

ORDINANCE NO.

10809

1
2 AN ORDINANCE relating to Animal Control;
3 creating a Private Animal Placement
4 Permit; amending Ordinance 1396, Article
5 I, Section 3 as amended and Article II,
6 Section 1 as amended, Ordinance 7986,
7 Section 3, Ordinance 7416, Section 2 as
8 amended, and Ordinance 3144, Section 3,
9 and K.C.C. 11.04.020, 11.04.030,
10 11.04.035, 11.04.335, and 21.08.030, and
11 adding new sections to 11.04.

12 PREAMBLE:

13 The King County Council finds that it is necessary to
14 create both an Individual and Organizational Private
15 Animal Placement Permit in order to allow citizens, either
16 acting independently or as part of an organization, to
17 possess animals in excess of the limits set forth in Title
18 21 of the King County Code for the purpose of providing
19 foster care for lost or abandoned animals, thus promoting
20 responsible pet ownership and reducing the number of
21 animals euthanized. It is the intent of the council that
22 citizens holding such a permit shall be engaged in
23 locating permanent homes for such animals, and that they
24 shall pursue this activity out of their concern for animal
25 welfare, and not as a commercial activity.

26 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

27 SECTION 1. Ordinance No. 1396, Article I, Section 3, and
28 K.C.C. 11.04.020 are hereby amended to read as follows:

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

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

38 B. "Animal" means any living creature except homo
39 sapiens, insects and worms.

40 C. "Animal control authority" means the county animal
41 control section, division of ((general)) licensing and
42 regulatory services, acting alone or in concert with other

1 municipalities for enforcement of the animal control laws of
2 the county and state and the shelter and welfare of animals.

3 D. "Animal control officer" means any individual
4 employed, contracted or appointed by the animal control
5 authority for the purpose of aiding in the enforcement of this
6 chapter or any other law or ordinance relating to the licensing
7 of animals, control of animals or seizure and impoundment of
8 animals, and includes any state or municipal peace officer,
9 sheriff, constable or other employee whose duties in whole or
10 in part include assignments which involve the seizure and
11 taking into custody of any animal.

12 ~~((E. "Animal Rescuer" means any individual who routinely
13 obtains an unwanted dog or cat and who locates within 90 days
14 an adoptive home for that spayed or neutered dog or cat
15 provided, however, an interim, administrative extension may be
16 granted by the animal control authority for a maximum of 6
17 months if a dog or cat is pregnant, nursing, or injured and
18 that condition is verified by a veterinarian.))~~

19 ((F.)) E. "Cattery" means a place where four or more
20 adult cats are kept, whether by owners of the cats or by
21 persons providing facilities and care, whether or not for
22 compensation, but not including small animal hospitals, clinics
23 or pet shops. An adult cat is one of either sex, altered or
24 unaltered, that has reached the age of six months.

25 ((G.)) F. "Domesticated animal" means those domestic
26 beasts such as any dog, cat, rabbit, horse, mule, ass, bovine
27 animal, lamb, goat, sheep or hog, or other animal made to be
28 domestic.

29 ((H.)) G. "Euthanasia" means the humane destruction of
30 an animal accomplished by a method that involves instantaneous
31 unconsciousness and immediate death, or by a method that causes
32 painless loss of consciousness, and death during such loss of
33 consciousness.

34 H. "Fostering" means obtaining unwanted dogs or cats and
35 locating adoptive homes for those licensed and spayed or

1 neutered dogs or cats. Individuals who wish to foster dogs and
2 cats, and who through such activity shall routinely or from
3 time to time harbor, keep or maintain more dogs and cats than
4 allowed in Title 21 K.C.C., must obtain either an Individual or
5 Organizational Private Animal Placement Permit.

6 I. "Grooming service" means any place or establishment,
7 public or private, where animals are bathed, clipped or combed
8 for the purpose of enhancing their aesthetic value and/or
9 health and for which a fee is charged.

