

Copy of Ordinance No. 1396

Return to Clerk

ORDINANCE NO. : 1396

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AN ORDINANCE relating to Animal Control, Licensing, Welfare and Cruelty repealing Resolution 36792, Ordinance 418 and K.C.C. 11.04.010 through 11.04.140, K.C.C. 11.08.010 and 11.08.020 and K.C.C. 11.16.010 and 11.16.020 and prescribing penalties.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

ARTICLE I - GENERAL PROVISION

SECTION I. Repealer.

Resolution 36792, Ordinance 418 and K.C.C. 11.04.010 through 11.04.140, K.C.C. 11.08.010 and 11.08.020 and K.C.C. 11.16.010 and K.C.C. 11.16.020 are each repealed.

SECTION 2. 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 ordinance to provide a means of licensing dogs, and 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.

SECTION 3. Definitions.

In construing the provisions of this ordinance, 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:

(1) "Abatement" means the termination of any violation by reasonable and lawful means determined by the Director of the Animal Control Authority in order that a person or a person presumed to be the owner shall comply with this ordinance.

(2) "Animal" means any living creature except man.

(3) "Animal Control Authority" means the County Animal Control Division, Department 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.

(4) "Animal Control Officer" means any individual employed,

1 contracted or appointed by the Animal Control Authority for the  
2 purpose of aiding in the enforcement of this ordinance or any  
3 other law or ordinance relating to the licensing of animals,  
4 control of animals, or seizure and impoundment of animals, and  
5 includes any state or municipal peace officer, sheriff, constable,  
6 or other employee whose duties in whole or in part include  
7 assignments which involve the seizure and taking into custody of  
8 any animal.

9 (5) "Domesticated Animal" means those domestic beasts as  
10 any dog, cat, rabbit, horse, mule, ass, bovine animal, lamb,  
11 goat, sheep or hog, or other animal made to be domestic.

12 (6) "Euthanasia" means the humane destruction of an animal;  
13 accomplished by a method that involves instantaneous unconscious-  
14 ness and immediate death, or by a method that causes painless  
15 loss of consciousness, and death during such loss of conscious-  
16 ness.

17 (7) "Grooming Parlor" means any place or establishment,  
18 public or private, where animals are bathed, clipped or combed  
19 for a consideration, for the purpose of enhancing their aesthetic  
20 value.

21 (8) "Hobby Kennel" means a non-commercial kennel at, or  
22 adjoining a private residence where four or more adult animals  
23 are bred and/or kept for hunting, training, and exhibition for  
24 organized shows, field, working and/or obedience trials or for  
25 enjoyment of the species.

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

33 (10) "Livestock" means horses, bovine animals, sheep, goats

1 swine, reindeer, donkeys and mules.

2 (11) "Owner" means any person having an interest in or right  
3 of possession to an animal or any person having control, custody,  
4 or possession of an animal, or by reason of the animal being seen  
5 residing consistently at a location, shall be presumed to be the  
6 owner.

7 (12) "Packs of Dogs" shall consist of a group of three or  
8 more dogs running upon either public or private property not  
9 that of its owner in a state in which either its control or  
10 ownership is in doubt or cannot readily be ascertained, and when  
11 such dogs are not restrained or controlled.

12 (13) "Person" means any individual, partnership, firm,  
13 joint stock company, corporation, association, trust, estate or  
14 other legal entity.

15 (14) "Pet Shop" means a person or establishment that, ac-  
16 quires animals bred by others and/or supplies, whether as owner,  
17 agent, or on consignment, sells, offers to sell such animals and/  
18 or supplies to the public.

19 (15) "Running at Large" means to be off the premises of  
20 the owner and not under the control of the owner or competent  
21 person authorized by the owner, either by leash or other means.

22 (16) "Shelter" means a facility which is used to house or  
23 contain stray, homeless, abandoned or unwanted animals and which  
24 is owned, operated or maintained by a public body, an establish-  
25 ed humane society, animal welfare society, society for the pre-  
26 vention of cruelty to animals, or other nonprofit organization  
27 devoted to the welfare, protection, and humane treatment of  
28 animals.

29 (17) "Under control" means the animal is under voice and/  
30 or signal control so as to be thereby restrained from approach-  
31 ing any bystander or other animal and from causing or being the  
32 cause of physical property damage when off of a leash or off  
33 the premises of the owner.

