

APPROVED: September 18, 2002
EFFECTIVE: September 29, 2002

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE 02-042

AMENDING SNOHOMISH COUNTY CODE CHAPTER 9.01 and 9.10
Relating to Dangerous Dogs

BE IT ORDAINED:

Section 1. Snohomish County Code Section 9.01.030 last amended by Ordinance 01-049, on July 25, 2001, is amended to read:

9.01.030 Definitions. In construing the provisions as set out in this title all words not otherwise given special definitions herein or in SCC 6.06 shall be given their common and ordinary meaning, in addition, the following definitions shall apply:

(1) "Abatement" means the termination of any violation of this title by lawful and reasonable means as determined by the authorized Snohomish County animal control agency personnel in order that a person or persons presumed to be the owner of an animal comply with this title.

(2) "Adult dog or cat" means any dog or cat six months of age or older.

(3) "Animal" means any member of the classes: reptile, bird, or mammal, except human.

(4) "Animal control agency" means the Snohomish county animal control agency created and perpetuated to enforce the provisions of the Snohomish county Code and laws of the state of Washington as they pertain to animal welfare.

(5) "Animal control officer" means any individual employed, contracted or appointed by the animal control agency for the purpose of enforcing this code or any other code, or the laws of the state of Washington.

(6) "Certificate of registration for dangerous dog" means any document issued by the Snohomish county licensing authority pursuant to chapter 16.10 RCW and SCC 9.10.040.

(7) "Certification authority" means the Snohomish county licensing authority.

(8) "Service dog" means any dog, which is trained or being trained to aid a disabled person and is used for that purpose.

(9) "County" for purposes of this title, means the unincorporated areas of Snohomish county.

(10) "Dangerous dog" means any dog that (~~according to the records of the county~~), (a) (~~has inflicted~~) inflicts severe injury on a human being without

provocation on public or private property, (b) ~~((has killed))~~ kills a domestic animal without provocation while the dog is off the owner's property, or (c) has been previously found to be potentially dangerous because of injury inflicted on a human, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans ~~((or domestic animals))~~; but, 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.

(11) "Domesticated animal" means any animal including dogs, cats, rabbits, horses, mules, asses, cattle, lambs, sheep, or other animals made to be domestic.

(12) "Euthanasia" means the humane destruction of an animal by a method that is painless to such animal either causing instant painless unconsciousness and subsequent death or immediate death.

(13) "Junior dog" means any dog under the age of 6 months.

(14) "Licensing authority" means the Snohomish county auditor or his or her duly authorized representative.

(15) "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal.

(16) "Pack of dogs" means a group of three or more dogs running upon land, either public or private, not that of their owner, when such dogs are not restrained or controlled.

(17) "Person" means any individual, partnership, corporation, trust, estate, or other legal entity.

(18) "Potentially dangerous dog" means any dog that when unprovoked: (a) inflicts bites on a human or a domestic animal either on public or private property, or (b) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, or to cause injury, or otherwise threaten the safety of humans or domestic animals.

(19) "Proper enclosure of a dangerous dog" means, while on the owner's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog and comply with all applicable provisions of the Snohomish county building and zoning code.

(20) "Running at large" means to be off the premises of the owner and not under control of either the owner or competent person authorized by the owner.

(21) "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

(22) "Under control" means the animal is under competent voice and/or signal control so as to be thereby restrained from approaching any bystander or other animal and from causing or being the cause of physical property damage when off of a leash or off the premises of the owner. Said animal is presumed not to be under control if injuries, damages, or trespass result.

(23) "Vicious" means acting in an unruly manner or the propensity to do any act which might endanger the safety of any person, animal, or property of another.

Section 2. Snohomish County Code Section 9.10.040 added by Ordinance 95-098, § 2, on December 20, 1995 is amended to read:

9.10.040 Certification of registration of a dangerous dog required.

(1) It shall be unlawful for an owner to have a dangerous dog in Snohomish county without a certificate of registration issued under this section.

(2) Following the declaration of dangerous dog and the exhaustion of the appeal process, the owner of a dangerous dog must obtain a certificate of registration for the dog with the licensing authority as provided in this section.

(3) The licensing authority is authorized to issue a certificate of registration to the owner of a dangerous dog upon payment of \$100 registration fee if the owner presents sufficient evidence of the following:

(a) a proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning symbol that informs children as well as adults of the presence of a dangerous dog; and

(b) either:

(i) a surety bond issued by a surety insurer qualified under chapter 48.28 RCW and in a form acceptable to the licensing authority in the sum of at least (~~(\$50,000)~~) \$250,000, payable to any person injured by the dangerous dog; or

(ii) a policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under Title 48 RCW in the amount of at least (~~(\$50,000)~~) \$250,000, insuring the owner for any personal injury inflicted by the dangerous dog.

Section 3. Snohomish County Code Section 9.10.050 added by Ordinance 95-098, § 2 on December 20, 1995 is amended to read:

9.10.050 Term of certificate of registration.

The term for a certificate of registration issued pursuant to (~~(SCC 9.10.030)~~) SCC 9.10.040 is one year from the date of issuance or until the dog is moved to another address, whichever is less. Renewal applications for the certificate of registration must contain sufficient evidence of the information required in (~~(SCG 9.10.030(2))~~) SCC 9.10.040 as well as payment of the application fees.

Section 4. Snohomish County Code Section 9.10.060 added by Ordinance 95-098, § 2 on December 20, 1995 is amended to read:

SCC 9.10.060 Potentially dangerous dog -- Confinement on and off premises of owner. It shall be unlawful for the owner of a potentially dangerous dog:

(1) to allow the dog to remain on the premises of the owner unrestrained by a secure leash or other restraint or not under the control of the owner; or

(2) to suffer or permit the dog to leave the premises of the owner unless the dog is securely (~~muzzled and~~) restrained by a substantial leash or other restraint under the control of a responsible person. (~~The muzzle shall be made in a manner which will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.~~)

PASSED this 18th day of September, 2002.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Gary N.
Nelson
Chair

ATTEST:

Barbara Sikorski
Asst. Clerk of Council

(X) APPROVED

() VETOED

() EMERGENCY

Date 9/19/02

Robert J. Drewel
County Executive

ATTEST:

Pamela S. Sandoz

Approved as to Form Only:

Andy Larson
Deputy Prosecuting Attorney