

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 22, 2019

AGENDA ITEM:	
New Code Section Regarding Animal Removal Petitions	
PREPARED BY:	DIRECTOR APPROVAL:
Burton Eggertsen	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
Ordinance adopting new MMC 10.04.385	
BUDGET CODE:	AMOUNT:
SUMMARY:	

RCW 16.52.085 establishes a process by which law enforcement can remove an animal for violations of Chapter 16.52 RCW (Cruelty to Animals). The owner may petition the district court for the return of the animal or post a bond to provide for the animal's care for a period of time.

The proposed ordinance adopts a new MMC 10.04.385 that provides that the Marysville Municipal Court will have the same jurisdiction as district courts over animal return petitions, and that such petitions shall be filed with the Marysville Municipal Court with copies served on the law enforcement or animal care and control agency responsible for removing the animal and to the City Attorney's Office.

RECOMMENDED ACTION: Staff recommends the Council consider approval of the proposed ordinance adopting a new MMC 10.04.385.
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**CITY OF MARYSVILLE
Marysville, Washington**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
ADOPTING A NEW SECTION 10.04.385 OF THE MARYSVILLE
MUNICIPAL CODE.**

WHEREAS, Section 10.04.380 of the municipal code adopts by reference certain state codes regarding cruelty and mistreatment of animals; and

WHEREAS, RCW 16.52.085, adopted by reference by MMC 10.04.380, establishes a process by which a person whose animal has been removed pursuant to RCW 16.52.085 may petition for its return or post a bond for its feeding and care; and

WHEREAS, the City desires such petitions to be filed with the Marysville Municipal Court; and

WHEREAS, public health, safety, and welfare benefits from periodic updates to the municipal code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. Amendment of Municipal Code. A new MMC Section 10.04.385, entitled "RCW 16.52.085 Supplemented" is hereby adopted as follows:

10.04.385 RCW 16.52.085 Supplemented.

The Marysville Municipal Court will have the same jurisdiction as district courts provided by RCW 16.52.085, and petitions for the immediate return of an animal shall be filed with the Marysville Municipal Court, and copies of the petition must be served on the law enforcement or animal care and control agency responsible for removing the animal and to the City Attorney's Office.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2019.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)