1 (18) "Vicious" means the propensity to do any act that  
2 might endanger the safety of any person, animal, or property of  
3 another, including, but not limited to a disposition to mischief  
4 or fierceness as might occasionally lead to attack on human  
5 beings without provocation, whether in play or outbreak of un-  
6 trained nature.

7 SECTION 4. Severability.

8 Should any section, subsection, paragraph, sentence, clause or  
9 phrase of this ordinance be declared unconstitutional or invalid  
10 for any reason, such decision shall not affect the validity of  
11 the remaining portions of this ordinance.

12 ARTICLE II - LICENSING

13 SECTION 1. Dog and Cat Licenses - Required

14 (1) License requirements. All dogs and cats, harbored,  
15 kept, or maintained in King County over four months of age shall  
16 be licensed and registered annually, provided however, that dogs  
17 kept in kennels need not be licensed annually while kept at such  
18 kennel and while such kennel is duly licensed as provided in  
19 Article II, Section 2 herein.

20 (2) Fees. Dog and cat licenses shall be issued by the  
21 Animal Control Authority upon application and payment of an  
22 annual license fee made payable to the County Treasurer in the  
23 sum of six dollars (\$6.00) for dogs and three dollars (\$3.00)  
24 for cats. The annual license fee shall become due and payable  
25 on January 1st of each year. Applications for a dog or cat  
26 license shall be on forms provided by the Animal Control  
27 Authority. No proration of a license fee for a portion of the  
28 calendar year shall be made. All license tags issued herein  
29 shall be securely affixed to a substantial collar harness or  
30 other means which shall be worn by the dog at all times. As an  
31 alternative to a license tag an animal may be identified as  
32 licensed by being tattooed on its right ear or on its inside  
33 right thigh or groin with a license number approved or issued

1 by the Animal Control Authority.

2 (3) Penalty. A late penalty in the sum of two dollars  
3 (\$2.00) shall be charged on all applications received after  
4 January 31 of each year provided, however, that a dog or cat  
5 acquired during the year shall be licensed within thirty (30)  
6 days from the date of its acquisition and in such cases the late  
7 penalty shall be charged only on applications received after  
8 the expiration of that thirty (30) day period.

9 (4) Fees Collected. All fees and fines collected under  
10 this ordinance shall be deposited in the County Current Expense  
11 Fund.

12 (5) Non-Applicability. The provisions of this section  
13 shall not apply to dogs or cats in the custody of a veterinarian  
14 or Animal Shelter or whose owners are non-residents temporarily  
15 within the County for a period not exceeding thirty (30) days.  
16 The fees contained herein shall become effective beginning with  
17 the 1973 license year.

18 SECTION 2. Animal Shelter, Kennel and Pet Shop License -  
19 Required.

20 It is unlawful for any person to keep or maintain any animal  
21 shelter, kennel, or pet shop within King County without first  
22 obtaining a valid and subsisting license therefor. A fee of  
23 seventy-five dollars (\$75.00) for such license shall be assessed  
24 not upon individual animals but upon the owner or keeper of an  
25 animal shelter, kennel or pet shop. Each license and certifi-  
26 cate of inspection issued pursuant to this ordinance shall be  
27 conspicuously displayed at the establishment to which such  
28 license was issued. The license shall be dated and numbered  
29 and shall bear the name of King County, Washington, and the name  
30 and address of the owner or keeper of the establishment, and the  
31 expiration date of the license. The license shall run for a  
32 period of one year from the date of purchase.

33 SECTION 3. Animal Shelter, Hobby Kennel and Kennel License

1 Information Required.

2 (1) Zoning Compliance. The applicant for an original  
3 animal shelter, hobby kennel, or kennel license shall present  
4 to the Animal Control Authority a written statement from the  
5 County Department of Planning, that the establishment of the  
6 animal shelter or kennel at the proposed site is not in vio-  
7 lation of the King County Zoning Code, has a legal non-conforming  
8 zoning status, or a conditional use permit has been issued for  
9 the intended use.

10 (2) Health Inspection. Before an animal shelter, hobby  
11 kennel, or kennel license may be issued by the Animal Control  
12 Authority a certificate of inspection from the Seattle-King  
13 County Health Department must be issued showing that said  
14 animal shelter, hobby kennel, or kennel is in compliance with  
15 Article II, Sections 6, 7, 8 and 9 contained herein.

