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ORDINANCE NO. 1704

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO ANIMAL CONTROL AND AMENDING, AND ADDING SECTIONS TO CHAPTER 7.04, AND REPEALING CHAPTERS 7.08 AND 7.12 OF THE REDMOND MUNICIPAL CODE DEALING WITH LIVESTOCK AND HORSES.

WHEREAS, the City has been utilizing the services of the King County Animal Control Department for animal control enforcement within the City, and

WHEREAS, King County has required that all cities for which it provides such services enter into a standard interlocal agreement with it to provide such services, and the City of Redmond has entered such agreement, and

WHEREAS, the agreement proposed by the County and uniformly adopted by most of the cities requires the City to adopt an animal control ordinance "substantially similar" to its own code as it exists or is hereafter amended by the County which shall include adopting the same licensing and penalty fees, and

WHEREAS, the City's existing code has some similar sections, but it does not contain a majority of the licensing requirements or fees as well as many other sections of the County's existing code, and

WHEREAS, several sections of the City's code should be amended for ease of enforcement by the County's staff, and to comply with the interlocal agreement, now, therefore,

THE CITY COUNCIL FOR THE CITY OF REDMOND HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 7.04.020 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.020 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:

A. "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 owner or a person presumed to be the owner shall comply with this chapter.

B. "Animal" means any living creature except (~~man~~) homosapiens, insects and worms.

C. "Animal control authority" means the King County Animal Control Section, division of general services, acting alone or in concert with other designees from the City for enforcement of the animal control laws of the City, County and State and the shelter and welfare of animals.

D. "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.

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

F. "Cattery" means a place where four or more adult cats are kept, whether by owners of the cats or by persons providing facilities and care, whether or not for compensation, but not including small animal hospital, clinic or pet shop. An adult cat is one of either sex, altered or unaltered, that has reached the age of six months.

G. "Dangerous dog" means any dog that according to the records of the appropriate authority, (a) has inflicted severe injury on a human being without provocation on public or private property, (b) has killed a domestic animal without provocation while off the owner's property, or (c) has been previously found to be potentially dangerous, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals. It shall not include dogs that threaten, injure, or damage, etc. persons who, at the time were committing wilful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported as having tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

~~((E-))~~ H. "Domesticated animal" means those domestic beasts such as any dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, sheep, hog, or other animal made to be domestic.

~~((F-))~~ I. "Euthanasia" means the humane destruction of an animal accomplished by a

method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness, and death during such loss of consciousness.

((G-)) J. "Grooming ((parler)) service" means any place or establishment, public or private, where animals are bathed, clipped or combed((, whether or not for compensation,)) for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged.

((H-)) K. "Harboring, keeping, or maintaining a dog or cat" means performing any of the acts of providing care, shelter, protection, refuge, food, or nourishment in such manner as to control the animal's actions, or, that the animal(s) is treated as living at one's house by the homeowner.

L. "Hobby cattery" means a noncommercial cattery at or adjoining a private residence where four or more adult cats are bred or kept for exhibition for organized shows or for the enjoyment of the species provided, however, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed by city code.

((I-)) M. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult dogs ((or cats)) are bred or kept for hunting, training and exhibition for organized shows, field, working and/or obedience trials, or for enjoyment of the species--((,)) provided, however, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed by city code.

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

((J-)) O. "Kennel" means a place where four or more adult dogs ((or cats or any combination thereof)) are kept, whether by owners of the dogs ((and cats)) or by persons

providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic or pet shop. An adult dog (~~or cat~~) is one of either sex, altered or unaltered, that has reached the age of (~~four~~) six months.

((K-)) P. "Livestock" means (~~horses, bovine animals, sheep, goats, swine, reindeer, donkeys and mules~~) cattle, hogs, sheep, goats, horses, llamas, and other large grazing animals, but does not include small, wild or predatory animals.

((L-)) Q. "Owner" means any person having an interest in or right of possession to an animal or any person having control, custody or possession of any animal, or by reason of the animal being seen residing consistently at a location, shall be presumed to be the owner.

((M-)) R. "Packs of dogs" means a group of (~~three~~) two or more dogs running upon either public or private property not that of its owner in a state in which either its control or ownership is in doubt or cannot readily be ascertained, and when such dogs are not restrained or controlled.

((N-)) S. "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

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

U. "Potentially dangerous dog" means any dog that when unprovoked: (a) Inflicts bites on a human or a domestic animal either on public or private property, or (b) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury or

otherwise to threaten the safety of humans or domestic animals.

((P-)) V. "Running at large" means to be off the premises of the owner and not under the control of the owner or competent person authorized by the owner, either by leash or verbal voice and/or signal control.

W. "Service animal" means any animal, which is trained or being trained to aide a person who is blind, hearing impaired, or otherwise disabled and is used for that purpose and is registered with a recognized service animal organization.

((Q-)) X. "Shelter" means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals and which is owned, operated or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organization or person devoted to the welfare, protection and humane treatment of animals.

Y. "Special Hobby Kennel License" means a license issued to pet owners under certain conditions, who do not meet the requirements for a Hobby Kennel License, to allow them to retain only those specific dogs and cats then in their possession until such time as the death or transfer of such animals reduces the number they possess to the legal limit allowed under Redmond zoning and land use laws.

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

((S-)) AA. "Vicious" means the act of, or the propensity to do any act endangering the safety of any person, animal or property of another, including, but not limited to, biting a human being, an attack on human beings or domestic animals without provocation.

Section 2. Section 7.04.030 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.030 ((Dog and cat)) Pet licenses required. A. License Requirements. All ((weaned)) dogs and cats eight weeks and over which are harbored, kept or maintained within the City shall be licensed and registered annually. However, dogs kept in kennels need not be licensed annually while kept at such kennels which are duly licensed as provided in Section 7.04.070; provided further that this section shall not apply to dogs used by the Redmond Police Department for police work.

