

**CITY OF NORTH BONNEVILLE
ORDINANCE NUMBER 1122**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING
NORTH BONNEVILLE MUNICIPAL CODE CHAPTER 6.04 ANIMAL CONTROL.**

WHEREAS, the City has deemed that control of dogs and dogs roaming at large present a problem that needs to be regulated under North Bonneville Municipal Code; and

WHEREAS, the City of North Bonneville has deemed it necessary and desirable to regulate the control of dogs and dogs roaming at large to protect the public health, safety and welfare of the residents; and

WHEREAS, the Council now desires to amend Chapter 6.04.080 of the NBMC to clarify restraint and control of dogs, the regulated areas within the City and penalties imposed for violations of the code.

NOW, THEREFORE, The City Council of the City of North Bonneville does hereby ordain as follows:

Legend: New language added = underlined
 Old language deleted = ~~strikethrough~~

Section 1.

Amend Chapter 6.04 Animal Control as follows:

Section 6.04.080 Roaming at large - Penalty.

A. All dogs found to be roaming at large upon any public place as that term is defined in subsection B of this section, or private property other than the private property of the owner or custodian of such dog or dogs within the corporate limits of the City of North Bonneville shall be deemed to constitute a public nuisance within the meaning of this chapter unless such dogs are secured by a leash, lead or other means of physical restraint which leash, lead or other means of physical restraint is not harmful or injurious to the dog and which is held by a responsible person capable of physically restraining the dog. ~~under control by means of a chain or leash or are in a closed vehicle and under the personal control of the owner or custodian of such vehicle. Any dog found roaming at large may be impounded.~~

B. Public Place. The term "public place," for the purposes of this chapter, shall mean any of the following places located within North Bonneville, in any building to which the public is invited to do business or conduct activities, including but not limited to streets and parking areas adjacent to said buildings and grounds. Such buildings, grounds, parks, maintained open spaces, parking areas, streets, sidewalks and pathways shall be public places whether owned publicly or privately.

~~C. Any harm or disturbance caused by a dog roaming freely within the City of North Bonneville shall be the responsibility of the owner. Should an individual file a complaint regarding any dog roaming at large, the complaint may include, but not by way of limitation, that the dog has created a disturbance, such as noise, damage, coercing other dogs, defecating or urinating on another's property or threatening citizens. The owner of the dog shall be notified immediately of any such complaint filed. The complainant must be willing to testify in court if required to do so.~~

~~—D. Upon notification that a complaint has been filed, the owner shall be required to bring, and thereafter maintain, the dog under his or her control. Immediate action must be taken by the owner to bring the dog under full control of the owner or another individual willing and able to assume responsibility for the dog.~~

~~C. E. Upon issuance of an infraction, the dog may be subject to impoundment. Upon prosecution of an initial infraction, the owner shall be subject to a one hundred dollar (\$100.00) fine plus costs, including attorney fees. Upon prosecution of any subsequent infraction against the same owner, the owner shall be subject to a two hundred dollar (\$200.00) fine plus costs, including attorney fees. Any damages, harm or disturbance caused by dogs within the City of North Bonneville shall be the responsibility of the owner. This responsibility includes, but is not limited to, that the dog has created a disturbance, such as noise, damage, coercing other dogs or threatening citizens. Any person found guilty of violating any of the provisions of this section shall also be punished by a fine in accordance with Section 7.01.020(B) plus costs, including attorney fees.~~

Section 2.

Amend Chapter 6.04 Animal Control as follows:

Add New Section

Section 6.04.120 Safety and Sanitation - Penalty.

A. It is unlawful for an owner to fail to:

1. remove the fecal matter deposited by his (her) animal on any public place as defined in 6.04.080 B. or developed private property before the owner leaves the immediate area where the fecal matter was deposited.
2. have in his (her) possession the equipment necessary to remove their animal's fecal matter when accompanied by said animal on any public place or developed private property.

B. Owner of duly licensed guide dogs shall be exempted from this section.

C. For the purposes of this section, the term "developed private property" shall mean property areas that have been landscaped, paved, made into roads or driveways, made into sidewalks or paths, made into lawns, swales, play or sports areas and property similarly developed.

D. For purposes of this section, the term "owner" shall be the actual owner of the animal or any other person by whom the animal was brought to the property.

E. Any person found guilty of violating this section shall be punished by a fine in accordance with Section 7.01.020(B) plus costs, including attorney fees.

Section 3.

Severability.


If any section, sentence, clause or phrase of this Ordinance shall 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 4.

Effective Date and Publication.


This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON JANUARY 14, 2020



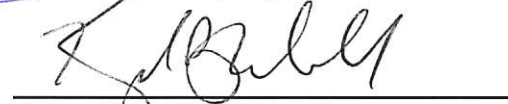
Brian Sabo, Mayor

Attest:



Deanna Adams, City Clerk/Treasurer

Approved as to Form:



Kenneth B. Woodrich, City Attorney