

ORDINANCE NO. 2882

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ANIMAL CONTROL.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Section 8.04.010 of the Kirkland Municipal Code is hereby repealed.

Section 2. There is hereby created a new section to be known as Section 8.04.010, entitled Regulations and Enforcement, and to read as follows:

8.04.010 Regulations and Enforcement. Except as otherwise provided, King County Code Chapter 11.04 is adopted as part of Chapter 8.04 of the Kirkland Municipal Code except that King County Code Section 11.04.190 is not adopted, subject to the following modifications in definitions:

(1) "Animal control authority" means the city police department or the animal control authority of King County, as agent for the city, acting alone or in concert with other municipalities for enforcement of the animal control laws of the city, King County and the state and the shelter and welfare of animals;

(2) Unless the context indicates otherwise, King County means the city;

(3) County department of planning means the Kirkland planning department;

(4) King County board of appeals means the Kirkland city council; provided, however, that at such time as the city may enter into a contract with King County for the enforcement of the animal control ordinance, the contract may provide for the use of the King County board of appeals in which case the King County board of appeals means the King County board of appeals;

Section 3. Section 8.04.020 of the Kirkland Municipal Code is hereby repealed.

Section 4. There is hereby created a new section to be known as Section 8.04.020, entitled Additional Definitions, and to read as follows:

8.04.020 Additional Definitions. In addition to the definitions incorporated by reference through KMC 8.04.010, the following definition will also apply to this chapter:

"Leash" includes a cord, thong or chain not more than eight feet in length by which an animal is physically controlled by the person accompanying it.

Section 5. There is hereby added to Chapter 8.04 of the Kirkland Municipal Code a new section to read as follows:

8.04.025 Serious Crimes designated. Pursuant to Section 1.04.010 of this code, the following sections of Title 8 are designated as serious crimes (designation by other than Kirkland Municipal Code numbers refers to sections of the King County Code (KCC) as incorporated by reference through Chapter 8.04 of this code):

KCC 11.04.080(B); KCC 11.04.230(I); KCC 11.04.230(N);
KCC 11.04.240(A); KCC 11.04.250(A).

Section 6. Section 8.04.030 of the Kirkland Municipal Code is hereby repealed.

Section 7. There is hereby created a new section to be known as Section 8.04.030, entitled Running at large prohibited, and to read as follows:

8.04.030 Running at large prohibited. It is unlawful for an owner or keeper of any dog, whether licensed or unlicensed, to permit such dog to run at large. For the purposes of this section "at large" means off the premises of the owner and not under the control of the owner or competent person authorized by the owner, either by leash or verbal voice or signal control; provided that an animal within a vehicle of its owner shall be deemed to be upon the owner's premises.

Section 8. Section 8.04.040 of the Kirkland Municipal Code is hereby repealed.

Section 9. There is hereby created a new section to be known as Section 8.04.040, entitled Adoption by reference--copy filed, and to read as follows:

8.04.040 Adoption by reference--copy filed. The City shall maintain at all times available for review by the general public one copy of King County code sections adopted by reference in this title.

Section 10. Section 2 of Ordinance 2855, which added a new section to be known as 8.04.080, entitled Rabies control, is hereby repealed.

Section 11. There is hereby created a new section to be known as Section 8.04.055, entitled Rabies control, and to read as follows:

8.04.055 Rabies control. King County Code Chapter 11.12 is adopted as part of Chapter 8.04 of the Kirkland Municipal Code.

Section 12. Section 8.04.060 of the Kirkland Municipal Code is hereby repealed.

Section 13. There is hereby created a new section to be known as Section 8.04.060, entitled Exotic Animal Regulation, and to read as follows:

8.04.060 Exotic Animal Regulation. King County Code Chapter 11.28 is adopted as part of Chapter 8.04 of the Kirkland Municipal Code.

Section 14. Section 8.04.070, entitled Exotic animal regulations--copies available to public, is hereby repealed.

Section 15. Section 3 of Ordinance 2855, which added a new section to be known as 8.04.070, entitled Regulation of guard dogs, is hereby repealed.

Section 16. There is hereby created a new section to be known as Section 8.04.070, entitled Regulation of guard dogs, and to read as follows:

8.04.070 Regulation of guard dogs. King County Code Chapter 11.32 is adopted as part of Chapter 8.04 of the Kirkland Municipal Code.

Section 17. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 18. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and posting or publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 1st day of July, 1985.

Signed in authentication thereof this 1st day of July, 1985.

Doris Cooper
MAYOR

ATTEST:

Tom J. Aderson
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Thyph Est
City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 2nd day of July, 1985 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

Jessie Jensen
Clerk

Title 11
ANIMAL CONTROL¹

Chapters:

- 11.02 Animal Control Division
- 11.04 Animal Control Regulations
- 11.08 Dog Leash Law
- 11.12 Rabies Control
- 11.20 Disposition of Fowl and Rabbits
- 11.24 Stock Restricted Area
- 11.28 Exotic Animals
- 11.32 Guard Dogs

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¹ [Milk regulations, animal health, see § 8.48.610.]

Chapter 11.02
ANIMAL CONTROL SECTION

Sections:

- 11.02.010 Established.
11.02.020 Office of manager created - Compensation.
11.03.030 Contract - Authorization.

11.02.010 Established. There is established in the Division of General Services an Animal Control Section. The Animal Control Section is by this chapter designated the agency authorized to enforce animal control laws. (Ord. 1361 § 4, 1972; Ord. 1269 § 1, 1972).

11.02.020 Office of manager created - Compensation. There is established within the animal control section of the division of General Services the position of "Manager-Animal Control Section" to be compensated at a rate established by the county personnel division. (Ord. 6370 § 1, 1983; Ord. 1269 § 3, 1972).

11.02.030 Contract - Authorization. The county executive is authorized to enter into agreement with any or all other municipal corporations in King County for the licensing and enforcement of local municipal ordinances relating to animal control, and with other legal entities for the purpose of dead animal disposal. (Ord. 6370 § 2, 1983; Ord. 1370 § 1, 1972).

Chapter 11.04
ANIMAL CONTROL REGULATIONS¹

Sections:

I. GENERAL PROVISIONS

- 11.04.010 Purpose.
11.04.020 Definitions.

II. LICENSING

- 11.04.030 Dog and cat licenses required.
11.04.040 Animal shelter, kennel and pet shop license - Required.
11.04.050 Animal shelter and kennel license - Information required.
11.04.060 Hobby kennel license - Required.
11.04.070 Animal shelters, kennels and pet shops - Reporting required.
11.04.080 Animal shelters, kennels and pet shops - Inspection.
11.04.090 Animal shelters, kennels and pet shops - Conditions.
11.04.100 Animal shelters, kennels and pet shops - Indoor facilities.
11.04.110 Animal shelters, kennels and pet shops - Outdoor facilities.

¹ [For statutory provisions regarding the county dog license tax, see RCW 36.49; for provisions regarding dog control zones, see RCW 16.10. For statutory provisions regarding prevention of cruelty to animals, see RCW 16.52.]

- 11.04.120 Grooming parlors - License required.
11.04.130 Grooming parlors - Conditions.
11.04.140 Animal shelters, hobby kennels, kennels, pet shops, grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners - Additional conditions.
11.04.150 Licenses, registration - Revocation, suspension or refusal to renew.
11.04.160 Licenses, registration - Revocation or refusal waiting period.

III. ENFORCEMENT, PENALTIES AND PROCEDURES

- 11.04.170 Enforcement power.
11.04.180 Violations - Deemed nuisance - Abatement.
11.04.190 Violations - Misdemeanor - Penalty.
11.04.200 Violations - Civil penalty.
11.04.210 Impounding.
11.04.220 Additional enforcement.
11.04.230 Nuisances defined.
11.04.240 Unlawful acts against police department dogs - Penalty for violation.
11.04.250 Cruelty to animals - Unlawful acts designated.
11.04.260 Violations - Notice and order.
11.04.270 Appeals.
11.04.280 Redemption procedures.
11.04.290 Nuisances - Removal.
11.04.300 Civil penalty and abatement costs - Liability of owner.
11.04.310 Costs of additional enforcement.
11.04.320 Miscellaneous Service Charges.
11.04.330 Additional Rules and Regulations.
11.04.340 Severability.

A, + I I. GENERAL PROVISIONS

11.04.010 Purpose. It is declared the public policy of the county to secure and maintain such levels of animal control as will protect human health and safety, and to the greatest degree practicable to prevent injury to property and cruelty to animal life. To this end, it is the purpose of this chapter to provide a means of licensing dogs, cats, animal shelters, hobby kennels, kennels and pet shops and controlling errant animal behavior so that it shall not become a public nuisance and to prevent cruelty to animals. (Ord. 1396 Art. I § 2, 1972).

11.04.020 Definitions. In construing the provisions of this chapter, except where otherwise plainly declared or clearly apparent from the context, words used herein shall be given their common and ordinary meaning; in addition, the following definitions shall apply:

A. "Abatement" means the termination of any violation by reasonable and lawful means determined by the director of the animal control authority in order that an owner or a person presumed to be the owner shall comply with this chapter.

B. "Animal" means any living creature except man, insects and worms.

C. "Animal control authority" means the county animal control section, division of general services, acting alone or in concert with other municipalities for enforcement of the animal control laws of the county and state and the shelter and welfare of animals.

D. "Animal control officer" means any individual employed, contracted or

appointed by the animal control authority for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensing of animals, control of animals or seizure and impoundment of animals, and includes any state or municipal peace officer, sheriff, constable or other employee whose duties in whole or in part include assignments which involve the seizure and taking into custody of any animal.

E. "Domesticated animal" means those domestic beasts as any dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, sheep or hog, or other animal made to be domestic.

F. "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness, and death during such loss of consciousness.

G. "Grooming parlor" means any place or establishment, public or private, where animals are bathed, clipped or combed, whether or not for compensation, for the purpose of enhancing their aesthetic value.

H. "Harboring, keeping, or maintaining a dog or cat" means performing any of the acts of providing care, shelter, protection, refuge, food, or nourishment in such manner as to control the animals actions, or, that the animal(s) is treated as living at one's house by the homeowner.

I. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult dogs or cats are bred or kept for hunting, training and exhibition for organized shows, field, working and/or obedience trials, or for enjoyment of the species.

J. "Kennel" means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs and cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic or pet shop. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.

K. "Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys and mules.

L. "Owner." Any person having an interest in or right of possession to an animal or any person having control, custody or possession of any animal, or by reason of the animal being seen residing consistently at a location, shall be presumed to be the owner.

M. "Packs of dogs" means a group of three or more dogs running upon either public or private property not that of its owner in a state in which either its control or ownership is in doubt or cannot readily be ascertained, and when such dogs are not restrained or controlled.

N. "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

O. "Pet shop" means any person, establishment, store or department of any store that acquires live animals, including birds, reptiles, fowl and fish, and sells, or offers to sell or rent such live animals to the public or to retail outlets.

P. "Running at large" means to be off the premises of the owner and not under the control of the owner or competent person authorized by the owner, either by leash or verbal voice and/or signal control.

Q. "Shelter" means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals and which is owned, operated or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organization or person devoted to the welfare, protection and humane treatment

of animals.

R. "Under control" means the animal is under voice and/or signal control so as to be thereby restrained from approaching any bystander or other animal and from causing or being the cause of physical property damage when off of a leash or off the premises of the owner.

