

ORDINANCE NO. 2002-03-019

AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE CHAPTER 7.08 TO REQUIRE THAT POTENTIALLY DANGEROUS DOGS AND DANGEROUS DOGS BE MICROCHIPPED.

WHEREAS, the City wishes to protect the health, welfare and safety of its citizens and their property from potentially dangerous dogs and dangerous dogs; and

WHEREAS, microchip technology provides a cost-effective and useful method of identifying potentially dangerous dogs and dangerous dogs;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Section 7.08.150 of the Bellingham Municipal Code shall be amended as follows:

7.08.150 - Potentially Dangerous Dog - Restrictions - Violation

A. Following a declaration of potentially dangerous dog and pending any appeal of that declaration, it is unlawful for an owner or keeper of a potentially dangerous dog to permit it:

- (1) To be away from the premises of the owner or keeper unless the animal is securely muzzled and leashed, and under the control of a person 18 years of age or older, physically able to restrain and control the animal; or
- (2) While on the premises of the owner or keeper, to be other than securely confined inside a residential or nonresidential building as determined by the animal control authority, or a kennel, or pen, which has secure sides, bottom, and top. Said residential or non-residential building, kennel, or pen shall be kept locked; or
- (3) To be without an implanted identifying microchip provided by the animal control authority; or
- (4) To fail to comply with any other restrictions imposed on the keeping of a potentially dangerous dog by the Municipal Court, or any other court with jurisdiction.

B. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor, and the penalty shall be a fine of not more than \$1,000.00, or imprisonment not exceeding 90 days, or both such fine and imprisonment.

Section 2. Section 7.08.170 of the Bellingham Municipal Code shall be amended as follows:

7.08.170 - Dangerous Dogs - Restrictions - Violation

A. It is unlawful for an owner to have a dangerous dog or a guard or attack dog in the City without a certificate of registration as required by Chapter 16.08 RCW.

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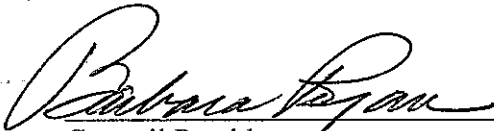
B. It is unlawful for an owner of a dangerous dog to permit the dog to be outside the proper enclosure as defined in Chapter 16.08 RCW, unless the dog is muzzled and restrained by a substantial chain or leash and under the control of a person 18 years of age or older, physically able to restrain and control the animal. The owner of the dog shall permit the animal control authority to implant an identifying microchip in the dog and shall not remove nor cause to be removed said microchip. The owner of a dangerous dog shall further be required to post 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 sign that informs children of the presence of a dangerous dog.

C. A dangerous dog shall be immediately confiscated by the animal control authority if (1) the dog is not validly registered under Chapter 16.08 RCW; or (2) the owner fails to maintain the liability insurance required under Chapter 16.08.RCW; or (3) the dog is not maintained in the proper enclosure; (4) the dog is not microchipped as provided in (B) above, or (5) the dog is outside the proper enclosure and not under physical restraint as required by (B) above.

D. In addition to the regular dog licensing fees, the owner registration fee for dangerous dogs shall be \$100.00 per location. This shall be an annual fee. At the time of initial application and upon annual renewal the applicant shall provide proof of insurance coverage effective for the license period.

E. The violation of any of the provisions of this section shall be a gross misdemeanor punishable by a maximum fine of \$5,000 and/or imprisonment not to exceed up to 1 year in the County Jail in accordance with RCW 16.08.100(1).


PASSED by Council this 18TH day of MARCH, 2002.



Council President

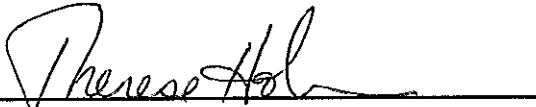
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APPROVED by me this 22nd day of March, 2002.



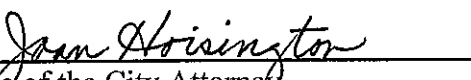
Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published: 3/22/02

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