

Ordinance No. _____

**AMENDING SECTIONS 7.06.001, 7.06.010, 7.06.020, 7.06.025, 7.06.030, 7.06.040, 7.06.070,
AND 7.06.080 AND ADDING SECTIONS 7.06.001, 7.06.005, 7.06.015, 7.06.045, 7.06.090 TO
THE SKAGIT COUNTY CODE RELATING TO DANGEROUS AND POTENTIALLY
DANGEROUS DOGS**

WHEREAS, The Skagit County Board of Commissioners, through Resolution #R20250097, held a public hearing on June 10, 2025, and, after considering public testimony during said public hearing, considers it appropriate to amend Sections 7.06.001, 7.06.010, 7.06.020, 7.06.025, 7.06.030, 7.06.040, 7.06.070, 7.06.080, and add Sections 7.06.001, 7.06.005, 7.06.015, 7.06.045, and 7.06.090 to the Skagit County Code, as per Attachments “A”, “B”, and “C”.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED that the Board of Skagit County Commissioners do hereby amend Sections 7.06.001, 7.06.010, 7.06.020, 7.06.025, 7.06.030, 7.06.040, 7.06.070, 7.06.080, and add Sections 7.06.001, 7.06.005, 7.06.015, 7.06.045, and 7.06.090 to the Skagit County Code, as outlined in Attachment “C”.

WITNESS OUR HANDS AND SEAL OF OUR OFFICE this _____ day of _____ 2025.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Peter Browning, Commissioner

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Frederick A. Haist", written over a horizontal line.

Frederick A. Haist, Skagit County Deputy
Prosecuting Attorney

EXHIBIT "A"

Underlining indicates new language in amendments and additions, and strikeouts indicate deletions.

Chapter 7.06 DANGEROUS DOGS

Sections:

7.06.001 ~~–Purpose.~~

7.06.002 Definitions.

7.06.005 Effect of Keeping 15+ Dogs on Determinations

7.06.010 ~~–Declaration of potentially dangerous~~ Potentially Dangerous ~~or dangerous dogs~~ Dangerous Dogs Determination.

7.06.015 Challenge in District Court to County's Determination

7.06.020 ~~–Registration of~~ potentially dangerous Potentially Dangerous and dangerous dogs Dangerous Dogs.

7.06.025 ~~–Restraint requirements~~ Requirements for potentially dangerous Potentially Dangerous and dangerous dogs Dangerous Dogs.

7.06.030 ~~–Registration and Restraint~~ Penalties.

7.06.040 ~~–Enforcement.~~

7.06.045 Redemption.

7.06.070 ~~–Liability Disclaimer of liability.~~

7.06.080 ~~–Severability.~~

7.06.090 Violation--Non-Determination No Defense.

7.06.001 Purpose.

Skagit County's public policy is, in part, to secure and maintain such levels of animal care and control as will protect animal and human health and safety. The County, to the greatest degree practicable, seeks to prevent injury to property and cruelty to animal life caused by dogs. Dogs are pack animals and when in large packs, can be hazardous beyond what a dog individually or in a small pack may be.

7.06.002 Definitions.

(+) “County” means: Skagit County, its officers, employees, or agents, including its Animal Control Authority and Animal Control Officer.

“Dangerous ~~dog~~Dog” means ~~any dog~~a canidae that:

- (a) ~~inflicts severe injury~~inflicts Severe Injury on a human without provocation on public or private property; or
- (b) ~~Kills a domestic animal or livestock~~kills a Domestic Animal (excluding poultry), without provocation while off the ~~owner's~~Owner's property; or
- (c) ~~Has been~~ kills poultry in five or more separate incidents; or
- (d) the County has previously ~~found~~determined to be ~~potentially dangerous~~; a Potentially Dangerous Dog where the ~~owner having~~Owner received notice of such, and the ~~dog~~animal again aggressively bites, attacks, or endangers the safety of humans or ~~domestic animals~~; or bites domestic animals; Domestic Animals (excluding poultry); or
- (d) ~~Hase~~ has been previously declared a dangerous dog in any other county, city, state, or foreign country; or
- (2) f) is not domesticated.

A wolf, coyote, or any canidae hybrid (e.g., wolf-coyote hybrids, wolf-dog hybrids, and coyote-dog hybrids) can be a Dangerous Dog, if it meets the Dangerous Dog definition, even if domesticated. A wolf, coyote, or any canidae hybrid is not considered a dog even if it meets the Dangerous Dog definition.

“Domestic Animal” means: an animal that has been domesticated and kept by humans so as to live and/or breed in a tame condition, and includes horses, mules, cattle, sheep, swine, goats, rabbits, or similar farm animals kept for lawful use or profit. It also includes Pet Animals. It does not include poultry or dogs that engage in organized fights.

“Owner” means: any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of a dog, or anyone who keeps the dog in any way.

“Pet Animal” means: a dog, cat, or other animal traditionally kept as a pet.

“Potentially ~~dangerous dog~~Dangerous Dog” means:

- (a) ~~Any~~any dog that ~~when~~, unprovoked:
 - (i) ~~Bites~~bites a human on ~~public or private~~ property that the dog owner does not own or control; or
 - (ii) ~~Chases~~chases or approaches a person upon the streets, sidewalks, or any public grounds~~property~~ in a menacing fashion or apparent attitude of attack; or

(iii) ~~Bites a domestic animal or livestock, excluding poultry, bites a Domestic Animal (and for poultry, bites them in five or more separate incidents) while off the owner's~~Owner's property; or

or

(b) ~~Anyany dog withthat, unprovoked, has~~ a known propensity, tendency, or disposition to:

(i) ~~attack unprovoked, humans, Pet Animals, or big game animals; or~~

(ii) ~~to cause injury;; or to~~

(iii) ~~cause injury or otherwise to to humans, Pet Animals, or big game animals; or~~

(iv) ~~threaten the safety of humans or domestic animals, Pet Animals, or big game animals; or~~

or

(c) ~~Anyany dog that chases or approachesmenaces or has an attack attitude towards a person upon privatewho is not on the dog Owner's property other than the owner's in a menacing fashion or apparent attitude of attack; or~~

(d) ~~Anyany dog that has beenwas~~ previously declared a ~~potentially dangerous dog in Potentially Dangerous Dog by~~ any other county, city, state, or foreign country.

