

ORDINANCE NO. 4610

AN ORDINANCE relating to Animal Control fees; amending Ordinance 1396, Article I, Section 3 and K.C.C. 11.04.020; Ordinance 1396, Article II, Section 2, 4 and 10 and K.C.C. 11.04.040 11.04.060, and 11.04.120; Ordinance 1396, Article III, Sections 4 and 11 and K.C.C. 11.04.200 and 11.04.270.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1396, Article I, Section 3 and K.C.C. 11.04.020 are hereby amended as follows:

Definitions. In construing the provisions of this chapter, 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 an ~~(person)~~ owner or a person presumed to be the owner shall comply with this chapter.

(2) "Animal" means any living creature except man, insects and worms.

(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, contracted or appointed by the animal control authority for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensing of animals, control of animals or seizure and impoundment of animals, and includes any state or municipal peace officer, sheriff, constable or other employee whose duties in whole or in part include assignments which involve the seizure and taking into custody of any animal.

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

4 (6) "Euthanasia" means the humane destruction of an animal  
5 accomplished by a method that involves instantaneous unconscious-  
6 ness and immediate death, or by a method that causes painless loss  
7 of consciousness, and death during such loss of consciousness.

8 (7) "Grooming parlor" means any place or establishment,  
9 public or private, where animals are bathed, clipped or combed,  
10 whether or not for compensation, for the purpose of enhancing their  
11 aesthetic value.

12 (8) "Hobby kennel" means a non-commercial kennel at or  
13 adjoining a private residence where ~~(+five+)~~ four or more adult  
14 animals are bred and/or kept for hunting, training and exhibition  
15 for organized shows, field, working and/or obedience trials or for  
16 enjoyment of the species.

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

23 (10) "Livestock" means horses, bovine animals, sheep, goats,  
24 swine, reindeer, donkeys and mules.

25 (11) "Owner." Any person having an interest in or right of  
26 possession to an animal or any person having control, custody or  
27 possession of any animal, or by reason of the animal being seen  
28 residing consistently at a location, shall be presumed to be the  
29 owner.

1 (12) "Packs of dogs" means a group of three or more dogs  
2 running upon either public or private property not that of its  
3 owner in a state in which either its control or ownership is in  
4 doubt or cannot readily be ascertained, and when such dogs are not  
5 restrained or controlled.

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

9 (14) "Pet shop" means a person or establishment that acquires  
10 live animals, including birds, reptiles, fowl and fish, bred by  
11 others whether as owner, agent, or on consignment, sells, or offers  
12 to sell such live animals, including birds, reptiles, fowl and  
13 fish, to the public or to retail outlets and/or a person or  
14 establishment that derives more than twenty percent of gross  
15 income from the sale of pet supplies.

16 (15) "Running at large" means to be off the premises of the  
17 owner and not under the control of the owner or competent person  
18 authorized by the owner over fifteen years of age, either by leash  
19 or verbal voice and/or signal control.

20 (16) "Shelter" means a facility which is used to house or  
21 contain stray, homeless, abandoned or unwanted animals and which  
22 is owned, operated or maintained by a public body, an established  
23 humane society, animal welfare society, society for the prevention  
24 of cruelty to animals or other non-profit organization or person  
25 devoted to the welfare, protection and humane treatment of animals.

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

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

7 SECTION 2. Ordinance 1396, Article II, Section 2 and K.C.C.  
8 11.04.040 are hereby amended as follows:

9 Animal shelter, kennel and pet shop license - Required. It is  
10 unlawful for any person to keep or maintain any animal shelter,  
11 kennel or pet shop within King County without first obtaining a  
12 valid and subsisting license therefor. A fee of ~~+(seventy-five)+~~  
13 one hundred and fifty dollars for such license shall be assessed  
14 not upon individual animals but upon the owner or keeper of an  
15 animal shelter, kennel or pet shop. Each license and certificate  
16 of inspection issued pursuant to this chapter shall be conspic-  
17 uously displayed at the establishment to which such license was  
18 issued. The license shall be dated and numbered and shall bear the  
19 name of King County, Washington, and the name and address of the  
20 owner or keeper of the establishment, and the expiration date of  
21 the license. The license shall run for a period of one year from  
22 the date of purchase.