B. License Issuance. ((Dog and cat)) Pet licenses shall be issued by the animal control authority and may be issued by veterinarians, pet shops, catteries, and kennels and other approved locations upon application and the payment of ((an annual)) a license fee made payable to the King County Department of Finance according to the schedule determined by resolution of the City Council:

1. Pet licenses for either altered or unaltered dogs and cats will be valid for a term of one year from the date of issuance, expiring on the last day of the twelfth month. There is no proration of any license fees. Renewal licenses will retain the original expiration period whether renewed prior to, on, or after their respective renewal month;

2. Juvenile licenses must be obtained for pets from eight weeks to six months of age.

3. City of Redmond residents sixty-five years of age or older may purchase a special permanent license for the lifetime of cats or dogs which are neutered or spayed and for which they are the registered owners when said animals are maintained at said owner's registered address. The special permanent animal license fee shall be established by council resolution, provided that the owner provides written proof that the

animal has been spayed or neutered. Such residents shall not be required to annually purchase a new license for the lifetime of such licensed animals; provided, that no person shall be issued more than three (3) special permanent animal licenses for any combination of three (3) cats and dogs for which they are the registered owner;

~~((3-))~~ 4. Applications for ~~((dog or cat))~~ a pet license shall be on forms provided by the animal control authority;

~~((4-))~~ 5. License tags shall be securely affixed to a substantial collar, harness or other means which shall be worn by ~~((the))~~ dogs at all times. As an alternative to a license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the animal control authority.

~~((5-))~~ 6. Owners of dogs and/or cats which hold valid licenses from other jurisdictions and who move into the City of Redmond may transfer the license by paying a transfer fee, such fee to be set by Council resolution. Such license shall maintain the original expiration date.

7. It shall be a violation of this chapter for any person to sell or transfer ownership of any pet without a pet license. The King County Animal Control Authority shall be notified of the name, address, and telephone number of the new owner by the person who sold or transferred the pet.

C. Fees collected. All fees and fines collected under this chapter shall be deposited in the County current expense fund.

D. Checks. It shall be a violation of this chapter for any person to knowingly issue a check for which funds are insufficient or to stop payment on any check written in payment

of fees contained in this chapter. Any license(s) or penalties paid for with such checks are, in the case of the license, invalid; and in the case of the penalty, still outstanding. Costs incurred by the County in collecting checks of this nature shall be considered a cost of abatement and are personal obligations of the animal owner according to this chapter.

Section 3. Section 7.04.033 of the Redmond Municipal Code is hereby created to read as follows:

7.04.033 Licensing - general requirements. All animal shelters, kennels, catteries, hobby kennels, hobby catteries, pet shops, and grooming services must be licensed by the animal control authority. Licenses will be valid for one year from the date of application. Fees shall be assessed as determined by resolution of the City Council. There is no proration of the license fee. Renewal licenses shall retain the original expiration date whether renewed prior to, on, or after their respective renewal month. Any person(s) who engages in more than one of the services or maintains more than one of the types of facilities cited in this section shall pay license fees as determined in this section. Veterinarians shall obtain the required licenses for any service other than one which by law may be performed only by a veterinarian; provided, that no such license shall be required for his or her possession of animals solely for the purposes of veterinary care.

Section 4. Section 7.04.040 of the Redmond Municipal Code is hereby repealed in its entirety.

Section 5. Section 7.04.050 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.050 Penalty. 1. A late penalty established by city council resolution shall be charged on all pet license applications.

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

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

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

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

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

e. The owner submits other proof of purchase or acquisition deemed acceptable in the section's administrative rules and regulations.

Section 6. Section 7.04.060 of the Redmond Municipal

Code is hereby amended to read as follows:

7.04.060 Dog and cat license exemptions. The provisions of this section shall not apply to dogs or cats in the custody of a veterinarian, or animal shelter or animal rescuer, or whose owners are nonresidents temporarily within the city for a period not exceeding thirty days. Also, when a blind person, physically disabled person or hearing impaired person requests that no fee be charged to license his/her guide dog, or service dog, no fee shall be charged.

Section 7. Section 7.04.070 of the Redmond Municipal

Code is hereby amended to read as follows:

7.04.070. Animal shelter, kennel, grooming service, cattery and pet shop license - Required. It is unlawful for any person to keep or maintain any animal shelter, kennel, cattery, grooming service or pet shop within the city without first obtaining a valid and subsisting license therefor. The fee, shall

be established by council resolution and shall be assessed not upon individual animals but upon the owner or keeper of an animal shelter, kennel, cattery, grooming service or pet shop. Each license and certificate of inspection issued pursuant to this chapter shall be conspicuously displayed at the establishment to which such license was issued. The license shall be dated and numbered and shall bear the name of Redmond/King County, Washington, and the name and address of the owner or keeper of the establishment, and the expiration date of the license. The license shall run for a period of one year from the date of purchase.

Section 8. Section 7.04.080 of the Redmond Municipal Code is amended to read as follows:

7.04.080 Shelter or kennel license - zoning compliance. The applicant for an original animal shelter, cattery, pet shop, grooming service, or kennel license shall present to the animal control authority a written statement from the city Planning Department (~~community development~~) that the establishment of the animal shelter, cattery, pet shop, grooming service or kennel at the proposed site is not in violation of the city zoning code, has a legal nonconforming zoning status, or a special development permit has been issued for the intended use.

Section 9. Section 7.04.090 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.090 Shelter kennel - health inspection, grooming service, etc. Before an animal shelter, cattery, pet shop, grooming service or kennel license may be issued by the animal control authority, a certificate of inspection from the Seattle-King County health department or King County Animal Control Section must be issued showing that the animal shelter, cattery, pet shop, grooming service or kennel is in compliance with Sections 7.04.110 through 7.04.130 of this chapter.

Section 10. Section 7.04.100 of the Redmond Municipal

Code is hereby amended to read as follows:

7.04.100 Hobby kennel or hobby cattery license - Required.

A. License required. It is unlawful for any person to keep and maintain any dog or cat within the city for the purposes of a hobby kennel or hobby cattery without annually obtaining a valid and subsisting license therefor. The fee for such annual license shall be assessed upon the owner or keeper of such animals and shall be as provided by city council resolution. In addition, each animal shall be licensed individually under provisions of this chapter.

