

ORDINANCE NO. 3232

AN ORDINANCE relating to the licensing and regulation of persons, firms and organizations involved in the training and sale of guard dogs; requiring certain actions and setting fees for the purpose of registering guard dogs; specifying enforcement powers, penalties and procedures; amending Ordinance No. 1396, Article II, Sections 11 through 13 and KCC 11.04.140 through KCC 11.04.160.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. INTENT. It is the intent of the King County

Council to set reasonable requirements and conditions governing the training, selling and conveying of guard dogs and the use of such animals for the protection of person and/or property. The Council hereby finds such regulation is necessary to preserve the public peace and safety and to insure the humane treatment of said animals.

SECTION 2. DEFINITIONS.

(a) "Animal Control Authority" means the King County Animal Control Division, Department of General Services, acting alone or in concert with other municipalities in the enforcement of the animal control laws of the county and state.

(b) "Director" means director of the Animal Control Division.

(c) "Guard Dog" means any member of the dog family (canidae) which has been trained or represented as trained to protect person and/or property by virtue of exhibiting hostile propensities and aggressiveness to unauthorized persons.

(d) "Guard Dog Purveyor" means any person, firm or corporation supplying guard dogs to members of the public.

(e) "Guard Dog Trainer" means any person, either as an individual or as an employee of a guard dog purveyor, whose prime function is the training of dogs as guard dogs.

(f) "Guard Dog Owner" means any person, firm or corporation which employs a guard dog to protect person or property from unauthorized intrusion. For purposes of this

1 definition, "Owner" includes both the legal owner and any person,
2 firm or corporation who, through arrangement or contract, has
3 secured the use of a guard dog to protect person and/or property
4 from unauthorized intrusion.

5 (g) "Rules and Regulations of the Animal Control Authority"
6 means such rules and regulations as may be adopted by the Animal
7 Control Authority pursuant to King County Code 2.98, not
8 inconsistent with the intent of this ordinance.

9 SECTION 3. GUARD DOG PURVEYOR - LICENSE - FEES. It is
10 unlawful for any person, firm or corporation to supply guard dogs
11 to the public without a valid license so to do issued to said
12 person, firm or corporation by the Animal Control Authority.
13 Only a person who complies with the requirements of this
14 ordinance and such rules and regulations of the Animal Control
15 Authority as may be adopted pursuant hereto shall be entitled to
16 receive and retain such a license. Licenses shall not be
17 transferable and shall be valid only for the person and place for
18 which issued. Said licenses shall be valid for one year from
19 date of issue.

20 The fee for such license shall be \$250 per year, provided
21 that if the guard dog purveyor is in possession of a valid animal
22 shelter, kennel and pet shop license, the fee for said guard dog
23 purveyor license shall be reduced by the amount of the animal
24 shelter, kennel and pet shop license.

25 SECTION 4. GUARD DOG PURVEYOR LICENSE - APPLICATION -
26 CONTENT. Any person desiring to supply guard dogs to the public
27 shall make written application for a license on a form to be
28 provided by the Animal Control Authority. Such application shall
29 be filed with the Animal Control Authority and shall include the
30 following:

31 (a) a legal description of the premises or the business
32 address of the office from which said applicant desires to
33 supply guard dogs;

1 (b) a statement of whether the applicant owns or rents the
 2 premises to be used for the purpose of purveying guard dogs. If
 3 the applicant rents the premises, the application shall be
 4 accompanied by a written statement of acknowledgement by the
 5 property owner that the applicant has the property owner's
 6 permission to purvey guard dogs on the premises for the duration
 7 of the license; and

8 (c) a written acknowledgement by the applicant that prior
 9 to the actual commercial sale or purveyance of any and all guard
 10 dogs the licensee shall coordinate with the Animal Control
 11 Authority in properly marking the guard dog and in notifying all
 12 customers of the guard dog purveyor that the customer is
 13 required to register the guard dog and pay the appropriate
 14 registration fee to King County prior to the animal performing
 15 guard dog functions.