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

15 K. "Hobby cattery" means a noncommercial cattery at or
16 adjoining a private residence where four or more adult cats are
17 bred or kept for exhibition for organized shows or for the
18 enjoyment of the species provided, however, a combination hobby
19 cattery/kennel license may be issued where the total number of
20 cats and dogs exceeds the number allowed in Title 21.

21 L. "Hobby kennel" means a noncommercial kennel at or
22 adjoining a private residence where four or more adult dogs are
23 bred or kept for hunting, training and exhibition for organized
24 shows, field, working and/or obedience trials, or for the
25 enjoyment of the species provided, however, a combination hobby
26 cattery/kennel license may be issued where the total number of
27 cats and dogs exceeds the number allowed in Title 21.

28 M. "Juvenile" means any dog or cat, altered or unaltered,
29 that is under the age of six months.

30 N. "Kennel" means a place where four or more adult dogs
31 are kept, whether by owners of the dogs or by persons providing
32 facilities and care, whether or not for compensation, but not
33 including small animal hospitals or clinics or pet shops. An
34 adult dog is one of either sex, altered or unaltered that has
35 reached the age of six months.

1 O. "Livestock" means as defined in K.C.C. 21.04.540.

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

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

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

15 S. "Pet" shall mean dog or cat or any other animal
16 required to be licensed by the provisions of this chapter. The
17 terms "dog" or "cat" and "pet" may be used interchangeably.

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

22 U. "Private Animal Placement Permit - Individual" means a
23 permit issued to persons engaged in fostering dogs and cats who
24 meet certain requirements to allow such persons to possess more
25 dogs and cats than is specified in Title 21 K.C.C. Persons
26 holding an Individual Private Animal Placement Permit and
27 fostering dogs and cats must locate an adoptive home for a dog
28 or cat within six months of acquisition.

29 V. "Private Animal Placement Permit - Organizational"
30 means permits issued to organizations engaged in fostering dogs
31 and cats, such organizations having first met certain
32 requirements. These organizations may distribute these permits
33 to individuals who will foster the dogs and cats in their
34 homes. The permits will allow such persons to possess more
35 dogs and cats than is specified in Title 21 K.C.C. Such

1 organizations must be approved by the director, and their
2 permit holders must locate an adoptive home for a dog or cat
3 within six months of acquisition.

4 ((~~F~~)) W. "Running at large" means to be off the
5 premises of the owner and not under the control of the owner or
6 competent person authorized by the owner, either by leash or
7 verbal voice and/or signal control.

8 ((~~U~~)) X. "Service animal" means any animal, which is
9 trained or being trained to aid a person who is blind, hearing
10 impaired, or otherwise disabled and is used for that purpose
11 and is registered with a recognized service animal
12 organization.

13 ((~~V~~)) Y. "Shelter" means a facility which is used to
14 house or contain stray, homeless, abandoned or unwanted animals
15 and which is owned, operated or maintained by a public body, an
16 established humane society, animal welfare society, society for
17 the prevention of cruelty to animals or other nonprofit
18 organization or person devoted to the welfare, protection and
19 humane treatment of animals.

20 ((~~W~~)) Z. "Special Hobby Kennel License" means a license
21 issued to pet owners under certain conditions, who do not meet
22 the requirements for a Hobby Kennel License, to allow them to
23 retain only those specific dogs and cats then in their
24 possession until such time as the death or transfer of such
25 animals reduces the number they possess to the legal limit set
26 forth in the King County Zoning Code.

27 ((~~X~~)) AA. "Under control" means the animal is under
28 competent voice and/or signal control so as to be thereby
29 restrained from approaching any bystander or other animal and
30 from causing or being the cause of physical property damage
31 when off of a leash or off the premises of the owner.

32 ((~~Y~~)) BB. "Vicious" means the act of, or the propensity
33 to do any act endangering the safety of any person, animal or
34 property of another, including, but not limited to, biting a

1 human being, and/or an attack on human beings or domestic
2 animals without provocation.

