



**CITY COUNCIL WORK SESSION
MONDAY, FEBRUARY 2, 2026 – 7:00 PM
501 DELTA AVENUE
MARYSVILLE, WA 98270**

AGENDA

To listen to the meeting without providing public comment:

Join Zoom Meeting

<https://us06web.zoom.us/j/86246307568>

Or

Dial toll-free US: 888 475 4499

Meeting ID: 862 4630 7568

Call to Order

Pledge of Allegiance

Roll Call

Approval of the Agenda

Presentations

Discussion Items

1. Dangerous Dog Ordinance
[Ordinance - Dangerous and Potentially Dangerous Dogs 1-30-26.pdf](#)
2. 88th and State Intersection Options
3. Continuous Improvement Initiatives in the City Clerk's Office
4. Farmer's Market Discussion
[Why a Midweek Marysville Farmers Market Jan. 26 2026.pdf](#)

Approval of Minutes *(Written Comment Only Accepted from Audience)*

Consent

Review Bids

Public Hearings

New Business

Legal

Mayor's Business

Staff Business

Call on Councilmembers and Committee Reports

Adjournment/Recess

Executive Session

A. Litigation

B. Personnel

C. Real Estate

Reconvene

Adjournment

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Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: February 2, 2026

SUBMITTED BY: City Attorney Jon Walker, Legal

ITEM TYPE: Discussion Item

AGENDA SECTION: Discussion Items

SUBJECT: Dangerous Dog Ordinance

SUGGESTED ACTION:

SUMMARY: Staff will present a PowerPoint on proposed changes to the dangerous and potentially dangerous dog code. Highlights are updating the definition of "severe injury" to encompass severe injuries that have occurred in Marysville but that are not currently covered by the definition from the RCW. Clarifying what constitutes "provocation" in determining whether a dog is dangerous or potentially dangerous. Adding registration fees and criminal penalties for violations of the ordinance. Main discussion item for Council is what should be the disposition of dogs declared dangerous. Should these dogs be humanely euthanized in all cases or should there be alternatives for keeping such dogs within the city. A draft ordinance is attached.

ATTACHMENTS:

[Ordinance - Dangerous and Potentially Dangerous Dogs 1-30-26.pdf](#)

10.04.390 Dangerous and potentially dangerous dogs.

~~The following statutes regarding dangerous dogs are incorporated by reference:~~

~~RCW~~

~~16.08.070—Definitions~~

~~16.08.080—Registration~~

~~16.08.090—Restraint~~

~~16.08.100—Confiscation~~

~~(Ord. 2404 § 1, 2002; Ord. 2013 § 39, 1995).~~

~~(1) “Animal control authority” and “city have the same meaning.~~

~~(2) “Animal control officer” means a police officer or any city employee who has been specially commissioned by the police chief.~~

~~(3) “Dangerous dog” means any dog that, according to the records of the appropriate authority:~~

~~(a) inflicts severe injury on or kills a human being; or~~

~~(b) while off the owner’s property, kills a domestic animal or inflicts injuries requiring a domestic animal to be euthanized; or~~

~~(c) while under quarantine for rabies bites a person or domestic animal; or~~

~~(d) was previously declared to be a potentially dangerous dog, the owner having received notice of such declaration, and the dog is again found to have engaged in potentially dangerous behavior; or~~

~~(e) bites or injures two or more humans on the same day; or~~

~~(f) is owned or harbored primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or~~

~~(g) attacks a “dog guide” or “service animal” as defined in Chapter 70.84 RCW and inflicts injuries that render the dog guide or service animal to be permanently unable to perform its guide or service duties.~~

~~(4) “Owner” means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of a dog.~~

~~(5) “Potentially dangerous dog” means any dog which:~~

~~(a) bites or injures a human or domestic animal; or~~

(b) chases or approaches a person or domestic animal upon the streets, sidewalks, or any public or private property in a menacing fashion or apparent attitude of attack; or

(c) has a known propensity, tendency, or disposition to attack, to cause injury, or to otherwise threaten the safety of humans or domestic animals.

(6) "Proper enclosure of a dangerous dog" means, while on the owner's property, 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.

(7) "Proper enclosure of a potentially dangerous dog" means the same as "proper enclosure of a dangerous dog" except that the owner of a potentially dangerous dog may keep the dog enclosed by secure fencing that the dog cannot get over or under, including by digging and that the owner has conspicuously posted the premises with a clearly visible sign that there is a potentially 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 potentially dangerous dog.

(8) "Severe injury" means any physical injury that results in (a) broken bones, (b) muscle, ligament, or tendon tears, (c) skin lacerations or puncture wounds which require sutures, staples, or surgery or where a medical professional determines that the wound will not be sutured only due to the risk of infection, or (d) transmission of an infectious or contagious disease.