(3) ~~"Domestic animal" means a dog or cat kept as a pet.~~

~~(4) A wolf, coyote, or any canidae hybrid (e.g., wolf-coyote hybrids, wolf-dog hybrids, and coyote-dog hybrids) can be a Potentially Dangerous Dog, if it meets the Potentially Dangerous Dog definition, even if domesticated. A wolf, coyote, or any canidae hybrid is not considered a dog even if it meets the Potentially Dangerous Dog definition.~~

~~"Severe injuryInjury" means: any physical injury that results in of:~~

~~(a) broken bones; or~~

~~(b) disfiguring lacerations requiringthat require multiple sutures or cosmetic surgery.~~

(Ord. O20140001 § 2 (Att. 1)(part); Ord. O20120007 § 1 (Att. A) (part))

7.06.005 Effect of Keeping 15+ Dogs on Determinations

~~The County may determine that when a person maintains more than 15 dogs, and one or more dogs fulfill the Potentially Dangerous or Dog Dangerous Dog requirements, any or all of the dogs are Potentially Dangerous Dogs or Dangerous Dogs. If the Owner provides sufficient evidence that a specific dog(s) is/are the Potentially Dangerous Dog(s), then only the dog(s) the Owner identifies is/are a Potentially Dangerous Dog(s). The evidence must meet the preponderance of the evidence standard.~~

7.06.010 Declaration of potentially dangerous or dangerous dogs
Potentially Dangerous or Dangerous Dogs Determination.

(1) The Animal Control Authority or Animal Control Officer County may issue a notice of intent to declare-determine that a dog potentially dangerous or dangerous if there is probable cause to believe that a Potentially Dangerous or Dangerous Dog by a preponderance of the dog falls within the above definitions:evidence. The notice of intentdetermination must be in writing and based on:

- (a) Thea person's written complaint of a citizen who is willingand willingness to testify that the animal has acted-in-a-manner which causes it to fall within the definition;satisfied the Potentially Dangerous or Dangerous Dog definitions; or
- (b) Dogdog bite reports filed with the Animal Control AuthorityCounty, as required by law; or
- (c) Actions-of-the-dog-witnessed-by any Animal Control Officer or law enforcement officer witnessing the dog's actions; or
- (d) Otherother substantial evidence, including hearsay (if it-is-of-a-nature that a reasonable and prudent person would rely upon: that hearsay).

(2) Service.

(a) Notices-and-orders-issued-pursuant-to-this-Section The County must be in writing and servedserve Potentially Dangerous or Dangerous Dog determinations on the owner-in-one-of the-following-methodsdog's Owner (or their last known address) by:

- (i) Certifiedcertified mail, with return receipt requested, and ordinary first-class mail-to-the-owner's-or-keeper's-last-known-address; or
- (ii) Personallypersonal service; or
- (iii) If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation in the area of the incident if the Owner cannot be located.

(b) Service is effective as follows:

- (i) on the date the noticeOwner is received; or, in the case of certified mail, threepersonally served; or
- (ii) 3 days after the notice is mailed; or, in the case of for service by publication,certified mail; or
- (iii) 15 days after publication: for service by publication.

(c) The ownerOwner of any dog found to be a potentially dangerous or dangerous dogPotentially Dangerous or Dangerous Dog under this Chapter shall be-assessedpay all service-costs expended-under-this-Subsectionfor such service.

(3) The notice-of-intent-to-declarewritten determination that a dog potentially dangerous or dangerousis a Potentially Dangerous or Dangerous Dog must include:

(a) ~~The dog's description of the animal;~~ and

(b) ~~The dog Owner's name and address of the owner or keeper of the animal, if known; and~~

(c) ~~The dog's last known whereabouts of the animal if it is not in the Owner's custody of the owner;; and~~

(d) ~~The facts upon which the declaration is based;~~

~~(d) the facts, statutes, and laws supporting the determination; and~~

(e) ~~The restrictions placed on the animal as a result of the declaration; dog and/or Owner; and~~

(f) ~~A reference to a description of the penalties for violation of the violating any restrictions, including such as: the possibility of dog's destruction of the animal, and imprisonment /or fining of or imprisoning the owner Owner; and~~

~~(g) A statement that the owner is entitled to an opportunity to meet with the Sheriff to give any reasons or information as to why the dog should not be declared potentially dangerous or dangerous and the date, time, and place of the meeting, and that the owner may propose an alternative meeting date and time, but that such meeting must occur within 15 days of the date the notice was served.~~

~~(4) Meeting with Sheriff:~~

~~(a) If the owner does not attend the scheduled meeting with the Sheriff, the Sheriff may issue an order finding that the dog is potentially dangerous or dangerous.~~

~~(b) If the owner attends the scheduled meeting with the Sheriff, the owner may offer, orally or in writing, any reason or information as to why the dog should not be found potentially dangerous or dangerous.~~

~~(c) After review of the record and the owner's reasons and information, the Sheriff must determine whether a preponderance of the evidence weighs in favor of finding the dog potentially dangerous or dangerous.~~

~~(d) If the Sheriff determines that the dog is potentially dangerous or dangerous, the Sheriff must issue a declaration that includes:~~

~~(i) A recital of the authority for the declaration;~~

~~(ii) A concise statement of the facts that support the determination; and~~

~~(iii) The signature of the person who made the determination.~~

~~(e) The Sheriff's determination is final and may be appealed to Skagit County District Court, which will review the record made at the meeting to determine whether the declaration is supported by a preponderance of the evidence. Any such appeal must be filed within 20 days of service of the~~

order. Upon notice that an appeal has been filed, the Animal Control Authority must file a certified copy of the record from any such meeting with the District Court. A recording of the meeting will be made available to the person appealing the ruling, who will have the responsibility of transcribing the meeting for the appeal.

(g) a statement that the County's determination is final; and

(h) a notice that the Owner has a right to challenge the determination to the Skagit County District Court by filing a written request for a hearing with the Skagit County District Court within 20 days of the effective service date. The notice should also reference the provision in this Chapter that states what the Owner must include in the appeal request.

(4) The County may determine that a dog is a Dangerous Dog if the dog satisfies the Dangerous Dog criteria even if no entity declared that the dog was a Potentially Dangerous Dog.

(5) The Animal Control Authority County may impound the dog found to be potentially dangerous or dangerous a Potentially Dangerous or Dangerous Dog at the Owner's expense if circumstances require. If the final determination is upheld, the owner until a court orders otherwise or the owner corrects any deficiencies/satisfies all requirements. The Owner must pay impound and boarding costs consistent with SCC 7.06.040. if an animal is a Potentially Dangerous or Dangerous Dog.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.015 Challenge in District Court to County's Determination

(1) An Owner can challenge the County's determination about their dog within 20 calendar days when the County effectively serves Owner the notice stating their right to challenge the County's determination.

(2) The Owner must file their written challenge with the clerk of the court. It must contain:

(a) a brief statement that gives the reasons why the court should reverse or modify the County's determination; and

(b) names, addresses, and phone numbers of any witnesses who will appear for the dog Owner; and

(c) a brief statement describing any documents or other evidence they may offer to the District Court; and

(d) the dog Owner's contact information (including day phone number, address, and any other ways to contact them).

(3) The District Court civil procedure rules and local rules apply to an appeal. The District Court will set dates and give the parties notice as provided in the District Court rules.

(4) The parties are responsible for notifying their witnesses about all relevant hearing dates.

(5) Except for a verifiable emergency, if the Owner or their representative fails to appear at a hearing, the determination will stand.

(6) In the District Court, the County must prove, by a preponderance of the evidence, that the dog is a Dangerous or Potentially Dangerous Dog.

(a) The Court may reverse a Dangerous or Potentially Dangerous Dog determination if there is insufficient evidence to support the determination.

(b) The Court may affirm a Dangerous or Potentially Dangerous Dog determination if there is sufficient evidence to support the determination.

