

AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON AMENDING LMC 13.01.120 RELATING TO PARK USE REGULATIONS TO PROHIBIT DOGS RUNNING LOOSE IN CITY PARKS.

WHEREAS, it is important that dogs in city parks be kept under control by means of a leash so that park users may be free from unwanted interactions; and

WHEREAS, requiring dogs in city parks to be on a leash allows all park users to make reasonable use of the parks; and

WHEREAS, the City provides an off-leash dog park at Gearhart Gardens.

NOW THEREFORE, the City Council of the City of Longview do ordain as follows:

Section 1 That Chapter 13.01.120 of the Longview Municipal Code shall be, and is hereby amended to read as follows; provided, manifest and numbering errors shall be corrected prior to publication:

13.01.120 Dogs and other animals deemed nuisance.

The director may ban dogs and other animals from areas of any park where it is determined the same may be a nuisance. The following dogs or other animals, in addition to those designated in LMC 13.01.150, are declared to be a nuisance:

- (1) Any dog or other animal which chases or habitually or frequently runs after, snaps at or jumps at or upon any person, or runs after and chases any animals or fowl;
- (2) Any dog or other animal which by frequent or habitual howling, yelping or barking annoys or disturbs a neighborhood or the quiet and repose of several persons;
- (3) Any dog or other animal continually or habitually at large;
- (4) Any dangerous or potentially dangerous dog as defined in Chapter 6.06 LMC;
- (5) Any dog or other animal which destroys, defaces or disturbs public or private property or landscaping;

(6) Any ~~female~~ dog or other animal which is not on a leash held by the owner or keeper ~~during its mating period~~ not more than six-feet (6') in length by which the animal is physically controlled. Permitting such dog to be unleashed shall be considered a violation of this chapter. This subsection (6) shall not apply to the Gerhart Gardens off-leash dog park, 7th Avenue Park. Roy Morse Park or John Null Park. (Ord. 3110 § 1, 2009; Ord. 2373 § 4, 1989. Formerly 7.36.120).

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 3. That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

Section 4. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5 This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this ____ day of _____, 2018.

Approved by the Mayor this ____ day of _____, 2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

James J. McNamara
City Attorney

Published: _____