B. Limitation on number of dogs and cats allowed. Any hobby kennel or hobby cattery license shall limit ((7)) the total number of dogs and cats over ((four)) six months of age kept by ((a)) such hobby kennel or hobby cattery ((shall not exceed the total number authorized by the City's ordinances)) based on the following guidelines:

1. Animal size;

2. Type and characteristics of the breed;

3. The amount of lot area; provided, that the maximum number shall not exceed twenty-five where the lot area contains five acres or more; the maximum number shall not exceed ten where the lot area contains thirty-five thousand square feet but less than five acres; and the maximum number shall not exceed five where the lot area is less than thirty-five thousand square feet;

4. The facility specifications/dimensions in which the dogs and cats are to be maintained;

5. The zoning classification in which the hobby kennel or hobby cattery would be maintained.

C. Limit on reproduction. The hobby kennel or hobby cattery shall limit dog and cat reproduction to no more than ~~twelve offspring per license year~~ one litter per license year per female dog and two litters per license year per female cat;

D. Requirements - Hobby kennels and hobby catteries.

1. All open run areas shall be completely surrounded by a six-foot fence set back at least twenty feet from all property lines; provided this requirement may be modified for hobby catteries as long as the open run area contains the cats and prohibits the entrance of children. For purposes of this section "Open run area" means that area, within the property lines of the premises on which the hobby kennel or hobby cattery is to be maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs ~~((and cats))~~ within the property lines of the premises the twenty foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six-foot fence;

2. No commercial signs or other appearances advertising the hobby kennel or hobby cattery are permitted on the property ~~((or in any publication, book or newspaper,))~~ except for the sale of the allowable offspring set forth in this section; (The hobby kennel shall not have signs, displays or other visual representations not already permitted in the zone.)

3. The director may require setback, additional setback, fencing, screening or soundproofing ~~((requirements))~~ as she or he deems necessary to insure the compatibility of the hobby kennel or hobby cattery with the surrounding neighborhood. Factors to be considered in determining such compatibility are:

a. Statements regarding approval/disapproval of surrounding neighbors relative to maintenance of a hobby kennel or hobby cattery at the address applied for;

b. Past history of animal control complaints relating to the dogs and cats of the applicant at the address for which the hobby kennel or hobby cattery is applied for;

c. Facility specifications/dimensions in which the dogs and cats are to be maintained;

d. Animal size, type and characteristics of breed;

e. The zoning classification of the premises on which the hobby kennel or hobby cattery is maintained.

E. Immunization. Each dog and cat in the hobby kennel or hobby cattery shall have current and proper immunization from disease according to the dog's and cat's species and age. ((For dogs)) ((e)) Such shall consist of DHLPP inoculation for dogs over three months of age and FVRCP for cats over two months of age, and rabies inoculations for ((these)) all dogs and cats over six months of age.

F. License issuance and maintenance. Only when the director is satisfied that the requirements of this section have been met, may a hobby kennel or hobby cattery license be issued. The license will continue in full force throughout the license year unless, at anytime, the hobby kennel or hobby cattery is maintained in such a manner as to:

1. Exceed the number of dogs and cats allowed at the hobby kennel by the animal control authority; or,
2. Fail to comply with any of the requirements of the animal control regulations of the City and/or the County.

G. Compliance. All hobby kennels shall comply with the provisions of this section.

H. Special hobby kennel license.

1. Persons owning a total number of dogs and cats exceeding three who do not meet the requirements for a Hobby kennel License may be eligible for a Special Hobby Kennel license to be issued at no cost by the animal control authority which will allow them to retain the specific animals then in their possession provided that the following conditions are met:

a. The applicant must apply for the Special Hobby Kennel License and individual licenses for each dog and cat within 30 days of the enactment of this ordinance or at the time they are contacted by an animal control officer, King County license inspector, or King County pet license canvasser.

b. The applicant is keeping the dogs and cats for the enjoyment of the species, and not as a commercial enterprise.

2. The Special Hobby Kennel License shall only be valid for those specific dogs and cats in the possession of the applicant at the time of issuance, and is intended to allow pet owners to possess animals beyond the limits imposed by Title 7 of the Redmond City Code until such time as the death or transfer of such animals reduces the number possessed to the legal limit set forth herein.

3. The Director of Animal Control may deny any application for a Special Hobby Kennel License based on past animal control violations by the applicant's dogs and cats, or complaints from neighbors regarding the applicant's dogs and cats; or if the animal(s) is maintained in inhumane conditions.

Section 11. Section 7.04.110 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.110 Animal shelters, kennels, hobby kennels, catteries, hobby catteries, and pet shops requirements.

(a) Reporting required. Each animal shelter, kennel, hobby kennel, cattery, hobby cattery or pet shop shall provide a list to the animal control authority, quarterly, based upon the calendar year, of all dogs and cats (~~(auctioned-off)~~) given away((~~7~~)) or sold (~~(or otherwise disposed of)~~). The list shall include the origin, the age and type of dog or cat, and the name and address of the person to whom the dog(s) or cat(s) was given or (~~(purveyed)~~) sold.

(b) Inspection. It shall be the duty of the director or his agent of the Seattle-King County department of public health or the animal control authority or his/her designee to make or cause to be made such inspections of animal shelters, kennel, catteries, grooming services, and pet shops as may be necessary to insure compliance with Sections 7.04.110 through 7.04.130 of this chapter. The owner or keeper of an animal shelter, kennel, cattery, grooming service or pet shop shall admit to the premises, for the purpose of making an inspection, any officer, agent or employee of the Seattle-King County Department of Public Health or the animal control authority or their designees at any reasonable time that admission is requested.

(c) Sanitary compliance. It is unlawful to keep, use or maintain within the City of Redmond any animal shelter, kennel, cattery, grooming service or pet shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health and/or safety and not in compliance with Sections 7.04.110 through 7.04.130. Violations of this subsection may be cause for revocation or denial of such license.

(d) General conditions. Animal shelters, hobby kennels, catteries, grooming services, and pet shops shall meet the following conditions:

1. Housing facilities shall be provided the animals and such shall be structurally sound and shall be maintained in good repair; shall be

designed so as to protect the animals from injury; shall contain the animals; and shall restrict the entrance of other animals.

2. Electric power shall be supplied in conformance with City, County and State electrical codes adequate to supply lighting and heating as may be required by this chapter. Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and primary enclosures of debris and excreta.

3. Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable goods.

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

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

6. Sick animals shall be separated from those appearing healthy and normal and, if for sale, shall be removed from display and sale. Sick animals shall be kept in isolation quarters with adequate ventilation to keep from contaminating well animals.