(7) The District Court has the power to take all actions legally and equitably necessary to achieve justice during the appeal. This can include:

(a) vacating or nullifying the determination; and/or

(b) vacating or nullifying any restrictions on the dog or Owner; and/or

(c) affirming the determination or any restrictions on the dog or Owner; and/or

(d) imposing court costs on the appellant; and/or

(e) imposing additional restrictions on the dog or Owner; and/or

(f) ordering the County or Owner to take additional actions.

7.06.020 Registration of ~~potentially dangerous and dangerous dogs~~Potentially Dangerous and Dangerous Dogs.

(1) It is unlawful for ~~an owner of a potentially dangerous or dangerous dog~~ Potentially Dangerous or Dangerous Dog Owner to:

(a) ~~Keep~~keep, own, or maintain such a dog in Skagit County without a ~~County-issued current certificate of registration issued by the Animal Control Authority;~~certificate; and

(b) ~~Move~~move such a dog ~~to~~, within, or from Skagit County without ~~a certificate of registration and the County's consent of;~~ and

(c) fail to inform the Animal Control Authority. ~~The Animal Control Authority must be informed as to the residence of County where~~ any such dog resides at all times; and

(d) fail to inform the County about any changes affecting the dog's registration certificate.

(2) The ~~Animal Control Authority~~County may not issue a ~~certificate of registration~~ certificate to the ~~owner of a dangerous dog~~Dangerous Dog's Owner unless the ~~owner~~Owner presents to the ~~Animal Control Authority~~County sufficient evidence of:

(a) ~~All~~ warning sign ~~assigns~~ required by ~~SCC 7.06.025;~~law, including one that informs children that a dangerous dog is present; and

(b) ~~Aa~~ secure enclosure consistent with ~~that required by SCC 7.06.025(2)(b), or a~~
~~declaration that, while on the owner's property, the owner~~law, or an affidavit or declaration
~~under penalty of perjury that the Owner will keep the dangerous dog~~Dangerous Dog
securely confined indoors ~~on the Owner's property; and~~

~~(c) Microchipping as required by SCC 7.06.025(2)(e);~~

~~(d) Compliance with the insurance requirement of SCC 7.06.025(2)(f);~~

~~(c) microchipping as required by law; and~~

~~(d) compliance with the insurance required by this Chapter and law; and~~

~~(e) all other requirements set forth in this Chapter, such as the restraint requirements.~~

(3) The registration fees are ~~set as follows:~~

~~(a) Forfor each potentially dangerous dog, Potentially Dangerous Dog, \$100 for the initial~~
~~registration fee is \$100, and the\$50 for an annual renewal fee is \$50.~~

~~(b) Forfor each dangerous dog, Dangerous Dog, \$200 for the initial registration fee is \$200,~~
~~and the\$100 for an annual renewal fee is \$100.~~

(4) If a ~~potentially dangerous~~Potentially Dangerous or ~~dangerous dog~~Dangerous Dog is destroyed or
dies ~~other than pursuant to SCC 7.06.040, the owner~~while in an Owner's custody, the Owner must
present sufficient evidence of that fact to the ~~Animal Control Authority~~County within 10 days.

(5) If a ~~potentially dangerous~~Potentially Dangerous or ~~dangerous dog~~Dangerous Dog is sold, given
away, or otherwise disposed of, the ~~owner~~Owner must ~~present verification of~~immediately inform
the County and provide all relevant details, including the dog's ~~new location to the Animal Control~~
~~Authority~~-, if applicable. The new Owner is bound by the previous Potentially Dangerous or
Dangerous Dog determination and must obtain a new registration certificate. If the previous Owner
has paid the current registration fees, the new Owner will only need to pay for the annual renewal
when it is next due. If the previous Owner has not paid the registration fees, the new Owner must
pay the initial fee immediately and renewal fees thereafter.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.025 Restraint ~~requirements~~Requirements for ~~potentially dangerous~~Potentially Dangerous and ~~dangerous dogs~~Dangerous Dogs.

(1) ~~An owner of a potentially dangerous dog~~A Potentially Dangerous Dog Owner must:

~~(a) Conspicuously~~conspicuously display a sign (or more than one sign if a sign is not visible
at all public access points) with a warning symbol ~~on any premises where the dog is kept~~
that informs ~~children of the presence of all people that they keep a~~potentially dangerous
dog;Potentially Dangerous Dog on the premises; and

~~(b) While on the owner's property;~~ (b) ensure the dog is restrained by ~~fence,~~ chain, leash, or other confinement suitable to prevent the animal from leaving the ~~owner's~~ Owner's property; ~~and~~

~~(c) While off the owner's property;~~ ensure the ~~dog is under physical restraint by the owner~~ Owner or other responsible person; ~~is physically restraining the dog when it is off the Owner's property;~~ and

~~(d) Ensure~~ ensure the dog wears a bright ~~orangered~~ collar bearing the warning "~~potentially dangerous dog~~ Potentially Dangerous Dog"; and

~~(e) Ensure~~ ensure the dog has a ~~permanent~~ microchip ~~implant for permanent~~ identification implant.

(2) ~~An owner of a dangerous dog~~ A Dangerous Dog Owner must:

(a) ~~Conspicuously~~ conspicuously display a sign (or more than one sign if a sign is not visible at all public access points) with a warning symbol ~~on any that~~ informs all people that they keep a Dangerous Dog on the premises ~~where the dog is kept that informs children of the presence of a dangerous dog;;~~ and

(b) ~~Ensure~~ ensure the dog is securely confined:

(i) ~~indoors;~~ on their property; or

(ii) inside a locked pen or structure, ~~suitable to that will:~~

(aa) ~~prevent the entry of young children and designed to minors from entering;~~ and

(bb) ~~prevent the animal~~ dog from escaping, ~~with;~~ and

(cc) ~~has~~ secure sides and ~~a secure top and bottom,~~ that ~~also provides protection~~ protects the dog from the elements ~~for the dog;;~~

~~(c) Whenever~~ and

(c) ~~ensure the dog, whenever it is~~ not confined, ~~ensure the dog~~ is securely:

(i) ~~muzzled;~~ in a way that will not injure the dog or interfere with its vision or respiration, drinking, or panting, but will prevent it from biting any person or animal; ~~and~~

(ii) on a leash that is not longer than six feet in length;; and

(iii) under the control of a person 15 years of age or older who is physically able to control the dog;

~~and~~

(d) ~~Ensure~~ ensure the dog wears a bright ~~orangered~~ collar bearing the warning "dangerous dog"; ~~and~~

(e) ~~Ensure~~ensure the dog has a ~~permanent~~ microchip ~~implant for permanent~~ identification implant; and

(f) ~~Maintain~~maintain either:

(i) A ~~\$250,000 or higher~~ surety bond, issued by a surety insurer qualified under RCW ~~Chapter 48.28~~, in a form acceptable to the ~~Animal Control Authority in the sum of at least \$250,000~~County, payable to any person injured by the ~~dangerous dog~~Dangerous Dog; or

(ii) A ~~policy of \$250,000 or higher~~ liability insurance ~~policy~~, such as homeowner's insurance, issued by an insurer qualified under RCW ~~Title 48 in the amount of at least \$250,000~~., insuring the ~~owner~~Owner for any personal injuries ~~inflicted by the dangerous dog. the Dangerous Dog inflicts on anyone.~~

(Ord. O20120007 § 1 (Att. A) (part))

7.06.030 Registration and Restraint Penalties.

~~(1) A violation of SCC 7.06.020~~~~((1) Violating the registration requirements is a civil infraction; provided, however, that no such. This civil infraction may only be assessed until five5 days have elapsed from after the date such owner is notified by~~County notifies the Animal Control AuthorityOwner that suchthey must register a dog or renew a registration or renewal is required.

