

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ANIMAL CONTROL AND THE REGULATION AND PROHIBITION OF ANIMALS RUNNING AT LARGE.

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

Section 1. Section 8.04.010 of the Kirkland Municipal Code is hereby amended 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 this chapter except as follows: 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 2. Section 8.04.030 of the Kirkland Municipal Code is hereby amended 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 or keeper and off of a leash; provided, that if both the dog and the owner or other person accompanying the dog have completed organized dog training classes, then the dog may be off of a leash so long as the dog is under control by verbal voice or signal. This section shall not apply to any blind person using a trained seeing-eye dog. A dog which is permitted to be off of a leash within a vehicle shall not be considered at large.

Section 3. A new Section 8.04.035 of the Kirkland Municipal Code is hereby created to read as follows:

8.04.035 Civil Penalty and Appeal Process.

The owner or keeper of any dog who violates Kirkland Municipal Code Section 8.04.030 shall be guilty of a civil infraction. The civil penalty for dog leash law violations shall be \$66.00 regardless of whether the violation is a first violation or a successive violation. A person who has been issued a civil infraction for violation of Section 8.04.030 may appeal the civil infraction to the Kirkland Municipal Court in accordance with the procedures set forth in the civil infraction.

Section 4. Section 11.80.060 of the Kirkland Municipal Code is hereby amended to read as follows:

11.80.060 Animals at large prohibited.

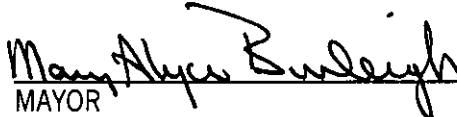
~~Dogs must be on a leash that is held by the owner or possessor of the dog at all times.~~ The provisions of Chapter 8.04 of the Kirkland Municipal Code, including all portions of the King County Code adopted by reference, shall apply in all city parks. It is unlawful for any person to allow or permit any animal owned by him or within his possession or under his control, to run at large in any park or enter any designated swimming area located therein. The Director, acting pursuant to KMC Section 11.80.220, may adopt rules prohibiting dogs or other types of domesticated animals from entering certain parks or certain portions of parks after consultation with the City Council.

Section 5. 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 6. 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 5th day of July, 2005.

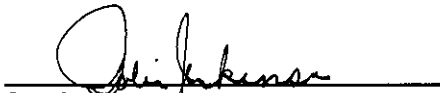
Signed in authentication thereof this 5th day of July, 2005.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

Ord\Dogs off leash penalties final1