16 SECTION 4. Hobby Kennel License - Required

17 (1) License required. It shall be unlawful for any person  
18 to keep and maintain any dog or cat within the County for the  
19 purposes of a hobby kennel without obtaining a valid and sub-  
20 sisting license therefor. The fee for such license shall be as-  
21 sessed upon the owner or keeper of such animals and shall be ten  
22 dollars (\$10.00) for each three animals or portion thereof.  
23 In addition each animal shall be licensed individually under  
24 provisions of Article II, Section 1 (2) of this ordinance.

25 (2) Limitation on number of dogs and cats allowed. The  
26 total number of dogs and cats over four months of age kept by a  
27 hobby kennel shall not exceed the total number authorized by the  
28 King County Zoning Code.

29 (3) Dog and cat reproduction limitations. The hobby  
30 kennel shall limit dog and cat reproduction to no more than  
31 twelve (12) offspring per license year.

32 (4) Advertising limitations. The hobby kennel shall not  
33 have signs, displays and other visual representations not al-

1 ready permitted in the zone.

2 (5) Immunization required. Each animal in the hobby  
3 kennel shall have current and proper immunization from disease  
4 according to the animal's species and age. For dogs such shall  
5 consist of DHL inoculation for dogs over three (3) months of  
6 age and rabies inoculations for those over six (6) months of  
7 age.

8 (6) Compliance. The hobby kennel shall comply with the  
9 provisions of Article II, Sections 5 - 9.

10 SECTION 5. Animal Shelters, Hobby Kennels, Kennels, and  
11 Pet Shops - Reporting Required.

12 Each animal shelter, hobby kennel, kennel or pet shop shall pro-  
13 vide a list of all dogs and cats auctioned off, given away, sold  
14 or otherwise disposed of to the Animal Control Authority quarter-  
15 ly based upon the calendar year. The list shall include the  
16 origin, the age and type of dog or cat, and the name and address  
17 of the person to whom the dog or cat was given or purveyed.

18 SECTION 6. Animal Shelters, Hobby Kennels, Kennels, and  
19 Pet Shops - Inspection.

20 (1) Inspection. It shall be the duty of the director or  
21 his agent of the Seattle-King County Department of Public Health  
22 or the Animal Control Authority to make or cause to be made such  
23 inspections as may be necessary to insure compliance with  
24 Article II, Sections 7, 8 and 9, herein. The owner or keeper  
25 of an animal shelter, hobby kennel, kennel or pet shop shall  
26 admit to the premises for the purpose of making an inspection,  
27 any officer, agent, or employee of the Seattle-King County  
28 Department of Public Health or Animal Control Authority at any  
29 reasonable time that admission is requested.

30 (2) Unlawful. It shall be unlawful to keep, use or main-  
31 tain within King County any animal shelter, hobby kennel, kennel,  
32 or pet shop that is unsanitary, nauseous, foul or offensive, or  
33 in any way detrimental to public health and/or safety and not in

1 compliance with Article II, Sections 5, 7, 8, and 9 herein and  
2 may be cause for revocation or denial of such license.

3 SECTION 7. Conditions - General.

4 Animal shelters, hobby kennels, kennels and pet shops shall meet  
5 the following conditions:

6 (1) Housing facilities shall be provided the animals and  
7 such shall be structurally sound and shall be maintained in good  
8 repair; shall be designed so as to protect the animals from  
9 injury; shall contain the animals; and shall restrict the en-  
10 trance of other animals.

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

17 (3) Suitable food and bedding shall be provided and stored  
18 in facilities adequate to provide protection against infestation  
19 or contamination by insects or rodents. Refrigeration shall be  
20 provided for the protection of perishable foods.

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

26 (5) Washroom facilities, including sinks and toilets, with  
27 hot and cold water, must be conveniently available for cleaning  
28 purposes, and a large sink or tub provided for the purpose of  
29 washing utensils, equipment and facilities.

30 (6) Sick animals shall be separated from those appearing  
31 healthy and normal and if for sale, shall be removed from dis-  
32 play and sale. Sick animals shall be kept in isolation quarters  
33 with adequate ventilation to keep from contaminating well

1 animals.

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

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

9 (9) No person, persons, association, firm or corporation  
10 shall knowingly sell a sick or injured animal or bird.

11 (10) No person, persons, association, firm or corporation  
12 shall misrepresent an animal or bird to a consumer in any way.

