

ORDINANCE O-4593

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARK RULES AND ALLOWING DOGS TO BE OFF-LEASH IN DESIGNATED OFF-LEASH DOG PARKS, SPECIFIC PORTIONS OF PARKS DESIGNATED AS OFF-LEASH OR IN DESIGNATED PARKS DURING PARK HOURS THAT HAVE BEEN SPECIFICALLY DESIGNATED AS OFF-LEASH HOURS, SO LONG AS THE DOG REMAINS UNDER CONTROL OF THE OWNER OR HANDLER.

1 WHEREAS, the City of Kirkland has, in the past, for many years
2 contracted with King County to allow the County to provide the City with
3 animal services, such as animal control, sheltering and licensing; and
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5 WHEREAS, on November 1, 2016, the City made a decision to
6 begin providing its own local animal services commencing on January 1,
7 2018; and
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9 WHEREAS, the City Council held a study session on July 18,
10 2017, to review initial proposed ordinances to eventually replace KMC
11 chapter 8.04 and establish a local animal control authority to provide
12 the City with local animal services; and
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14 WHEREAS, the City intends to pass a leash law requiring all
15 animals to be on a leash when such animals are off their owner's and/or
16 handler's property, with certain exceptions; and
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18 WHEREAS, the City currently has designated an area in the City
19 as an off-leash dog park and does not require an owner or handler to
20 have his/her dog on a leash while within this area, so long as the animal
21 remains under control of the owner or handler; and
22

23 WHEREAS, the City may designate other area(s) in the future as
24 off-leash dog park(s) and may also allow for off-leash dog activity at
25 certain designated hours in certain parks;
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27 NOW, THEREFORE, the City Council of the City of Kirkland do
28 ordain as follows:
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30 Section 1. Kirkland Municipal Code Section 11.80.030 is
31 amended to read as follows:
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33 **11.80.030 Definitions.**

34 The terms herein used, unless clearly contrary to or inconsistent with
35 the context in which used, shall be construed as follows:

36 (1) "Director" means the director of the parks and recreation
37 department of the city as established by Chapter 3.68.

38 (2) "Park" means and includes all city parks and all areas within the
39 boundaries of a city park, including structures, regardless of whether
40 the area is under the management and control of the park and
41 recreation department.

42 (3) "Park board" means the board of park commissioners as
43 established and created by Chapter 3.36.

44 (4) "Under control" means the animal is either under competent
45 voice control or competent signal control, or both, so as to be restrained
46 from approaching or injuring any bystander or other animal and from
47 causing or being the cause of personal or physical property damage
48 when off a leash.

49 (5) Wherever consistent with the context of this chapter, words in
50 the present, past or future tenses shall be construed to be
51 interchangeable with each other and words in the singular number shall
52 be construed to include the plural.

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54 Section 2. Kirkland Municipal Code Section 11.80.060 is
55 amended to read as follows:

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57 **11.80.060 Animals at large prohibited. Exceptions – off-leash**
58 **parks.**

59 The provisions of Chapter 8.04 Title 8 of the Kirkland Municipal Code
60 including all portions of the King County Code adopted by reference,
61 shall apply in all parks. It is unlawful for any person to allow or permit
62 any animal owned by him or within his possession or under his control
63 to run at large in any park or enter any designated swimming area
64 located therein. The director, acting pursuant to Section 11.80.220, may
65 adopt rules prohibiting dogs or other types of domesticated animals
66 from entering certain parks or certain portions of parks after
67 consultation with the city council. *Provided*, dogs may be allowed off-
68 leash in designated off-leash dog parks, or in specific portions of parks
69 designated as off-leash, or in designated parks during park hours that
70 have been specifically designated as off-leash hours, so long as the dog
71 is under control of the owner or handler.

72
73 Section 3. If any provision of this ordinance or its application to
74 any person or circumstance is held invalid, the remainder of the
75 ordinance or the application of the provision to other persons or
76 circumstances is not affected.


77
78 Section 4. This ordinance shall be in force and effect five days
79 from and after its passage by the Kirkland City Council and publication,
80 as required by law.

81
82 Passed by majority vote of the Kirkland City Council in open
83 meeting this 2nd day of August, 2017.

84
85 Signed in authentication thereof this 2nd day of August, 2017.


Amy Walen, Mayor

Attest:


Kathi Anderson, City Clerk

Publication Date: August 7, 2017

Approved as to Form:

Kevin Raymond
Kevin Raymond, City Attorney