

**CITY OF NORTH BONNEVILLE
ORDINANCE NUMBER 1094**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING
NORTH BONNEVILLE MUNICIPAL CODE CHAPTER 8.20 NUISANCES.**

WHEREAS, the City of North Bonneville has determined that clarification of North Bonneville Municipal Code Chapter 8.20.240 Animal Noise Nuisance is needed to better address types and lengths of noise that is considered a public nuisance; and

WHEREAS, the violation section of the chapter should reflect the updated standard of referencing the fines and fees be referenced to Title 7 North Bonneville Municipal Code; and

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

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

Section 1.

Amending Chapter 8.20.240 Animal Noise Nuisance as follows:

A. ~~It is a public nuisance for any person to keep or harbor any animal which makes such noise that the peace or repose of another is unreasonably disturbed. Any such animal shall be deemed a public nuisance.~~

It is unlawful for any person to cause, or for any person in possession of real or personal property to allow to originate from the property frequent, repetitive, or continuous howling, barking, squawking or other noises made by any animal which unreasonably disturb or interfere with the peace, comfort and repose of any property owner or possessor: except such sounds made by livestock, other than pot-bellied pigs, whether from commercial or noncommercial activities on land which is properly zoned to keeping of livestock, and such sounds made in pet shops, grooming parlors, kennels, and dog day care. It is unlawful for any person, firm or corporation being the owner or custodian of any dog to permit such dog to bark, bay, cry, howl or make any other noise continuously for a period of ten (10) minutes or more or bark intermittently for one-half hour (30 minutes) or more to the disturbance of any person at any time of the day or night regardless of whether the dog is physically situated on property under the control of the owner or custodian of the dog: provided, however, that it is an affirmative defense under this subsection that the dog was intentionally provoked to bark or make any other noise by the injured person or any other person: provided, that enactment of this provision shall in no way abrogate any other provision of this code concerning animal noise.

B. ~~Violation of this section shall constitute a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00) in accordance with Section 7.01.020(D) of this code. Each and every day during which an animal makes such noise that the peace or repose of another is unreasonably disturbed shall constitute a separate violation of this section.~~

Section 2.

Severability.

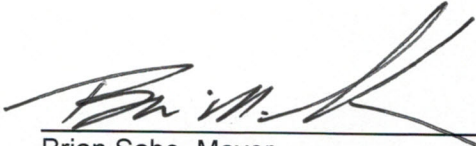
If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3.

Effective Date and Publication.

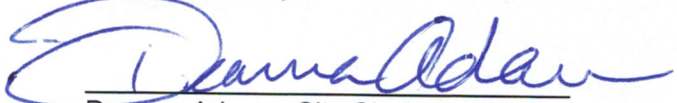
This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON MARCH 13, 2018.



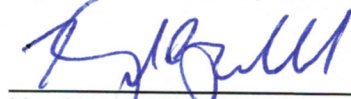
Brian Sabo, Mayor

Attest:



Deanna Adams, City Clerk

Approved as to Form:



Ken Woodrich City Attorney