7. There shall be an employee on duty at all times during hours any store is open whose responsibility shall be the care and welfare of the animals in that

shop or department held for sale or display.

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

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

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

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

Section 12. Section 7.04.120 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.120 Facilities - indoors. Animal shelters, kennels, catteries, grooming services and pet shops which have indoor housing facilities for animals and birds shall:

1. Be sufficiently heated or cooled to protect such animals from temperatures to which they are not normally acclimatized;

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

3. Have sufficient natural or artificial lighting to permit routine inspection and cleaning at any time of day. In addition, sufficient natural or artificial lighting shall be supplied in the area of sinks and toilets to provide for the hygiene of animal caretakers;

4. Have interior wall and ceiling surfaces constructed of materials which are resistant to the absorption of moisture and odors, or such surfaces shall be treated with a sealant or with paint, when such materials are not originally resistant to moisture or odors. Floor surfaces shall not be made of unsealed wood. In addition, interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris;

5. Contain a drainage system which shall be connected to sanitary sewer or septic tank system which conforms to the standards of building codes in force within the city and shall be designed to rapidly remove water and excreta in the cleaning of such indoor housing facility under any condition of weather or temperature; provided, this requirement shall not apply to hobby kennels and pet shops. All indoor housing facilities for animals, fish, or birds shall be maintained in a clean and sanitary condition and a safe and effective disinfectant shall be used in the cleaning of such facilities.

Section 13. Section 7.04.130 of the Redmond Municipal

Code is hereby amended to read as follows:

7.04.130 Facilities - outdoors. Animal shelters, kennels, catteries, and pet shops which have outdoor facilities for animals and birds shall:

1. Be constructed to provide shelter from excessive sunlight, rain, snow, wind, or other elements. In addition,

such facilities shall be constructed to provide sufficient space for the proper exercise and movement of each animal contained therein;

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

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

Section 14. Subsection 7.04.140(a) of the Redmond Municipal Code is hereby repealed, and subsection (b) is amended to new subsection (a).

Section 15. Section 7.04.210 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.210 Impounding. (a) The director of the animal control authority and his/her authorized representatives may apprehend any animals found doing any of the acts defined as a public nuisance and/or being subjected to cruel treatment as defined by this chapter. After such animals are apprehended, the animal control authority shall ascertain whether they are licensed, or otherwise identifiable. If reasonably possible, the animal control authority shall return the animal to the owner together with a notice of violation of this chapter. If it is not reasonably possible to immediately return a currently licensed animal to its owner, the animal control authority shall notify the owner within a reasonable time by regular mail or telephone that the animal has been impounded and may be redeemed.

(b) Any currently licensed animal impounded pursuant to this chapter shall be held for the owner at least one hundred twenty hours, ~~((after posting of the notification of impoundment by regular mail or))~~ after telephone contact by the impounding agency or

for at least two weeks after posting of the notification of impoundment by regular mail; any other animal impounded pursuant to this chapter shall be held for its owner at least seventy-two hours from the time of impoundment. The animal control authority shall not sell any animals to research institutes or licensed dealers for research purposes.

(c) Injured or diseased animals. Any animal suffering from serious injury or disease may be humanely destroyed, or, in the discretion of the impounding authority, may be held for a longer period and redeemed by any person on payment of charges not exceeding those prescribed herein.

(d) Any animal not redeemed shall be treated in one of the following ways:

1. Made available for adoption at a fee of (~~five dollars~~) \$7.50 per animal.

a. Any person may adopt an animal impounded pursuant to the provisions contained in this chapter when all billable costs, redemption fees, penalties, and boarding costs incurred in such impoundment are made payable to the King County Finance Director, which may be accepted by the animal control authority acting as agent for the County.

~~((b. There shall be a spay/neuter deposit of \$25.00 on all adopted animals.))~~ All dogs and cats over the age of six months adopted from the King County animal shelter shall be spayed or neutered (~~within thirty days from the date of~~) prior to adoption (~~(, or the age of six months for females or nine months for males, whichever comes last)~~). A spay/neuter deposit shall be charged for dogs and cats under the age of six months which are too young to be spayed/neutered prior to adoption. This deposit will be

returned to the adopting person upon submission of proof that the sterilization was performed within ~~((the applicable time period.))~~ six months from the date of adoption. Failure to spay/neuter such dog or cat is a violation of the ordinance and a breach of the adoption contract and will result in the forfeiture of the adoption and return of the dog or cat to King County Animal Control for the required spaying/neutering.

~~((e-))~~ b. The director shall have the authority to set administrative rules regarding the adoption of animals from King County shelters.

2. Humanely destroyed by euthanasia.

(e) The Animal Control authority shall not sell any animals for the purposes of medical research to any research institute or any other purchasers.

(f) Any unaltered dog or cat impounded more than once shall be spayed or neutered by the animal control authority prior to the release of the dog or cat. The cost of the spay or neuter shall be charged to the owner upon redemption but shall be deducted from the impound/redemption fees otherwise required under this ordinance.

Section 16. Section 7.04.220 of the Redmond Municipal

Code is hereby amended to read as follows:

7.04.220 Redemption Procedures. Any animal impounded pursuant to the provisions of 7.04.210 may be redeemed upon payment of the redemption fee as provided by city council resolution. Owners of impounded licensed dogs or cats shall not be charged a redemption fee on the first offense, but shall be charged on the second offense at the second offense rate. An additional fee set by city council resolution shall be assessed for each twenty-four hour period, or portion thereof, during which such dog or cat is retained by the

impounding agency which shall be payable to the county treasurer. The redemption fee for livestock shall be in an amount set by council resolution, plus any hauling or boarding costs due. Livestock not redeemed may be sold at public auction by the impounding agency. The hauling and boarding costs for livestock impounded shall be in accordance with the rate established by contract with the county and the given stockyard used for holding such animals.

Section 17. A new Section 7.04.235 of the Redmond Municipal Code is hereby created to read as follows:

7.04.235 Sale of unaltered pet. It is a violation of this chapter to sell or give away unaltered dogs and cats in any public places or to auction off or raffle unaltered dogs and cats as prizes or gifts.

