

INTRODUCED BY ALL COMMISSIONERS

**AN ORDINANCE AMENDING CHAPTER 6.04 “DOG CONTROL” OF THE WARRENTON MUNICIPAL CODE AND ADDING A NEW PROVISIONS RELATED TO PHYSICAL CONTROL**

**WHEREAS**, the City last addressed dog control the City’s municipal code in 2009;

**WHEREAS**, the City has received complaints from citizens and visitors who have been confronted, attacked, and injured by unrestrained dogs;

**WHEREAS**, the current municipal code does not have a requirement for dogs to be physically controlled unless they exhibit certain behavior or are declared as a “dangerous animal” as described in Chapter 6.08 of municipal code.

NOW THEREFORE, The City of Warrenton ordains as follows:

Section 1. Section 6.04.020 “Definition of terms” is hereby amended to read as follows:

**6.04.020 Definition of terms.**

As used in this chapter:

- A. “Dog” means either male or female of the species.
- B. “Owner” means:
  - 1. The person shown on the application for license of a dog as the owner is the owner of such dog.
  - 2. The adult occupants of a dwelling shall be presumed to be the co-owners of any dogs housed in such dwelling or on the premises thereof.
- C. “At large” means off or outside the premises belonging to the owner having the control, custody or possession of the animal while the animal is not under the complete control of such person or within a vehicle of such person. *Dogs in designated dog park areas are not considered “at-large.” Dogs being used to legally hunt in designated areas under the direct supervision of the keeper or being used to control or protect livestock or other activities related to agriculture are not considered “at large.”*
- D. “Control” means to have power over or exercising restraining or directing influence over by means of an adequate *physical control device* or under voice control. “Voice control” means the complete control by such person in the immediate vicinity of the animal. If the animal creates a nuisance or acts unlawfully as defined in this code, such acts will in and of themselves determine that the animal was not under voice control.
- E. *“Physical Control Device” means a sufficiently strong collar connected to a leash or tether made of chain links, or other material as strong, or fenced or enclosed in a structure so as to prevent the escape of an animal by breaking of the device.*
- F. *“Athletic fields” Means any baseball, soccer, football, or any other clearly marked athletic field whether or not it is contained by a fence. Dogs are not allowed on City athletic fields unless permission is obtained from the City or you reserve an athletic field for your use through the prescribed City process.*

Section 2. Section 6.04.025 “Physical Control Devices” is a new section to read as follows:

**6.04.025 Physical Control Devices.**

*A physical control device is:*

- A. *Required to be carried and readily available to be used by the keeper of a dog whenever they are off of their premises if a situation would arise where they need to control their dog.*
- B. *Required to be used on all Warrenton Trail Systems.*
- C. *Required to be used in all areas of Warrenton Parks and Facilities where dogs are allowed unless engaged in a recreational activity (ball chasing, frisbee, etc.) or if engaged in a professional training activity.*

- D. Is not required to be used within the fenced area at any designated Dog Park.*
- E. Is not required to be used when the dog is used to legally hunt in designated areas under the direct supervision of the keeper.*
- F. Is not required when a dog is being used to control or protect livestock or other activities related to agriculture.*

Section 4. This Ordinance shall become effective thirty days after its adoption by the Commission and approved by the Mayor.

PASSED by the City Commission of the City of Warrenton this 10<sup>th</sup> day of November, 2020.

First Reading: 10/27/20  
Second Reading: 11/10/20

Approved

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Henry A. Balensifer III, Mayor

Attest

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Dawne Shaw, City Recorder