

ORDINANCE O-4608

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PROVISIONS OF THE REVISED CODE OF WASHINGTON (RCW) AND WASHINGTON ADMINISTRATIVE CODE (WAC) RELATED TO ANIMAL SERVICES, CARE AND CONTROL.

1 WHEREAS, the City of Kirkland has, for many years, contracted
2 with King County to allow the County to provide the City with animal
3 services, such as animal control, sheltering and licensing; and
4

5 WHEREAS, beginning in 1985, the City adopted the animal
6 control ordinances enacted by King County, which are currently in effect
7 in the City, codified at Kirkland Municipal Code, KMC chapter 8.04; and
8

9 WHEREAS, the City's contract with King County will expire on
10 December 31, 2017; and
11

12 WHEREAS, on November 1, 2016, the City made a decision to
13 begin providing its own local animal services commencing on January 1,
14 2018; and
15

16 WHEREAS, Council held a study session on July 18, 2017, to
17 review initial proposed ordinances to eventually replace KMC chapter
18 8.04 and establish a local animal control authority in the City; and
19

20 WHEREAS, Council identifies the sections listed below from the
21 Revised Code of Washington (RCW) and the Washington Administrative
22 Code (WAC) as relevant to the City's local animal control authority. The
23 purpose of adopting state law by reference is to enable adjudication of
24 violations through the Kirkland Municipal Court.
25

26 NOW, THEREFORE, the City Council of the City of Kirkland do
27 ordain as follows:
28

29 Section 1. A new Kirkland Municipal Code Section 8.10.010 is
30 hereby adopted to read as follows:
31

32 **8.10.010 Portions of RCW Chapter 16.52 adopted by reference.**

33 The following RCW sections, as currently enacted or as hereafter
34 amended or recodified from time to time, are hereby adopted by
35 reference and shall be given the same force and effect as if set forth
36 herein in full:
37

38 RCW 16.52.080 – Transporting or confining in an unsafe
39 manner – Penalty.
40

41 RCW 16.52.100 – Confinement without food and water –
42 Intervention by others.

43 RCW 16.52.210 – Destruction of animal by law enforcement
44 officer – Immunity from liability.

45
46 RCW 16.52.305 – Unlawful use of hook – Gross misdemeanor.

47
48 RCW 16.52.340 – Leave or confine any animal in unattended
49 motor vehicle or enclosed space – Class 2 civil infraction –
50 Officers’ authority to reasonably remove animal.

51
52 RCW 16.52.350 - Dog tethering—Penalties.

53
54 Section 2. A new Kirkland Municipal Code Section 8.10.020 is
55 hereby adopted to read as follows:

56
57 **8.10.020 Portions of RCW Chapter 16.54 adopted by reference.**

58 The following RCW section, as currently enacted or as hereafter
59 amended or recodified from time to time, is hereby adopted by
60 reference and shall be given the same force and effect as if set forth
61 herein in full:

62
63 RCW 16.54.010 – When deemed abandoned.

64
65 Section 3. A new Kirkland Municipal Code Section 8.10.030 is
66 adopted to read as follows:

67
68
69 **8.10.030 WAC 246-203-121 adopted by reference.**

70 The following WAC section, as currently enacted or as hereafter
71 amended or recodified from time to time, is hereby adopted by
72 reference and shall be given the same force and effect as if set forth
73 herein in full:

74
75 WAC 246-203-121 – Disposal of dead animals.

76
77 Section 4. If any provision of this ordinance or its application to
78 any person or circumstance is held invalid, the remainder of the
79 ordinance or the application of the provision to other persons or
80 circumstances is not affected.

81
82 Section 5. This ordinance shall be in force and effect January 1,
83 2018, after its passage by the Kirkland City Council and publication
84 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
85 form attached to the original of this ordinance and by this reference
86 approved by the City Council.

87
88 Passed by majority vote of the Kirkland City Council in open
89 meeting this 3rd day of October, 2017.

90
91 Signed in authentication thereof this 3rd day of October, 2017.


Amy Walen, Mayor

Attest:


Kathi Anderson, City Clerk

Publication Date: October 9, 2017

Approved as to Form:


Kevin Raymond, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4608

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PROVISIONS OF THE REVISED CODE OF WASHINGTON (RCW) AND WASHINGTON ADMINISTRATIVE CODE (WAC) RELATED TO ANIMAL SERVICES, CARE AND CONTROL.

SECTIONS 1- 3. Adds new Kirkland Municipal Code sections related to statutes and codes adopted by reference.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as January 1, 2018, after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 3rd day of October, 2017.

I certify that the foregoing is a summary of Ordinance O-4608 approved by the Kirkland City Council for summary publication.



Kathi Anderson, City Clerk