3 SECTION 2. Ordinance 1396, Article II, Section 1 as
4 amended and K.C.C. 11.04.030 are hereby amended to read as
5 follows:

6 Pet licenses required.

7 A. LICENSE REQUIREMENTS. All dogs and cats eight weeks
8 and over which are harbored, kept or maintained in King County
9 shall be licensed and registered annually, provided that an
10 altered two-year license may be purchased.

11 B. LICENSE ISSUANCE. Pet licenses shall be issued by the
12 animal control section and may be issued by veterinarians, pet
13 shops, catteries, and kennels and other approved locations upon
14 application and the payment of a license fee made payable to
15 the department of finance according to the schedule provided in
16 Section 11.04.035 of this chapter:

17 1. Pet licenses for unaltered dogs and cats will be
18 valid for a term of one year from the date of issuance,
19 expiring on the last day of the twelfth month. Pet licenses
20 for altered dogs and cats will be valid for two years, expiring
21 on the last day of the twenty-fourth month. There is no
22 proration of any license fees. Renewal licenses will retain
23 the original expiration period whether renewed prior to, on, or
24 after their respective renewal month(~~(+)~~).

25 2. Juvenile licenses must be obtained for pets from
26 (~~(four)~~) eight weeks to six months of age.

27 3. King County residents sixty-five years of age or
28 older may purchase a special permanent license for the lifetime
29 of cats or dogs which are neutered or spayed and for which they
30 are the registered owners when said animals are maintained at
31 said owner's registered address. Such residents shall not be
32 required to annually purchase a new license for the lifetime of
33 such licensed animals; provided, that no person shall be issued
34 more than three (3) special permanent animal licenses for any

1 combination of three (3) cats and dogs for which they are the
2 registered owner(~~(+)~~).

3 4. Applications for a pet license shall be on forms
4 provided by the animal control section(~~(+)~~).

5 5. License tags shall be worn by dogs at all times.
6 As an alternative to a license tag, a dog or cat may be
7 identified as licensed by being tattooed on its right ear or on
8 its inside right thigh or groin with a license number approved
9 or issued by the animal control section.

10 6. Owners of dogs and/or cats which hold valid
11 licenses from other jurisdictions and who move into King County
12 may transfer the license by paying a transfer fee. Such
13 license shall maintain the original expiration date.

14 7. It shall be a violation of this chapter for any
15 person to sell or transfer ownership of any pet without a pet
16 license. The King County animal control authority shall be
17 notified of the name, address, and telephone number of the new
18 owner by the person who sold or transferred the pet.

19 C. PENALTY.

20 1. A late penalty shall be charged on all pet license
21 applications, according to the schedule provided in Section
22 11.04.035 of this chapter:

23 2. No late penalty shall be charged on new license
24 applications if:

25 a. The owner submits proof of purchase or
26 acquisition of the animal within the preceding thirty (30)
27 days; or

28 b. The owner has moved into the county within the
29 preceding thirty (30) days; or

30 c. The animal is currently or has been within the
31 preceding thirty (30) days, under the age which requires a
32 license; or

33 d. The owner purchases the license(s) voluntarily,
34 prior to in person or field contact by animal control
35 personnel; or

1 e. The owner submits other proof deemed acceptable
2 in the section's administrative rules and regulations.

3 D. FEES COLLECTED. All fees and fines collected under
4 this chapter shall be deposited in the county current expense
5 fund and shall be distributed according to the provisions in
6 (~~K.C.C. 11.04.590~~) Section 6 of this ordinance.

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

16 F. NONAPPLICABILITY. The provisions of this section
17 shall not apply to dogs or cats in the custody of a
18 veterinarian or animal shelter (~~(or animal rescuer)~~) or whose
19 owners are nonresidents temporarily within the county for a
20 period not exceeding thirty days.