16
 17 SECTION 5. GUARD DOG TRAINER - LICENSE - FEES. It is
 18 unlawful for anyone to engage in the training of dogs as guard
 19 dogs without a valid license so to do issued to him/her by the
 20 Animal Control Authority. Only a person who complies with the
 21 requirements of this ordinance and the rules and regulations of
 22 the Animal Control Authority shall be entitled to receive and
 23 retain such a license. Licenses shall not be transferable and
 24 shall be valid only for the person for which issued. Licenses
 25 shall be valid for one year from date of issue.

26 The cost of such license to each guard dog trainer shall
 27 be \$50 per year.

28 SECTION 6. GUARD DOG TRAINER LICENSE - APPLICATION -
 29 CONTENT. Any person desiring to train dogs as guard dogs shall
 30 make written application for a license on a form to be provided
 31 by the Animal Control Authority. All such applications shall be
 32 filed with the Animal Control Authority and shall contain the
 33 following:

1 (a) a legal description or business address of the premises
2 at which the applicant desires to train the guard dogs;

3 (b) a statement of whether the applicant is self-employed
4 or a member of a business, firm, corporation or organization
5 which trains guard dogs. If the applicant is a member of such a
6 business, firm, corporation or organization, the applicant shall
7 state the name of said entity and shall provide the name of the
8 major executive officer of said entity; and

9 (c) if the premises at which the applicant proposes to
10 train dogs as guard dogs is rented, the application must be
11 accompanied by a written statement of acknowledgement from the
12 property owner that the applicant has the owner's permission to
13 carry on the activity of guard dog training at said location for
14 the duration of the license.

15 SECTION 7. GUARD DOG - REGISTRATION. All persons using
16 dogs as guard dogs shall register the dogs with the Animal Control
17 Authority. The cost of such registration shall be \$50 per year
18 for the first year and \$25 per year for the second and subsequent
19 years. Said registrations shall be valid for one year from date
20 of issue. All registrations shall be affixed on the guard dog in
21 such a manner so as to be readily identifiable.

22 SECTION 8. GUARD DOG REGISTRATION - APPLICATION - CONTENT.

23 Any person desiring to use a guard dog shall register said
24 dog with the Animal Control Authority and said registration shall
25 be accompanied by the following information:

26 (a) a legal description or business address of the premises
27 which the applicant desires to employ a registered guard dog to
28 prevent unauthorized intrusion;

29 (b) a statement whether the applicant owns or rents the
30 premises to be guarded. If the applicant rents the premises, the
31 application must be accompanied by a written statement of
32 acknowledgement from the property owner that the applicant has
33 the owner's permission to use a guard dog on the premises to

1 prevent unauthorized intrusion for the duration of the
2 registration;

3 (c) a description of the guard dog for purposes of
4 identification;

5 (d) acknowledgement by the applicant of whether the guard
6 dog has been trained as a guard dog to exhibit hostile
7 propensities;

8 (e) acknowledgement by the applicant that the premises to
9 be guarded has devices, such as fencing, to prevent general
10 access by the public during those times the guard dog is used for
11 purposes of protecting said premises and persons for unauthorized
12 intrusion. Said acknowledgement shall contain a statement that
13 the premises is properly signed to forwarn the public of the
14 presence of a guard dog; and

15 (f) acknowledgement by the applicant that the guard dog
16 will be maintained in such a manner as to insure the safety of
17 the public and the welfare of the animal.

18 SECTION 9. INSPECTIONS. The director of the Animal Control
19 Authority or his authorized representative shall inspect all
20 premises which are the subject of the licenses and registrations
21 required herein prior to the issuance of said licenses and/or
22 registrations. Said inspections shall include, but not be
23 limited to, a verification that adequate measures are being taken
24 to protect the health, welfare and safety of the general public
25 and to insure the humane treatment of the guard dogs. If the
26 premises are deemed inadequate, the Animal Control Authority
27 shall direct the applicant to make such changes as are necessary
28 before the license or registration is issued. The director of
29 the Animal Control Authority or his authorized representative may
30 make such routine periodic inspections of a licensee's premises
31 or the premises of an area guarded by a registered guard dog for
32 the purpose of enforcing the provisions of this ordinance and the
33 rules and regulations of the Animal Control Authority.