Section 18. Subsection 7.04.240(d) of the Redmond Municipal Code is hereby amended to read as follows:

7.04.240 Abatement-Commencement, notice and order, service standards. (d) Service of the notice and order shall be made upon all persons entitled thereto either personally, by mailing a copy of such notice of violation and order by certified mail, postage prepaid, return receipt requested to the person at his/her last known address, or by posting the notice of violation and order on the front door of the living unit of the owner or person with right to control the animal if said owner or person is not home.

Section 19. Section 7.04.310 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.310 Criminal penalty. Unless otherwise provided, any person who violates the provisions of this chapter, and the violation does not constitute a felony offense under the provisions of Chapter 16.08 RCW, shall be guilty of a misdemeanor and the penalties contained in Section 1.01.110 of the this code

shall apply, punishable by a fine of not more than \$250 and/or imprisonment for a term not to exceed 90 days.

Section 20. Section 7.04.320 of the Redmond Municipal Code is hereby amended to read as follows:

7.04.320 Civil penalty. In addition to any other penalty in this code or by law, any person whose animal is in violation of this chapter shall incur a civil penalty in an amount not to exceed ~~\$250~~ \$1,000 dollars per violation to be directly assessed by the director, plus actual costs incurred by the animal control authority. The director in a reasonable manner may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the nature and type of violation; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance with prescribed requirements or after notification of a violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified in this chapter.

Section 21. Section 7.04.400 of the Redmond Municipal Code is hereby created to read as follows:

7.04.400 Mandatory spaying and neutering.

A. No person shall own or harbor any cat or dog over the age of six months that has not been spayed or neutered unless the person holds an unaltered animal license for the animal pursuant to Section 2 of this ordinance.

B. Guide dog puppies in training and police service dogs are exempted from the provisions of this section.

C. Any dog or cat over the age of six months adopted from an animal shelter in the city shall be spayed or neutered before transfer to the owner.

Section 22. A new Section 7.04.410 of the Redmond Municipal Code is hereby created to read as follows:

7.04.410 Spay/neuter vouchers. When issuing a license for an unaltered pet the animal control authority shall also provide to the applicant a voucher with a value not to exceed twenty-five dollars for the payment of all or part of the cost of a spay or neuter operation by a licensed veterinarian on such pet. The animal control authority shall compile, maintain and make available to the public a list of veterinarians who accept such vouchers as full or partial payment for spay or neuter operations. Spay/neuter vouchers shall be redeemed through the King County office of finance by veterinarians who have performed a spay or neuter operation on a pet licensed in the City as an unaltered pet.

Section 23. A new section 7.04.500 is hereby created to read as follows:

7.04.500 Euthanasia rate targets.

A. It shall be the policy of the City of Redmond that the following maximum euthanasia rate targets are used to measure the progress towards reducing the rates of unwanted, healthy pet cats and dogs destroyed by the animal control authority and/or its designees. The euthanasia rates shall not include animals that are destroyed because they are feral, medically or temperamentally unsuitable for adoption or have been released by their owners for owner-requested euthanasia. The computation of the euthanasia rates shall be based on a population which is defined as all of King County, except the City of Seattle.

1. The number of healthy dogs and cats destroyed by King County Animal Control and its designees exceeds 11 cats per 1,000 persons living in the county and 6.6 dogs per 1,000 persons living in the county for any given year ending December 31st, or

2. The number of healthy dogs and cats destroyed by King County Animal Control or its designees exceeds 5.5 cats per 1,000 persons living in the county and 3.3 dogs per 1,000 persons living in the county for the year ending December 31, 1996, or

3. The number of healthy dogs and cats destroyed by King County Animal Control or its designees exceeds 1.7 cats per 1,000 persons living in the county and 1.0 dogs per 1,000 persons living in the county for the year ending December 31, 2000.

B. The animal control authority shall report annually to the council about the number of unwanted, healthy pets destroyed and what additional measures or programs might be recommended for council approval to reduce the euthanasia rates.

Section 24. A new Section 7.04.510 of the Redmond Municipal Code is hereby created to read as follows:

7.04.510 Advertisement of unaltered pet. No person within the city shall publish or advertise to King County residents the availability of any unaltered cat or dog unless the publication or advertisement includes: the unaltered animal's license number or the animal's juvenile license number, provided, however that nothing in this ordinance shall prohibit licensed breeders from advertising in national publications for sale of a planned litter or litters.

Section 25. A new Section 7.04.520 of the Redmond Municipal Code is hereby created to read as follows:

7.04.520 Rabies vaccine. All dogs and cats six months of age or older shall be vaccinated against rabies. All vaccinations shall be performed in accordance with the standards contained in the Compendium of Animal Rabies Control as amended, published by the National Association of State Public Health Veterinarians, Inc.

Section 26. A new Section 7.04.530 of the Redmond Municipal Code is hereby created to read as follows:

7.04.530 Exemptions. The provisions of this ordinance shall not apply to dogs and cats in the custody of an animal facility registered or licensed by the United States Department of Agriculture and regulated by 7 United States Code 2131 et. seq.

Section 27. A new Section 7.04.540 of the Redmond Municipal Code is hereby created to read as follows:

7.04.540 Release from confinement. No person other than the owner or person authorized by the owner of the animal shall release any animal from any confinement, vehicle or restraint unless such release is necessary for the immediate health and safety of the animal; provided this section shall not apply to peace officers and animal control or humane officers.

Section 28. A new Section 7.04.550 of the Redmond Municipal Code is hereby created to read as follows:

7.04.550 Monitoring. The animal control authority shall report to the City Council no later than twelve months from the adoption of this ordinance and annually thereafter, on the number of pets adopted, the number of animals euthanized, an estimate of the number of pets killed annually due to abandonment, the number and type of pet licenses issued, and the number of spay/neuter vouchers issued and redeemed.

Section 29. A new Section 7.04.600 of the Redmond Municipal Code is hereby created to read as follows:

7.04.600 King County chapters adopted by reference. The following chapters of the King County Code are hereby adopted by reference:

- Chapter 11.12 Rabies control
- Chapter 11.20 Disposition of fowl and rabbits

- Chapter 11.24 Stock restricted area
- Chapter 11.28 Exotic animals
- Chapter 11.32 Guard dogs

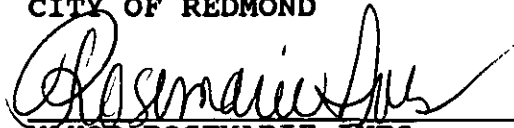
Section 30. Chapter 7.08 of the Redmond Municipal Code entitled Livestock at Large is hereby repealed in its entirety and recodified in Section 7.04.600.