13 (11) Adequate care and feeding instructions must be given  
14 to each purchaser of an animal and must be in writing.

15 SECTION 8. Facilities - Indoors.

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

18 (1) Be sufficiently heated or cooled to protect such  
19 animals from temperatures to which they are not normally acclima-  
20 tized.

21 (2) Be adequately ventilated to provide for the health of  
22 animals contained therein and to assist in the removal of foul  
23 and obnoxious odors. Provision shall be made so that the volume  
24 of air within any enclosed indoor facility shall be changed three  
25 times or more each hour. This may be accomplished through the  
26 location and periodic opening of doors and windows. If fans or  
27 ventilating equipment are used, they shall be constructed in con-  
28 formance with current standards of good engineering practice with  
29 respect to noise, and minimization of drafts.

30 (3) Have sufficient natural or artificial lighting to per-  
31 mit routine inspection and cleaning at any time of day. In ad-  
32 dition, sufficient natural or artificial lighting shall be sup-  
33 plied in the area of sinks and toilets to provide for the hygiene

1 of animal caretakers.

2 (4) Have interior wall, ceiling, and floor surfaces con-  
3 structed of materials which are resistant to the absorption of  
4 moisture and odors, or such surfaces shall be treated with a sea-  
5 lant or with paint, when such materials are not originally re-  
6 sistant to moisture or odors. Floor surfaces shall not be made  
7 of unsealed wood. In addition, interior walls shall be con-  
8 structed so that the interface with floor surfaces is sealed from  
9 the flow or accumulation of moisture or debris.

10 (5) Contain a drainage system which shall be connected to  
11 a sanitary sewer or septic tank system which conforms to the  
12 standards of building codes in force within the County and shall  
13 be designed to rapidly remove water and excreta in the cleaning  
14 of such indoor housing facility under any condition of weather  
15 or temperature; provided this requirement shall not apply to  
16 hobby kennels and pet shops. All indoor housing facilities for  
17 animals, fish, or birds shall be maintained in a clean and sani-  
18 tary condition and a safe and effective disinfectant shall be  
19 used in the cleaning of such facilities.

20 SECTION 9. Facilities - Outdoors.

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

23 (1) Be constructed to provide shelter from excessive sun-  
24 light, rain, snow, wind, or other elements. In addition, such  
25 facilities shall be constructed to provide sufficient space for  
26 the proper exercise and movement of each animal contained therein.

27 (2) Be constructed to provide drainage and to prevent the  
28 accumulation of water, mud, debris, excreta, or other materials  
29 and shall be designed to facilitate the removal of animal and  
30 food wastes.

31 (3) Be constructed with adequate walls or fences to contain  
32 the animals kept therein and to prevent entrance of other animals.

33 SECTION 10. Grooming Parlors - License Required.

1 It is unlawful for any person to keep or maintain any grooming  
2 parlor without first obtaining a valid and subsisting license  
3 therefor. A fee of fifty dollars (\$50.00) for such license shall  
4 be assessed. However, if the grooming parlor is operated as a  
5 part of the business of a kennel, or a pet shop, a fee of twenty-  
6 five dollars (\$25.00) shall be assessed. Such fee shall be in  
7 addition to the fee established for a kennel, or pet shop license.

8 SECTION 11. Grooming Parlors - Conditions.

9 Grooming parlors shall:

- 10 (1) Not board animals but keep only dogs and cats for a  
11 reasonable time in order to perform the business of grooming.  
12 (2) Provide such restraining straps for the dog or cat  
13 while it is being groomed so that such animal shall neither fall  
14 nor be hanged.  
15 (3) Sterilize all equipment after each dog or cat has been  
16 groomed.  
17 (4) Not leave animals unattended before a dryer.  
18 (5) Not prescribe treatment or medicine that is the pro-  
19 vince of a licensed veterinarian as provided in RCW 18.92.010.  
20 (6) Not put more than one animal in each cage.

21 SECTION 12. Additional Conditions.

22 The Director of the Animal Control Authority is authorized to  
23 promulgate rules and regulations not in conflict with this  
24 ordinance as they pertain to the conditions and operations of  
25 animal shelters, hobby kennels, kennels, pet shops, and grooming  
26 parlors. Such rules and regulations may be enacted only after a  
27 public hearing has been held for such purpose. Enforcement of  
28 these rules and regulations may be appealed to the County Board  
29 of Appeals.

