

ORDINANCE NO. 374X

AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF THE TOWN OF ST. JOHN, DEFINING DANGEROUS AND POTENTIALLY DANGEROUS DOGS, PROVIDING FOR CIVIL PENALTIES, REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH, AND REPEALING ORDINANCE NO. 318X, AND PROVIDING AN EFFECTIVE DATE.

THE TOWN COUNCIL OF THE TOWN OF ST. JOHN DOES ORDAIN AS FOLLOWS:

SECTION 1. DEFINITIONS

- A. "Dog" means both male and female of the species.
- B. "Owner" means any person or persons, firm, association or corporation owning, keeping, having an interest in, having control or custody of or harboring said animals. Control, custody or harboring shall include those people who are occupants of any premises on which a dog remain, or to which the dog customarily returns daily for a period of ten days.
- C. "At large" means to be off the premises of the owner and not under the immediate of some person either by leash or physically means of restraining the dog, but a dog within an automobile/vehicle of its owner or in an automobile/vehicle of any person with the consent of the dog's owner shall be deemed to be upon the owner's premises.
- D. "Potentially Dangerous Dog means: Any dog when unprovoked:
  - 1. Inflicts injuries on a human or domestic animal either on public or private property, or
  - 2. Chases or approaches a person upon the street, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or
  - 3. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or otherwise to threaten the safety of humans or domestic animals.
- E. "Dangerous Dogs" means any dog that:
  - 1. Has killed a domestic animal without provocation off the owner's property, or
  - 2. Has been previously found to be potentially dangerous, the owner having received notice of such finding, and the dog again bites, attacks, or endangers humans or domestic animals.
- F. "Provocation" means taunting, striking, or screaming at a dog or unlawful entry onto the owner's premises where the dog is kept.
- G. "Proper enclosure of a potentially dangerous dog" means:
  - 1. A fence, pen, or physical barrier that maintains the dog within the limits of the owners property, and

2. Posting a sign that informs people of the presence of a potentially dangerous dog.

## SECTION II: TOTAL PET LIMITS

It is unlawful for any person or group of persons living under one household to own more than three (3) domestic animals of any nature at one time of each household. A person or persons with more than three (3) domestic animals prior to December 3, 2009 will be grandfathered in. If an animal dies, a replacement is prohibited if the owner has more than three animals. If the owner breeds dogs or cats, he/she will have four months to find homes.

## SECTION III: ANIMAL CARE

- A. No owner shall fail to provide his/her animal with humane care and treatment, and with sufficient good and wholesome food and water, proper shelter and protection from the weather and veterinary care when needed to prevent suffering.
- B. No person shall beat, cruelly ill-treat, maim, torment, or abuse their dog. Additionally it is unlawful to cause, instigate, any dogfight or other combat between dogs and any other animal or human.
- C. No owner shall abandon their dog.
- D. No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be eaten by any animal, except for expulsion or eradication of rodents and when generally not exposed to other animals.
- E. No dog or other animal shall be left completely enclosed in a parked vehicle without proper ventilation, or in such way as to subject the animal to temperatures sufficient to affect the animal's health and welfare.

## SECTION IV: DOGS AT LARGE

No owner shall cause or permit the dog to be at large within the corporate limits of the Town of St. John at any time, unless the dog is controlled by owner.

## SECTION V: POTENTIALLY DANGEROUS DOGS

Any potentially dangerous dog must be maintained in a proper enclosure for potentially dangerous dogs whenever dog is outside the dwelling of the owner or not securely tethered within the owner's property.

## SECTION VI: DANGEROUS DOGS

Any dog that has been deemed dangerous will not be allowed to be harbored, live, or remain within the city limits of the Town of St. John.

## SECTION VII: CIVIL PENALTIES

- A. It is hereby declared to be a civil infraction for any person to violate this ordinance.
- B. For violation of this ordinance the owner will get a warning for the first offense, fifty dollars (\$50.00) for the second offense, one hundred dollars (\$100.00) for the third offense, two hundred dollars (\$200.00) for the fourth offense and thereafter occurring twelve (12) months of the first offense. These fines are payable to the city clerk.
- C. All costs incurred by the Town of St John in attempting to enforce compliance of this ordinance shall be borne and assumed by the offending dog owner.

## SECTION VIII: REPEAL OF CONFLICTION ORDINANCES

This ordinance supersedes Ordinance 318X and all existing ordinances of the Town of St. John are

hereby repealed in so far as they may be conflicting with this ordinance.

SECTION IX: EFFECTIVE DATE.

This ordinance shall take effect and be in full force on October 26, 2015 after its passage, approval and publication in summary form.

Passed at a regular meeting of the Town of St John, Washington, and approved by the Mayor this 26<sup>th</sup> day of October, 2015.

ATTEST:

APPROVED:

Linda J. Hayes  
CLERK - TREASURER

K. B. Trukey  
MAYOR

ORDINANCE NO. 374X

An Ordinance prohibiting dogs from running at large within the corporate limits of the Town of St John, defining dangerous and potentially dangerous dogs, providing for civil penalties, repealing all other ordinances in conflict herewith, and repealing Ordinance No. 318X, and providing an effective date.

If anyone wants to review the Ordinance in its entirety, it can be seen at St. John City Hall.

Linda J. Hayes, Clerk – Treasurer  
K. B. Trunkey, Mayor

# Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of the Whitman County Gazette, a weekly newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in Colfax, Whitman County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Whitman County Gazette was on the 13th day of May, 1941, approved as a legal newspaper by the Superior Court of Whitman County.

The notice in the exact form annexed, was published in regular issues of the Whitman County Gazette, which was regularly distributed to its subscribers during the below stated period. The annexed

notice, a

TOWN OF ST. JOHN  
PUBLIC NOTICE  
ORDINANCE NO. 374X

was published on

Oct. 29, 2015



The amount of the fee charged for the foregoing publication is the sum of \$12.25

*Andrzej*

Subscribed and sworn to before me on

*10-29-15*

*Michael J. Neves*  
Notary Public for the State of Washington, residing in Colfax.

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Linda J. Hayes, Clerk - Treasurer  
K. B. Trunkey, Mayor 44/1