Section 31. Chapter 7.12 of the Redmond Municipal Code entitled Horses and Mules is hereby repealed in its entirety and recodified in Section 7.04.600.

Section 32. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 33. Effective date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: Theresa A. Romano-Lester

FILED WITH THE CITY CLERK: *for J. Haney* November 4, 1992
PASSED BY THE CITY COUNCIL: November 17, 1992
SIGNED BY THE MAYOR: November 24, 1992
PUBLISHED: November 22, 1992
EFFECTIVE DATE: November 27, 1992
ORDINANCE NO. 1704

EXHIBIT A

License fees and penalties.

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

1. Pet license -
 - a. unaltered (dog or cat) 55.00
 - b. altered (dog or cat) 10.00
2. Juvenile pet license 5.00
- 3.a. Senior Citizen/Lifetime license - dog..... 20.00
- b. Senior Citizen/Lifetime license - cat..... 12.00
4. Replacement tag 3.00
5. Transfer fee 3.00
6. Animal Shelter 200.00
7. Kennel and Cattery
 - a. Hobby 50.00
 - b. Special hobby No charge
 - c. Commercial 200.00
8. Pet shop 200.00
9. Grooming Service
 - a. Operating Alone 100.00
 - b. When operated in conjunction with pet shop or kennel or veterinarian 100.00
10. Guard Dog registration 100.00
11. Exotic pet
 - a. New 500.00
 - b. Renewals 250.00
12. Service animal no charge
13. K-9 Police Dog no charge

14. Animal Rescuer License 5.00

B. Late Fees. The following late fees are applicable in the cases of late registration and licensing as provided in this chapter:

License renewal applications:

1. Received after thirty days of license expiration, but before sixty days or failure to comply with Subsection C, Section 4 \$ 10.00

2. Received after sixty days of license expiration, but before ninety days 20.00

3. Received after ninety days of license expiration 40.00

C. Penalties. The following monetary penalties shall be assessed:

1. Civil Penalties max 1000.00

2. Animal abandonment 500.00

D. Service Fees

1. Adoptions - per animal \$ 7.50

2. Impound/Redemption

a. Dogs, cats, other small animals

First Offense 30.00

Second Offense, within 1 year 60.00

Third Offense, within 1 year 90.00

b. Livestock 100.00

3. Kenneling - per 24 hours or portion thereof 7.00

Chapter 11.12
RABIES CONTROL

Sections:

- 11.12.010 Quarantine order.
- 11.12.020 Notice of rabies hazard - Quarantine period.
- 11.12.030 Violation of quarantine.
- 11.12.040 Destruction of infected animals.
- 11.12.050 Vaccination order.
- 11.12.060 Enforcement.

11.12.010 Quarantine order. Whenever the director of the Seattle-King County department of public health, hereinafter referred to as the director, has cause to suspect that an animal capable of transmitting rabies is infected with such disease, he shall order a period of quarantine of not less than ten days. The director shall notify in writing the owner or keeper of the infected animal of such quarantine order. The infected animal shall be quarantined by the animal control section, division of general services, hereinafter referred to as the animal control authority, in its shelter or upon the premises of the owner or licensed veterinarian where conditions of quarantine are strictly kept. The place of quarantine shall be at the discretion of the director, unless the animal had been exposed to rabies by contact, in which case Section 11.12.040 shall apply. Delivery of a copy of said quarantine order to some person of suitable age and discretion residing upon the premises where such animal is found shall be notice of said quarantine. Good cause for such order of quarantine shall include, but is not

limited to, evidence that such animal has bitten, or that there is reasonable certainty that such animal has bitten, a human being. During the period of quarantine, the officers, agents and employees of the animal control authority, and other police officers, are authorized to enter any premises for the purpose of apprehending any such animal and impounding same, except where kept upon the premises of the owner or licensed veterinarian as above provided. (Ord. 1378 § 1, 1972; Ord. 1361 § 2, 1972; Res. 27312 § 1, 1964).

11.12.020 Notice of rabies hazard - Quarantine period. Whenever said director determines that rabies is currently a hazard to the public health in King County, or any part thereof, incorporated or unincorporated, excepting cities of the first class, by reason of the fact that a case of rabies has been diagnosed in any canine or feline animal, he shall cause a notice of such hazard to be published in a newspaper of general circulation in the area for three successive days, which determination and notice shall declare the quarantine period and area. The quarantine period shall be thirty days after the last publication of notice; and it is a misdemeanor and is unlawful for any owner, or person entitled to custody of such animal to keep or harbor any animal capable of transmitting rabies unless securely confined by a leash or tight enclosure from which it cannot escape. Any animal capable of transmitting rabies found running at large during such period shall be impounded and humanely destroyed by order of the director or his agent named in Section 11.12.060. If apprehension and impounding by safe means is not possible, such animal may be destroyed summarily by said agent. Said director may extend any such quarantine period if deemed necessary by like additional determinations and notices. (Res. 27312 § 2, 1964).

11.12.030 Violation of quarantine. It is a misdemeanor and is unlawful for any owner or person charged with the custody of any animal subject to a quarantine defined in Sections 11.12.010 and 11.12.020 to permit any such animal to come in contact with any other animal or person or to run at large or to be removed from any quarantine premises without the consent of the director of Public Health. (Res. 27312 § 3, 1964).

11.12.040 Destruction of infected animals. Any animal bitten by an animal found to be rabid by appropriate laboratory tests shall be destroyed by order of the director of Public Health. (Res. 27312 § 4, 1964).

11.12.050 Vaccination order. Whenever the director of Public Health by order published in a newspaper of general circulation in the area for three successive days determines that conditions exist as indicated in Section 11.12.020 in a specified area wherein it is necessary for the protection of the public health that animals capable of transmitting rabies be vaccinated within thirty days with antirabies vaccine, he shall order that all such animals four months old or over shall be so vaccinated or humanely destroyed at the option of the owner or keeper, and it is a misdemeanor and is unlawful for any owner, or person charged with the custody of such animal, to fail or refuse to procure said vaccination within said time. (Res. 27312 § 5, 1964).