30 SECTION 13. License - Revocation or Refusal to Renew.

31 The Animal Control Authority may in addition to other penalties  
32 provided herein, revoke or refuse to renew any animal shelter,  
33 hobby kennel, kennel, grooming parlor or pet shop license upon

1 good cause or for failure to comply with any provision of this  
2 ordinance provided, however, such revocation or refusal shall be  
3 only after a public hearing before the Board of Appeals held not  
4 less than thirty (30) days from the date notice is mailed by  
5 certified mail, postage prepaid, return receipt requested, to the  
6 license holder at the address given on the license.

7 SECTION 14. License-Revocation or Refusal Waiting Period.

8 No applicant shall be issued an animal shelter, hobby kennel,  
9 kennel, grooming parlor, or pet shop license, who has previously  
10 had such license revoked or a renewal refused, for a period of  
11 one year after the date of revocation or refusal and until such  
12 applicant meets the requirements contained in Article II,  
13 Sections 5 - 9 herein or any other provision of this ordinance to  
14 the satisfaction of the Animal Control Authority.

15 ARTICLE III - ENFORCEMENT, PENALTIES AND

16 PROCEDURES

17 SECTION 1. Enforcement Power.

18 (1) The Director of the Animal Control Authority and his  
19 authorized animal control officers are hereby authorized to take  
20 such lawful action as may be required to enforce the provisions of  
21 this ordinance and the laws of the State of Washington as they  
22 pertain to animal cruelty, shelter, welfare and enforcement of  
23 control.

24 (2) The Director of Animal Control Authority or his author-  
25 ized animal control officer shall not enter a building designated  
26 for and used for private purposes, unless a proper warrant has  
27 first been issued upon a showing that the officer has reasonable  
28 cause to believe an animal is being maintained in the building  
29 in violation of this ordinance.

30 (3) Provided that the Director of the Animal Control  
31 Authority and his authorized animal control officers, while  
32 pursuing any animal observed by the officer to be in violation  
33 of this ordinance, may enter upon any public or private property,

1 except any building designated for and used for private pur-  
2 poses, for the purpose of abating the animal violation being  
3 pursued.

4 (4) No person shall deny, prevent, obstruct or attempt to  
5 deny, prevent or obstruct an officer from pursuing any animal  
6 observed to be in violation of this ordinance. Further, no  
7 person shall fail or neglect after a proper warrant has been pre-  
8 sented to promptly permit the Director or his authorized animal  
9 control officer to enter private property to perform any duty  
10 imposed by this ordinance. Any person violating this sub-  
11 division shall be guilty of a misdemeanor.

12 SECTION 2. Abatement.

13 All violations of this code are determined to be detrimental  
14 to the public health, safety, and welfare and are hereby de-  
15 clared to be public nuisances. All conditions which are determin-  
16 ed after review by the Director of the Animal Control Authority  
17 to be in violation of this code shall be abated.

18 SECTION 3. Misdemeanor.

19 Any person who allows an animal to be maintained in violation of  
20 this ordinance shall be guilty of a misdemeanor punishable by  
21 fine of not more than two hundred and fifty dollars (\$250.00)  
22 and/or imprisonment for a term not to exceed ninety (90) days.

23 SECTION 4. Civil Penalty.

24 In addition to or as an alternate to any other penalty provided  
25 herein or by law, any person whose animal is maintained in vio-  
26 lation of this ordinance shall incur a civil penalty plus bill-  
27 able costs of the Animal Control Authority. The penalty for the  
28 first notice of violation shall be ten dollars (\$10.00); twenty-  
29 five dollars for the second notice of violation in any one (1)  
30 year period; and fifty dollars (\$50.00) for each successive  
31 violations in any one (1) year period.

