



Agenda Item:

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COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: 02/28/05

Communication No.:

05-093

Agenda Item Type: Ordinance

Roll Call

No.:

Submitted by: William McCarthy, Police Department

SUBJECT—

Amendments to Municipal Code Sections 18-44, 18-57, and 18-203 concerning vicious dogs and dangerous animals.

SYNOPSIS—

The amendment to section 18-44 adds a requirement that the insurance for a vicious dog be maintained or the vicious dog will be deemed unlicensed. The amendment to section 18-57 requires a vicious dog be removed from the City if found more than twice not to be properly confined or leashed. The amendment to section 18-203 adds that a previously declared vicious dog or a vicious dog by breed that bites without provocation and is not properly confined or leashed may be processed as a dangerous animal.

FISCAL IMPACT—

None

RECOMMENDATION—

Approval

BACKGROUND—

The amendment to section 18-44 operates to make a vicious dog owner maintain insurance to keep the dog licensed. It will help to prevent the owner from buying the insurance to get their vicious dog out of impound and then canceling the insurance without consequence.

The amendment to section 18-57 is needed to limit the number of times a vicious dog can be improperly confined or leashed without requiring its removal from the City. Currently a vicious dog can be found at large twice each calendar year and not be permanently removed from the City. The amendment removes the calendar year provision. As amended the vicious dog would have to be removed from the City or euthanized the third time it is caught not properly confined or leashed. If the owner elects to remove the vicious dog from the City, the vicious dog would not be euthanized unless it is brought back into the City.

The amendment to section 18-203 is needed to treat vicious dogs as dangerous animals when they bite unprovoked while not being properly confined or leashed. This amendment specifically includes dogs that have been declared vicious by breed. After the bite event, a hearing would be afforded the owner to determine if in fact the vicious dog is a dangerous animal. If the vicious dog were determined to be a dangerous animal then the dangerous animal would have to be permanently removed from the City or euthanized. If the dangerous animal is removed from the City then found in the City again, the dangerous animal would be euthanized.