~~(a) For a potentially dangerous dog, the. The civil infraction carries a penalty of \$125.~~

~~(b) For a dangerous dog, the civil infraction carries a penalty of \$250.~~is:

~~(a) \$125 for a Potentially Dangerous Dog.~~

~~(b) \$250 for a Dangerous Dog.~~

~~(2) Failure~~An Owner's failure to comply with the ~~requirements of SCC 7.06.025~~is restraint requirements in this Chapter is:

~~(a) a misdemeanor for a potentially dangerous dog, and~~Potentially Dangerous Dog and shall be punished by a fine not to exceed \$5,000 dollars, or by imprisonment in jail for a period not to exceed 90 days, or by both such fine and imprisonment; and

~~(b) a gross misdemeanor for a dangerous dog. Dangerous Dog and shall be punished by a fine not to exceed \$1,000 dollars, or by imprisonment in jail for a period not to exceed 364 days, or by both such fine and imprisonment.~~

~~(3) The penalties and remedies in this Chapter are cumulative and in addition to any other legal and equitable penalties and remedies, including those in RCW 16.08 et seq.~~

(Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.040 Enforcement.

(1) ~~All civil penalties required to be paid for violations of this Chapter must be made to the Animal Control Authority.~~

(2) ~~The Animal Control Authority~~County may immediately impound:

(a) ~~A potentially dangerous~~ Potentially Dangerous or dangerous dog for which Dangerous Dog if the owner Owner has not obtained a certificate of registration; or

(b) ~~A potentially dangerous or dangerous dog that is not in compliance with SCC 7.06.025.~~

(3) ~~The Animal Control Authority may impound, quarantine for the proper length of time, and thereafter destroy in an expeditious and humane manner:~~

(a) ~~A dangerous dog~~ (b) a Potentially Dangerous or Dangerous Dog if the Owner has not complied with the restraint requirements in this Chapter; or

(c) ~~a Dangerous Dog that bites a person or a domestic animal~~ Pet Animal; or

(b) ~~Ad) a dog that aggressively attacks and causes severe injury~~ Severe Injury or death of to a human, regardless of whether there has been any previous determination of whether such dog is potentially dangerous or dangerous;

(4) ~~The Animal Control Authority may assess a civil penalty in the amount of \$150 plus \$10 for each day a potentially dangerous~~ even if the dog was not previously determined to be a Potentially Dangerous or dangerous dog is impounded, plus actual costs for any necessary additional care. Dangerous Dog; or

(5) ~~The Animal Control Authority may destroy;~~ e) a Dangerous Dog when the Owner does not have the bond or insurance coverage required in this Chapter.

(2) ~~If the County impounds a dog under this section, the County must serve an impoundment notice within 72 hours of impoundment, if possible. The impoundment notice must:~~

(a) ~~satisfy the other service requirements in this Chapter when serving an impoundment notice, including by regular and certified mail, return receipt requested; and~~

(b) ~~specify the reasons for the impoundment; and~~

(c) ~~inform the Owner that they are responsible for redeeming the dog; and~~

(d) ~~inform the Owner that they are responsible for paying penalties and costs for necessary impoundment, control measures, or additional care; and~~

(e) ~~inform the Owner that the dog will be destroyed in an expeditious and humane manner; a potentially dangerous or dangerous dog when the right to appeal has been exhausted or waived and the dog remains impounded for if the Owner does not correct the reasons for impounding the dog within 20 calendar days or more due to the failure of from the notice's effective service date, unless the owner to obtain a certificate of registration or pay files an appeal with the District Court.~~

(3) The County may destroy a dog impounded under this section in an expeditious and humane manner if the Owner does not: a) correct any deficiencies set forth in this Chapter; b) meet all requirements set forth in this Chapter; and/or c) pay the civil penalties. The Animal Control Authority set forth in this Chapter. The County will only destroy an impounded dog when the time to appeal has passed or the Owner exhausts or waives all remaining appeals.

(4) The County may assess a civil penalty in the amount of \$150. Additionally, the County can assess \$10 for each day a Potentially Dangerous or Dangerous Dog is impounded for administrative costs, plus any other actual costs for any necessary impoundment, control measures, or additional care. The County may assess an additional civil penalty in the amount of \$250 for the cost of destroying any such dog. Owners must pay all civil penalties to the County.

~~(6) No potentially dangerous dog or dangerous dog-~~5) The County will not return any impounded by the Animal Control Authority may be returned Potentially Dangerous Dog or Dangerous Dog to any owner an Owner until such owner has paid they pay all civil penalties assessed against such owner under this Chapter and registration fees due.

(Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.045 Redemption.

(1) An Owner may redeem any impounded dog after paying all fees due, including the redemption fee and any other fees and costs set forth in this Chapter. The Owner must prove that they have corrected the violation, including obtaining all licenses for an unlicensed dog.

(2) The redemption fee shall include all applicable fees and costs associated with apprehension, transportation, impoundment, care, boarding, shelter capital facilities and any veterinary costs incurred including euthanasia and disposal of the dog. The redemption fee shall be related to the County's direct costs for the items mentioned.

7.06.070 Liability Disclaimer of liability.

(1) This Chapter has been enacted for benefits the public welfare of the public as a whole. Nothing contained in this

(2) This Chapter is intended to be nor may be construed to does not create or form the basis of any liability on the part of the County, its officers, employees, or agents for any injury or damage resulting from the failure of anyone anyone's action or inaction in:

_____ (a) failing to comply with the provisions of this Chapter, or by reason or in consequence of the implementation or enforcement pursuant to this Chapter; or

(b) implementing this Chapter, or by reason of any action or inaction on the part of the County related in any manner to the enforcement of; or

(c) enforcing this Chapter by its officers, employees, or agents.

(Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.080 Severability.

This Chapter's provisions are severable. If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the act where the application of the to be unenforceable for any reason, each such provision to other persons or circumstances is shall be severed from the remaining provisions and shall not affected- affect the remaining provisions' enforceability.

(Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.090 Violation--Non-Determination No Defense.

The fact that the County or another jurisdiction has not determined that a dog is a Dangerous Dog or Potentially Dangerous Dog shall not provide an Owner a defense nor excuse an Owner from failing to complying with this Chapter if the Owner knew or should have known that the dog was a Dangerous Dog or Potentially Dangerous Dog.

EXHIBIT "B"

This Exhibit contains the current language of Skagit County Code Chapter 7.06.