1 SECTION 10. Ordinance No. 1396, Article II, Section 12, and
2 KCC 11.04.140 are hereby amended as follows:

3 Animal shelters, hobby kennels, kennels, pet shops,
4 ((and)) grooming parlors, guard dog purveyors, guard dog trainers,
5 and guard dog owners--additional conditions.

6 The director of the animal control authority is
7 authorized to promulgate rules and regulations not in conflict
8 with this ((chapter)) title as they pertain to the conditions and
9 operations of animal shelters, hobby kennels, kennels, pet shops,
10 ((and)) grooming parlors, guard dog purveyors, guard dog trainers,
11 and guard dog owners. Such rules and regulations may be enacted
12 only after a public hearing has been held for such purpose.
13 Enforcement of these rules may be appealed to the county board of
14 appeals.

15 SECTION 11. Ordinance No. 1396, Article II, Section 13, and
16 KCC 11.04.150 are hereby amended as follows:

17 Licenses, Registration--Revocation, suspension or
18 refusal to renew. The animal control authority may, in addition
19 to other penalties provided in this ((chapter)) title, revoke,
20 suspend or refuse to renew any animal shelter, hobby kennel,
21 kennel, grooming parlor, ((or)) pet shop, guard dog purveyor,
22 guard dog trainer license, or guard dog registration upon good
23 cause or for failure to comply with any provision of this
24 ((chapter)) title; provided, however, enforcement of such
25 revocation, suspension or refusal shall be stayed during the
26 pendency of an appeal filed pursuant to Section 11.04.260.

27 SECTION 12. Ordinance No. 1396, Article II, Section 14, and
28 KCC 11.04.160 are hereby amended as follows:

29 Licenses, Registrations--Revocation or refusal waiting
30 period. No applicant shall be issued an animal shelter, hobby
31 kennel, kennel, grooming parlor, ((or)) pet shop, guard dog
32 purveyor, guard dog trainer license or guard dog registration,
33 who has previously had such license or registration revoked or a

1 renewal refused, for a period of one year after the date of
 2 revocation or refusal and until such applicant meets the
 3 requirements contained in Section 11.04.070 through 11.04.110 or
 4 any other provisions of this (~~chapter~~) title to the satisfaction
 5 of the animal control authority.

6 SECTION 13. In protecting the health, safety and welfare of
 7 the public; to enforce the laws of the State of Washington as
 8 they pertain to animal cruelty, shelter, welfare and enforcement
 9 of control; the director of the animal control authority and his
 10 authorized officers are authorized to take such lawful action in
 11 exercising appropriate powers and responsibilities contained in
 12 Article III, Ordinance No. 1396 and KCC 11.04.

13 SECTION 14. ORDINANCE LIMITATIONS. The provisions of this
 14 ordinance shall not apply to any facility possessing or
 15 maintaining dogs or guard dogs as defined in this ordinance which
 16 is owned, and operated or maintained by any city, county, state
 17 or the federal government; PROVIDED, private parties renting or
 18 leasing public facilities for commercial purposes as specified in
 19 this ordinance shall not be exempt.

20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33

1/28/77

3232

1 SECTION 15. SEVERABILITY. Should any section, subsection,
 2 paragraph, sentence, clause or phrase of this ordinance be
 3 declared unconstitutional or invalid for any reason, such
 4 decision shall not affect the validity of the remaining portions
 5 of this ordinance.

6 INTRODUCED AND READ for the first time this 13th day of
 7 September, 1976.

8 PASSED this 31st day of May, 1977.

10 KING COUNTY COUNCIL
 11 KING COUNTY, WASHINGTON

12 Mike Lowry
 13 Chairman

14 ATTEST:

15 [Signature]
 16 Clerk of the Council

17 APPROVED this _____ day of _____, 19____.

18 **DEEMED ENACTED WITHOUT
 19 COUNTY EXECUTIVE'S SIGNATURE**

20 DATED: 6/10/77
 21 King County Executive

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33