32 SECTION 5. Impounding.

33 The Director of the Animal Control Authority and his authorized

1 representatives may apprehend any animals found doing any of the  
2 acts defined as a public nuisance and/or being subjected to cruel  
3 treatment as defined by law. After such animals are apprehended,  
4 the Animal Control Authority shall ascertain whether they are  
5 licensed, or otherwise identifiable and if reasonably possible,  
6 return the animal to the owner together with a notice of  
7 violation of the code, and if it is not reasonably possible to  
8 immediately return the animal to its owner, the Animal Control  
9 Authority shall notify the owner within a reasonable time by cer-  
10 tified mail or telephone that the animal has been impounded and  
11 may be redeemed. Any animal impounded pursuant to this code shall  
12 be held for the owner at least seventy-two (72) hours, after his  
13 receipt of notification by certified mail or by telephone from the  
14 impounding agency. Any animal suffering from serious injury or  
15 disease, may be humanely destroyed, or in the discretion of the  
16 impounding authority may be held for a longer period and redeemed  
17 by any person on payment of charges not exceeding those prescribed  
18 herein. In case any animal is not redeemed, it shall be humanely  
19 destroyed by euthanasia by the impounding agency or may be made  
20 available for adoption. No live animals shall be used for ex-  
21 perimentation purposes. Impounded animals should be taken to  
22 locations approved by the County Animal Control Authority and in  
23 accordance with R.C.W. 16.13.030. The owner of any animal im-  
24 pounded pursuant to the provisions contained in this code may re-  
25 cover said animal or animals when all billable costs, redemption  
26 fees, penalties and boarding costs incurred in such impoundment  
27 are made payable to the County Treasurer, which may be accepted  
28 by the Animal Control Authority acting as agent for the County.

29 SECTION 6. Additional Enforcement.

30 Notwithstanding the existence or use of any other remedy,  
31 the Director of the Animal Control Authority may seek legal  
32 or equitable relief to enjoin any acts or practices and  
33 abate any conditions which constitute a violation of

1 this code or other regulations herein adopted.

2 SECTION 7. Violations to be Abated.

3 For purposes of this ordinance, nuisances are violations of this  
4 ordinance and shall be defined as follows:

5 (1) Any public nuisance relating to animal control known  
6 at common law or in equity jurisprudence.

7 (2) A dog running at large within the County between the  
8 hours of 9:00 P.M. and 6:00 A.M. of the following day.

9 (3) Any domesticated animal, whether licensed or not, which  
10 runs at large in any park, or enters any public beach, pond,  
11 fountain, or stream therein, or upon any public playground or  
12 school ground; provided, however, that this section shall not  
13 prohibit a person from walking or exercising an animal in a  
14 public park or on any public beach when such animal is on a  
15 leash, tether or chain not to exceed eight (8') in length.  
16 Provided, however, that this section shall not apply to any blind  
17 person using a trained seeing-eye dog, to animal shows, exhibi-  
18 tions or organized dog training classes where at least twenty-  
19 four hours advance notice has been given to the Animal Control  
20 Authority, by such persons requesting to hold such animal shows,  
21 exhibitions or dog training classes.

22 (4) Any animal which enters any place where food is stored,  
23 prepared, served or sold to the public, or any other public  
24 building or hall. Provided, however, that this section shall  
25 not apply to any blind person using a trained seeing-eye dog, to  
26 veterinary offices or hospitals, or to animal shows, exhibitions  
27 or organized dog training classes where at least twenty-four  
28 hours advance notice has been given to the Animal Control  
29 Authority, by such persons requesting to hold such animal shows,  
30 exhibitions or dog training classes.

31 (5) A female domesticated animal whether licensed or not,  
32 while in heat, accessible to other animals for purposes other  
33 than controlled and planned breeding.

1 (6) Any domesticated animal which chases, runs after, or  
2 jumps at vehicles using the public streets and alleys.

3 (7) Any domesticated animal which habitually snaps, growls,  
4 snarls, jumps upon or otherwise threatens persons lawfully using  
5 the public sidewalks, streets, alleys, or other public ways.

6 (8) Any animal which has exhibited vicious propensities and  
7 which constitutes a danger to the safety of persons or property  
8 off his premises or lawfully on his premises.

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

14 (10) Any domesticated animal which howls, yelps, whines,  
15 barks, or makes other oral noises, in such a manner as to dis-  
16 turb any person or neighborhood to an unreasonable degree.

17 (11) Any domesticated animal which enters upon another  
18 person's property without the permission of that person.

19 (12) Animals staked, tethered, or kept on public property  
20 without prior written consent of the County Animal Control  
21 Authority.

22 (13) Animals on any public property not under control by the  
23 owner or other competent person.

24 (14) Animals kept, harbored, or maintained and known to  
25 have a contagious disease unless under the treatment of a licensed  
26 veterinarian.

27 (15) Animals running in packs.