Chapter 7.06

DANGEROUS DOGS

Sections:

7.06.001 Definitions.

7.06.010 Declaration of potentially dangerous or dangerous dogs.

7.06.020 Registration of potentially dangerous and dangerous dogs.

7.06.025 Restraint requirements for potentially dangerous and dangerous dogs.

7.06.030 Penalties.

7.06.040 Enforcement.

7.06.070 Disclaimer of liability.

7.06.080 Severability.

7.06.001 Definitions.

(1) "Dangerous dog" means any dog that:

- (a) Inflicts severe injury on a human without provocation on public or private property; or
- (b) Kills a domestic animal or livestock without provocation while off the owner's property; or
- (c) Has been previously found to be potentially dangerous, the owner having received notice of such, and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals, or bites domestic animals; or
- (d) Has been previously declared a dangerous dog in any other county, state, or foreign country.

(2) "Potentially dangerous dog" means:

- (a) Any dog that when unprovoked:
 - (i) Bites a human on public or private property; or
 - (ii) Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or
 - (iii) Bites a domestic animal or livestock, excluding poultry, while off the owner's property; or

(b) Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to cause injury or otherwise to threaten the safety of humans or domestic animals or big game animals; or

(c) Any dog that chases or approaches a person upon private property other than the owner's in a menacing fashion or apparent attitude of attack; or

(d) Any dog that has been previously declared a potentially dangerous dog in any other county, state, or foreign country.

(3) "Domestic animal" means a dog or cat kept as a pet.

(4) "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery. (Ord. O20140001 § 2 (Att. 1)(part); Ord. O20120007 § 1 (Att. A) (part))

7.06.010 Declaration of potentially dangerous or dangerous dogs.

(1) The Animal Control Authority or Animal Control Officer may issue a notice of intent to declare a dog potentially dangerous or dangerous if there is probable cause to believe that the dog falls within the above definitions. The notice of intent must be based on:

(a) The written complaint of a citizen who is willing to testify that the animal has acted in a manner which causes it to fall within the definition;

(b) Dog bite reports filed with the Animal Control Authority as required by law;

(c) Actions of the dog witnessed by any Animal Control Officer or law enforcement officer; or

(d) Other substantial evidence, including hearsay if it is of a nature that a reasonable and prudent person would rely upon.

(2) Service.

(a) Notices and orders issued pursuant to this Section must be in writing and served on the owner in one of the following methods:

(i) Certified mail, with return receipt requested, and ordinary first class mail to the owner's or keeper's last known address; or

(ii) Personally; or

(iii) If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.

(b) Service is effective on the date the notice is received; or, in the case of certified mail, three days after the notice is mailed; or, in the case of service by publication, 15 days after publication.

(c) The owner of any dog found to be a potentially dangerous or dangerous dog under this Chapter shall be assessed all service costs expended under this Subsection.

(3) The notice of intent to declare a dog potentially dangerous or dangerous must include:

(a) A description of the animal;

(b) The name and address of the owner or keeper of the animal, if known;

(c) The whereabouts of the animal if it is not in the custody of the owner;

(d) The facts upon which the declaration is based;

(e) The restrictions placed on the animal as a result of the declaration;

(f) A reference to the penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner; and

(g) A statement that the owner is entitled to an opportunity to meet with the Sheriff to give any reasons or information as to why the dog should not be declared potentially dangerous or dangerous and the date, time, and place of the meeting, and that the owner may propose an alternative meeting date and time, but that such meeting must occur within 15 days of the date the notice was served.

(4) Meeting with Sheriff.

(a) If the owner does not attend the scheduled meeting with the Sheriff, the Sheriff may issue an order finding that the dog is potentially dangerous or dangerous.

(b) If the owner attends the scheduled meeting with the Sheriff, the owner may offer, orally or in writing, any reason or information as to why the dog should not be found potentially dangerous or dangerous.

(c) After review of the record and the owner's reasons and information, the Sheriff must determine whether a preponderance of the evidence weighs in favor of finding the dog potentially dangerous or dangerous.

(d) If the Sheriff determines that the dog is potentially dangerous or dangerous, the Sheriff must issue a declaration that includes:

(i) A recital of the authority for the declaration;

(ii) A concise statement of the facts that support the determination; and

(iii) The signature of the person who made the determination.

(e) The Sheriff's determination is final and may be appealed to Skagit County District Court, which will review the record made at the meeting to determine whether the declaration is supported by a preponderance of the evidence. Any such appeal must be filed within 20 days of service of the order. Upon notice that an appeal has been filed, the Animal Control Authority must file a certified copy of the record from any such meeting with the District Court. A recording of the meeting will be

made available to the person appealing the ruling, who will have the responsibility of transcribing the meeting for the appeal.

(5) The Animal Control Authority may impound the dog found to be potentially dangerous or dangerous if circumstances require. If the final determination is upheld, the owner must pay impound costs consistent with SCC 7.06.040. (Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.020 Registration of potentially dangerous and dangerous dogs.

(1) It is unlawful for an owner of a potentially dangerous or dangerous dog to:

(a) Keep, own, or maintain such a dog in Skagit County without a current certificate of registration issued by the Animal Control Authority;

(b) Move such a dog within or from Skagit County without a certificate of registration and the consent of the Animal Control Authority. The Animal Control Authority must be informed as to the residence of any such dog at all times.

(2) The Animal Control Authority may not issue a certificate of registration to the owner of a dangerous dog unless the owner presents to the Animal Control Authority sufficient evidence of:

(a) A warning sign as required by SCC 7.06.025; and

(b) A secure enclosure consistent with that required by SCC 7.06.025(2)(b), or a declaration that, while on the owner's property, the owner will keep the dangerous dog securely confined indoors; and

(c) Microchipping as required by SCC 7.06.025(2)(e);

(d) Compliance with the insurance requirement of SCC 7.06.025(2)(f).

(3) The registration fees are set as follows:

(a) For each potentially dangerous dog, the initial registration fee is \$100, and the annual renewal fee is \$50.

(b) For each dangerous dog, the initial registration fee is \$200, and the annual renewal fee is \$100.

(4) If a potentially dangerous or dangerous dog is destroyed or dies other than pursuant to SCC 7.06.040, the owner must present sufficient evidence of that fact to the Animal Control Authority. If a potentially dangerous or dangerous dog is sold, given away, or otherwise disposed of, the owner must present verification of the dog's new location to the Animal Control Authority. (Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.025 Restraint requirements for potentially dangerous and dangerous dogs.

(1) An owner of a potentially dangerous dog must:

(a) Conspicuously display a sign with a warning symbol on any premises where the dog is kept that informs children of the presence of a potentially dangerous dog;

(b) While on the owner's property, ensure the dog is restrained by chain, leash, or other confinement suitable to prevent the animal from leaving the owner's property;

(c) While off the owner's property, ensure the dog is under physical restraint by the owner or other responsible person;

(d) Ensure the dog wears a bright orange collar bearing the warning "potentially dangerous dog"; and

(e) Ensure the dog has a microchip implant for permanent identification.