~~10.04.400 Provisions of MMC 10.04.390 – Applicability.~~

~~The provisions of MMC 10.04.390 apply to all "dangerous dogs" and "potentially dangerous dogs" as defined in RCW 16.08.070. (Ord. 2404 § 1, 2002; Ord. 2013 § 40, 1995).~~

~~10.04.410-400~~ Declaration of potentially dangerous/dangerous dogs – Procedure.

(1) The police department shall classify potentially dangerous/dangerous dogs. The department may find and declare an animal potentially dangerous/dangerous if an animal control officer has probable cause to believe that the animal falls within the definitions set forth in ~~MMC 10.04.390~~ this chapter.

The finding must be based upon:

(a) The written complaint of a citizen who is willing to testify that the animal has acted in a manner which causes it to fall within the definition of ~~MMC 10.04.390~~ dangerous or potentially dangerous dog; or

(b) ~~Dog bite r~~Reports filed with the police department; or

(c) Actions of the dog witnessed by any animal control officer or law enforcement officer; or

(d) Other substantial evidence.

(2) The initial declaration of potentially dangerous/dangerous dog shall be in writing and shall be served on the owner in one of the following methods:

(a) Certified and regular mail to the owner's last known address; or

(b) Personally; or

(c) If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.

(3) The declaration shall state at least:

(a) The description of the animal~~dog~~;

(b) The name and address of the owner, if known;

(c) The location of the animal~~dog~~ if not in custody of the owner;

(d) ~~The~~ A summary of the facts upon which the declaration of dangerous or potentially dangerous dog is based, including the definition of dangerous or potentially dangerous under which the declaration is being made;

(e) The restrictions and controls placed on the animal~~dog~~ by this chapter and a summary of the potential penalties for violation of the restrictions;

(f) That the owner is entitled to an opportunity to meet with the authority, at which meeting the owner may give, orally or in writing, any reasons or information as to why the dog should not be declared dangerous. The notice shall state the date, time, and location of the meeting, which must occur prior to expiration of fifteen calendar days following delivery of the notice. The owner may propose an alternative meeting date and time, but such meeting must occur within the fifteen-day time period set forth in this section.

(i) After such meeting, the authority must issue its final determination, in the form of a written order, within fifteen calendar days. In the event the authority declares a dog to be dangerous, the order shall include a recital of the authority for the action, a brief concise statement of the facts that support the determination, and the signature of the person who made the determination. The order shall be sent by regular and certified mail, return receipt requested, or delivered in person to the owner at the owner's last address known to the authority; and

(f) The ~~ability and~~ process for appealing the final declaration to the Marysville municipal court, including the requirement that the appeal be filed within ten days of the date of personal service or mailing or first publication of the declaration.

10.04.405 Conditions on dangerous and potentially dangerous dogs

(1) When a dog is declared potentially dangerous, the dog may be impounded. The law enforcement or animal control officer may require that such dog be held in the animal shelter or a secure veterinary hospital until a hearing is held to determine the animal's status or the deadline for requesting such a hearing has passed. If a dog declared potentially dangerous is not impounded, the

owner shall comply with all requirements imposed by the animal control authority. The owner of a dog that is declared potentially dangerous shall immediately surrender the dog to an animal control officer or police officer upon the order of that officer. Refusal to surrender a dog that is declared potentially dangerous to an animal control officer or police officer is a misdemeanor.

(2) From the date of initial declaration of potentially dangerous dog by the city, unless and until said declaration shall be rescinded, the owner must keep the dog confined in a proper enclosure that is securely enclosed and locked, unless the dog is securely leashed and humanely muzzled or otherwise securely restrained.

(3) From the date of initial declaration of potentially dangerous by the city, unless and until said declaration shall be rescinded and the restrictions imposed thereby annulled, it shall be unlawful for any person to allow or permit such dog to:

(a) be unconfined on the premises of such person; or

(b) go beyond the premises of such person unless such dog is securely leashed and humanely muzzled or otherwise securely restrained.

(4) The animal control authority may impose any additional restrictions contained in RCW 16.08 for dangerous dogs, as now exists or as may be amended hereafter.

(5) Any potentially dangerous dog shall be confiscated by the city if the dog is not confined as set forth herein. The owner is subject to boarding charges, in addition to all penalties set forth in this chapter.

(6) These requirements take effect immediately upon notification that the dog is declared potentially dangerous and remain in force during any appeal of a declaration that a dog is potentially dangerous.

10.04.410 Hearing Procedure – dangerous and potentially dangerous dogs

(1) If the owner of a dog declared to be dangerous or potentially dangerous wishes to object to the final declaration, he or she may request a hearing before the municipal court by serving the office of the city attorney and filing a written request for hearing with the municipal court within ten days of service of the declaration that the dog is dangerous or potentially dangerous. No person other than the dog's owner may object to the declaration.