S. "Vicious" means the propensity to do any act that might endanger the safety of any person, animal or property of another, including, but not limited to, a disposition to mischief or fierceness as might occasionally lead to attack on human beings without provocation, whether in play or outbreak of untrained nature. (Ord. 6370 § 3, 1983; Ord. 4610 § 1, 1979; Ord. 2428 § 1, 1975; Ord. 2085 § 1, 1974; Ord. 1396 Art. I § 3, 1972).

II. LICENSING

11.04.030 Dog and cat licenses required. A. LICENSE REQUIREMENTS. All dogs and cats harbored, kept or maintained in King County over six months of age shall be licensed and registered annually; provided, however, that dogs kept in kennels need not be licensed as provided in Section 11.04.040; provided further, that this section shall not apply to dogs used by the department of public safety for police work.

B. FEES. Dog and cat licenses shall be issued by the animal control authority upon application and payment of an annual license fee made payable to the county comptroller according to the following schedule:

For the license year beginning April 1, 1982, the sum of eighteen dollars for dogs and ten dollars for cats; provided that when proof is submitted that such dog or cat has been neutered or spayed, the fee shall be eight dollars for dogs and five dollars for cats;

For the license year beginning April 1, 1983, the sum of nineteen dollars for dogs and eleven dollars for cats; provided that when proof is submitted that such dog or cat has been neutered or spayed, the fee shall be nine dollars for dogs and six dollars for cats;

For the license year beginning April 1, 1984, the sum of twenty dollars for dogs and twelve dollars for cats; provided that when proof is submitted that such dog or cat has been neutered or spayed, the fee shall be ten dollars for dogs and seven dollars for cats.

King County residents sixty-five years of age or older shall be entitled to purchase a special permanent license for the life-time of cats or dogs for which they are the registered owners when said animals are maintained at said owner's registered address. Eligible residents may purchase the special permanent animal licenses according to the following fee schedule:

For the license year beginning April 1, 1982, the sum of eighteen dollars per licensed dog and ten dollars per licensed cat;

For the license year beginning April 1, 1983, the sum of nineteen dollars per licensed dog and eleven dollars per licensed cat;

For the license year beginning April 1, 1984, the sum of twenty dollars per licensed dog and twelve dollars per licensed cat;

Such residents shall not be required to annually purchase a new license for the lifetime of such licensed animals; provided, that no person shall be granted more than three permanent animal licenses for any combination of three cats and dogs for which they are the registered owner; provided further, that the animal control authority is authorized to enact the necessary rules and procedures to efficiently implement the program. The effective date for such licenses shall be on the first day of May for 1977 only. The annual license

fee shall become due and payable on April 1st of each subsequent year. Applications for a dog or cat license shall be on forms provided by the animal control authority. No proration of a license fee for a portion of the calendar year shall be made. All license tags issued herein shall be securely affixed to a substantial collar, harness or other means which shall be worn by the dog at all times. As an alternative to a license tag, an animal may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the animal control authority.

C. PENALTY. In addition to paying the appropriate license fee, a late penalty in the sum of twenty-five dollars shall be charged on all applications received after April 30th of each year; provided, however, that no late penalty shall be charged if:

1. The owner submits proof of purchase of the animal within the preceding thirty days; or
2. The owner has moved into the county within the preceding thirty days; or
3. The animal has been under the age which requires a license (six months); or
4. The owner purchases the license(s) voluntarily, prior to in person or field contact by animal control personnel; or,
5. The owner submits other proof deemed acceptable in the division's rules and regulations.

D. FEES COLLECTED. All fees and fines collected under this chapter shall be deposited in the county current expense fund.

E. CHECKS. It shall be a violation of this chapter for any person to knowingly issue a check for which funds are insufficient or to stop payment on any check written in payment of fees contained in this chapter. Any license(s) or penalties paid for with such checks are, in the case of the license, invalid; and in the case of the penalty, still outstanding. Costs incurred by the county in collecting checks of this nature shall be considered a cost of abatement and are personal obligations of the animal owner under K.C.C. 11.04.300.

F. NONAPPLICABILITY. The provisions of this section shall not apply to dogs or cats in the custody of a veterinarian or animal shelter or whose owners are nonresidents temporarily within the county for a period not exceeding thirty days. The fees contained herein shall become effective beginning with the 1979 license year. (Ord. 6370 § 4, 1983; Ord. 5805 § 1, 1981; Ord. 4552 § 1, 1979; Ord. 3980 § 1, 1978; Ord. 3187 § 1, 1977; Ord. 2869, 1976; Ord. 2158 § 1, 1974; Ord. 1691 § 1, 1973; Ord. 1396 Art. II § 1, 1972).

11.04.040 Animal shelter, kennel and pet shop license - Required. It is unlawful for any person to keep or maintain any animal shelter, kennel or pet shop within King County without first obtaining a valid and subsisting license therefor. A fee of one hundred fifty dollars for such license shall be assessed not upon individual animals but upon the owner or keeper of an animal shelter, kennel or pet shop. Each license and certificate of inspection issued pursuant to this chapter shall be conspicuously displayed at the establishment to which such license was issued. The license shall be dated and numbered and shall bear the name of King County, Washington, and the name and address of the owner or keeper of the establishment, and the expiration

date of the license. The license shall run for a period of one year from the date of purchase. (Ord. 4610 § 2, 1979; Ord. 1396 Art. II § 2, 1972).

11.04.050 Animal shelter and kennel license - Information required. A. ZONING COMPLIANCE. The applicant for an original animal shelter or kennel license shall present to the animal control authority a written statement from the county Department of Planning and Community Development that the establishment of the animal shelter or kennel at the proposed site is not in violation of the King County zoning code, has a legal nonconforming zoning status, or a conditional use permit has been issued for the intended use.

B. HEALTH INSPECTION. Before an animal shelter or kennel license may be issued by the animal control authority, a certificate of inspection from the Seattle-King County Health Department or King County Animal Control Section must be issued showing that the animal shelter or kennel is in compliance with Sections 11.04.080, 11.04.090, 11.04.100 and 11.04.110. (Ord. 2428 § 2, 1975; Ord. 1396 Art. II § 3, 1972).

11.04.060 Hobby kennel license - Required. A. LICENSE REQUIRED. It is unlawful for any person to keep and maintain any dog or cat within the county for the purposes of a hobby kennel without obtaining a valid and subsisting license therefor. The fee for such license shall be assessed upon the owner or keeper of such animals and shall be twenty dollars. In addition, each animal shall be licensed individually under provisions of Section 11.04.030B.

B. LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. The total number of dogs and cats over four months of age kept by a hobby kennel shall not exceed the total number authorized by the King County animal control section based on the following guidelines:

1. Animal size;
2. Type and characteristics of the breed;
3. The amount of lot area; provided, that the maximum number shall not exceed twenty-five where the lot area contains five acres or more; the maximum number shall not exceed ten where the lot area contains thirty-five thousand square feet;
4. The facility specifications/dimensions in which the dogs and cats are to be maintained;
5. The zoning classification in which the hobby kennel would be maintained.

C. REQUIREMENTS.

1. All open run areas shall be completely surrounded by a six-foot fence set back at least twenty feet from all property lines. For purposes of this section "Open run area" means that area, within the property lines of the premises on which the hobby kennel is to be maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs and cats within the property lines of the premises the twenty foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six-foot fence;

2. No commercial signs or other appearances advertising the hobby

kennel are permitted on the property or in any publication, book or newspaper, except for the sale of the allowable offspring set forth in this section;

3. The director may require setback, additional setback, fencing, screening or soundproofing requirements as he deems necessary to insure the compatibility of the hobby kennel with the surrounding neighborhood. Factors to be considered in determining such compatibility are:

- a. Statements regarding approval/disapproval of surrounding neighbors relative to maintenance of a hobby kennel at the address applied for;
- b. Past history of animal control complaints relating to the dogs and cats of the applicant at the address for which the hobby kennel is applied for;
- c. Facility specifications/dimensions in which the dogs and cats are to be maintained;
- d. Animal size, type and characteristics of breed;
- e. The zoning classification of the premises on which the hobby kennel is maintained.

4. The hobby kennel shall limit dog and cat reproduction to no more than twelve offspring per license year;

5. Each dog and cat in the hobby kennel shall have current and proper immunization from disease according to the dog's and cat's species and age. For dogs such shall consist of DHL inoculation for dogs over three months of age and rabies inoculations for those over six months of age.

D. LICENSE ISSUANCE AND MAINTENANCE. Only when the director is satisfied that the requirements of K.C.C. 11.04.060C.1. through 5. have been met, a hobby kennel license may be issued. The license will continue in full force throughout the license year unless, at anytime, the hobby kennel is maintained in such a manner as to:

1. Exceed the number of dogs and cats allowed at the hobby kennel by the animal control section; or,
2. Fail to comply with any of the requirements of K.C.C. 11.04.060C.1. through 5. (Ord. 6370 § 5, 1983; Ord. 4610 § 3, 1979; Ord. 4269 § 1, 1979; Ord. 2428 § 3, 1975; Ord. 1396 Art. II § 4, 1972).

11.04.070 Animal shelters, kennels and pet shops - Reporting required.

Each animal shelter, kennel or pet shop shall provide a list to the animal control authority, quarterly, based upon the calendar year, of all dogs and cats auctioned off, given away, sold or otherwise disposed of. The list shall include the origin, the age and type of dog or cat, and the name and address of the person to whom the dog or cat was given or purveyed. (Ord. 2428 § 4, 1975; Ord. 1396 Art. II § 5, 1972).

11.04.080 Animal shelters, kennels and pet shops - Inspection.

A. INSPECTION. It shall be the duty of the director or his agent of the Seattle-King County department of public health or the animal control authority to make or cause to be made such inspections as may be necessary to insure compliance with Sections 11.04.090, 11.04.100 and 11.04.110. The owner or keeper of an animal shelter, kennel or pet shop shall admit to the premises, for the purpose of making an inspection, any officer, agent or employee of the Seattle-King County department of public health or animal control authority at any reasonable time that admission is requested.

B. UNSANITARY CONDITIONS UNLAWFUL. It is unlawful to keep, use or maintain within King County any animal shelter, kennel or pet shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health and/or safety and not in compliance with Sections 11.04.070, 11.04.090,

11.04.100 and 11.04.110 and may be cause for revocation or denial of such license. (Ord. 2428 § 5, 1975; Ord. 1396 Art. II § 6, 1972).

11.04.090 Animal shelters, kennels and pet shops - Conditions. Animal shelters, kennels and pet shops shall meet the following conditions:

A. Housing facilities shall be provided the animals and such shall be structurally sound and shall be maintained in good repair; shall be designed so as to protect the animals from injury; shall contain the animals; and shall restrict the entrance of other animals.

B. Electric power shall be supplied in conformance with city, county, and state electrical codes adequate to supply lighting and heating as may be required by this chapter. Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and primary enclosures of debris and excreta.

C. Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable foods.

D. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, and debris. Disposal facilities shall be maintained in a sanitary condition, free from the infestation or contamination of insects or rodents or disease, and from obnoxious or foul odors.

E. Washroom facilities, including sinks and toilets, with hot and cold water, must be conveniently available for cleaning purposes, and a large sink or tub provided for the purpose of washing utensils, equipment and facilities.

