

ORDINANCE NO. 08-854

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY WASHINGTON PROHIBITING DOGS IN THE BLACK DIAMOND CEMETERY, REQUIRING DOGS IN CITY PARKS TO BE LEASHED, ADDING NEW SECTIONS 6.08.215, 6.08.217 AND 6.08.219 TO THE BLACK DIAMOND MUNICIPAL CODE AND AMENDING BLACK DIAMOND MUNICIPAL CODE SECTION 6.08.220.

WHEREAS, allowing dogs in the Black Diamond Cemetery interferes with the care, maintenance and solemnity of the cemetery grounds;

WHEREAS, allowing people to walk dogs in City Parks is acceptable so long as the dogs are under the control of a handler and the animal's feces is properly removed; now therefore

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

SECTION 1. A new section 6.08.215 is hereby added to the Black Diamond Municipal Code and it shall read as follows:

6.08.215 Dogs in Cemetery Prohibited--Penalty

It is unlawful for the owner or person having control or custody of any dog to allow such dog to enter or be within the Black Diamond Cemetery. Any person violating this section shall be guilty of a civil infraction, and conviction thereof shall be punished by imposition of a monetary penalty of not more than seventy-five dollars, exclusive of statutory assessments. This section shall not apply to trained service dogs in service.

SECTION 2. A new section 6.08.217 is hereby added to the Black Diamond Municipal Code and it shall read as follows:

6.08.217 Removal of Animal Feces - Penalty

Any person with a dog or pet in his or her possession in any City Park shall be responsible for the conduct of the animal, shall carry equipment for removing feces and shall collect and place any feces deposited by such dog or pet in an appropriate receptacle. It shall be unlawful for any person to fail to so collect and dispose of any feces deposited by a dog or pet that is in his or her possession. Any person violating this section shall be guilty of a civil infraction, and conviction thereof shall be punished by imposition of a monetary penalty of not more than seventy-five

dollars, exclusive of statutory assessments.

SECTION 3. A new section 6.08.219 is hereby added to the Black Diamond Municipal Code and it shall read as follows:

6.08.219 Animals in Parks to be Leashed - Penalty

It is unlawful for any person to allow or permit any dog or other pet to run at large in any park, except dogs used by a public law enforcement officer; provided that, except in areas in which animals are prohibited, dogs or other pets are permitted in a park if on a leash, or otherwise securely caged or securely restrained from running free. For purposes of this section, leash shall mean a cord, thong, chain, or similar piece of equipment the total length of which is no more than 6 feet, and by which an animal is controlled by the person accompanying it. Any person violating this section shall be guilty of a civil infraction, and conviction thereof shall be punished by imposition of a monetary penalty of not more than seventy-five dollars, exclusive of statutory assessments.

SECTION 4. Section 6.08.220 to the Black Diamond Municipal Code is hereby amended to read as follows:

6.08.220 Violation—Penalty

Unless otherwise specifically provided, any person who violates any provision of this chapter shall be guilty of a misdemeanor and punishable as set forth in Chapter 9.40 of this code.

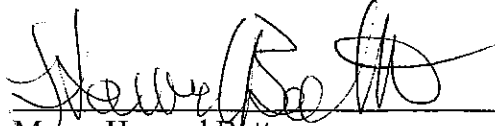
SECTION 5. This Ordinance shall be in full force and effect five days after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

SECTION 6. If any provision of this Ordinance is determined to be invalid or unenforceable

for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

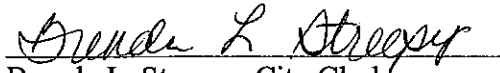
Introduced the 21st day of February, 2008.

Passed by a majority of the City Council at a meeting held on the 21st day of February, 2008.



Mayor Howard Botts

Attest:



Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: 2/26/08
Posted: 2/22/08
Effective Date: 3/2/08