(2) An owner of a dangerous dog must:

(a) Conspicuously display a sign with a warning symbol on any premises where the dog is kept that informs children of the presence of a dangerous dog;

(b) Ensure the dog is securely confined indoors, or inside a locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping, with secure sides and a secure top, that also provides protection from the elements for the dog;

(c) Whenever not confined, ensure the dog is securely muzzled, on a leash that is not longer than six feet in length, and under the control of a person 15 years of age or older who is physically able to control the dog;

(d) Ensure the dog wears a bright orange collar bearing the warning "dangerous dog";

(e) Ensure the dog has a microchip implant for permanent identification; and

(f) Maintain either:

(i) A surety bond issued by a surety insurer qualified under RCW Chapter 48.28 in a form acceptable to the Animal Control Authority in the sum of at least \$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 RCW Title 48 in the amount of at least \$250,000, insuring the owner for any personal injuries inflicted by the dangerous dog. (Ord. O20120007 § 1 (Att. A) (part))

7.06.030 Penalties.

(1) A violation of SCC 7.06.020(1) is a civil infraction; provided, however, that no such civil infraction may be assessed until five days have elapsed from the date such owner is notified by the Animal Control Authority that such a registration or renewal is required.

(a) For a potentially dangerous dog, the civil infraction carries a penalty of \$125.

(b) For a dangerous dog, the civil infraction carries a penalty of \$250.

(2) Failure to comply with the requirements of SCC 7.06.025 is a misdemeanor for a potentially dangerous dog, and a gross misdemeanor for a dangerous dog. (Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.040 Enforcement.

(1) All civil penalties required to be paid for violations of this Chapter must be made to the Animal Control Authority.

(2) The Animal Control Authority may impound:

(a) A potentially dangerous or dangerous dog for which the owner has not obtained a certificate of registration; or

(b) A potentially dangerous or dangerous dog that is not in compliance with SCC 7.06.025.

(3) The Animal Control Authority may impound, quarantine for the proper length of time, and thereafter destroy in an expeditious and humane manner:

(a) A dangerous dog that bites a person or a domestic animal; or

(b) A dog that aggressively attacks and causes severe injury or death of a human, regardless of whether there has been any previous determination of whether such dog is potentially dangerous or dangerous.

(4) The Animal Control Authority may assess a civil penalty in the amount of \$150 plus \$10 for each day a potentially dangerous or dangerous dog is impounded, plus actual costs for any necessary additional care.

(5) The Animal Control Authority may destroy, in an expeditious and humane manner, a potentially dangerous or dangerous dog when the right to appeal has been exhausted or waived and the dog remains impounded for 20 days or more due to the failure of the owner to obtain a certificate of registration or pay civil penalties. The Animal Control Authority may assess an additional civil penalty in the amount of \$250 for the cost of destroying any such dog.

(6) No potentially dangerous dog or dangerous dog impounded by the Animal Control Authority may be returned to any owner until such owner has paid all civil penalties assessed against such owner under this Chapter. (Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.070 Disclaimer of liability.

This Chapter has been enacted for the welfare of the public as a whole. Nothing contained in this Chapter is intended to be nor may be construed to create or form the basis of any liability on the part of the County, its officers, employees, or agents for any injury or damage resulting from the failure of anyone to comply with the provisions of this Chapter, or by reason or in consequence of the implementation or enforcement pursuant to this Chapter, or by reason of any action or inaction on the part of the County related in any manner to the enforcement of this Chapter by its officers, employees, or agents. (Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.080 Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the act where the application of the provision to other persons or circumstances is not affected. (Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

EXHIBIT “C”

This Exhibit contains the clean version of the proposed amendments to Skagit County Code Chapter 7.06.

Chapter 7.06 DANGEROUS DOGS

Sections:

7.06.001 Purpose.

7.06.002 Definitions.

7.06.005 Effect of Keeping 15+ Dogs on Determinations

7.06.010 Potentially Dangerous or Dangerous Dogs Determination.

7.06.015 Challenge in District Court to County’s Determination

7.06.020 Registration of Potentially Dangerous and Dangerous Dogs.

7.06.025 Restraint Requirements for Potentially Dangerous and Dangerous Dogs.

7.06.030 Registration and Restraint Penalties.

7.06.040 Enforcement.

7.06.045 Redemption.

7.06.070 Liability Disclaimer.

7.06.080 Severability.

7.06.090 Violation--Non-Determination No Defense.

7.06.001 Purpose.

Skagit County’s public policy is, in part, to secure and maintain such levels of animal care and control as will protect animal and human health and safety. The County, to the greatest degree practicable, seeks to prevent injury to property and cruelty to animal life caused by dogs. Dogs are pack animals and when in large packs, can be hazardous beyond what a dog individually or in a small pack may be.

7.06.002 Definitions.

“County” means: Skagit County, its officers, employees, or agents, including its Animal Control Authority and Animal Control Officer.

“Dangerous Dog” means a canidae that:

- (a) inflicts Severe Injury on a human without provocation on public or private property; or
- (b) kills a Domestic Animal (excluding poultry), without provocation while off the Owner's property; or
- (c) kills poultry in five or more separate incidents; or
- (d) the County has previously determined to be a Potentially Dangerous Dog where the Owner received notice of such, and the animal again aggressively bites, attacks, or endangers the safety of humans or Domestic Animals (excluding poultry); or
- (e) has been previously declared a dangerous dog in any other county, city, state, or foreign country; or
- (f) is not domesticated.

A wolf, coyote, or any canidae hybrid (e.g., wolf-coyote hybrids, wolf-dog hybrids, and coyote-dog hybrids) can be a Dangerous Dog, if it meets the Dangerous Dog definition, even if domesticated. A wolf, coyote, or any canidae hybrid is not considered a dog even if it meets the Dangerous Dog definition.

"Domestic Animal" means: an animal that has been domesticated and kept by humans so as to live and/or breed in a tame condition, and includes horses, mules, cattle, sheep, swine, goats, rabbits, or similar farm animals kept for lawful use or profit. It also includes Pet Animals. It does not include poultry or dogs that engage in organized fights.

"Owner" means: any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of a dog, or anyone who keeps the dog in any way.

"Pet Animal" means: a dog, cat, or other animal traditionally kept as a pet.

"Potentially Dangerous Dog" means:

(a) any dog that, unprovoked:

- (i) bites a human on property that the dog owner does not own or control; or
- (ii) chases or approaches a person upon the streets, sidewalks, or any public property in a menacing fashion or apparent attitude of attack; or
- (iii) bites a Domestic Animal (and for poultry, bites them in five or more separate incidents) while off the Owner's property;

or

(b) any dog that, unprovoked, has a known propensity, tendency, or disposition to:

- (i) attack humans, Pet Animals, or big game animals; or
- (ii) to cause injury; or
- (iii) cause injury to humans, Pet Animals, or big game animals; or

(iv) threaten the safety of humans, Pet Animals, or big game animals;

or

(c) any dog that chases or menaces or has an attack attitude towards a person who is not on the dog Owner's property; or

(d) any dog that was previously declared a Potentially Dangerous Dog by any other county, city, state, or foreign country.