(2) The hearing will be conducted as an administrative hearing utilizing the procedures set forth in chapter 34.05 RCW. The city has the burden of proving that the dog is dangerous or potentially dangerous by a preponderance of the evidence.

(3) A dog that is provoked is not a dangerous or potentially dangerous dog. The owner has the burden of proving provocation by a preponderance of the evidence. Provocation is any action or activity, whether intentional or unintentional, that would reasonably be expected to cause a normal dog in similar circumstances to react in a manner similar to how the dog that is the subject of the hearing reacted. Examples of provocation include if the dog was:

(a) protecting itself from being tormented, abused, or otherwise mistreated by the person or animal the dog bit or attacked; or

(b) protecting its owner, another family member, or other person from attack or assault by the person or animal the dog bit or attacked; or

(c) responding to severe pain or serious injury.

There is a presumption that if the person who is bit or attacked was knowingly trespassing on the property of the dog's owner, that the dog was provoked. This does not include approaching a home or other premises in a manner that a reasonably respectful member of the public would approach a home or premises. The city may rebut this presumption.

10.04.420 Permits and feesRegistration – potentially dangerous dogs.

(1) Following the declaration of a potentially dangerous dog and the exhaustion of the appeal process, the owner of a potentially dangerous dog shall obtain a ~~permit~~ **registration** for such dog from the ~~office of the city clerk~~city upon proof that all registration **and confinement/control** requirements of ~~RCW 16.08.080~~**this chapter and any additional conditions imposed by the city** have been satisfied, and shall be required to pay ~~\$100.00 for the permit fee as set forth in the city's fee schedule~~. If the owner fails to obtain a ~~permit~~ **registration** or fails to file an appeal, the animal control officer is authorized to seize and impound the animal and, after notification to the owner, hold the animal for no more than five days before the destruction of the animal.

(2) ~~Following the declaration of a dangerous dog and the exhaustion of the appeal process, the owner of a dangerous dog shall obtain a permit for such dog from the office of the city clerk upon proof that all registration requirements of RCW 16.08.080 have been satisfied, and shall be required to pay \$250.00 for the permit. If the owner fails to obtain a permit or fails to file an appeal, the animal control officer is authorized to seize and impound the animal and, after notification to the owner, hold the animal for no more than five days before the destruction of the animal.~~

(Ord. 2404 § 1, 2002; Ord. 2013 § 42, 1995).

10.04.425 Conditions on dangerous dogs.

(1) If a dog is declared dangerous and after the exhaustion of all appeals the owner of the dog is required to:

(a) have the dog humanely euthanized; or

(b) confine the dog subject to the following conditions:

(i) A proper enclosure, approved by the city, to confine a dangerous dog and posting of the premises with a clearly visible 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.

(ii) The dog will be implanted with a microchip implanted for identification purposes.

(iii) A muzzle and leash, approved by the city as to strength and fit, for the dangerous dog.

(iv) The owner will maintain a surety bond or a policy of liability insurance such as homeowner's insurance, as described in this subsection. The surety bond or policy of liability insurance shall be issued by a surety or insurer qualified under chapter 48.28 RCW, be in a form acceptable to the city attorney, be in the sum of at least \$250,000.00 with a maximum \$500.00 deductible, provide for prior written notification to the city of cancellation or material change, and be payable to any person for personal injuries or property damage inflicted by the dangerous dog regardless of whether the personal injury or property damage occurs on or off the owner or keeper's premises.

The owner or keeper of a dangerous dog shall furnish to the city a complete copy of the surety bond or certificate of insurance specified in this subsection and shall allow the city a reasonable time to review the bond or policy to determine whether the surety bond or certificate of insurance is sufficient, prior to issuing the certificate of registration.

(v) The dangerous dog must be spayed/neutered at the owner's expense in order to complete the registration.

(vi) In addition to the regular dog licensing fees set forth in this chapter, the owner or keeper of a dangerous dog shall pay an annual registration and inspection fee as prescribed in the city fee schedule. The registration will be valid for twelve months and must be renewed annually.

(2) Any dangerous dog shall be immediately confiscated by an animal control authority if the: (a) Dog is not validly registered under this chapter; (b) owner does not secure the liability insurance coverage required under this chapter; (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 muzzled and 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.

10.04.430 Notification of status of potentially dangerous dog.

(1) The owner of a potentially dangerous dog shall immediately notify the police department when the animal:

- (a) Is loose or unconfined off the property, provided that the owner will first report it by calling 911; or
- (b) Has bitten ~~or~~ injured, or attacked a human being or another animal, provided that the owner will first report it by calling 911; or
- (c) Is sold or given away or dies; or
- (d) Is moved to another address.