28 SECTION 8. Cruelty Violations to be Abated.

29 It is unlawful for any person to:

30 (1) Willfully and cruelly injure or kill any animal by  
31 any means causing it fright or pain.

32 (2) By reason of neglect or intent to cause or allow any  
33 animal to endure pain, suffering or injury or to fail or neglect

1 to aid or attempt alleviation of pain, suffering or injury he has  
2 so caused to any animal.

3 (3) Lay out or expose any kind of poison, or to leave ex-  
4 posed any poison food or drink for man, animal or fowl, or any  
5 substance or fluid whatever whereon or wherein there is or shall  
6 be deposited or mingled, any kind of poison or poisonous or  
7 deadly substance or fluid whatever, on any premises, or in any  
8 unenclosed place, or to aid or abet any person in so doing, un-  
9 less in accordance with the provisions of R.C.W. 16.52.190.

10 (4) Abandon any domestic animal by dropping off or leaving  
11 such animal on the street, road or highway, or in any other  
12 public place, or on the private property of another.

13 SECTION 9. Notice and Order.

14 (1) Whenever the Director or authorized animal control  
15 officer has found an animal maintained in violation of this Code,  
16 the Director of the Animal Control Authority shall commence pro-  
17 ceedings to cause the abatement of each violation.

18 (2) The Director or authorized animal control officer shall  
19 issue a notice and order directed to the owner or the person  
20 presumed to be the owner of the animal maintained in violation  
21 of this ordinance. The notice and order shall contain:

22 (a) The name and address if known of the owner or  
23 person presumed to be the owner of the animal  
24 in violation of this ordinance.

25 (b) The license number, if available, and description  
26 of the animal in violation sufficient for identi-  
27 fication.

28 (c) A statement the Director or authorized animal  
29 control officer has found the animal maintained  
30 illegally with a brief and concise description  
31 of the conditions, found to render the animal  
32 in violation of this ordinance.

33 (d) A statement of the action required to be taken

1 as determined by the Director of the Animal  
2 Control Authority.

3 (i) If the Director has determined the animal  
4 must be abated, the order shall require the  
5 abatement shall be completed within a time  
6 certain from the date of the order as de-  
7 termined by the Director to be reasonable.

8 (ii) If the Director of the Animal Control Author-  
9 ity has determined to assess a civil penalty,  
10 the order shall require that the penalty  
11 shall be paid within fourteen (14) days from  
12 the date of the order.

13 (e) Statements advising that if any required abate-  
14 ment is not commenced within the time specified,  
15 the Director of the Animal Control Authority will  
16 proceed to cause abatement and charge the costs  
17 thereof against the owner.

18 (f) Statements advising (i) that a person having a  
19 legal interest in the animal may appeal from the  
20 notice and order or any action of the Director  
21 of the Animal Control Authority to the Board of  
22 Appeals, provided the appeal is made in writing as  
23 provided by this ordinance, and filed with the  
24 Director of the Animal Control Authority within 14  
25 days from the date of service of such notice and  
26 order; and (ii) that failure to appeal will con-  
27 stitute a waiver of all right to an administrative  
28 hearing and determination of the matter.

29 (3) The notice and order shall be served on the owner or  
30 presumed owner of the animal in violation.

31 (4) Service of the notice and order shall be made upon all  
32 persons entitled thereto either personally or by mailing a copy  
33 of such notice and order by certified mail, postage prepaid,

1 return receipt requested, to the person at his address as it  
2 appears on the last equalized assessment roll of the county.

3 (5) Proof of service of the notice and order shall be made  
4 at the time of service by a written declaration under penalty of  
5 perjury executed by the person effecting service, declaring the  
6 time, date and manner in which service was made.

7 (6) The standards of the animal control ordinance shall be  
8 followed by the Director of the Animal Control Authority in  
9 determining the existence of an animal control violation and  
10 in determining the abatement action required.

11 SECTION 10. Appeal.

12 (1) Appeals. The King County Board of Appeals as estab-  
13 lished by Article 7 of the King County Charter is hereby desig-  
14 nated to hear appeals by parties aggrieved by actions of the  
15 Director of the Animal Control Authority pursuant to this ordin-  
16 ance. The Board may adopt reasonable rules or regulations for  
17 conducting its business. Copies of all rules and regulations  
18 adopted by the Board shall be delivered to the Director of the  
19 Animal Control Authority who shall make them freely accessible to  
20 the public. All decisions and findings of the Board shall be  
21 rendered to the appellant in writing with a copy to the Director  
22 of the Animal Control Authority.

