The seal of the City of Mercer Island, Washington, is a circular emblem. It features a central five-pointed star above wavy lines representing water. The words "CITY OF MERCER ISLAND" are written in a circular path around the top, and "WASHINGTON" is written around the bottom. The seal is rendered in a light blue, semi-transparent style.

**Ord. No. 21C-18  
Amending Chapter 7.04 MICC-  
Animal Code  
(Second Reading)**

# Changes From First Reading - Change 1

- MICC 7.04.110(A):
  - Removed the terms “trained seeing eye dog” and “any dog which is trained to aid the disabled”
  - Replaced with the term “service animals as defined in RCW 49.60.040”



# Changes From First Reading – Change 2

- MICC 7.04.020, Definitions:
  - RCW Ch. 16.08 definitions (such as “Animal Control Authority”) adopted into MICC Chapter 7.04 for ease of reading, rather than simply adopting them by reference



# Changes From First Reading – Change 3

- MICC 7.04.120(A)(1)
  - Removes references to “citizen”
  - Replaces it with “person”



# Changes From First Reading – Change 4

- MICC 7.04.130(C)
  - Provides for a dangerous dog registration fee of \$250 for the year 2021 and thereafter in an amount as set by the City Council in the latest fee schedule



# Changes From First Reading – Change 5

- Throughout

- Term “Hearing Examiner” capitalized consistently throughout the chapter



# Changes From First Reading – Change 6

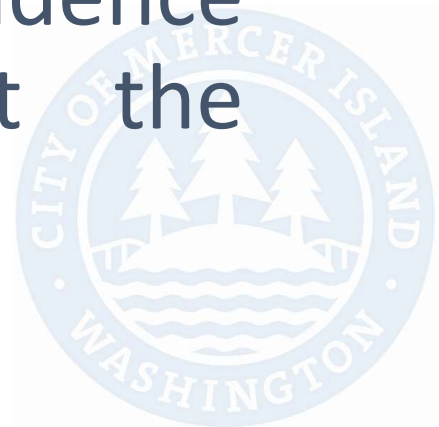
- Inactive Potentially Dangerous Dogs
  - New Proposed Section MICC 7.04.125:
    - Provides a mechanism by which an Owner can request review of a Potentially Dangerous Dog after two years of designation if the dog has committed no other offenses



# Changes From First Reading – Change 7

- MICC 7.04.120(A)

- Clarifies the types of evidence that may be combined to support a declaration in support of a potentially dangerous dog finding, including photographs of injuries caused by the dog, medical reports, etc., so long as the sum of the evidence resulted in probable cause to support the potentially dangerous dog declaration.





# Changes From First Reading – Change 8

- MICC 7.04.235(H)
  - Clarifies that the dog owner can bring in documentation and/or witnesses (both lay and expert) and other evidence in defense of their dog



# Recommended Changes for Adoption

- Revise MICC 7.04.110(B) to be consistent with the revisions to 7.04.110(A):

B. For any animal to enter any place where food is stored, prepared, served or sold to the public, or any other public building or hall. This section shall not apply to a service animal as defined by RCW 49.60.040 ~~trained seeing eye dog, any dog which is trained to aid the disabled,~~ to veterinary offices or hospitals, to animal shows, exhibitions or organized dog training classes where at least 24 hours' advance notice has been given to the animal control authority by such persons requesting to hold such animal shows, exhibitions or dog training classes;



# Recommended Changes for Adoption

- Ensure the term "Owner" is consistently capitalized within the chapter
- Ensure the term "City" is consistently capitalized within the chapter and consistently referenced within the chapter (instead of "City of Mercer Island", etc.)



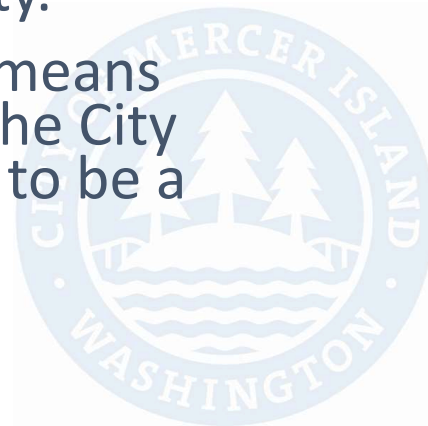
# Recommended Changes for Adoption

- **7.04.125 Review of Potentially Dangerous Dog Designation.**

A. If, after twenty-four (24) months of the Animal Control Officer declaring an animal a Potentially Dangerous Dog (provided such declaration is not overturned by the Hearing Examiner or a reviewing court), no violations of this chapter or RCW Ch. 16.08 have occurred, the Owner of a Potentially Dangerous Dog may request review of the Potentially Dangerous Dog designation. The request shall be made in writing and submitted to the City Clerk~~Animal Control Authority~~.

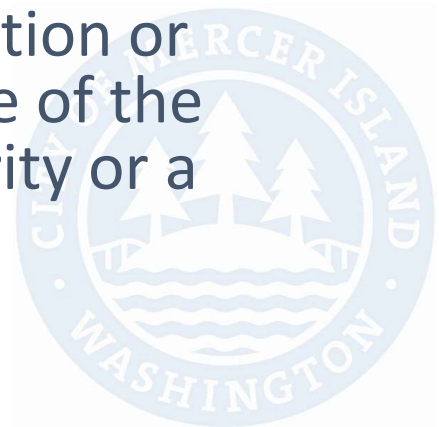
B. Review and notification to the Owner of the outcome of the request shall be made within thirty (30) days of the City's receipt of the written request. The outcome of the request shall be determined ~~determination~~ by the Animal Control Authority pursuant to this section and shall be the final decision of the City.

C. Reclassification of a Potentially Dangerous Dog pursuant to this section means that the dog will no longer be considered a Potentially Dangerous Dog by the City ~~of Mercer Island~~ pursuant to this Chapter, unless the dog is again declared to be a Potentially Dangerous Dog as set forth in this Chapter.



# Recommended Changes for Adoption

- 7.04.235 Appeals of Potentially Dangerous Dog Declarations or Dangerous Dog Declarations
- A. Filing. A notice of appeal, substantially in the form prescribed, shall be filed with the City Clerk ~~Animal Control Authority~~ within twenty (20) days of receiving a Potentially Dangerous Dog Declaration or final Dangerous Dog determination (notices that are mailed will be presumed to have been delivered three days after placing the notice in the mail for delivery). No fee is required to file a notice of appeal under this section 7.04.235. If the Owner does not file a timely written request for hearing, the restrictions imposed in connection with the Potentially Dangerous Dog Declaration or final Dangerous Dog determination shall remain in effect for the life of the animal, unless sooner lifted by action of the Animal Control Authority or a court of competent jurisdiction.



# Staff Recommendation: Adopt Ord. 21C-18