11.12.060 Enforcement. The director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976; Res. 27312 (part), 1964).

**Chapter 11.20
DISPOSITION OF FOWL AND RABBITS**

Sections:

- 11.20.010 Age restriction for disposition or coloration.
11.20.020 Penalty for violations.

11.20.010 Age restriction or disposition or coloration. It is unlawful for any person, firm or corporation to sell, offer for sale, barter or give away any fowl under three weeks of age or any rabbit under two months of age as a pet, toy, premium or novelty, or to color, dye, stain or otherwise change the natural color of any such fowl or rabbit. (Res. 30346 § 1, 1965).

11.20.020 Penalty for violations. Any person, firm or corporation violating this chapter is guilty of a misdemeanor as defined under the laws of the state of Washington, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the county jail for a period not to exceed thirty days. (Res. 30346 § 1, 1965).

**Chapter 11.24
STOCK RESTRICTED AREA**

Sections:

- 11.24.010 Stock restricted area.
11.24.020 Severability.
11.24.030 Penalty.

11.24.010 Stock restricted area. All of King County, except national forest lands owned by the federal government, is designated a stock restricted area in which it is unlawful to permit livestock, as defined in K.C.C. 21.04.186, to run at large. (Ord. 5975 §1, 1982; Ord. 133 § 1, 1969).

11.24.020 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance. (Ord. 5975 § 2, 1982).

11.24.030 Penalty. Any violation of this ordinance is a misdemeanor and the punishment shall be provided by the laws of the State of Washington. (Ord. 5975 § 3, 1982).

**Chapter 11.28
EXOTIC ANIMALS**

Sections:

- 11.28.010 Chapter intent.
11.28.020 Definitions.

1. [For statutory provisions regarding stock restricted areas, see RCW Chapter 16.24.]

- 11.28.030 Possession unlawful - Exception - Rules and regulations compliance.
- 11.28.040 License - Issuance generally - Fees.
- 11.28.050 License - Application - Content.
- 11.28.060 License - Issuance - Premises inspection.
- 11.28.070 Periodic inspection of premises.
- 11.28.080 License revocation - Notice - Hearing.
- 11.28.090 Violation - Penalty.

- 11.28.100 Euthanasia in exigent circumstances.
- 11.28.110 Chapter limitations.
- 11.28.120 Severability.

11.28.010 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. (Ord. 2473 § 1, 1975).

11.28.020 Definitions. A. "Animal control authority" means the County Animal Control Section, Division 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.

B. "Director" means director of the animal control authority.

C. "Exotic animal" means any feline which, when in its wild state, is capable while at large of inflicting serious physical harm upon human beings. (Ord. 2473 § 2, 1975).

11.28.030 Possession unlawful - Exception - Rules and regulations compliance. The possession or maintenance of an exotic animal within King County is 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 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. (Ord. 2473 § 3, 1975).

11.28.040 License - Issuance generally - Fees. 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 11.28.030 herein, provided the application is accompanied by payment of the license fee, contains the information required by Section 11.28.050, and meets the cage or confinement rules and regulations of the animal control authority.

The cost of such license shall be fifty dollars for the first year and thirty dollars 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. (Ord. 2473 § 4, 1975).

11.28.050 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 license; the extent of improvement upon such premises; a map or diagram of such premises showing where the improvements are located thereon; a statement indicating the species of exotic animal which the applicant desires to possess or maintain; a statement indicating how the animal will be caged or otherwise confined, accompanied

with a drawing detailing the dimensions of and the materials used for the cage or similar confinement; and such further information as may be required by rules and regulations of the animal control authority. (Ord. 2473 § 5, 1975).

11.28.060 License - Issuance - Premises inspection. If after investigation by the director of the animal control authority, it appears that the applicant is the owner or tenant of or has a possessory interest in the property shown in the application; if applicable, has the written permission of the property owner as specified in Section 11.28.050; and that the applicant intends in good faith to possess or maintain an exotic animal in accordance with the law and the rules and regulations of the animal control authority; the animal control authority shall issue a license to the applicant describing therein the premises to be used by the licensee and certifying that the licensee is lawfully entitled to use the same for the possession or maintenance of the exotic animal(s) specified in such license; provided that prior to issuing the license the animal control authority shall inspect the cage or other confinement as required by rule or regulation and specified in the licensee's application in order to determine whether the cage or confinement meets the standard specifications for the classification of the exotic animal. If the cage or confinement is deemed inadequate, the applicant shall make such changes as necessary to meet the standard specifications before the license shall issue. (Ord. 2473 § 6, 1975).

11.28.070 Periodic inspection of 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. (Ord. 2473 § 7, 1975).

11.28.080 License revocation - 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 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 Section 11.04.270. (Ord. 2473 § 8, 1975).

11.28.090 Violation - Penalty. 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, is guilty of a misdemeanor and is subject to a fine not to exceed two hundred fifty dollars and/or by imprisonment not to exceed ninety days. (Ord. 2473 § 9, 1975).

11.28.100 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 Section 11.04.020 F if any one of the following exigent circumstances is deemed to exist by the director of the animal control

authority:

A. The exotic animal presents an imminent likelihood of serious physical harm to the public and there is no other reasonably available means of abatement; or

B. There is no reasonable basis to believe that the violation can be or in good faith will be corrected and after reasonable search or inquiry by the animal control authority no facility as authorized by local, state or federal law is available to house the exotic animal; or

C. The exotic animal suffers from a communicable disease injurious to other animals or human beings; provided, that this section shall not apply if the animal is under treatment by a licensed veterinarian and may reasonably be expected to recover without infecting other animals or human beings. (Ord. 2473 § 10, 1975).

11.28.110 Chapter limitations. The provisions of this chapter shall not apply to any facility possessing or maintaining exotic animals as defined in this chapter which is owned, operated or maintained by any city, county, state or the federal government, including but not limited to public zoos. (Ord. 2473 § 11, 1975).

11.28.120 Severability. If any clause, sentence, paragraph, or part of this ordinance codified herein, 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 the ordinance codified in this chapter. (Ord. 2473 § 12, 1975).