23 (2) Form of Appeal. Any person entitled to service under  
24 Article III, Section II (2) may appeal from any notice and order  
25 or any action of the Director of the Animal Control Authority  
26 under this Code by filing at the office of the Director of the  
27 Animal Control Authority within fourteen (14) days from the date  
28 of the service of such order, a written appeal containing:

29 (a) A heading in the words: "Before the Board of  
30 Appeals of the County of King."

31 (b) A caption reading: "Appeal of \_\_\_\_\_  
32 giving the names of all appellants participating  
33 in the appeal.

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(c) A brief statement setting forth the legal interest of each of the appellants in the animal involved in the notice and order.

(d) 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.

(e) 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.

(f) The signatures of all parties names as appellants, and their official mailing addresses.

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

(3) Scheduling and Noticing Appeal. The Board of Appeals shall set a time and place, not more than thirty (30) days from such notice of appeal for hearing thereon. Written notice of the time and place of hearing shall be given at least ten (10) days prior to the date of the hearing to each appellant by the manager-clerk of the Board.

(4) 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.

(5) Failure of any person to file an appeal in accordance with Article II, Section 10 shall constitute a waiver of his right to an administrative hearing.

(6) Enforcement of any notice and order of the Director of the Animal Control Authority issued under this ordinance shall be stayed during the pending of an appeal except impoundment of

1 an animal which is (i) vicious or dangerous or (ii) cruelly  
2 treated.

3 SECTION 11. Redemption Procedures.

4 Any animal impounded pursuant to the provisions of Article III,  
5 Section 5 may be redeemed upon payment of the redemption fee as  
6 provided herein. The redemption fee for an animal shall be ten  
7 dollars (\$10.00) for each animal plus an additional fee of two  
8 dollars (\$2.00) for each twenty-four (24) hour or portion there-  
9 of period during which such animal is retained by the impounding  
10 agency and shall be made payable to the County Treasurer. The  
11 boarding cost for livestock impounded shall be in accordance  
12 with the rate established by contract between the County and the  
13 given stockyard used for holding such animal.

14 SECTION 12. Removal.

15 Any animal constituting a public nuisance as provided herein  
16 shall be abated and removed from the county by the owner or by  
17 the Director of the Animal Control Authority, upon receipt of  
18 three notices and orders of violation by the owner in any one  
19 year period. Where it is established by record pursuant to this  
20 ordinance and no finding was entered showing that the owner will  
21 be able to provide reasonable restraints to protect the public  
22 from repetitions of violations, the Director of the Animal Control  
23 Authority shall notify and direct the owner of said animal to  
24 abate or remove the same from the county within ninety-six (96)  
25 hours from the date of notice. If such animal is found to be  
26 within the confines of King County after ninety-six (96) hours  
27 have elapsed from the date of notice, the same shall be abated  
28 and removed by the Director of the Animal Control Authority.  
29 Animals removed pursuant to the provisions of this section shall  
30 be removed from King County or be subjected to euthanasia by the  
31 Animal Control Authority.

32 SECTION 13. Personal Obligations.

33 The civil penalty and the cost of abatement are also personal

1 obligations of the animal owner. The prosecuting attorney on  
2 behalf of King County may collect the civil penalty and the  
3 abatement work costs by use of all appropriate legal remedies.

4 SECTION 14. Costs of Enforcement Action.

5 In addition to costs and disbursements provided for by statute,  
6 the prevailing party in a collection action under this ordinance  
7 may, in the court's discretion, be allowed interest and a reason-  
8 able attorney's fee. The Prosecuting Attorney shall seek such  
9 costs, interest, and reasonable attorney's fees on behalf of  
10 King County when the County is the prevailing party.

11 INTRODUCED AND READ for the first time this 7th day of

12 August, 19 72.

13 PASSED this 10th day of October, 19 72.

14 KING COUNTY COUNCIL  
15 KING COUNTY, WASHINGTON

16  
17 Phyllis G. Owen  
18 Chairman

19 ATTEST:

20  
21 Lee Kraft  
22 Administrator-Clerk  
23 King County Council

24 APPROVED this 11th day of October, 19 72

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27 [Signature]  
28 King County Executive  
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