23 SECTION 3. Ordinance 1396, Article II, Section 4 and K.C.C.  
24 11.04.060 are hereby amended as follows:

25 Hobby kennel license - Required. (a) LICENSE REQUIRED. It is  
26 unlawful for any person to keep and maintain any dog or cat within  
27 the County for the purposes of a hobby kennel without obtaining a  
28 valid and subsisting license therefore. The fee for such license  
29 shall be assessed upon the owner or keeper of such animals and  
30 shall be ~~+(ten)+~~ twenty dollars.

31 In addition, each animal shall be licensed individually under  
32 provisions of Section 11.04.030(2).  
33

1 (b) LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. The total  
2 number of dogs and cats over four months of age kept by a hobby  
3 kennel shall not exceed the total number authorized by the King  
4 County Animal Control Division based on the following guidelines:

5 (1) The number of animals permitted shall be established by  
6 the King County Animal Control Division based on such factors as  
7 animal size, type and characteristics of the breed and the amount  
8 of lot area; provided, that the maximum number shall not exceed  
9 twenty-five where the lot area contains five acres or more; the  
10 maximum number shall not exceed ten where the lot area contains  
11 thirty-five thousand square feet but less than five acres and the  
12 maximum number shall not exceed five where the lot area is less  
13 than thirty-five thousand square feet.

14 (2) All open run areas shall be completely surrounded by a  
15 six-foot fence set back at least twenty feet from all property  
16 lines.

17 (3) No commercial signs or other appearances advertising the  
18 kennel are permitted on the property.

19 (4) The director may require additional setback, fencing,  
20 screening, or soundproofing requirements as he deems necessary to  
21 insure the compatibility of the hobby kennel with surrounding  
22 development.

23 (5) The hobby kennel shall limit dog and cat reproduction to  
24 no more than twelve offspring per license year.

25 (6) Each animal in the hobby kennel shall have current and  
26 proper immunization from disease according to the animal's species  
27 and age. For dogs such shall consist of DHL inoculation for dogs  
28 over three months of age and rabies inoculations for those over  
29 six months of age.

1            SECTION 4. Ordinance 1396, Article II, Section 10 and K.C.C.  
2 11.04.120 are hereby amended as follows:

3            Grooming parlors - License required. It is unlawful for any  
4 person to keep or maintain any grooming parlor without first  
5 obtaining a valid and subsisting license therefore. A fee of  
6 ~~++fifty++~~ one-hundred dollars for such license shall be assessed.  
7 However, if the grooming parlor is operated as a part of the  
8 business of a kennel, or a pet shop, a fee of ~~++twenty-five++~~  
9 fifty dollars shall be assessed. Such fee shall be in addition to  
10 the fee established for a kennel, or pet shop license.

11           SECTION 5. Ordinance 1396, Article III, Section 4 and K.C.C.  
12 11.04.200 are hereby amended as follows:

13           Violations - Civil penalty. In addition to or as an alternate  
14 to any other penalty provided in this chapter or by law, any person  
15 whose animal is maintained in violation of this chapter shall incur  
16 a civil penalty plus billable costs of the animal control autho-  
17 rity. The penalty for the first notice of violation shall be  
18 ~~++ten++~~ twenty-five dollars; ~~++twenty-five++~~ fifty dollars for the  
19 second notice of violation in any one-year period; and ~~++fifty++~~  
20 one-hundred dollars for each successive violation in any one-year  
21 period; provided, that these provisions shall not apply to specific  
22 areas designated by ordinance as dog control zones under the  
23 provisions of RCW 16.10.

SECTION 6. Ordinance 1396, Article III, Section 11 and K.C.C. 11.04.270 are hereby amended as follows:

Redemption procedures. Any animal impounded pursuant to the provisions of Section 11.04.210 may be redeemed upon payment of the redemption fee as provided herein. The redemption fee for dogs and cats shall be ~~ten~~ fifteen dollars for each such dog or cat, plus an additional fee of ~~three~~ five dollars for each twenty-four-hour period, or portion thereof, during which such dog or cat is retained by the impounding agency and shall be made payable to the County Comptroller. The redemption fee for livestock shall be ~~twenty-five~~ thirty dollars per animal. Livestock not redeemed may be sold at public auction by the impounding agency. The boarding cost for livestock impounded shall be in accordance with the rate established by contract between the County and the given stockyard used for holding such animal.

INTRODUCED AND READ for the first time this 5th day of November, 1979.

PASSED this 26th day of November, 1979.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

*Ruby Chow*  
Chairman

ATTEST:

*Dorothy M. Quinn*  
DEPUTY Clerk of the Council

APPROVED this 30th day of November, 1979.

*[Signature]*  
King County Executive