



City Council

Approval of Ordinance Amending Olympia Municipal Code Section 6.04.050 and Section 6.04.110 Regarding Animal Control Services

Agenda Date: 9/23/2014
Agenda Item Number: 4.P
File Number: 14-0886

Type: ordinance **Version:** 1 **Status:** Passed

Title

Approval of Ordinance Amending Olympia Municipal Code Section 6.04.050 and Section 6.04.110 Regarding Animal Control Services

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to suspend the rules and approve on first and final reading the ordinance relating to the appeal process for dangerous dog and potentially dangerous dog designations, and amending Olympia Municipal Code Section 6.04.050 and 6.04.110.

[Note: 2/3 affirmative vote of Councilmembers present at the meeting needed for approval on first and final reading]

Report

Issue:

Whether to approve an ordinance changing the appeal authority for dangerous dog and potentially dangerous dog designations from the Joint Animal Services Commission to a Hearings Examiner.

Staff Contact:

Darren Nienaber, Interim City Attorney, 360-753-8044

Presenter(s):

None, consent calendar item

Background and Analysis:

The Olympia Municipal Code presently states that dangerous dog and potentially dangerous dog designations are initially made by the Animal Services Director, based on written complaint by a person. Citizens wishing to object to such a declaration may request a hearing before the Animal Services Director, which in practice is simply a face-to-face meeting with the Director to review the facts and evidence. The Director's findings as a result of that hearing may be appealed to the Joint Animal Services Commission (JASCOM).

The proposed amendment, drafted in concert with the other three jurisdictions and with the Animal Services Director, would reclassify the appeal “hearing” by the Animal Services Director as a “review,” and would have all appeals from the Director’s review be made to a Hearings Examiner rather than to JASCOM. All jurisdictions would use the same Hearings Examiner. The Hearings Examiner would be hired by the City of Lacey, pursuant to the interlocal agreement which designates the City of Lacey as the provider of all administration services related to the animal protection and control services.

Amendments to OMC 6.04.050 are also necessary to clarify that service animals can be off leash while on public property only when being off leash is necessary to the service being performed by the animal.

Neighborhood/Community Interests (if known):

None as this is an administrative amendment.

Options:

1. Approve the ordinance changing the appeal authority for dangerous dog and potentially dangerous dog designations from the Joint Animal Services Commission to a Hearings Examiner, and clarifying OMC 6.04.050.
2. Do not approve the ordinance.

Financial Impact:

None known.