F. Sick animals shall be separated from those appearing healthy and normal and, if for sale, shall be removed from display and sale. Sick animals shall be kept in isolation quarters with adequate ventilation to keep from contaminating well animals.

G. There shall be an employee on duty at all times during hours any store is open whose responsibility shall be the care and welfare of the animals in that shop or department held for sale or display.

H. An employee or owner shall come in to feed, water and do the necessary cleaning of animals and birds on days the store or shop is closed.

I. No person, persons, association, firm or corporation shall knowingly sell a sick or injured animal or bird.

J. No person, persons, association, firm or corporation shall misrepresent an animal or bird to a consumer in any way. (Ord. 2428 § 6, 1975; Ord. 1396 Art. II § 7, 1972).

11.04.100 Animal shelters, kennels and pet shops - Indoor facilities.

Animal shelters, kennels and pet shops which have indoor housing facilities for animals and birds shall:

A. Be sufficiently heated or cooled to protect such animals from temperatures to which they are not normally acclimatized;

B. Be adequately ventilated to provide for the health of animals contained therein and to assist in the removal of foul and obnoxious odors. Provision shall be made so that the volume of air within any enclosed indoor facility shall be changed three times or more each hour. This may be accomplished through the location and periodic opening of doors and windows. If fans or ventilating equipment are used, they shall be constructed in conformance with current standards of good engineering practice with respect

to noise and minimization of drafts;

C. Have sufficient natural or artificial lighting to permit routine inspection and cleaning at any time of day. In addition, sufficient natural or artificial lighting shall be supplied in the area of sinks and toilets to provide for the hygiene of animal caretakers;

D. Have interior wall and ceiling surfaces constructed of materials which are resistant to the absorption of moisture and odors, or such surfaces shall be treated with a sealant or with paint, when such materials are not originally resistant to moisture or odors. Floor surfaces shall not be made of unsealed wood. In addition, interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris;

E. Contain a drainage system which shall be connected to a sanitary sewer or septic tank system which conforms to the standards of building codes in force within the county and shall be designed to rapidly remove water and excreta in the cleaning of such indoor housing facility under any condition of weather or temperature; provided, this requirement shall not apply to hobby kennels and pet shops. All indoor housing facilities for animals, fish, or birds shall be maintained in a clean and sanitary condition and a safe and effective disinfectant shall be used in the cleaning of such facilities. (Ord. 2428 § 7, 1975; Ord. 1396 Art. II § 8, 1972).

9 11.04.110 Animal shelters, kennels and pet shops - Outdoor facilities.

Animal shelters, kennels and pet shops which have outdoor facilities for animals and birds shall:

A. Be constructed to provide shelter from excessive sunlight, rain, snow, wind, or other elements. In addition, such facilities shall be constructed to provide sufficient space for the proper exercise and movement of each animal contained therein;

B. Be constructed to provide drainage and to prevent the accumulation of water, mud, debris, excreta, or other materials and shall be designed to facilitate the removal of animal and food wastes;

C. Be constructed with adequate walls or fences to contain the animals kept therein and to prevent entrance of other animals. (Ord. 2428 § 8, 1975; Ord. 1396 Art. II § 9, 1972).

10 11.04.120 Grooming parlors - License required. It is unlawful for any person to keep or maintain any grooming parlor without first obtaining a valid and subsisting license therefor. A fee of one hundred dollars for such license shall be assessed. However, if the grooming parlor is operated as a part of the business of a kennel, or a pet shop, a fee of fifty dollars shall be assessed. Such fee shall be in addition to the fee established for a kennel, or pet shop license. (Ord. 4610 § 4, 1979; Ord. 1396 Art. II § 10, 1972).

11 11.04.130 Grooming parlors - Conditions. Grooming parlors shall:

A. Not board animals but keep only dogs and cats for a reasonable time in order to perform the business of grooming;

B. Provide such restraining straps for the dog or cat while it is being groomed so that such animal shall neither fall nor be hanged;

C. Sterilize all equipment after each dog or cat has been groomed;

D. Not leave animals unattended before a dryer;

E. Not prescribe treatment or medicine that is the province of a licensed veterinarian as provided in RCW 18.92.010;

F. Not put more than one animal in each cage;

G. All floors and walls in rooms, pens and cages used to retain animals or in areas where animals are clipped, groomed or treated must be constructed of water impervious material that can readily be cleaned, and must be maintained in good repair;

H. Hot and cold water must be conveniently available and a large sink or tub provided (minimum size twenty-four inches by eighteen inches by twelve inches);

I. Toilet and handwashing facilities with hot and cold running water must be conveniently available for personnel employed;

J. Only equipment necessary to the operation of the licensed establishment shall be kept or stored on the premises and shall only be stored in a sanitary or orderly manner;

K. All cages, pens, or kennels used for holding animals shall be kept in a clean and sanitary condition and must be disinfected on a routine basis. (Ord. 2428 § 9, 1975; Ord. 1396 Art. II § 11, 1972).

17 11.04.140 Animal shelters, hobby kennels, kennels, pet shops, grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners - Additional conditions. The director of the animal control authority is authorized to promulgate rules and regulations not in conflict with this title as they pertain to the conditions and operations of animal shelters, hobby kennels, kennels, pet shops, and grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners. Such rules and regulations may be enacted only after a public hearing has been held for such purpose. Enforcement of these rules and regulations may be appealed to the county board of appeals. (Ord. 3232 § 10, 1977; Ord. 1396 Art. II § 12, 1972).

13 11.04.150 Licenses, registration - Revocation, suspension or refusal to renew. The animal control authority may, in addition to other penalties provided in this title, revoke, suspend or refuse to renew any animal shelter, hobby kennel, kennel, grooming parlor, pet shop, guard dog purveyor, guard dog trainer license or guard dog registration upon good cause or for failure to comply with any provision of this title; provided, however, enforcement of such revocation, suspension or refusal shall be stayed during the pendency of an appeal filed pursuant to Section 11.04.260. (Ord. 3232 § 11, 1977; Ord. 2428 § 10, 1975; Ord. 1396 Art. II § 13, 1972).

14 11.04.160 Licenses, registration - Revocation or refusal waiting period. No applicant shall be issued an animal shelter, hobby kennel, kennel, grooming parlor, pet shop, guard dog purveyor, guard dog trainer license or guard dog registration who has previously had such license or registration revoked or a renewal refused, for a period of one year after the date of revocation or refusal and until such applicant meets the requirements contained in Sections 11.04.070 through 11.04.110 or any other provision of this title to the satisfaction of the animal control authority. (Ord. 3232 § 12, 1977; Ord. 1396 Art. II § 14, 1972).

Art III III. ENFORCEMENT, PENALTIES AND PROCEDURES

15 11.04.170 Enforcement power. A. The director of the animal control

authority and his authorized animal control officers are authorized to take such lawful action as may be required to enforce the provisions of this chapter, the provisions of Resolution 25789, as amended, Title 21 R.C.C., as they pertain to the keeping of animals, and the laws of the state of Washington as they pertain to animal cruelty, shelter, welfare and enforcement of control.

B. The director of the animal control authority or his authorized animal control officer shall not enter a building designated for and used for private purposes, unless a proper warrant has first been issued upon a showing that the officer has reasonable cause to believe an animal is being maintained in the building in violation of this chapter.

C. Provided that the director of the animal control authority and his authorized animal control officers, while pursuing or observing any animal in violation of this chapter, may enter upon any public or private property, except any building designated for and used for private purposes, for the purpose of abating the animal violation being pursued or observed.

D. No person shall deny, prevent, obstruct or attempt to deny, prevent or obstruct an officer from pursuing any animal observed to be in violation of this chapter. Further, no person shall fail or neglect, after a proper warrant has been presented, to promptly permit the director or the authorized animal control officer to enter private property to perform any duty imposed by this chapter. Any person violating this subsection is guilty of a misdemeanor. (Ord. 3980 § 3, 1978; Ord. 2771 § 2, 1976; Ord. 2428 § 11, 1975; Ord. 1396 Art. III § 1, 1972).

32 11.04.180 Violations - Deemed nuisance - Abatement. All violations of this chapter are detrimental to the public health, safety, and welfare and are public nuisances. All conditions which are determined after review by the director of the animal control authority to be in violation of this chapter shall be abated. (Ord. 1396 Art. III § 2, 1972).

3 11.04.190 Violations - Misdemeanor - Penalty. Any person who allows an animal to be maintained in violation of this chapter is guilty of a misdemeanor punishable by fine of not more than two hundred fifty dollars and/or imprisonment for a term not to exceed ninety days. (Ord. 1396 Art. III § 3, 1972).

4 11.04.200 Violations - Civil penalty. In addition to or as an alternative to any other penalty provided in this chapter or by law, any person whose animal is maintained in violation of this chapter shall incur a civil penalty plus billable costs of the animal control authority. The penalty for the first notice of violation shall be twenty-five dollars; fifty dollars for the second notice of violation in any one-year period; and one hundred dollars for each successive violation in any one-year period; provided, that these provisions shall not apply to specific areas designated by ordinance as dog control zones under the provisions of RCW 16.10. (Ord. 6370 § 6, 1983; Ord. 4610 § 5, 1979; Ord. 3548 § 6, 1978; Ord. 1396 Art. III § 4, 1972).

5 11.04.210 Impounding. A. The director of the animal control authority and his authorized representatives may apprehend any animals found doing any of the acts defined as a public nuisance and/or being subjected to cruel treatment as defined by law. After such animals are apprehended, the animal

control authority shall ascertain whether they are licensed, or otherwise identifiable. If reasonably possible, the animal control authority shall return the animal to the owner together with a notice of violation of this chapter. If it is not reasonably possible to immediately return a currently licensed animal to its owner, the animal control authority shall notify the owner within a reasonable time by regular mail or telephone that the animal has been impounded and may be redeemed. Any currently licensed animal impounded pursuant to this chapter shall be held for the owner at least one hundred twenty hours, after posting of the notification of impoundment by regular mail or after telephone contact by the impounding agency; any other animal impounded pursuant to this chapter shall be held for its owner at least seventy-two hours from the time of impoundment; provided that any animal sold to a research institute pursuant to this chapter shall be held for an additional one hundred twenty hours over and above the required seventy-two hours specified; provided further, that any animal sold to a licensed dealer, pursuant to this chapter, may be released to the licensed dealer following custody of the animal by the animal control section for a period of seventy-two hours; provided further, that it is the responsibility of the animal control section to monitor and insure that the licensed dealer will hold the animal for an additional one hundred twenty hours prior to the sale of the animal to a research institute; provided further, that any owner may redeem an animal in the custody of a licensed dealer by complying with the fees and redemption procedure of the animal control section, the animal control section shall return all fees paid by the licensed dealer, and the sale of the animal shall be declared null and void; provided further, that the advisory board may make recommendations to the animal control section which shall, by administrative rule, set the sales price of animals to be sold to licensed dealers and research institutes; provided further, that the animal control section shall, by administrative rule, through required contract provisions, insure that licensed dealers do not sell county purchased animals to research institutes at a rate in excess of that paid by research institutes purchasing animals directly from the animal control section. Any animal suffering from serious injury or disease may be humanely destroyed, or, in the discretion of the impounding authority, may be held for a longer period and redeemed by any person on payment of charges not exceeding those prescribed herein.