21 NEW SECTION. SECTION 3. Private Animal Placement Permit
22 - Individual.

23 A. PERMIT REQUIRED. Any person independently engaged in
24 the fostering of dogs and cats who routinely possesses more
25 dogs and cats than are allowed in Title 21 K.C.C. must obtain
26 an Individual Private Animal Placement Permit from animal
27 control. Permits shall be valid for one year from the date of
28 issuance, and may not be transferred.

29 B. QUALIFICATIONS. In order to qualify for an Individual
30 Private Animal Placement Permit an applicant must:

31 1. Maintain and care for dogs and cats in a humane and
32 sanitary fashion in compliance with the provisions of K.C.C.
33 11.04.090.

34 2. Reside where the fostering of dogs and cats is
35 compatible with the surrounding neighborhood.

1 3. Agree to return stray or lost animals to their
2 owners in accordance with the requirements of K.C.C. 11.04.210
3 before placing such animals in an adoptive home.

4 4. Agree to spay/neuter and license each dog or cat
5 before placement into its new home and transfer the license of
6 each animal to its adoptive owner.

7 5. Agree to coordinate their adoption process with
8 animal control, including reporting on the disposition of each
9 animal, and only adopting to owners who would qualify to adopt
10 an animal from a King County Animal Control Shelter based on
11 the adoption procedures and guidelines used by the animal
12 control authority.

13 C. LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Those
14 holding an Individual Private Animal Placement Permit shall be
15 allowed to possess five foster animals above the limit that
16 would normally apply to their property under Title 21 King
17 County Code.

18 Permit holders are required to locate an adoptive home for
19 each dog or cat within six months of acquiring the dog or cat.
20 If, after six months, an adoptive home has not been found for a
21 dog or cat, the animal control authority will review the
22 situation to determine if the permit holder is complying with
23 the requirements of the permit. If the director ascertains
24 that a good faith effort is being made to locate adoptive
25 homes, a six-month extension may be granted.

26 The presence of juvenile animals shall not necessarily
27 place a permit holder over their limit unless the director
28 determines that juvenile animals are present in such large
29 numbers as to place the permit holder out of compliance with
30 the requirements of the permit.

31 Holders of hobby kennel licenses shall be allowed to
32 possess and foster five more animals than are allowed by the
33 conditions of a hobby kennel permit.

34 D. INSPECTION, DENIAL AND REVOCATION OF PERMIT. The
35 animal control authority shall have the right to inspect the

1 facilities of an applicant for an Individual Private Animal
2 Placement Permit to determine whether or not such a permit
3 shall be issued. In addition, the animal control authority
4 shall have the right to periodically inspect the facilities of
5 holders of Individual Private Animal Placement Permits to
6 insure compliance with this Section. The animal control
7 authority shall also have the right to deny or revoke permits
8 based on a failure to meet the above qualifications; animal
9 control complaints (past, present or future); and/or complaints
10 regarding the maintenance of the Individual Private Animal
11 Placement Permit by neighbors.

12 NEW SECTION. SECTION 4. Private Animal Placement Permit
13 - Organizational.

14 A. PERMIT REQUIRED. Any organization engaged in the
15 fostering of dogs and cats whose members routinely or from time
16 to time have in their possession up to five more dogs and cats
17 than are allowed in Title 21 K.C.C. must obtain Organizational
18 Private Animal Placement Permits from animal control for each
19 of those members. Organizations may purchase up to 5 Permits,
20 or up 20 Permits per year. Provided, however, that the
21 director has the authority to issue more than 20 Permits to an
22 organization, when to do so would further the goals of the
23 animal control section and be in the public interest. Permits
24 shall be valid for one year from the date of issuance, and may
25 be transferred between members of the organization.

26 B. QUALIFICATIONS. In order to qualify to distribute
27 Organizational Private Animal Placement Permits to its members
28 an organization must:

29 1. Be of a reputable nature, and engaged in the
30 fostering of animals solely for the benefit of the animals
31 involved, and not as a commercial enterprise.

32 2. Agree to furnish animal control with the names,
33 addresses and phone numbers of each of the holders of its
34 permits; including immediately furnishing this information when
35 a transfer takes place.

1 3. Agree that to the best of their ability they shall
2 only issue permits to individuals who will:

3 a. Maintain and care for dogs and cats in a humane
4 and sanitary fashion in compliance with the provisions of
5 K.C.C. 11.04.090.

6 b. Reside where the fostering of dogs and cats is
7 compatible with the surrounding neighborhood.

8 c. Agree to return stray or lost animals to their
9 owners in accordance with the requirements of K.C.C. 11.04.210
10 before placing such animals in an adoptive home.

11 d. Spay/neuter and license each dog or cat and
12 transfer the license of each animal to its adoptive owner.

13 e. Coordinate their adoption process with animal
14 control, including reporting on the disposition of each animal,
15 and only adopting to owners who would qualify to adopt an
16 animal from a King County Animal Control Shelter based on the
17 adoption procedures and guidelines used by the animal control
18 authority.

19 C. LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Those
20 holding an Organizational Private Animal Placement Permit shall
21 be allowed to foster up to five more dogs or cats above the
22 limit that would normally apply to their property under Title
23 21 King County Code. Holders of hobby kennel licenses shall be
24 allowed to foster five more animals than are allowed by the
25 conditions of a hobby kennel permit.

26 Permit holders are required to locate an adoptive home for
27 each dog or cat within six months of acquiring the dog or cat.
28 If, after six months, an adoptive home has not been found for a
29 dog or cat the animal control authority will review the
30 situation to determine if the permit holder is complying with
31 the requirements of the permit. If the director ascertains
32 that a good faith effort is being made to locate adoptive
33 homes, a six-month extension may be granted.

34 The presence of juvenile animals shall not necessarily
35 place a permit holder over the limit of five foster animals

1 beyond the limit that would normally apply to their property
2 under K.C.C. 21.30.020(A) unless the director determines that
3 juvenile animals are present in such large numbers as to place
4 the permit holder out of compliance with the requirements of
5 the permit.

6 D. INSPECTION, DENIAL AND REVOCATION OF PERMIT. The
7 animal control authority shall have the right to inspect the
8 facilities of an applicant for an Organizational Private Animal
9 Placement Permit to determine whether or not such a permit
10 shall be issued. In addition, the animal control authority
11 shall have the right to periodically inspect the facilities of
12 holders of Organizational Private Animal Placement Permits to
13 insure compliance with this Section, and to determine whether
14 or not the organization as a whole will be allowed to continue
15 fostering dogs and cats. The animal control authority shall
16 also have the right to deny or revoke permits based on a
17 failure to meet the above qualifications; animal control
18 complaints (past, present or future); and/or complaints
19 regarding the maintenance of the Organizational Private Animal
20 Placement Permit by neighbors.

21 NEW SECTION. SECTION 5. Citizen Complaint Process.

22 A. Upon receiving a citizen complaint involving the
23 maintenance of either an Individual or Organizational Private
24 Animal Placement Permit, the director shall cause the following
25 to be performed:

26 1. Issue a Notice of Complaint to the holder of the
27 permit, and the organization which issued the permit, if
28 applicable, advising such person of the allegation(s) made in
29 the complaint.

30 2. Require the permit holder, and organization if
31 applicable, to respond, in writing, to the allegation(s) in the
32 Notice of Complaint within ten days of receipt of the Notice of
33 Complaint.

1 3. Investigate the allegation(s) in the written
2 complaint and the response submitted by the permit holder, and
3 organization, if applicable.

4 4. Make a finding as to the validity of the
5 allegation(s) in the complaint. If it is found to be a valid
6 complaint the director shall revoke the permit pursuant to the
7 qualifications described in Sections 2 and 3 of this ordinance.

8 B. Failure to respond, in writing, to a Notice of
9 Complaint within ten days shall constitute a waiver of the
10 permit holder's, and organization's, if applicable, right to
11 contest the allegation(s) in the complaint and shall be prima
12 facie evidence that the allegation(s) are valid, and the permit
13 shall be revoked.

14 SECTION 6. Ordinance 7416, Section 2, as amended, and
15 K.C.C. 11.04.035 are hereby amended to read as follows:

16 License fees and penalties.

17 A. Fees. The following fees are applicable as provided
18 in this chapter:

- 19 1. Pet License -
 - 20 a. unaltered (dog or cat)..... \$55.00
 - 21 b. altered..... 10.00
- 22 2. Juvenile pet license..... 5.00
- 23 3. a. Senior Citizen/Lifetime license - dog... 20.00
- 24 b. Senior Citizen/Lifetime license - cat... 12.00
- 25 4. Replacement tag..... 3.00
- 26 5. Transfer fee..... 3.00
- 27 6. Animal Shelter..... 200.00
- 28 7. Kennel and Cattery
 - 29 a. Hobby..... 50.00
 - 30 b. Commercial..... 200.00
- 31 8. Pet shop..... 200.00
- 32 9. Grooming Service
 - 33 a. Operating Alone..... 100.00
 - 34 b. When operated in conjunction with pet shop or
35 kennel or veterinarian..... 100.00

1	10. Guard Dog registration.....	100.00
2	11. Exotic pet	
3	a. New.....	500.00
4	b. Renewals.....	250.00
5	12. Service animal.....	no charge
6	13. K-9 Police Dog.....	no charge
7	14. ((Animal Rescuer License)) <u>Individual Private</u>	
8	<u>Animal Placement Permit:.....</u>	<u>25.00</u>
9	<u>15. Organizational Private Animal Placement</u>	
10	<u>Permit.....</u>	<u>10.00</u>
11	B. Late fees. The following late fees are applicable in	
12	cases of late registration and licensing as provided in this	
13	chapter:	
14	License renewal applications:	
15	1. Received after thirty days of license expiration,	
16	but before sixty days or failure to comply with 11.04.030	
17	C.....	\$10.00
18	2. Received after sixty days of license expiration, but	
19	before ninety days.....	20.00
20	3. Received after ninety days of license	
21	expiration	40.00
22	C. Penalties. The following penalties shall be assessed:	
23	(New pet license.....	25.00)
24	1. (2.) Dog leash law violations	
25	a. 1st notice.....	25.00
26	b. Successive violations within one year..	50.00
27	2. (3.) Civil Penalties.....	max 1000.00
28	3. (4.) Animal abandonment.....	500.00
29	D. Service Fees	
30	1. Adoptions - per animal.....	7.50
31	2. Impound/Redemption	
32	a. Dog, cats, other small animals	
33	First Offense.....	30.00
34	Second Offense, within 1 year.....	60.00
35	Third Offense, within 1 year.....	90.00

1 Livestock..... 100.00
2 3. Kenneling - per 24 hours or portion thereof. 7.00
3 4. Recovery of deceased domestic pets from doctors of
4 veterinary medicine, per pet..... 7.00

5 SECTION 7. Ordinance No. 7986, Section 3, and K.C.C.
6 11.04.335 are hereby amended to read as follows:

7 Waiver of fees and penalties.

8 A. The director has the authority to waive licensing fees,
9 late licensing penalty fees, adoption fees, and redemption and
10 sheltering fees, in whole or in part, when to do so would
11 further the goals of the animal control section and be in the
12 public interest.

13 B. In determining whether a waiver should apply, the
14 director must take into consideration the following elements:

- 15 1. The reason the animal was impounded;
- 16 2. The reason or basis for the violation, the nature
17 of the violation, the duration of the violation, and the
18 likelihood the violation will not recur;
- 19 3. The total amount of the fees charged as compared
20 with the gravity of the violation;
- 21 4. The effect on the owner, the animal's welfare and
22 the animal control section if the fee(s) or penalties are not
23 waived and no payment is received.

24 SECTION 8. Ordinance No. 3144, Section 3, and K.C.C.
25 21.08.030 are hereby amended to read as follows:

26 Permitted uses - Accessory residential. The following
27 accessory uses only are permitted in an RS zone when a
28 residential use as permitted in K.C.C. 21.08.020 has been
29 established on the subject property:

- 30 A. Accessory living quarters;
- 31 B. Accessory dwelling provided:
 - 32 1. The accessory unit is within the same building as
33 the principle residence,

1 2. The accessory unit floor area does not exceed fifty
2 percent of the combined total area of the principal residence
3 and the accessory unit,

4 3. The house must be owner-occupied,

5 4. The principal residence and the accessory unit, and
6 occupancy thereof, must comply with K.C.C. Chapter 16.04,

7 5. Garage space may be converted only if the same
8 number of covered parking spaces are provided elsewhere on the
9 property,

10 6. One off-street parking space in addition to that
11 required for a single family dwelling shall be provided,

12 7. The total number of people who may occupy principal
13 residence and the accessory unit, together, shall not exceed
14 the number of people who may occupy a one-family dwelling;

15 C. Accessory structures, including storage buildings, and
16 private garages designed to accommodate not more than four
17 cars;

18 D. Except as provided in (~~11.04.060~~) Title 11 K.C.C.
19 for those holding a Hobby Kennel or Cattery license, Special
20 Hobby Kennel license, or Private Animal Placement Permit, small
21 animals (household pets) not to exceed three in any combination
22 thereof, when kept on the same lot as the residence of the
23 owner of such pets;

24 E. Lodgers, limited to two;

25 F. Private docks (one only per dwelling unit) and mooring
26 facilities for the sole use of occupants of the premises to
27 accommodate private noncommercial pleasure craft. Docks and
28 moorings shall be accessory to the primary use on the property
29 to which they are contiguous, provided:

30 1. Structures shall conform to the applicable
31 provisions of the Shoreline Management Master Program,

32 2. No part of the structure shall extend more than
33 sixteen feet above the mean high water level,

34 3. No structure shall be located closer to a property
35 side line, or a property side line extended, than fifteen feet,

1 except that docks may abut property lines for the common use of
2 adjacent property owners, when mutually agreed to by the
3 property owners in a contract recorded with the King County
4 division of records and elections, of which a copy must
5 accompany an application for a building permit,

6 4. The total area of the moorage shall not exceed six
7 hundred square feet,

8 5. Covered moorages shall abut upon the natural
9 shoreline,

10 6. Such structure shall not have a width greater than
11 fifty percent of the width of the lot at the natural shoreline
12 upon which it is located,

13 7. Any boat using such moorage shall not be used as a
14 place of residence when so moored;

15 G. Foster family day care home, twenty-four hours;

16 H. Greenhouse, private and noncommercial, for propagation
17 and culture only, with no sales from the premises permitted;

18 I. Communication facility pursuant to the provisions of
19 K.C.C. 21.80.020 - 21.80.190(~~+~~);

20 J. Swimming pools and other recreational facilities for
21 the sole use of occupants of premises and their guests;

22 K. Day nurseries, provided:

23 1. A maximum of twelve children are cared for in any
24 twenty-four hour period, provided further that the facility
25 shall conform to the occupancy requirements of Chapter 8 of the
26 Uniform Building Code as adopted by King County whenever more
27 than six children are cared for at one time,

28 2. Outdoor play areas shall be provided with a minimum
29 of seventy-five square feet in area for each child using the
30 area at one time, and shall be completely enclosed by a solid
31 barrier such as a berm, wall or fence, with no openings except
32 for gates, and having a minimum height of six feet, to minimize
33 visual and noise impacts and prevent trespassing on adjacent
34 residentially classified properties.

1 3. Play equipment shall not be located closer than
2 twenty feet to any property lines.

3 4. The hours of operation may be restricted to assure
4 compatibility with surrounding development;

5 L. Home occupation; provided the home occupation:

6 1. Is carried on exclusively by a member or members of
7 a family residing in the dwelling unit,

8 2. Is clearly incidental and secondary to the use of
9 the property for dwelling purposes with the floor area devoted
10 to the home occupation not exceeding twenty percent of the
11 living area of the dwelling unit,

12 3. Has no display or sign not already permitted in the
13 zone, except that a home occupation which is conducted by a
14 person who is medically certified as permanently disabled, and
15 which is located on a state highway, may have a sign no larger
16 than 24 square feet,

17 4. Has no outside storage nor other exterior
18 indication of the home occupation or variation from the
19 residential character of the property,

20 5. Does not require truck delivery or pickup, nor the
21 installation of heavy equipment, large power tools or power
22 sources not common to a residential dwelling,

23 6. Does not create a level of noise vibration, smoke,
24 dust, odors, heat or glare beyond that which is common to a
25 residential area,

26 7. Does not create a level of parking demand beyond
27 that which is normal to a residential area,

28 8. Does not include automobile, truck or heavy
29 equipment repair, body work or painting; nor parking or storage
30 of heavy equipment including trucks of over one-ton load
31 capacity; nor storage of building materials such as lumber,
32 plasterboard, pipe, paint and the like, for use on other
33 premises;

34 9. All sales shall be an incidental use;

1 M. One nameplate not exceeding two square feet in area
2 containing the name of the occupant of the premises;

3 N. Aircraft hangar, provided:

4 1. No aircraft sales, service, repair, charter or
5 rental shall be permitted on the premises; nor shall storage of
6 any aircraft on the premises for such purposes be permitted.

7 2. Only one single or twin-engined noncommercial
8 aircraft (excluding helicopters) shall be accommodated on the
9 premises.

10 3. No aviation fuel except that contained in the tank
11 or tanks of the aircraft itself shall be stored on the
12 premises.

13 4. No hangar shall be allowed except on lots which
14 abut, or have a legal access which is not county right-of-way
15 to a landing field in conformance with K.C.C Chapter 21.44.

16 5. No hangar constructed pursuant to this section
17 shall exceed twenty feet in height above average grade, nor
18 have a gross area exceeding three thousand square feet;

19 O. Beehives, limited to four, provided:

20 1. Colonies shall be maintained in moveable-frame
21 hives at all times.

22 2. Adequate space shall be maintained in each hive to
23 prevent overcrowding and swarming.

24 3. Colonies shall be requeened following any swarming
25 or aggressive behavior.

26 4. All colonies shall be registered with the county
27 agricultural extension agent prior to April 1st of each year;
28 state registration form is acceptable for use with the county.

29 5. Hives shall not be located within twenty-five feet
30 of any property line, except:

31 a. When situated eight feet or more above adjacent
32 ground level; or

33 b. When situated less than six feet above adjacent
34 ground level and behind a solid fence or hedge six feet in
35 height parallel to any property line within twenty-five feet of

1 the hive and extending at least twenty feet beyond the hive in
2 both directions.

3 6. Bees living in trees, buildings, or any other space
4 except in moveable-frame hives, abandoned colonies; or diseased
5 bees constitute a public nuisance, and shall be abated as set
6 forth in K.C.C. 21.69.

7 7. Lots containing more than fifteen thousand square
8 feet, but less than thirty-five thousand square feet of area
9 may have up to sixteen beehives.

10 8. Lots containing thirty-five thousand square feet or
11 more shall be limited to fifty beehives.

12 P. Specialized instruction schools, provided:

13 1. Instructional courses are limited to a maximum of
14 four students per session.

15 2. Parking, beyond that required for residential uses
16 on the site, shall be provided as in K.C.C. 21.50.040, Parking
17 spaces required.

