approved comparable course no more than thirty days after the declaration. The training must be successfully completed within six months. Pending successful completion of the course or program, all legal requirements for dangerous dogs, specifically including without limitation the requirements set forth in this chapter and in RCW 16.08.080 through 16.08.100, shall continue to apply. This provision for reversal of declaration shall not apply in instances where a dangerous dog declaration has been previously reversed because such training was given to the same owner for this or any other dog, or to any other person involving the same dog.

Section 2. Amendment of Subsection. Monroe Municipal Code Subsection 8.04.050(I) is hereby amended as follows:

I. An owner of a dangerous dog shall obtain a certificate of registration from the animal control authority for each such dog so classified. To obtain a certificate of registration, the following conditions shall apply:

1. A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog;

2. **Proof that the dangerous dog has been permanently identified through the implantation of a microchip by a licensed veterinarian or licensed animal shelter, including the identifying number of the microchip; and**~~[A SURETY BOND ISSUED BY A SURETY INSURER QUALIFIED UNDER CHAPTER 48.28 RCW IN A FORM ACCEPTABLE TO THE ANIMAL CONTROL AUTHORITY IN THE SUM OF AT LEAST TWO HUNDRED FIFTY THOUSAND DOLLARS, PAYABLE TO ANY PERSON INJURED BY THE DANGEROUS DOG;]~~

3. **Either (a) a surety bond issued by a surety insurer qualified under Chapter 48.28 RCW in a form acceptable to the animal control authority in the sum of at least two hundred fifty thousand dollars, payable to any person injured by the dangerous dog; or (b) a**~~[A]~~ policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under RCW Title 48 in the amount of at least two hundred fifty thousand dollars, insuring the owner for any personal injuries inflicted by the dangerous dog~~[;]~~.

~~[4. PROOF THAT THE DANGEROUS DOG HAS BEEN PERMANENTLY IDENTIFIED THROUGH THE IMPLANTATION OF A MICROCHIP BY A LICENSED VETERINARIAN OR LICENSED ANIMAL SHELTER, INCLUDING THE IDENTIFYING NUMBER OF THE MICROCHIP.]~~

Section 3. Amendment of Subsection. Monroe Municipal Code Subsection 8.04.055(G) is hereby amended as follows:

G. To issue a certificate of registration to the owner of a dangerous dog if the owner presents to the animal control officer sufficient evidence of compliance with the conditions established in MMC 8.04.050.1.]:

~~1. A PROPER ENCLOSURE TO CONFINE A DANGEROUS DOG AND THE POSTING OF THE PREMISES WITH A CLEARLY VISIBLE WARNING SIGN THAT THERE IS A DANGEROUS DOG ON THE PROPERTY. IN ADDITION, THE OWNER SHALL CONSPICUOUSLY DISPLAY A SIGN WITH A WARNING SYMBOL THAT INFORMS CHILDREN OF THE PRESENCE OF A DANGEROUS DOG;~~

~~2. A SURETY BOND ISSUED BY A SURETY INSURER QUALIFIED UNDER CHAPTER 48.28 RCW IN A FORM ACCEPTABLE TO THE ANIMAL CONTROL AUTHORITY IN THE SUM OF AT LEAST TWO HUNDRED FIFTY THOUSAND DOLLARS, PAYABLE TO ANY PERSON INJURED BY THE DANGEROUS DOG; OR~~

~~3. A POLICY OF LIABILITY INSURANCE, SUCH AS HOMEOWNER'S INSURANCE, ISSUED BY AN INSURER QUALIFIED UNDER RCW TITLE 48 IN THE AMOUNT OF AT LEAST TWO HUNDRED FIFTY THOUSAND DOLLARS, INSURING THE OWNER FOR ANY PERSONAL INJURIES INFLICTED BY THE DANGEROUS DOG.]~~

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

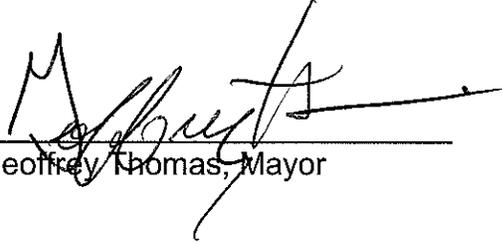
Section 5. Effective Date. This ordinance shall be in full force and effect thirty (30) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 9th day of December, 2014.

1st Reading: December 2, 2014
Final Reading: December 9, 2014
Published: December 16, 2014
Effective: January 9, 2014

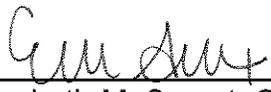
(SEAL)

CITY OF MONROE, WASHINGTON:



Geoffrey Thomas, Mayor

ATTEST:



Elizabeth M. Smoot, CMC, City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney