

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

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Chapter 9.04 is hereby repealed.

Section 2. A new Kirkland Municipal Code Chapter 9.04 is hereby adopted to read as follows:

9.04.010 Chapter purpose.

It is the purpose of this chapter to protect the public health and safety and prevent the spread of infectious and contagious diseases by rats, mice, and other rodents.

9.04.020 Duty to keep buildings and premises free of rodents - Right of entry for inspection.

The owner or occupant of real property shall keep all buildings and premises free from rats, mice and other rodents, to the extent reasonably possible, as determined by the Building Official. A property owner or occupant shall take all necessary measures to ensure that rats, mice or other rodents do not come into contact with food, food products, goods or merchandise. Subject to applicable constitutional and statutory constraints on entry, the Building Official or his appointed representative shall be permitted access to property or buildings for the purpose of ascertaining the presence of rats, mice and other rodents.

9.04.030 Duty to eradicate rodent infestation.

If rat, mice or other rodent infestation occurs, a property owner or occupant shall take all necessary measures to eradicate the infestation and prevent future infestation. In addition, the owner or occupant of the property shall perform all eradication measures as reasonably required by the Building Official. The provisions of this Section shall not apply to wetlands, unimproved parks, greenbelts or other unimproved property if the property owner or occupant has not committed any acts or omissions that increase the likelihood of rat, mice or other rodent infestation.

9.04.040 Rat baiting.

All applicants for a demolition or a land surface modification permit shall complete a rat baiting program on the site at least fifteen days prior to the start of demolition or land surface modification activity. The rat baiting program shall be consistent with the Seattle-King County Health Department guidelines and recommendations for rat baiting. The use of any pesticides shall fully comply with Washington Administrative Code Section 16-228-1380. The Building Official shall not issue or deliver any demolition or land surface modification permit until the applicant has filed with the City a declaration,

under penalty of perjury, that the requirements of section have been complied with. At the discretion of the Building Official, a project unlikely to disturb a nesting place of rats may be exempted from the requirements of this section. This Section shall apply to all demolition permits and land surface modification permits issued by the City after January 1, 2003 even if a complete permit application was submitted prior to January 1, 2003.

9.04.050 Violations of this chapter

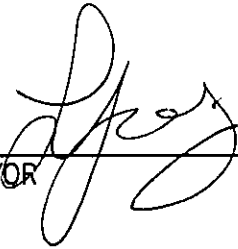
The Building Official is hereby authorized and empowered to enforce this chapter. Violation of this chapter constitutes a misdemeanor. Violation of this chapter also constitutes a public nuisance which may be abated or remediated pursuant to Chapter 11.24 of the Kirkland Municipal Code. The remedies prescribed in this chapter are in addition to all other remedies provided for or authorized by law.

Section 3. 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 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

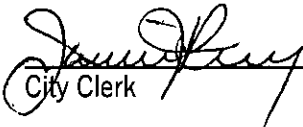
Passed by majority vote of the Kirkland City Council in open meeting this 17th day of December, 2002.

Signed in authentication thereof this 17th day of December, 2002.



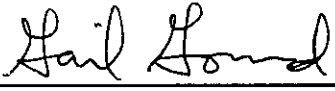
MAYOR

Attest:



City Clerk

Approved as to Form:



City Attorney

Ord\rodent control revised