

Ordinance No. 00445

[City Council meeting minutes of April 2 2007](#)

ORDINANCE NO. 445

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Title 9 of the Lakewood Municipal Code to establish Chapter 9.75 related to Police Dogs.

WHEREAS, the City of Lakewood created its own police department in 2004 and;

WHEREAS, the City currently employs approximately 100 police officers including four canine units; and

WHEREAS, there is a need to protect police canines from physical harm or harassment; and

WHEREAS, there is significant sharing of canine resources between jurisdictions and consistent protection of canines across jurisdictions ensures the continued success of this relationship between jurisdictions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

Section 1. That a new Chapter 9.75 of the Lakewood Municipal Code be, and the same hereby is, created related to Police Dogs to read as follows:

Chapter 9.75

Police Dogs

Sections:

9.75.010 Definitions

9.75.020 Interference with and abuse of police dogs prohibited

9.75.030 Reimbursement of costs to City of Lakewood

9.75.040 Exemptions from Animal Control Code

9.75.050 Violation- Misdemeanor

9.75.900 Statutes incorporated by reference

9.75.010 Definitions

As used in this chapter, unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings:

A. "Police dog" means a dog used by a law enforcement officer in discharging any legal duty or power of his or her office including accelerant detection.

B. "Dog handler" means a law enforcement officer who has successfully completed training as prescribed by the Washington State Criminal Justice Training Commission in police dog handling.

9.75.020 Interference With And Abuse of Police Dogs Prohibited

It shall be unlawful for any person to:

- A. Willfully or maliciously assault, torment, beat, kick, strike, mutilate, disable, shoot, poison, or in any other way abuse any other police dog, as defined in RCW 4.24.410, owned or being used by the police department in the performance of its official duties; or
- B. Willfully hinder, delay, or obstruct any animal used by a law enforcement officer in discharging or attempting to discharge his official duties; or
- C. Willfully or maliciously harass a police dog while the dog is confined in its quarters, an automobile, kennel, fenced area, training area, or while it is under the control of a dog handler; or
- D. Willfully or maliciously, interfere with a police dog while said police dog or dog handler is engaged in lawful police activities.

9.75.030 Reimbursement Of Costs To City

Any person who permanently disables a police dog as a result of any unlawful act set forth in Section 9.75.020 shall be liable for the value of the police dog at the time the incident occurred which shall include the cost to the City to replace the dog, including, but not limited to purchase, training, care, feeding, and any veterinary costs related to the injury or death of the dog. If the police dog is not permanently disabled but sustains an injury as a result of any unlawful act set forth in Section 9.75.020, the responsible person shall pay, at a minimum, the costs of veterinary care required to return the canine to duty. All costs assessed under this section shall be paid to the General Fund of the City of Lakewood.

9.75.040 Exemptions From Animal Control Code.

All police dogs and all dogs being trained as police dogs shall be exempt from all provisions of the Lakewood Municipal Code pertaining to animal control.

9.75.050 Violation ? Misdemeanor

Any violation of this section is a misdemeanor.

9.75.900 Statutes Incorporated By Reference.

The following statutes are incorporated in this Chapter by reference:

RCW 4.24.410 (Dog handler using dog in line of duty -- Immunity)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3: Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 2nd day of April, 2007.

CITY OF LAKEWOOD

Claudia B. Thomas, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney