

Ordinance 2473

AN ORDINANCE relating to exotic animals; stating the intent of the council; defining exotic animals; providing for an exotic animal owner's license subject to rules and regulations of King County Animal Control; establishing a license fee; providing for the content of the license application and the issuance of the license; permitting Animal Control access to licensed premises; establishing procedures for revocation, suspension and renewal of license; prescribing penalties; providing for euthanasia in exigent circumstances; setting limitations; and adding new sections to Ordinance 1396 and a new King County Code Chapter 11.28.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. 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.

SECTION 2. DEFINITIONS.

(1) "Exotic Animal" means any feline which, when in its wild state, is capable while at large of inflicting serious physical harm upon human beings.

(2) "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.

(3) "Director" means director of the animal control authority.

SECTION 3. LICENSE REQUIRED.

The possession or maintenance of an exotic animal within King County shall be 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 King

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County Code Chapter 2.98. 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.

SECTION 4. LICENSE FEE.

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 3 herein, provided the application is accompanied by payment of the license fee, contains the information required by Section 5; and meets the cage or confinement rules and regulations of the animal control authority.

The cost of such license shall be fifty dollars (\$50.00) for the first year and thirty dollars (\$30.00) 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.

SECTION 5. 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

1 license; the extent of improvement upon such premises; a map or
2 diagram of such premises showing where the improvements are
3 located thereon; a statement indicating the species of exotic
4 animal which the applicant desires to possess or maintain; a state-
5 ment indicating how the animal will be caged or otherwise confined,
6 accompanied with a drawing detailing the dimensions of and the
7 materials used for the cage or similar confinement; and such
8 further information as may be required by rule and regulation of
9 the animal control authority.

10 SECTION 6. ISSUANCE OF LICENSE.

11 If after investigation by the director of the animal
12 control authority, it appears that the applicant is the owner
13 or tenant of or has a possessory interest in the property shown
14 in the application; if applicable, has the written permission of
15 the property owner as specified in Section 5; and that the
16 applicant intends in good faith to possess or maintain an exotic
17 animal in accordance with the law and the rules and regulations
18 of the animal control authority; the animal control authority
19 shall issue a license to the applicant describing therein the
20 premises to be used by the licensee and certifying that the
21 licensee is lawfully entitled to use the same for the possession
22 or maintenance of the exotic animal(s) specified in such license;
23 provided that prior to issuing the license the animal control
24 authority shall inspect the cage or other confinement as required
25 by rule or regulation and specified in the licensee's application
26 in order to determine whether the cage or confinement meets the
27 standard specifications for the classification of the exotic
28 animal. If the cage or confinement is deemed inadequate, the
29 applicant shall make such changes as necessary to meet the
30 standard specifications before the license shall issue.

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SECTION 7. ACCESS TO LICENSEE'S 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.

SECTION 8. REVOCATION OF LICENSE -- 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 (15) 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 King County Code 11.04.260.

SECTION 9. PENALTIES.

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, shall be guilty of a misdemeanor and be subject to a fine not to exceed \$250.00 and/or imprisonment not to exceed 90 days.

SECTION 10. 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

1 King County Code 11.04.020(6) if any one of the following exigent
2 circumstances is deemed to exist by the director of the animal
3 control authority:

4 (A) The exotic animal presents an imminent
5 likelihood of serious physical harm to
6 the public and there is no other rea-
7 sonably available means of abatement;

8 OR

9 (B) There is no reasonable basis to believe
10 that the violation can be or in good
11 faith will be corrected and after rea-
12 sonable search or inquiry by the animal
13 control authority no facility as
14 authorized by local, state or federal
15 law is available to house the exotic
16 animal; OR

17 (C) The exotic animal suffers from a
18 communicable disease injurious to other
19 animals or human beings; provided, that
20 this Section shall not apply if the
21 animal is under treatment by a licensed
22 veterinarian and may reasonably be
23 expected to recover without infecting
24 other animals or human beings.

25 SECTION 11. LIMITATIONS.

26 The provisions of this Chapter shall not apply to any
27 facility possessing or maintaining exotic animals as defined in
28 this Chapter which is owned, operated or maintained by any city,
29 county, state or the federal government, including but not
30 limited to public zoos.

SECTION 12. SEVERABILITY.

If any clause, sentence, paragraph, or part of this ordinance, 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 this ordinance.

INTRODUCED AND READ for the first time this 16th day of June, 1975.

PASSED this 18th day of August, 1975.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Robert B. Quinn
VICE Chairman

ATTEST:

Dorothy M. Owens
Clerk of the Council

APPROVED this 20th day of August, 1975.

[Signature]
King County Executive

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