A wolf, coyote, or any canidae hybrid (e.g., wolf-coyote hybrids, wolf-dog hybrids, and coyote-dog hybrids) can be a Potentially Dangerous Dog, if it meets the Potentially Dangerous Dog definition, even if domesticated. A wolf, coyote, or any canidae hybrid is not considered a dog even if it meets the Potentially Dangerous Dog definition.

"Severe Injury" means: any physical injury of:

(a) broken bones; or

(b) disfiguring lacerations that require multiple sutures or cosmetic surgery.

(Ord. O20140001 § 2 (Att. 1)(part); Ord. O20120007 § 1 (Att. A) (part))

7.06.005 Effect of Keeping 15+ Dogs on Determinations

The County may determine that when a person maintains more than 15 dogs, and one or more dogs fulfill the Potentially Dangerous or Dog Dangerous Dog requirements, any or all of the dogs are Potentially Dangerous Dogs or Dangerous Dogs. If the Owner provides sufficient evidence that a specific dog(s) is/are the Potentially Dangerous Dog(s), then only the dog(s) the Owner identifies is/are a Potentially Dangerous Dog(s). The evidence must meet the preponderance of the evidence standard.

7.06.010 Potentially Dangerous or Dangerous Dogs Determination.

(1) The County may determine that a dog is a Potentially Dangerous or Dangerous Dog by a preponderance of the evidence. The determination must be in writing and based on:

(a) a person's written complaint and willingness to testify that the animal has satisfied the Potentially Dangerous or Dangerous Dog definitions; or

(b) dog bite reports filed with the County, as required by law; or

(c) any Animal Control Officer or law enforcement officer witnessing the dog's actions; or

(d) other substantial evidence, including hearsay (if a reasonable and prudent person would rely upon that hearsay).

(2) Service.

(a) The County must serve Potentially Dangerous or Dangerous Dog determinations on the dog's Owner (or their last known address) by:

- (i) certified mail, with return receipt requested, and ordinary first-class mail; or
- (ii) personal service; or
- (iii) publication in a newspaper of general circulation in the area of the incident if the Owner cannot be located.

(b) Service is effective as follows:

- (i) on the date the Owner is personally served; or
- (ii) 3 days after the notice is mailed for service by certified mail; or
- (iii) 15 days after publication for service by publication.

(c) The Owner of any dog found to be a Potentially Dangerous or Dangerous Dog under this Chapter shall pay all costs for such service.

(3) The written determination that a dog is a Potentially Dangerous or Dangerous Dog must include:

- (a) the dog's description; and
- (b) the dog Owner's name and address, if known; and
- (c) the dog's last known whereabouts if it is not in the Owner's custody; and
- (d) the facts, statutes, and laws supporting the determination; and
- (e) the restrictions placed on the dog and/or Owner; and
- (f) a description of the penalties for violating any restrictions, such as: the dog's destruction, and/or fining or imprisoning the Owner; and
- (g) a statement that the County's determination is final; and
- (h) a notice that the Owner has a right to challenge the determination to the Skagit County District Court by filing a written request for a hearing with the Skagit County District Court within 20 days of the effective service date. The notice should also reference the provision in this Chapter that states what the Owner must include in the appeal request.

(4) The County may determine that a dog is a Dangerous Dog if the dog satisfies the Dangerous Dog criteria even if no entity declared that the dog was a Potentially Dangerous Dog.

(5) The County may impound a Potentially Dangerous or Dangerous Dog at the Owner's expense if circumstances require until a court orders otherwise or the owner corrects any deficiencies/satisfies all requirements. The Owner must pay impound and boarding costs if an animal is a Potentially Dangerous or Dangerous Dog.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.015 Challenge in District Court to County's Determination

(1) An Owner can challenge the County's determination about their dog within 20 calendar days when the County effectively serves Owner the notice stating their right to challenge the County's determination.

(2) The Owner must file their written challenge with the clerk of the court. It must contain:

(a) a brief statement that gives the reasons why the court should reverse or modify the County's determination; and

(b) names, addresses, and phone numbers of any witnesses who will appear for the dog Owner; and

(c) a brief statement describing any documents or other evidence they may offer to the District Court; and

(d) the dog Owner's contact information (including day phone number, address, and any other ways to contact them).

(3) The District Court civil procedure rules and local rules apply to an appeal. The District Court will set dates and give the parties notice as provided in the District Court rules.

(4) The parties are responsible for notifying their witnesses about all relevant hearing dates.

(5) Except for a verifiable emergency, if the Owner or their representative fails to appear at a hearing, the determination will stand.

(6) In the District Court, the County must prove, by a preponderance of the evidence, that the dog is a Dangerous or Potentially Dangerous Dog.

(a) The Court may reverse a Dangerous or Potentially Dangerous Dog determination if there is insufficient evidence to support the determination.

(b) The Court may affirm a Dangerous or Potentially Dangerous Dog determination if there is sufficient evidence to support the determination.

(7) The District Court has the power to take all actions legally and equitably necessary to achieve justice during the appeal. This can include:

(a) vacating or nullifying the determination; and/or

(b) vacating or nullifying any restrictions on the dog or Owner; and/or

(c) affirming the determination or any restrictions on the dog or Owner; and/or

(d) imposing court costs on the appellant; and/or

(e) imposing additional restrictions on the dog or Owner; and/or

(f) ordering the County or Owner to take additional actions.

7.06.020 Registration of Potentially Dangerous and Dangerous Dogs.

(1) It is unlawful for a Potentially Dangerous or Dangerous Dog Owner to:

- (a) keep, own, or maintain such a dog in Skagit County without a County-issued current registration certificate; and
- (b) move such a dog to, within, or from Skagit County without the County's consent; and
- (c) fail to inform the County where any such dog resides at all times; and
- (d) fail to inform the County about any changes affecting the dog's registration certificate.

(2) The County may not issue a registration certificate to a Dangerous Dog's Owner unless the Owner presents to the County sufficient evidence of:

- (a) all warning signs required by law, including one that informs children that a dangerous dog is present; and
- (b) a secure enclosure consistent with law, or an affidavit or declaration under penalty of perjury that the Owner will keep the Dangerous Dog securely confined indoors on the Owner's property; and
- (c) microchipping as required by law; and
- (d) compliance with the insurance required by this Chapter and law; and
- (e) all other requirements set forth in this Chapter, such as the restraint requirements.

(3) The registration fees are:

- (a) for each Potentially Dangerous Dog, \$100 for the initial registration, and \$50 for an annual renewal fee.
- (b) for each Dangerous Dog, \$200 for the initial registration, and \$100 for an annual renewal.

(4) If a Potentially Dangerous or Dangerous Dog is destroyed or dies while in an Owner's custody, the Owner must present sufficient evidence of that fact to the County within 10 days.

(5) If a Potentially Dangerous or Dangerous Dog is sold, given away, or otherwise disposed of, the Owner must immediately inform the County and provide all relevant details, including the dog's location, if applicable. The new Owner is bound by the previous Potentially Dangerous or Dangerous Dog determination and must obtain a new registration certificate. If the previous Owner has paid the current registration fees, the new Owner will only need to pay for the annual renewal when it is next due. If the previous Owner has not paid the registration fees, the new Owner must pay the initial fee immediately and renewal fees thereafter.

