



Dangerous Dog Declaration

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|----------------|---------------|-----------|------------------------------------|--------------|--------------|----------------|--|
| Date of Notice | | Violation | Mill Creek Municipal Code 6.08.010 | Case # | | Violation Date | |
| Owner Name | <i>last</i> | | | <i>first</i> | | | |
| Address | <i>street</i> | | <i>city</i> | | <i>state</i> | <i>zip</i> | |
| Dog Name | | breed | | color | | | |

Declaration of Dangerous Dog

The *Animal Control Unit* of the *Mill Creek Police Department* has probable cause to believe that your animal falls within the definition of *Dangerous Animal* or *Dangerous Dog* as set forth in *Mill Creek Municipal Code 6.02.060* for the following reason(s):

- has inflicted severe injury on a human being without provocation on public or private property.
- has killed a domestic animal without provocation while the dog is off the owner's property.
- has been previously found to be potentially dangerous because of injury inflicted on a human, the owner having received notice of such, and the dog again aggressively bites, attacks, or endangers the safety of humans.

| | | | | | |
|-------------------------|--|----|--|------|--|
| Date Served/ Rcvd on | | By | | ID # | |
|-------------------------|--|----|--|------|--|

Dangerous Dog Owner Responsibilities

As the owner of such a dog you are required to comply with the provisions for keeping a **dangerous dog**, and must complete the below listed requirements and notify the *Mill Creek Animal Control Authority* by _____ :

1. Apply to the Mill Creek Police Department for a *Certificate of Registration*.
2. A **dangerous dog** shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.
3. Post the premise with a clearly visible warning sign that there is a **dangerous dog** on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog.
4. Have a surety bond issued by a surety insurer qualified under chapter 48.28 in *the Revised Code of Washington*, in a form acceptable to the animal control authority in the sum of at least two hundred fifty thousand dollars (\$250,000) payable to any person injured by the dangerous dog. In lieu of obtaining a surety bond, the dog owner may show a policy of liability insurance, such as homeowner's insurance, issued by an insurer in the amount of at least two hundred fifty thousand dollars (\$250,000) insuring the owner for any personal injuries inflicted by the dog.

It is unlawful for an owner of a **dangerous dog** to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

Right to Appeal

You, as the owner of or person having legal interest in the dog may appeal this notice. An appeal must be made in writing to the Mill Creek Chief of Police or his designee within the fifteen (15) day period after the service of this notice.

Failure to appeal this notice will constitute a waiver to all rights for an administrative hearing and appeal of the **dangerous dog** determination.

Failure to Comply

Any **dangerous dog** shall be immediately confiscated by an animal control authority if the: (a) Dog is not validly registered under *RCW 16.08.080*; (b) owner does not secure the liability insurance coverage required under *RCW 16.08.080*; (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner, or outside of the proper enclosure and not under physical restraint of the responsible person. The owner must pay the costs of confinement and control.

The animal control authority must serve notice upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for the confiscation of the **dangerous dog**, that the owner is responsible for payment of the costs of confinement and control, and that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within twenty days.

The animal control authority shall destroy the confiscated **dangerous dog** in an expeditious and humane manner if any deficiencies required by this subsection are not corrected within twenty days of notification. In addition, the owner shall be guilty of a gross misdemeanor punishable in accordance with *RCW 9A.20.021*

Dangerous Dog Appeal

Any person entitled to service under *RCW 16.08* may appeal from any notice and order of any action of the animal control authority by filing at the office of the chief of the *Mill Creek Police Department* within fifteen (15) days from the date of the service of such order a written appeal containing:

1. A caption reading: "Appeal of _____," giving the names of all appellants participating in the appeal;
2. A brief statement setting forth the legal interest of each of the appellants involved in the notice and order;
3. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
4. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
5. The signatures of all parties' named as appellants, and their official mailing addresses;
6. The verification (by declaration under penalty of perjury) of at least one appellate as to the truth of the matter stated in the appeal.

Procedures

1. The Chief of Police or his designee shall set a time and place, not more than fifteen (15) days from such notice of appeal for hearing thereon. Written notice of the time and place of hearing shall be given at least fifteen (15) days prior to the date of the hearing to each appellant.
2. At the hearing, appellant shall be entitled to appear in person and be represented by counsel and offer such evidence pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered.
3. Failure of any person to file an appeal shall constitute waiver of his or her right to an administrative hearing.