B. Any animal not redeemed shall be treated in one of the following ways:

1. Made available for adoption at a fee of five dollars per animal.

a. Any person may adopt an animal impounded pursuant to the provisions contained in this chapter when all billable costs, redemption fees, penalties, and boarding costs incurred in such impoundment are made payable to the county finance director, which may be accepted by the animal control authority acting as agent for the county.

b. There shall be a spay/neuter deposit of \$25.00 on all adopted animals. This deposit will be returned to the adopting person upon submission of proof that the sterilization was performed within 180 days of the date of the adoption.

2. Sold to a dealer licensed pursuant to 7 U.S.C. 2131 et seq., as now or hereafter amended; provided, however, that said dealer shall comply with the following requirements:

a. He shall sell animals purchased from the county only to research laboratories located in the state of Washington licensed pursuant to 7 U.S.C. 2131 et seq., accredited under the American Association for Accreditation of

Laboratory Animal Care, or to state or federal research laboratories exempted from the provisions of 7 U.S.C. 2131 et seq.

b. All animals purchased from the county by said dealer shall be identified by breed, color, age, and any other information deemed necessary for a reliable identification of the animal.

c. He shall provide evidence to the county that each animal purchased from the county was sold to a research laboratory fully licensed, accredited or exempted in the manner described in subsection B 2. of this section.

d. He shall be a resident of the state of Washington for a period of one year prior to his purchase of animals from the county.

e. No animal bearing a tattoo identification, affixed in a manner as prescribed in Section 11.04.030 B., shall be sold to a licensed dealer or research medical institute, without the written permission of the registered owner.

3. Sold to a research laboratory licensed pursuant to 7 U.S.C. 2131 et seq., accredited under the American Association for Accreditation of Laboratory Animal Care, or exempted from the provisions of 7 U.S.C. 2131 et seq.; provided, however, that said research laboratory shall comply with the following requirements:

a. All animals purchased from the county by said research laboratory shall be identified by breed, color, age, and any other information deemed necessary for a reliable identification of the animal.

b. Provide evidence to the county as to each animal's disposition or use by the research laboratory.

c. Shall be available, at all reasonable times, for inspection by the King County animal control section. Such inspections shall be performed in the same manner as inspections performed under Sections 11.04.100, 11.04.110, and 11.04.250.

d. Shall be physically located within the state of Washington.

e. No animal bearing a tattoo identification, affixed in a manner as prescribed in Section 11.04.030 B., shall be sold to a licensed dealer or research medical institute, as defined in this chapter, without the written permission of the registered owner.

4. Humanely destroyed by euthanasia.

C. There is created an advisory board for the sale of animals by the county to licensed research institutes and dealers, consisting of five members one of whom shall be a licensed veterinarian, to be appointed by the county executive and confirmed by the county council. No member of the board shall be employed by King County. Members of the advisory board shall serve for two years without compensation. The board shall meet at least once every three months to examine inspection reports under subsection B. 3. c. of this section, and make recommendations as to the qualifications of dealers and research laboratories under subsections B 2. and B 3. of this section; provided, under the provision of the Animal Welfare Act, as amended, or as part of negotiated contract provision compliance, the advisory board shall be empowered to conduct such inspections of facilities receiving animals under this section, as are necessary to insure that animals are treated humanely. The commission shall have the authority to prohibit the sale of any animal to any dealer or research center when it has found that any such dealer or research center is not treating the animals purchased from the animal control section humanely.

D. A copy of all reports and records required to be filed by dealers or research laboratories pursuant to any state or federal law shall be filed with

the director of animal control and all such records shall be public record and available for inspection at any reasonable time during normal county working hours.

All records required to be filed pursuant to this chapter shall also be public record and shall be available for inspection by any interested person at any reasonable time during normal county working hours.

E. No licensed animal shall be made available for research unless written permission is received from said animal's owner. Further, no animal conveyed to the section by its owner shall be made available for research without written permission. (Ord. 6370 § 7, 1983; Ord. 6243 § 1, 1982; Ord. 6049, 1982; Ord. 5805 § 3, 1981; Ord. 2428 § 12, 1975; Ord. 1396 Art. III § 5, 1972).

11.04.220 Additional enforcement. Notwithstanding the existence or use of any other remedy, the director of the animal control authority may seek legal or equitable relief to enjoin acts or practices and abate any conditions which constitute a violation of this chapter or other regulations herein adopted. (Ord. 1396 Art. III § 6, 1972).

11.04.230 Nuisances defined. For purposes of this chapter, nuisances are violations of this chapter and shall be defined as follows:

A. Any public nuisance relating to animal control known at common law or in equity jurisprudence;

B. A dog running at large within the county.

C. Any domesticated animal, whether licensed or not, which runs at large in any park, or enters any public beach, pond, fountain, or stream therein, or upon any public playground or school ground; provided, however, that this section shall not prohibit a person from walking or exercising an animal in a public park or on any public beach when such animal is on a leash, tether or chain not to exceed eight feet in length. Provided, however, that this section shall not apply to any blind person using a trained seeing-eye dog, to animal shows, exhibitions or organized dog training classes where at least twenty-four hours' advance notice has been given to the animal control authority, by such persons requesting to hold such animal shows, exhibitions or dog training classes;

D. Any domesticated animal which enters any place where food is stored, prepared, served or sold to the public, or any other public building or hall. Provided, however, that this section shall not apply to any blind person using a trained seeing-eye dog, to veterinary offices or hospitals, or to animal shows, exhibitions or organized dog-training classes where at least twenty-four hours' advance notice has been given to the animal control authority, by such persons requesting to hold such animal shows, exhibitions or dog-training classes;

E. A female domesticated animal whether licensed or not, while in heat, accessible to other animals for purposes other than controlled and planned breeding;

F. Any domesticated animal which chases, runs after, or jumps at vehicles using the public streets and alleys;

G. Any domesticated animal which habitually snaps, growls, snarls, jumps upon or otherwise threatens persons lawfully using the public sidewalks, streets, alleys, or other public ways;

H. Any animal which has exhibited vicious propensities and which constitutes a danger to the safety of persons or property off his premises or lawfully on his premises;

I. A vicious animal or animal with vicious propensities which runs at large at any time, or such animal is off the owner's premises not securely leashed on a line or confined and in the control of a person of suitable age and discretion to control or restrain such animal;

J. Any domesticated animal which howls, yelps, whines, barks, or makes other oral noises, in such a manner as to disturb any person or neighborhood to an unreasonable degree;

K. Any domesticated animal which enters upon another person's property without the permission of that person;

L. Animals staked, tethered, or kept on public property without prior written consent of the county animal control authority;

M. Animals on any public property not under control by the owner or other competent person;

N. Animals kept, harbored, or maintained and known to have a contagious disease unless under the treatment of a licensed veterinarian;

O. Animals running in packs. (Ord. 6370 § 8, 1983; Ord. 1396 Art. III § 7, 1972).

11.04.240 Unlawful acts against police department dogs - Penalty for violation. A. No person shall wilfully torment, torture, beat, kick, strike or harass any dog used by a police department for police work, or otherwise interfere with the use of any such dog for police work by said department or its officers or members.

B. Any person who violates subsection A. of this section shall be deemed guilty of a misdemeanor, punishable by not more than ninety days in jail or not more than two hundred fifty dollar fine, or both. (Ord. 4552 § 2, 3, 1979).

11.04.250 Cruelty to animals - Unlawful acts designated. It is unlawful for any person to:

A. Wilfully and cruelly injure or kill any animal by any means causing it fright or pain;

B. By reason of neglect or intent to cause or allow any animal to endure pain, suffering or injury or to fail or neglect to aid or attempt alleviation of pain, suffering or injury he has so caused to any animal;

C. Lay out or expose any kind of poison, or to leave exposed any poison food or drink for man, animal or fowl, or any substance or fluid whatever whereon or wherein there is or shall be deposited or mingled, any kind of poison or deadly substance or fluid whatever, on any premises, or in any unenclosed place, or to aid or abet any person in so doing, unless in accordance with the provisions of RCW 16.52.190;

D. Abandon any domestic animal by dropping off or leaving such animal on the street, road or highway, or in any other public place, or on the private property of another. (Ord. 1396 Art. III § 8, 1972).

11.04.260 Violations - Notice and order. A. Whenever the director or authorized animal control officer has found an animal maintained in violation of this chapter, the director of the animal control authority shall commence proceedings to cause the abatement of each violation.

B. The director or authorized animal control officer shall issue a notice of violation and an order directed to the owner or the person presumed to be the owner of the animal maintained in violation of this chapter. The notice and order shall contain:

1. The name and address if known of the owner or person presumed to be the owner of the animal in violation of this chapter;

2. The license number, if available, and description of the animal in violation sufficient for identification;

3. A statement to the effect that the director or authorized animal control officer has found the animal maintained illegally with a brief and concise description of the conditions, which caused the animal to be in violation of this chapter;

4. A statement of the action required to be taken to abate the violation, as determined by the director of the animal control authority.

a. If the director has determined the animal in violation must be disposed with, the order shall require that the abatement be completed within a specified period of time from the date of the order as determined by the director to be reasonable,

b. If the director of the animal control authority has determined to assess a civil penalty, the order shall require that the penalty shall be paid within fourteen days from the date of the order;

5. Statements advising that if any required abatement is not commenced within the time specified, the director of the animal control authority will proceed to cause abatement and charge the costs thereof against the owner;

6. Statements advising:

a. That a person having a legal interest in the animal may appeal from the notice of violation and order or any action of the director of the animal control authority to the board of appeals, provided the appeal is made in writing as provided by this chapter, and filed with the director of the animal control authority within fourteen days from the date of service of such notice of violation and order,

b. That failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter;

C. The notice and order shall be served on the owner or presumed owner of the animal in violation.

D. Service of the notice of violation and order shall be made upon all persons entitled thereto:

1. Personally; or,

2. By mailing a copy of such notice of violation and order by certified mail, postage prepaid, return receipt requested, to the person at his last known address; or,

3. Posting the notice of violation and order on the front door of the living unit of the owner or person with right to control the animal if said owner or person is not home.

E. Proof of service of the notice of violation and order shall be made at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made.

F. The standards of this chapter shall be followed by the director of the animal control authority in determining the existence of an animal control violation and in determining the abatement action required. (Ord. 6370 § 9, 1983; Ord. 1396 Art. III § 9, 1972).

11.04.270 Appeals. A. APPEALS. The King County board of appeals as established by Article 7 of the King County Charter is designated to hear appeals by parties aggrieved by actions of the director of the animal control authority pursuant to this chapter. The board may adopt reasonable rules or

regulations for conducting its business. Copies of all rules and regulations adopted by the board shall be delivered to the director of the animal control authority who shall make them freely accessible to the public. All decisions and findings of the board shall be rendered to the appellant in writing with a copy to the director of the animal control authority.