(2) Prior to a potentially dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control agency. The new owner shall comply with all the requirements of this chapter and any order of the municipal court.

10.04.435 Notification of status of dangerous dog.

(1) The owner of a dangerous dog shall immediately notify the police department when the animal:

- (a) Is loose or unconfined off the property, provided that the owner will first report it by calling 911; or
- (b) Has bitten, injured, or attacked a human being or another animal, provided that the owner will first report it by calling 911.

(2) Prior to moving to a new address within the city the owner will notify the police department and arrange for inspection of the premises for compliance with this chapter.

(3) Prior to selling or giving away the dangerous dog the owner will notify the police department.

(a) If the new owner resides in the city the premises must be inspected prior to the dangerous dog being transferred to the new owner and the new owner must agree in writing to comply with all requirements of this chapter and otherwise imposed on the keeping of the dangerous dog. The premises must be inspected by the city and comply with all requirements previously imposed on the keeping of the dangerous dog.

(b) If the new owner resides outside the city the current owner must provide proof that the animal control authority in the jurisdiction to which the dangerous dog is to be kept agrees that the dangerous dog may be kept in the jurisdiction.

(4) If the dangerous dog dies or is humanely euthanized, the owner will notify the city and provide proof that the dog has died or was euthanized.

10.0440 Penalty for violations of dangerous and potentially dangerous dog conditions

(1) Any violation of this chapter in regard to a dangerous dog is a gross misdemeanor.

(2) Any violation of this chapter in regard to a potentially dangerous dog is a misdemeanor.

10.04.445 Police dogs exempt.

Any police dog of a Washington law enforcement agency is exempt while it performs its duties under the control of that agency.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: February 2, 2026

SUBMITTED BY: Jesse Birchman, Engineering Services

ITEM TYPE: Discussion Item

AGENDA SECTION: Discussion Items

SUBJECT: 88th and State Intersection Options

SUGGESTED ACTION:

SUMMARY: Six types of potential improvements to the 88th St/State Ave intersection were developed, and their potential benefits and challenges identified. A brief background summary will be presented and each type of improvement summarized. Next steps for public outreach and input will also be reviewed.

ATTACHMENTS:



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: February 2, 2026

SUBMITTED BY: City Attorney Jon Walker, Legal

ITEM TYPE: Discussion Item

AGENDA SECTION: Discussion Items

SUBJECT: Continuous Improvement Initiatives in the City Clerk's Office

SUGGESTED ACTION:

SUMMARY: The City Attorney and Clerk will provide the Council with an update on improvement initiatives in the City Clerk's Office that improve efficiency and service. This will include discussion with the Council on preferences to inform implementation.

ATTACHMENTS:



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: February 2, 2026

SUBMITTED BY: Parks Director Tara Mizell, Community Development

ITEM TYPE: Discussion Item

AGENDA SECTION: Discussion Items

SUBJECT: Farmer's Market Discussion

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:

[Why a Midweek Marysville Farmers Market Jan. 26 2026.pdf](#)

Why a Midweek, Midday Farmers Market Works

Marysville Farmers Market

Community Feedback

We consistently heard from community members who would like the opportunity to shop at the farmers market during their lunch hour, as many are unable to attend after work.

Why Midweek and Midday

Surveys and direct conversations show the strongest interest in a market that is:

- Midweek
- Midday
- Focused on the summer season

This timing works especially well for families, kids, seniors, and individuals who can take a short break during the workday to shop locally.

Observed Shopping Patterns

- Customers regularly arrive around **1:00 pm**, even while vendors are still setting up.
- Attendance and vendor sales consistently declined **after 5:00 pm**, despite the market remaining open later.
- When the farmers market previously operated on Fridays on 3rd Street, sales similarly slowed after 5:00 pm, even though the market was open until 7:00 pm.

Community Programming Opportunity

A midday market allows for coordination with **Kids Music in the Park** at Comeford Park, creating a daytime, family-friendly community experience that residents have specifically asked for.

Regional Context

Lake Stevens is planning a later-day farmers market model 3pm to 7pm. Lake Stevens is currently accepting applications for new Market Management. Coordinating market days and times regionally helps support vendors and participation across markets.

Supporting Vendors and Local Businesses - Plans include creating a **coupon book** that:

- Offers dollars off shopping with market vendors.
- Includes nearby local businesses.
- Encourages cross-shopping and supports the surrounding business community.

Proven Model

There are currently **twelve farmers markets in Washington State** operating successfully as midweek, midday markets, demonstrating that this format is well-established and effective.

Summary

A midweek, midday farmers market aligns with community feedback, observed attendance patterns, and successful models across Washington State. This approach supports families, seniors, vendors, and local businesses while meeting residents where they are already choosing to shop.