(Ord. O20120007 § 1 (Att. A) (part): Ord. R20020080 (part))

7.06.025 Restraint Requirements for Potentially Dangerous and Dangerous Dogs.

(1) A Potentially Dangerous Dog Owner must:

- (a) conspicuously display a sign (or more than one sign if a sign is not visible at all public access points) with a warning symbol that informs all people that they keep a Potentially Dangerous Dog on the premises; and**
- (b) ensure the dog is restrained by fence, chain, leash, or other confinement suitable to prevent the animal from leaving the Owner's property; and**
- (c) ensure the Owner or other responsible person is physically restraining the dog when it is off the Owner's property; and**
- (d) ensure the dog wears a bright red collar bearing the warning "Potentially Dangerous Dog"; and**
- (e) ensure the dog has a permanent microchip identification implant.**

(2) A Dangerous Dog Owner must:

- (a) conspicuously display a sign (or more than one sign if a sign is not visible at all public access points) with a warning symbol that informs all people that they keep a Dangerous Dog on the premises; and**
 - (b) ensure the dog is securely confined:**
 - (i) indoors on their property; or**
 - (ii) inside a locked pen or structure that will:**
 - (aa) prevent minors from entering; and**
 - (bb) prevent the dog from escaping; and**
 - (cc) has secure sides and top and bottom, that protects the dog from the elements;**
- and**
- (c) ensure the dog, whenever it is not confined, is securely:**
 - (i) muzzled in a way that will not injure the dog or interfere with its vision or respiration, drinking, or panting, but will prevent it from biting any person or animal; and**
 - (ii) on a leash that is not longer than six feet in length; and**
 - (iii) under the control of a person 15 years of age or older who is physically able to control the dog;**
- and**
- (d) ensure the dog wears a bright red collar bearing the warning "dangerous dog"; and**
 - (e) ensure the dog has a permanent microchip identification implant; and**

(f) maintain either:

(i) A \$250,000 or higher surety bond, issued by a surety insurer qualified under RCW 48.28, in a form acceptable to the County, payable to any person injured by the Dangerous Dog; or

(ii) A \$250,000 or higher liability insurance policy, such as homeowner's insurance, issued by an insurer qualified under RCW 48, insuring the Owner for any personal injuries the Dangerous Dog inflicts on anyone.

(Ord. O20120007 § 1 (Att. A) (part))

7.06.030 Registration and Restraint Penalties.

(1) Violating the registration requirements is a civil infraction. This civil infraction may only be assessed 5 days after the County notifies the Owner that they must register a dog or renew a registration. The civil infraction penalty is:

(a) \$125 for a Potentially Dangerous Dog.

(b) \$250 for a Dangerous Dog.

(2) An Owner's failure to comply with the restraint requirements in this Chapter is:

(a) a misdemeanor for a Potentially Dangerous Dog and shall be punished by a fine not to exceed \$1,000 dollars, or by imprisonment in jail for a period not to exceed 90 days, or by both such fine and imprisonment; and

(b) a gross misdemeanor for a Dangerous Dog and shall be punished by a fine not to exceed \$5,000 dollars, or by imprisonment in jail for a period not to exceed 364 days, or by both such fine and imprisonment.

(3) The penalties and remedies in this Chapter are cumulative and in addition to any other legal and equitable penalties and remedies, including those in RCW 16.08 et seq.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.040 Enforcement.

(1) The County may immediately impound:

(a) a Potentially Dangerous or Dangerous Dog if the Owner has not obtained a certificate of registration; or

(b) a Potentially Dangerous or Dangerous Dog if the Owner has not complied with the restraint requirements in this Chapter; or

(c) a Dangerous Dog that bites a person or a Pet Animal; or

(d) a dog that aggressively attacks and causes Severe Injury or death to a human, even if the dog was not previously determined to be a Potentially Dangerous or Dangerous Dog; or

(e) a Dangerous Dog when the Owner does not have the bond or insurance coverage required in this Chapter.

(2) If the County impounds a dog under this section, the County must serve an impoundment notice within 72 hours of impoundment, if possible. The impoundment notice must:

(a) satisfy the other service requirements in this Chapter when serving an impoundment notice, including by regular and certified mail, return receipt requested; and

(b) specify the reasons for the impoundment; and

(c) inform the Owner that they are responsible for redeeming the dog; and

(d) inform the Owner that they are responsible for paying penalties and costs for necessary impoundment, control measures, or additional care; and

(e) inform the Owner that the dog will be destroyed in an expeditious and humane manner if the Owner does not correct the reasons for impounding the dog within 20 calendar days from the notice's effective service date, unless the owner files an appeal with the District Court.

(3) The County may destroy a dog impounded under this section in an expeditious and humane manner if the Owner does not: a) correct any deficiencies set forth in this Chapter; b) meet all requirements set forth in this Chapter; and/or c) pay the civil penalties set forth in this Chapter. The County will only destroy an impounded dog when the time to appeal has passed or the Owner exhausts or waives all remaining appeals.

(4) The County may assess a civil penalty in the amount of \$150. Additionally, the County can assess \$10 for each day a Potentially Dangerous or Dangerous Dog is impounded for administrative costs, plus any other actual costs for any necessary impoundment, control measures, or additional care. The County may assess an additional civil penalty in the amount of \$250 for the cost of destroying any such dog. Owners must pay all civil penalties to the County.

(5) The County will not return any impounded Potentially Dangerous Dog or Dangerous Dog to an Owner until they pay all civil penalties and registration fees due.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.045 Redemption.

(1) An Owner may redeem any impounded dog after paying all fees due, including the redemption fee and any other fees and costs set forth in this Chapter. The Owner must prove that they have corrected the violation, including obtaining all licenses for an unlicensed dog.

(2) The redemption fee shall include all applicable fees and costs associated with apprehension, transportation, impoundment, care, boarding, shelter capital facilities and any veterinary costs

incurred including euthanasia and disposal of the dog. The redemption fee shall be related to the County's direct costs for the items mentioned.

7.06.070 Liability Disclaimer.

(1) This Chapter benefits the public welfare as a whole.

(2) This Chapter does not create any liability on the County for any injury or damage resulting from anyone's action or inaction in:

(a) failing to comply with this Chapter; or

(b) implementing this Chapter; or

(c) enforcing this Chapter.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.080 Severability.

This Chapter's provisions are severable. If any provision of this Chapter is held to be unenforceable for any reason, each such provision shall be severed from the remaining provisions and shall not affect the remaining provisions' enforceability.

(Ord. O20120007 § 1 (Att. A) (part); Ord. R20020080 (part))

7.06.090 Violation--Non-Determination No Defense.

The fact that the County or another jurisdiction has not determined that a dog is a Dangerous Dog or Potentially Dangerous Dog shall not provide an Owner a defense nor excuse an Owner from failing to complying with this Chapter if the Owner knew or should have known that the dog was a Dangerous Dog or Potentially Dangerous Dog.