B. FORM OF APPEAL. Any person entitled to service under Section 11.04.260 B may appeal from any notice and order or any action of the director of the animal control authority under this chapter by filing at the office of the director of the animal control authority within fourteen days from the date of the service of such order, a written appeal containing:

1. A heading in the words: "Before the Board of Appeals of the County of King";

2. A caption reading: "Appeal of giving the names of all appellants participating in the appeal;

3. A brief statement setting forth the legal interest of each of the appellants in the animal involved in the notice and order;

4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;

5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified, or otherwise set aside;

6. The signatures of all parties' names as appellants, and their official mailing addresses;

7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

C. SCHEDULING AND NOTICING APPEAL. The board of appeals shall set a time and place, not more than thirty days from such notice of appeal for hearing thereon. Written notice of the time and place of hearing shall be given at least ten days prior to the date of the hearing to each appellant by the manager-clerk of the board.

D. At the hearing, the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered.

E. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of his right to an administrative hearing.

F. Enforcement of any notice and order of the director of the animal control authority issued under this chapter shall be stayed during the pending of an appeal, except impoundment of an animal which is vicious or dangerous or cruelly treated. (Ord. 1396 Art. III § 10, 1972).

11.04.280 Redemption procedures. Any animal impounded pursuant to the provisions of Section 11.04.210 may be redeemed upon payment of the redemption fee as provided herein. The redemption fee for dogs and cats shall be twenty dollars for each such dog or cat, plus an additional fee of five dollars for each twenty-four-hour period, or portion thereof, during which such dog or cat is retained by the impounding agency and shall be made payable to the county comptroller. The redemption fee for livestock shall be fifty dollars per animal. Livestock not redeemed may be sold at public auction by the impounding agency. The boarding cost for livestock impounded shall be in

accordance with the rate established by contract between the county and the given stock yard used for holding such animal. (Ord. 6370 § 10, 1983; Ord. 6243 § 2, 1982; Ord. 4610 § 6, 1979; Ord. 3980 § 2, 1978; Ord. 2428 § 13, 1975; Ord. 1396 Art. III § 11, 1972).

11.04.290 Nuisances - Removal. A. Any animal constituting a public nuisance as provided herein shall be abated and removed from the county by the owner or by the director of the animal control authority, upon the receipt of three notices and orders of violation by the owner in any one-year period. Where it is established by record pursuant to this chapter and no finding was entered showing that the owner will be able to provide reasonable restraints to protect the public from repetitions of violations, the director of the animal control authority shall notify and direct the owner of the animal to abate or remove the same from the county within ninety-six hours from the date of notice. If such animal is found to be within the confines of King County after ninety-six hours have elapsed from the date of notice, the same shall be abated and removed by the director of the animal control authority. Animals removed pursuant to the provisions of this section shall be removed from King County or be subjected to euthanasia by the animal control authority.

B. Any dog or other animal which bites, attacks, or attempts to bite one or more persons two or more times within a two-year period is declared to be a public nuisance and shall not be kept within unincorporated King County forty-eight hours after receiving written notice from the director. Such animal or animals found in violation of this section will be impounded and disposed of as an unredeemed animal, and the owner or keeper of such animal(s) has no right to redeem such dog or animal. (Ord. 2428 § 14, 1975; Ord. 1396 Art. III § 12, 1972).

11.04.300 Civil penalty and abatement costs - Liability of owner. The civil penalty and the cost of abatement are also personal obligations of the animal owner. The prosecuting attorney on behalf of King County may collect the civil penalty and the abatement work costs by use of all appropriate legal remedies. (Ord. 1396 Art. III § 13, 1972).

11.04.310 Costs of enforcement action. In addition to costs and disbursements provided for by statute, the prevailing party in a collection action under this chapter may, in the court's discretion, be allowed interest and a reasonable attorney's fee. The prosecuting attorney shall seek such costs, interest, and reasonable attorney's fees on behalf of King County when the county is the prevailing party. (Ord. 1396 Art. III § 14, 1971).

11.04.320 Miscellaneous Service Charges. The King County Animal Control Section is hereby authorized to collect the following charges for animal control related services:

Lost or stolen license tag replacement	\$2.00
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(Ord. 6370 § 11, 1983).

11.04.330 Additional Rules and Regulations. The animal control section is authorized to make and enforce rules and regulations, not inconsistent with the provisions of this chapter, and it is unlawful to violate or fail to comply with any of such rules and regulations. All of such rules and regulations shall be reduced to writing and adopted pursuant to King County Code, Chapter 2.98. (Ord. 6370 § 12, 1983).

11.04.340 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 6370 § 13, 1983).

Chapter 11.08
DOG LEASH LAW

Sections:

- 11.08.010 Purpose.
- 11.08.020 Definitions.
- 11.08.030 Dogs at large prohibited in dog control zones.
- 11.08.040 Petitions to create dog control zones.
- 11.08.050 Violations - Misdemeanor penalty.
- 11.08.060 Violations - Civil penalty.
- 11.08.070 Severability.
- 11.08.080 Dog control zone - Fairwood community.
- 11.08.090 Dog control zone - Federal Way community.
- 11.08.100 Dog control zone - Riverbend community.
- 11.08.110 Dog control zone - Eastgate community.
- 11.08.120 Dog control zone - Maplewood Heights community.
- 11.08.130 Dog control zone - Boulevard Lane community.
- 11.08.140 Dog control zone - North Rose Hill.
- 11.08.150 Dog control zone - Fairwood West community.
- 11.08.160 Dog control zone - Wilderness Rim Community.
- 11.08.170 Dog control zone - Cherokee Bay Community.

- 11.08.180 Dog control zone - 101 Pines.
- 11.08.190 Dog control zone - Crest Air Park.
- 11.08.200 Dog control zone - Mar Cheri.
- 11.08.210 Dog control zone - Timberlane.
- 11.08.220 Dog control zone - Lea Hill Village.
- 11.08.230 Dog control zone - Redondo.
- 11.08.240 Dog control zone - Greenwood Point.
- 11.08.250 Dog control zone - Cottage Glen.
- 11.08.260 Dog control zone - Eden View.

11.08.010 Purpose. Under the authority of RCW 16.10, it is the intention of King County to enforce a dog leash law in selected areas of King County. It is the intention of King County to administer a dog leash law in conjunction with the rules and regulations of the animal control authority contained in Title II, King County Code, as amended. (Ord. 3548 § 1, 1978).

11.08.020 Definitions. In construing the provisions of this chapter, except where otherwise plainly declared or clearly apparent from the context, words used in this chapter shall be given their common and ordinary meaning; in addition, the following definitions shall apply:

A. "At large" means to be off the premises of the owner and not under the control of the owner by leash; provided, that an animal within an automobile or other vehicle of its owner shall be deemed to be upon the owner's premises.

B. "Lawful training" means to be engaged in training on the premises of the owner or on the land of another person by permission, or on public land that is set aside for training or is open for hunting or trapping; provided, that the dog is accompanied afield by the owner or trainer. A "no-shooting" area shall not be interpreted to mean a "no-training" area.

C. "Leash" includes a cord, thong or chain not more than fifteen feet in length by which an animal is physically controlled by the person accompanying it.

D. "Restraint." An animal is considered to be under restraint if it is maintained and remains within the property limits of its owner or keeper. (Ord. 3732 § 3, 1978; Ord. 3548 § 2, 1978).

11.08.030 Dogs at large prohibited in dog control zones. It is unlawful for owners, residing within a designated dog control zone, to allow their dogs to be at large or without restraint, except that this section shall not apply where the dogs are engaged in lawful hunting activity, lawful competition sanctioned by a nationally recognized body or a local chapter thereof, or lawful training in preparation for such hunting or competition. (Ord. 3548 § 3, 1978).

11.08.040 Petitions to create dog control zones.* A. Petitions requesting the King County council to create a dog control zone shall be submitted to the office of the clerk of the council. The clerk of the council shall forward copies of the petitions and other materials to:

1. The office of the councilmember in whose district the proposed zone is requested; and
2. The animal control section of the General Services Division; and
3. The Records and Elections Division.

*[Editor's Note: § 8 of Ord. 3548, originally appearing in § 11.08.040, has been relocated in §§ 11.08.090 and 11.08.100.]

B. Petitions shall be accompanied by a map and should include a legal description of the proposed zone. In addition, the petitions should contain:

1. The signatures (written and printed legibly) of at least ten percent of the registered voters within the proposed zone; and

2. The popular addresses of the petitioners.

C. Upon receipt of the copy of the filed petition, the animal control section shall conduct a comprehensive review of the enforceability of the proposed boundaries and if necessary recommend alternative boundaries to the county administrative officer and the affected councilmember.

D. The Records and Elections Division shall:

1. Determine the approximate number of registered voters within the proposed zone;

2. Determine the number of signatures of registered voters contained in the petition; and

3. Forward the conclusions regarding the number of signatures of registered voters and total number of registered voters residing within the proposed zone to the office of the affected councilmember and the county administrative officer.

E. The executive may recommend a proposed dog control zone to the council based on the recommendation of the county administrative officer. An ordinance to create a dog control zone may be introduced by a member or members of the council.

F. In addition to other statutory requirements, the council may cause to occur such public meetings or notification through the local media as deemed necessary to insure that affected citizens are aware of the proposed ordinance to create a dog control zone.

G. If the King County Council finds the formation of the petitioned area to be beneficial to be public health, safety and general welfare, it shall establish such a dog control zone by ordinance. The Council shall consider, but is not limited to, the location, terrain and surrounding land use of the petitioned area. (Ord. 3732 § 1, 1978).

11.08.050 Violations - Misdemeanor penalty. Any owner of an animal in violation of this chapter is guilty of a misdemeanor punishable by fine of not more than two hundred fifty dollars and/or imprisonment for a term not to exceed ninety days; provided, that for the first thirty days following the enactment of each individual dog control zone, no penalty shall be assessed in those cases where a licensed animal is maintained in violation of this chapter and the animal control officer is able to determine the owner and, if impounded, return such animal to its owner directly from the site in which it was impounded. (Ord. 3810 § 2, 1978; Ord. 3548 § 4, 1978).

11.08.060 Violations - Civil penalty. In addition to, or as an alternate to, any other penalty provided in Title 11 of the King County Code as amended, or by general law, any person whose animal is maintained in violation of this chapter shall incur a civil penalty plus billable costs of the animal control authority. The penalty for the first notice of violation shall be twenty-five dollars, and fifty dollars for each successive violation in any one-year period; provided, that for the first thirty days following the enactment of each individual dog control zone, no penalty shall be assessed in those cases where a licensed animal is maintained in violation of this chapter and the animal control officer is able to determine the owner and, if impounded, return such animal to its owner directly from the site in which it was

impounded; provided further, that on the thirty-first day following the enactment of each individual dog control zone and thereafter, one-half the normal penalty shall be assessed in those cases where a licensed animal is maintained in violation of this chapter and the animal control officer is unable to determine the owner and, if impounded, return such animal to its owner directly from the site in which it was impounded. (Ord. 3810 § 3, 1978; Ord. 3548 § 5, 1978).

11.08.070 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 3548 § 9, 1978).

11.08.080 Dog control zone - Fairwood community. Under the provisions of this chapter, there is created a dog control zone in the following described area:

The description for the Fairwood Community includes the area bounded on the north by 140th Place SE and the north margin of the transmission line; on the east by the extension of 164th Avenue SE which is also the east boundary of the proposed plats of Fairwood Park Division 15 and 16; on the south by the extension of the centerline of SE 176th Street and the centerline of the Cedar River pipeline and bounded on the west by 140th Avenue SE. The legal description is as follows:

LEGAL DESCRIPTION: All of Section 26, Township 23 North, Range 5 East, W.M. lying southerly of the north margin of the Bonneville transmission line and all of the E 1/2 of Section 27, said Township and Range lying northerly of the centerline of the Cedar River pipeline right-of-way and southerly of the centerline of 140th Place SE and the north margin of the Bonneville transmission line. (Ord. 3548 § 8(part) (1), 1978).

11.08.090 Dog control zone - Federal Way community. Under the provisions of this chapter there is created a dog control zone in the following described areas:

A. All of King County, Washington, lying southeasterly of Puget Sound and lying westerly of the following described line: Beginning at the westernmost corner of Lakota Division No. 2 (Volume 22/12) in Section 1, Township 21 North, Range 3 East, W.M.; thence southeasterly along the southwesterly line of said plat to the south line of said Section 1; thence easterly along south line to the centerline of Dumas Avenue; thence southerly along said centerline to the centerline of State Route 509; thence southeasterly and easterly along said centerline of State Route 509 to the centerline of 21st Avenue SW; thence southerly along said centerline to the centerline of SW 356th Street; thence west along said centerline to the King County/Pierce County line and the terminus of this described line.

B. Beginning at the shoreline of Puget Sound and the northwesterly extension of the centerline of Redondo Way S.; thence southeasterly along said extension and the centerline of Redondo Way S. to the centerline of State Route 509, also known as Dash Point Road; thence southwesterly and westerly along said centerline to the centerline of 1st Avenue S.; thence southerly along said centerline of 1st Avenue S. to the centerline of SW 308th St.; thence westerly along said centerline of SW 308th St. to the centerline of State Route 509; thence southwesterly along said centerline to the west line of Section 7, Township 21 North, Range 4 East, W.M. said line being also the extended centerline of 16th Avenue SW; thence northerly along said west line

of Section 7 to the shoreline of Puget Sound; thence northeasterly along said shoreline to the point of beginning.

The dog control zone, the boundaries of which are specified in subsection (2) of this section, shall expire April 30, 1979, unless reenacted by ordinance. (Ord. 3927 1, 2, 1978; Ord. 3548 8 (part) (2), 1978).

11.08.100 Dog control zone - Riverbend community. Under the provisions of this chapter, there is created a dog control zone in the following described area near North Bend:

All the area within the following recorded plats: Riverbend Homesites Division No. 1 (Volume 70, pages 80, 81 and 82); Riverbend Homesites Division No. 2 (Volume 73, pages 40, 41 and 42); Riverbend Homesites Division No. 3 (Volume 76, pages 31, 32 and 33) and Riverbend Homesites Division No. 4 (Volume 76, page 34) all recorded in Records of Plats, King County, Washington; also that portion of the railroad right-of-way lying within Riverbend Homesites Division No. 3. (Ord. 3810 § 1, 1978).

11.08.110 Dog control zone - Eastgate community. Under the provisions of this chapter, there is created a dog control zone in the following described area near Eastgate:

All of the unincorporated area of King County lying within the following subdivision in Township 24 North, Range 5 East, W.M.; the South half of the South half of Section 10; the South half of the Southwest quarter of Section 11; the North half of the Northwest quarter of Section 14; the Southwest quarter of the Northwest quarter of Section 14; the Northwest quarter of the Southwest quarter of Section 14; the Northeast quarter of Section 15; the Northeast quarter of the Northwest quarter of Section 15. (Ord. 3811 § 1, 1978).

11.08.120 Dog control zone - Maplewood Heights community. Under the provisions of this chapter there is created a dog control zone in the following described area:

Maplewood Heights as recorded in Vol. 78 of Plats, pages 1, 2, 3, and 4; together with Eastwood Park, Division 2 as recorded in Vol. 88 of Plats, pages 63, 64, and 65; all in Records of King County. (Ord. 4149 § 1, 1979).

11.08.130 Dog control zone - Boulevard Lane community. Under the provisions of this chapter, there is created a dog control zone in the following described area, which includes numerous divisions of Boulevard Lane:

Boulevard Lane Div. 1 (Vol. 80, pages 89 & 90); Boulevard Lane Div. 2 (Vol. 82, pages 20 & 21); Boulevard Lane Div. 3 (Vol. 84, pages 31, 32 & 33); Boulevard Lane Div. 4 & 5 (Vol. 89, pages 29 & 30); Boulevard Lane Div. 6 (Vol. 96, pages 55 & 56); Boulevard Lane Div. 7 (Vol. 102, pages 10 & 11); all recorded in Volumes of Plats, Records of King County, Washington. (Ord. 4150 § 1, 1979).

11.08.140 Dog control zone - North Rose Hill. Under the provisions of this chapter, there is created a dog control zone in the following described area popularly known as North Rose Hill:

That portion of Section 28 and 33, Township 26 N., Range 5 E., W.M. and Section 4, Township 25 N., Range 5 E., W.M. all lying east of the city of Kirkland and lying westerly and northerly of the following described line: Beginning at the intersection of the centerline of N.E. 124th Street and the

centerline of the S.E. 1/4 of said Section 28; thence easterly along said centerline of N.E. 124th Street to its intersection with the centerline of 132nd Place N.E. also known as Slater Ave. N.E.; thence southwesterly along said centerline of Slater Ave. N.E. to its intersection with the centerline of N.E. 120th; thence easterly along said centerline of N.E. 120th St. and continuing southeasterly and southerly along the centerline of 132nd Ave. N.E. to its intersection with the centerline of N.E. 85th St.; thence westerly along said centerline of N.E. 85th St. to the city limits of Kirkland and the terminus of this described line. (Ord. 4370 § 1, 1979).

11.08.150 Dog control zone - Fairwood West community. Under the provisions of this chapter, there is created a dog control zone in the following described area:

Fairwood Park, Div. 4 (Vol. 83, pages 42, 43 and 44);
Fairwood Park Div. 9 (Vol. 88, pages 30 and 31);
Fairwood Park Div. 10 (Vol. 85, pages 38 and 39);
Fairwood Park Div. 14 (Vol. 88, pages 81 and 82), All recorded in Volumes of Plats, Records of King County, Washington; also that portion of the Cedar River Pipeline lying within the NE1/4 of the NE1/4 of Section 28, Township 23 N., Range 5 E., W.M., LESS the North 1/4 thereof; also that portion of the 20 foot drainage right-of-way lying between Fairwood Park Div. 9 and Fairwood Park Div. 10 and lying North of the Southerly line of said Fairwood Park Div. 10 (Ord. 4371 § 1, 1979).

11.08.160 Dog control zone - Wilderness Rim community. Under the provisions of this chapter, there is created a dog control zone in the following described area:

Wilderness Rim Division No. 1 (Vol. 82, pages 48, 49 and 50); Wilderness Rim Division No. 2 (Vol. 84, pages 95, 96, 97 and 98); Wilderness Rim Division No. 3 (Vol. 90, pages 60, 61 and 62), all recorded in volumes of Plats,

Records of King County, Washington. (Ord. 4909 § 1, 1980; Ord. 4385 § 1, 1979).

11.08.170 Dog control zone - Cherokee Bay Community. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All of the Assessor's Plat of Cherokee Bay Park as recorded in Volume 89 of Plats, pages 11 through 17, records of King County, Washington.

The area includes all the streets (and avenues) located within the above-described plat between SE 265th Street and SE 271st Place between 214th Avenue SE and 223rd Avenue SE and between SE 260th Place and SE 265th Way between 220th Place SE and SE 222nd Place SE. (Ord. 4991 § 1, 1980).

11.08.180 Dog control zone - 101 Pines. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All of the plat of Pine Lake South as recorded in Volume 85 of Plats, pages 55 and 56, records of King County, Washington.

The area can be identified as all the streets and avenues between SE 321st Street and SE 324th Street, between 224th Avenue SE and 227th Place SE. (Ord. 5058 § 1, 1980).

11.08.190 Dog control zone - Crest Air Park. Under the provisions of this chapter, there is created a dog control zone in the following described area:

Beginning at the Northwest corner of Section 6, Township 21 N. Range 6E., W.M. Said corner being the point of intersection of the centerlines of SE Covington-Sawyer Rd. and Thomas Rd. SE; thence Southerly along the centerline of Thomas Rd. SE to its intersection with the Northerly Boundary of the Bonneville Transmission Line Easement, Vantage-Covington No. 1 Line in Government Lot 1, Section 7, Township 21 N., Range 6E., W.M.; thence Westerly along said Northerly Boundary Line to its intersection with the Easterly Boundary of the Bonneville Transmission Line Easement, Chehalis-Covington Line; thence Northerly along said Easterly Boundary Line to its intersection with the Southerly Boundary of the Bonneville Transmission Line Easement, Tacoma-Grand Coulee No. 1 Line; thence Easterly and Northeasterly along said Southerly Boundary Line to its intersection with the Southerly Boundary of the Bonneville Transmission Line Easement, Covington-Grand Coulee No. 2 Line; thence Easterly along said Southerly Line to its intersection with the centerline of SE Covington-Sawyer Rd.; thence Southeasterly along said centerline to the point of beginning. (Ord. 5059 § 1, 1980).

11.08.200 Dog control zone - Mar Cheri. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All of Mar Cheri Div. No. 1 as recorded in Vol. 77 of Plats, pages 86 and 87; ALSO all of Mar Cheri Div. No. 2 as recorded in Vol. 78 of Plats, page 18; ALSO all of Mar Cheri Div. No. 3 as recorded in Vol. 77 of Plats, pages 83 and 84, all recorded in Records of King County, Washington.

The area can be identified as all property along 2nd Avenue SW, including 2nd Place SW lying south of SW 296th Street and, north of SW Dash Point Road; and SW 298th Place west of 2nd Avenue SW to the midway point between 2nd Avenue SW and 2nd Place SW; and the 100 block of SW 299th Place. (Ord. 5186 § 1, 1980).

11.08.210 Dog control zone - Timberlane. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All of Covington Park Div. 1 as recorded in Vol. 111 of Plats, pages 6 through 9; ALSO all of Covington Park Div. 2 as recorded in Vol. 112 of Plats, pages 90 through 92; ALSO all of Covington Park Div. 3 as recorded in Vol. 114 of Plats, pages 95 through 97; ALSO all of Timberlane Estates Div. 1 as recorded in Vol. 86 of Plats, pages 90 through 93; ALSO all of Timberlane Estates Div. 2 as recorded in Vol. 88 of Plats, pages 41 through 43; ALSO all of Timberlane Estates Div. 4 as recorded in Vol. 89 of Plats, pages 3 and 4; ALSO all of Timberlane Estates Div. 5 as recorded in Vol. 92 of Plats, pages 3 through 6, all recorded in Records of King County, Washington. (Ord. 5186 § 2, 1980).

11.08.220 Dog Control zone - Lea Hill Village. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All the area included within the following recorded plats:
Lea Hill Village Division No. 1 (Vol. 87/39-40-41)
Lea Hill Village Division No. 2 (Vol. 92/24-25)
Lea Hill Village Division No. 3-A (Vol. 93/74)
all recorded in volume of Plats on the pages shown, Records of King County, Washington.
(Ord. 5492 § 1, 1981).

11.08.230 Dog control Zone - Redondo. Under the provisions of this chapter, there is created a dog control zone in the following described area.

Beginning at the northeast corner of G.L. 2, Sec. 32, Twp. 22 N., Rg. 4 E., W.M.; thence southerly along the east line of said G.L. 2 and continuing southerly along the east line of G.L. 3 and the east line of the southwest quarter of the southeast quarter of said Sec. 32 to the south line of said section; thence west along said south line to the west line of Tract A of Marine Hills East, as recorded in Volume 97 of Plats, pages 76 and 77; thence northerly along the westerly line of Tract A to the northwest corner thereof; thence continuing northerly and westerly along the westerly and southerly boundary of Redondo Heights Condominium, as recorded in Volume 26 of Condominiums, pages 6 through 14, to the east right of way margin of 7th Avenue South, said margin being also the westerly line of Marine Hills No. 17, as recorded in Volume 98 of Plats, pages 50, 51 and 52; thence southerly along said westerly line to the northwesterly corner of Lot 24; thence continuing westerly along the north line of Marine Hills West as recorded in Volume 98 of Plats, pages 53, 54 and 55, to the northwest corner thereof; thence southerly along the west boundary of Marine Hills West to its intersection with the east line of G. L. 4, Sec. 5, Twp. 21 N., Rg. 4 E., W.M.; thence southerly along said east line of G.L. 4 to the southeast corner of said G.L. 4; thence westerly along the south line of said G.L. 4 to the west line of said Sec. 5; thence northerly along said west line to the tidelands of Puget Sound; thence northeasterly along said tidelands to the north line of G.L. 2, said Sec. 32; thence easterly along the north line of said G.L. 2 to the point of beginning. All Plats and Condominiums are as recorded in records of King County, Washington. (Ord. 5493 § 1, 1981).

11.08.240 Dog control Zone - Greenwood Point (portion of LAKE PARK precinct). Under the provisions of this chapter, there is created a dog control zone in the following described area:

All the plat of Greenwood Point as recorded in Volume 101 of Plats, pages 99, 100 and 101, records of King County, Washington. (Ord. 5673 § 1, 1981).

11.08.250 Dog Control Zone - Cottage Glen. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All of the Plat of Cottage Glen Addition Number 2 as recorded in Volume 86 of Plats, Pages 51 and 52, records of King County, Washington. TOGETHER WITH ALL of the Plat of Cottage Glen Addition Number 3 as recorded in Volume 89 of Plats, Pages 55 and 56, records of King County, Washington. (Ord. 6340, 1983).

11.08.260 Dog Control Zone - Eden View. Under the provisions of this chapter, there is created a dog control zone in the following described area:

All that area known as the Plat of Eden View as recorded in Volume 105, page 41, Records of King County, Washington: said plat being that portion of the Southwest quarter of the Northeast quarter of Section 32, Township 25 North, Range 6 East, W.M., King County, Washington, lying Northerly and Northeasterly of the Louis Thompson Road N.E., No. 1087. (Ord. 6430, 1983).

Chapter 11.12
RABIES CONTROL

Sections:

- 11.12.010 Quarantine order.
- 11.12.020 Notice of rabies hazard - Quarantine period.
- 11.12.030 Violation of quarantine.
- 11.12.040 Destruction of infected animals.
- 11.12.050 Vaccination order.
- 11.12.060 Enforcement.

11.12.010 Quarantine order. Whenever the director of the Seattle-King County Department of Public Health, hereinafter referred to as the director, has cause to suspect that an animal capable of transmitting rabies is infected with such disease, he shall order a period of quarantine of not less than ten days. The director shall notify in writing the owner or keeper of the infected animal of such quarantine order. The infected animal shall be quarantined by the Animal Control Section, Division of General Services, hereinafter referred to as the animal control authority, in its shelter or upon the premises of the owner or licensed veterinarian where conditions of quarantine are strictly kept. The place of quarantine shall be at the discretion of the director, unless the animal had been exposed to rabies by contact, in which case Section 11.12.040 shall apply. Delivery of a copy of said quarantine order to some person of suitable age and discretion residing upon the premises where such animal is found shall be notice of said quarantine. Good cause for such order of quarantine shall include, but is not

limited to, evidence that such animal has bitten, or that there is reasonable certainty that such animal has bitten, a human being. During the period of quarantine, the officers, agents and employees of the animal control authority, and other police officers, are authorized to enter any premises for the purpose of apprehending any such animal and impounding same, except where kept upon the premises of the owner or licensed veterinarian as above provided. (Ord. 1378 § 1, 1972; Ord. 1361 § 2, 1972; Res. 27312 § 1, 1964).

11.12.020 Notice of rabies hazard - Quarantine period. Whenever said director determines that rabies is currently a hazard to the public health in King County, or any part thereof, incorporated or unincorporated, excepting cities of the first class, by reason of the fact that a case of rabies has been diagnosed in any canine or feline animal, he shall cause a notice of such hazard to be published in a newspaper of general circulation in the area for three successive days, which determination and notice shall declare the quarantine period and area. The quarantine period shall be thirty days after the last publication of notice; and it is a misdemeanor and is unlawful for any owner, or person entitled to custody of such animal to keep or harbor any animal capable of transmitting rabies unless securely confined by a leash or tight enclosure from which it cannot escape. Any animal capable of transmitting rabies found running at large during such period shall be impounded and humanely destroyed by order of the director or his agent named in Section 11.12.060. If apprehension and impounding by safe means is not possible, such animal may be destroyed summarily by said agent. Said director may extend any such quarantine period if deemed necessary by like additional determinations and notices. (Res. 27312 § 2, 1964).

11.12.030 Violation of quarantine. It is a misdemeanor and is unlawful for any owner or person charged with the custody of any animal subject to a quarantine defined in Sections 11.12.010 and 11.12.020 to permit any such animal to come in contact with any other animal or person or to run at large or to be removed from any quarantine premises without the consent of the director of Public Health. (Res. 27312 § 3, 1964).

11.12.040 Destruction of infected animals. Any animal bitten by an animal found to be rabid by appropriate laboratory tests shall be destroyed by order of the director of Public Health. (Res. 27312 § 4, 1964).

11.12.050 Vaccination order. Whenever the director of Public Health by order published in a newspaper of general circulation in the area for three successive days determines that conditions exist as indicated in Section 11.12.020 in a specified area wherein it is necessary for the protection of the public health that animals capable of transmitting rabies be vaccinated within thirty days with antirabies vaccine, he shall order that all such animals four months old or over shall be so vaccinated or humanely destroyed at the option of the owner or keeper, and it is a misdemeanor and is unlawful for any owner, or person charged with the custody of such animal, to fail or refuse to procure said vaccination within said time. (Res. 27312 § 5, 1964).

11.12.060 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976; Res. 27312 (part), 1964).

Chapter 11.20
DISPOSITION OF FOWL AND RABBITS

Sections:

- 11.20.010 Age restriction for disposition or coloration.
11.20.020 Penalty for violations.

11.20.010 Age restriction or disposition or coloration. It is unlawful for any person, firm or corporation to sell, offer for sale, barter or give away any fowl under three weeks of age or any rabbit under two months of age as a pet, toy, premium or novelty, or to color, dye, stain or otherwise change the natural color of any such fowl or rabbit. (Res. 30346 § 1, 1965).

11.20.020 Penalty for violations. Any person, firm or corporation violating this chapter is guilty of a misdemeanor as defined under the laws of the state of Washington, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the county jail for a period not to exceed thirty days. (Res. 30346 § 1, 1965).

Chapter 11.24
STOCK RESTRICTED AREA

Sections:

- 11.24.010 Stock restricted area.
11.24.020 Severability.
11.24.030 Penalty.

11.24.010 Stock restricted area. All of King County, except national forest lands owned by the federal government, is designated a stock restricted area in which it is unlawful to permit livestock, as defined in K.C.C. 21.04.186, to run at large. (Ord. 5975 §1, 1982; Ord. 133 § 1, 1969).

11.24.020 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance. (Ord. 5975 § 2, 1982).

11.24.030 Penalty. Any violation of this ordinance is a misdemeanor and the punishment shall be provided by the laws of the State of Washington. (Ord. 5975 § 3, 1982).

Chapter 11.28
EXOTIC ANIMALS

Sections:

- 11.28.010 Chapter intent.
11.28.020 Definitions.

- 11.28.030 Possession unlawful - Exception - Rules and regulations compliance.
11.28.040 License - Issuance generally - Fees.
11.28.050 License - Application - Content.
11.28.060 License - Issuance - Premises inspection.
11.28.070 Periodic inspection of premises.
11.28.080 License revocation - Notice - Hearing.
11.28.090 Violation - Penalty.

1. (For statutory provisions regarding stock restricted areas, see RCW Chapter 16.24.)

- 11.28.100 Euthanasia in exigent circumstances.
- 11.28.110 Chapter limitations.
- 11.28.120 Severability.

11.28.010 Chapter intent. It is the intent of the King County council to limit and set conditions on the possession or maintenance of exotic animals in order to preserve the public peace and safety and to assure the humane treatment of exotic animals. (Ord. 2473 § 1, 1975).

11.28.020 Definitions. A. "Animal control authority" means the County Animal Control Section, Division of General Services, acting alone or in concert with other municipalities for enforcement of the animal control laws of the county and state and the shelter and welfare of animals.

B. "Director" means director of the animal control authority.

C. "Exotic animal" means any feline which, when in its wild state, is capable while at large of inflicting serious physical harm upon human beings. (Ord. 2473 § 2, 1975).

11.28.030 Possession unlawful - Exception - Rules and regulations compliance. The possession or maintenance of an exotic animal within King County is unlawful unless in accordance with the rules and regulations of the animal control authority which may be adopted after public notice and hearing as provided by Chapter 2.99. Such rules and regulations shall classify the species of exotic animals according to adult weight for purposes of classification only; shall specify the particular cage or confinement where such animals may be possessed or maintained for each classification; and the manner of possessing or maintaining such animals for each classification. (Ord. 2473 § 3, 1975).

11.28.040 License - Issuance generally - Fees. The animal control authority may cause to be issued an exotic animal owner's license that shall authorize the licensee to possess or maintain all or some of such species of exotic animals as specified according to Section 11.28.030 herein, provided the application is accompanied by payment of the license fee, contains the information required by Section 11.28.050; and meets the cage or confinement rules and regulations of the animal control authority.

The cost of such license shall be fifty dollars for the first year and thirty dollars for each yearly renewal thereafter. All such licenses shall expire on the first day of April annually and application for renewal shall be made prior thereto. (Ord. 2473 § 4, 1975).

11.28.050 License - Application - Content. A verified application for such license made in triplicate shall be filed by the applicant with the animal control authority which application shall contain the following: A legal or otherwise adequately precise description of the premises which applicant desires to use under the required license; whether the applicant owns or rents the premises to be used; if the applicant rents the premises, a written acknowledgment by the property owner that the applicant has the owner's permission to carry on the activity as described in the license application for the duration of the license; the extent of improvement upon such premises; a map or diagram of such premises showing where the improvements are located thereon; a statement indicating the species of exotic animal which the applicant desires to possess or maintain; a statement indicating how the animal will be caged or otherwise confined, accompanied

with a drawing detailing the dimensions of and the materials used for the cage or similar confinement; and such further information as may be required by rules and regulations of the animal control authority. (Ord. 2473 § 5, 1975).

11.28.060 License - Issuance - Premises inspection. If after investigation by the director of the animal control authority, it appears that the applicant is the owner or tenant of or has a possessory interest in the property shown in the application; if applicable, has the written permission of the property owner as specified in Section 11.28.050; and that the applicant intends in good faith to possess or maintain an exotic animal in accordance with the law and the rules and regulations of the animal control authority; the animal control authority shall issue a license to the applicant describing therein the premises to be used by the licensee and certifying that the licensee is lawfully entitled to use the same for the possession or maintenance of the exotic animal(s) specified in such license; provided that prior to issuing the license the animal control authority shall inspect the cage or other confinement as required by rule or regulation and specified in the licensee's application in order to determine whether the cage or confinement meets the standard specifications for the classification of the exotic animal. If the cage or confinement is deemed inadequate, the applicant shall make such changes as necessary to meet the standard specifications before the license shall issue. (Ord. 2473 § 6, 1975).

11.28.070 Periodic inspection of premises. The director of the animal control authority or any other officer authorized by him, may make routine periodic inspections of a licensee's premises and records in order to determine the number, kind, weight and condition of exotic animals possessed by the licensee, and for purposes of enforcing the provisions of this chapter and the rules and regulations of the animal control authority. (Ord. 2473 § 7, 1975).

11.28.080 License revocation - Notice - Hearing. The animal control authority may revoke, suspend or refuse to renew any exotic animal owner's license upon good cause for failure to comply with any provision of this chapter or the rules and regulations of the animal control authority authorized by this chapter; provided, that the violator shall be first notified of the specific violation or violations, and if the violation can be remedied, the violator shall have fifteen days after receiving the notice of violation to correct the violation; provided further, that enforcement of such revocation, suspension or refusal shall be stayed during the pendency of an appeal filed in the manner provided by Section 11.04.270. (Ord. 2473 § 8, 1975).

11.28.090 Violation - Penalty. Any person possessing or maintaining an exotic animal in King County without an exotic animal owner's license as provided herein, or transferring possession of an exotic animal to a person not licensed as provided by this chapter, is guilty of a misdemeanor and is subject to a fine not to exceed two hundred fifty dollars and/or by imprisonment not to exceed ninety days. (Ord. 2473 § 9, 1975).

11.28.100 Euthanasia in exigent circumstances. An exotic animal possessed or maintained in violation of this chapter or the rules and regulations of the animal control authority may be subject to euthanasia as defined in Section 11.04.020 F if any one of the following exigent circumstances is deemed to exist by the director of the animal control

authority:

A. The exotic animal presents an imminent likelihood of serious physical harm to the public and there is no other reasonably available means of abatement; or

B. There is no reasonable basis to believe that the violation can be or in good faith will be corrected and after reasonable search or inquiry by the animal control authority no facility as authorized by local, state or federal law is available to house the exotic animal; or

C. The exotic animal suffers from a communicable disease injurious to other animals or human beings; provided, that this section shall not apply if the animal is under treatment by a licensed veterinarian and may reasonably be expected to recover without infecting other animals or human beings. (Ord. 2473 § 10, 1975).

11.28.110 Chapter limitations. The provisions of this chapter shall not apply to any facility possessing or maintaining exotic animals as defined in this chapter which is owned, operated or maintained by any city, county, state or the federal government, including but not limited to public zoos. (Ord. 2473 § 11, 1975).

11.28.120 Severability. If any clause, sentence, paragraph, or part of this ordinance codified herein, or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of the ordinance codified in this chapter. (Ord. 2473 § 12, 1975).

Chapter 11.32 GUARD DOGS

Sections:

11.32.010	Intent.
11.32.020	Definitions.
11.32.030	Guard dog purveyor - License - Fees.
11.32.040	Guard dog purveyor - License - Application - Contents.
11.32.050	Guard dog trainer - License - Fees.
11.32.060	Guard dog trainer - License - Application - Contents.
11.32.070	Guard dog - Registration.
11.32.080	Guard dog - Registration - Application - Contents.
11.32.090	Inspections.
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11.32.010 Intent. It is the intent of the King County council to set reasonable requirements and conditions governing the training, selling and conveying of guard dogs and the use of such animals for the protection of person and/or property. The council finds such regulation is necessary to preserve the public peace and safety and to insure the humane treatment of said animals. (Ord. 3232 § 1, 1977).

11.32.020 Definitions. A. "Animal Control Authority" means the King County Animal Control Section, Division of General Services, acting alone or in concert with other municipalities in the enforcement of the animal control laws of the county and state.

B. "Director" means director of the Animal Control Section.

C. "Guard dog" means any member of the dog family (canidae) which has been trained or represented as trained to protect person and/or property by virtue of exhibiting hostile propensities and aggressiveness to unauthorized persons.

D. "Guard dog purveyor" means any person, firm or corporation supplying guard dogs to members of the public.

E. "Guard dog trainer" means any person, either as an individual or as an employee of a guard dog purveyor, whose prime function is the training of dogs as guard dogs.

F. "Guard dog owner" means any person, firm or corporation which employs a guard dog to protect person or property from unauthorized intrusion. For purposes of this definition, "owner" includes both the legal owner and any person, firm or corporation who, through arrangement or contract, has secured the use of a guard dog to protect person and/or property from unauthorized intrusion.

G. "Rules and regulations of the Animal Control Authority" means such rules and regulations as may be adopted by the Animal Control Authority pursuant to Chapter 2.98, not inconsistent with the intent of this chapter. (Ord. 3232 § 2, 1977).

11.32.030 Guard dog purveyor - License - Fees. A. It is unlawful for any person, firm or corporation to supply guard dogs to the public without a valid license so to do issued to said person, firm or corporation by the Animal Control Authority. Only a person who complies with the requirements of this chapter and such rules and regulations of the Animal Control Authority as may be adopted pursuant hereto shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person and place for which issued. Said licenses shall be valid for one year from date of issue.

B. The fee for such license shall be two hundred fifty dollars per year; provided, that if the guard dog purveyor is in possession of a valid animal shelter, kennel and pet shop license, the fee for said guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel and pet shop license. (Ord. 3232 § 3, 1977).

11.32.040 Guard dog purveyor - License - Application - Contents. Any person desiring to supply guard dogs to the public shall make written application for a license on a form to be provided by the Animal Control Authority. Such application shall be filed with the Animal Control Authority and shall include the following:

A. A legal description of the premises or the business address of the office from which said applicant desires to supply guard dogs;

B. A statement of whether the applicant owns or rents the premises to be used for the purpose of purveying guard dogs. If the applicant rents the premises, the application shall be accompanied by a written statement of acknowledgment by the property owner that the applicant has the property owner's permission to purvey guard dogs on the premises for the duration of the license; and

C. A written acknowledgment by the applicant that prior to the actual commercial sale or purveyance of any and all guard dogs the licensee shall coordinate with the Animal Control Authority in properly marking the guard dog and in notifying all customers of the guard dog purveyor that the customer is required to register the guard dog and pay the appropriate registration fee to King County prior to the animal performing guard dog functions. (Ord. 3232 § 4, 1977).

11.32.050 Guard dog trainer - License - Fees. A. It is unlawful for anyone to engage in the training of dogs as guard dogs without a valid license so to do issued to him/her by the Animal Control Authority. Only a person who complies with the requirements of this chapter and the rules and regulations of the Animal Control Authority shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person for which issued. Licenses shall be valid for one year from date of issue.

B. The cost of such license to each guard dog trainer shall be fifty dollars per year. (Ord. 3232 § 5, 1977).

11.32.060 Guard dog trainer - License - Application - Contents. Any person desiring to train dogs as guard dogs shall make written application for a license on a form to be provided by the Animal Control Authority. All such applications shall be filed with the Animal Control Authority and shall contain the following:

A. A legal description or business address of the premises at which the applicant desires to train the guard dogs;

B. A statement of whether the applicant is self-employed or a member of a business, firm, corporation or organization which trains guard dogs. If the applicant is a member of such a business, firm, corporation or organization, the applicant shall state the name of said entity and shall provide the name of the major executive officer of said entity; and

C. If the premises at which the applicant proposes to train dogs as guard dogs is rented, the application must be accompanied by a written statement of acknowledgment from the property owner that the applicant has the owner's permission to carry on the activity of guard dog training at said location for the duration of the license. (Ord. 3232 § 6, 1977).

11.32.070 Guard dog - Registration. All persons using dogs as guard dogs shall register the dogs with the Animal Control Authority. The cost of such registration shall be fifty dollars per year for the first year and twenty-five dollars per year for the second and subsequent years. Said registrations shall be valid for one year from date of issue. All registrations shall be affixed on the guard dog in such a manner so as to be readily identifiable. (Ord. 3232 § 7, 1977).

11.32.080 Guard dog - Registration - Application - Contents. Any person desiring to use a guard dog shall register said dog with the Animal Control Authority and said registration shall be accompanied by the following information:

A. A legal description or business address of the premises which the applicant desires to employ a registered guard dog to prevent unauthorized intrusion;

B. A statement whether the applicant owns or rents the premises to be

guarded. If the applicant rents the premises, the application must be accompanied by a written statement of acknowledgment from the property owner that the applicant has the owner's permission to use a guard dog on the premises to prevent unauthorized intrusion for the duration of the registration;

C. A description of the guard dog for purposes of identification;

D. Acknowledgment by the applicant of whether the guard dog has been trained as a guard dog to exhibit hostile propensities;

E. Acknowledgment by the applicant that the premises to be guarded has devices, such as fencing, to prevent general access by the public during those times the guard dog is used for purposes of protecting said premises and persons for unauthorized intrusion. Said acknowledgment shall contain a statement that the premises is properly signed to forwarn the public of the presence of a guard dog; and

F. Acknowledgment by the applicant that the guard dog will be maintained in such a manner as to insure the safety of the public and the welfare of the animal. (Ord. 3232 § 8, 1977).

11.32.090 Inspections. The director of the Animal Control Authority or his authorized representative shall inspect all premises which are the subject of the licenses and registrations required herein prior to the issuance of said licenses and/or registrations. Said inspections shall include, but not be limited to, a verification that adequate measures are being taken to protect the health, welfare and safety of the general public and to insure the humane treatment of the guard dogs. If the premises are deemed inadequate, the Animal Control Authority shall direct the applicant to make such changes as are necessary before the license or registration is issued. The director of the Animal Control Authority or this authorized representative may make such routine periodic inspections of a licensee's premises or the premises of an area guarded by a registered guard dog for the purpose of enforcing the provisions of this chapter and the rules and regulations of the Animal Control Authority. (Ord. 3232 § 9, 1977).

11.32.100 Authorization. In protecting the health, safety and welfare of the public; to enforce the laws of the state of Washington as they pertain to animal cruelty, shelter, welfare and enforcement of control; the director of the Animal Control Authority and his authorized officers are authorized to take such lawful action in exercising appropriate powers and responsibilities contained in Article III of Ordinance No. 1396 and Chapter 11.04 of this code. (Ord. 3232 § 13, 1977).

11.32.110 Limitations. The provisions of this chapter shall not apply to any facility possessing or maintaining dogs or guard dogs as defined in this chapter which is owned, and operated or maintained by any city, county, state or the federal government; provided, private parties renting or leasing public facilities for commercial purposes as specified in this chapter shall not be exempt. (Ord. 3232 § 14, 1977).

11.32.120 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 3232 § 15, 1977).