Chapter 11.32 GUARD DOGS

Sections:

- 11.32.010 Intent.
- 11.32.020 Definitions.
- 11.32.030 Guard dog purveyor - License - Fees.
- 11.32.040 Guard dog purveyor - License - Application - Contents.
- 11.32.050 Guard dog trainer - License - Fees.
- 11.32.060 Guard dog trainer - License - Application - Contents.
- 11.32.070 Guard dog - Registration.
- 11.32.080 Guard dog - Registration - Application - Contents.
- 11.32.090 Inspections.
- 11.32.100 Authorization.
- 11.32.110 Limitations.
- 11.32.120 Severability.

11.32.010 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 finds such regulation is necessary to preserve the public peace and safety and to insure the humane treatment of said animals. (Ord. 3232 § 1, 1977).

11.32.020 Definitions. A. "Animal Control Authority" means the King County Animal Control Section, Division 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 Section.

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

G. "Rules and regulations of the Animal Control Authority" means such rules and regulations as may be adopted by the Animal Control Authority pursuant to Chapter 2.98, not inconsistent with the intent of this chapter. (Ord. 3232 § 2, 1977).

11.32.030 Guard dog purveyor - License - Fees. A. It is unlawful for any person, firm or corporation to supply guard dogs to the public without a valid license so to do issued to said person, firm or corporation by the Animal Control Authority. Only a person who complies with the requirements of this chapter and such rules and regulations of the Animal Control Authority as may be adopted pursuant hereto shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person and place for which issued. Said licenses shall be valid for one year from date of issue.

B. The fee for such license shall be two hundred fifty dollars per year; provided, that if the guard dog purveyor is in possession of a valid animal shelter, kennel and pet shop license, the fee for said guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel and pet shop license. (Ord. 3232 § 3, 1977).

11.32.040 Guard dog purveyor - License - Application - Contents. Any person desiring to supply guard dogs to the public shall make written application for a license on a form to be provided by the Animal Control Authority. Such application shall be filed with the Animal Control Authority and shall include the following:

A. A legal description of the premises or the business address of the office from which said applicant desires to supply guard dogs;

B. A statement of whether the applicant owns or rents the premises to be used for the purpose of purveying guard dogs. If the applicant rents the premises, the application shall be accompanied by a written statement of acknowledgment by the property owner that the applicant has the property owner's permission to purvey guard dogs on the premises for the duration of the license; and

C. A written acknowledgment by the applicant that prior to the actual commercial sale or purveyance of any and all guard dogs the licensee shall coordinate with the Animal Control Authority in properly marking the guard dog and in notifying all customers of the guard dog purveyor that the customer is required to register the guard dog and pay the appropriate registration fee to King County prior to the animal performing guard dog functions. (Ord. 3232 § 4, 1977).

11.32.050 Guard dog trainer - License - Fees. A. It is unlawful for anyone to engage in the training of dogs as guard dogs without a valid license so to do issued to him/her by the Animal Control Authority. Only a person who complies with the requirements of this chapter and the rules and regulations of the Animal Control Authority shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person for which issued. Licensees shall be valid for one year from date of issue.

B. The cost of such license to each guard dog trainer shall be fifty dollars per year. (Ord. 3232 § 5, 1977).

11.32.060 Guard dog trainer - License - Application - Contents. Any person desiring to train dogs as guard dogs shall make written application for a license on a form to be provided by the Animal Control Authority. All such applications shall be filed with the Animal Control Authority and shall contain the following:

A. A legal description or business address of the premises at which the applicant desires to train the guard dogs;

B. A statement of whether the applicant is self-employed or a member of a business, firm, corporation or organization which trains guard dogs. If the applicant is a member of such a business, firm, corporation or organization, the applicant shall state the name of said entity and shall provide the name of the major executive officer of said entity; and

C. If the premises at which the applicant proposes to train dogs as guard dogs is rented, the application must be accompanied by a written statement of acknowledgment from the property owner that the applicant has the owner's permission to carry on the activity of guard dog training at said location for the duration of the license. (Ord. 3232 § 6, 1977).

11.32.070 Guard dog - Registration. All persons using dogs as guard dogs shall register the dogs with the Animal Control Authority. The cost of such registration shall be fifty dollars per year for the first year and twenty-five dollars per year for the second and subsequent years. Said registrations shall be valid for one year from date of issue. All registrations shall be affixed on the guard dog in such a manner so as to be readily identifiable. (Ord. 3232 § 7, 1977).

11.32.080 Guard dog - Registration - Application - Contents. Any person desiring to use a guard dog shall register said dog with the Animal Control Authority and said registration shall be accompanied by the following information:

A. A legal description or business address of the premises which the applicant desires to employ a registered guard dog to prevent unauthorized intrusion;

B. A statement whether the applicant owns or rents the premises to be

guarded. If the applicant rents the premises, the application must be accompanied by a written statement of acknowledgment from the property owner that the applicant has the owner's permission to use a guard dog on the premises to prevent unauthorized intrusion for the duration of the registration;

C. A description of the guard dog for purposes of identification;

D. Acknowledgment by the applicant of whether the guard dog has been trained as a guard dog to exhibit hostile propensities;

E. Acknowledgment by the applicant that the premises to be guarded has devices, such as fencing, to prevent general access by the public during those times the guard dog is used for purposes of protecting said premises and persons for unauthorized intrusion. Said acknowledgment shall contain a statement that the premises is properly signed to forwarn the public of the presence of a guard dog; and

F. Acknowledgment by the applicant that the guard dog will be maintained in such a manner as to insure the safety of the public and the welfare of the animal. (Ord. 3232 § 8, 1977).

11.32.090 Inspections. The director of the Animal Control Authority or his authorized representative shall inspect all premises which are the subject of the licenses and registrations required herein prior to the issuance of said licenses and/or registrations. Said inspections shall include, but not be limited to, a verification that adequate measures are being taken to protect the health, welfare and safety of the general public and to insure the humane treatment of the guard dogs. If the premises are deemed inadequate, the Animal Control Authority shall direct the applicant to make such changes as are necessary before the license or registration is issued. The director of the Animal Control Authority or this authorized representative may make such routine periodic inspections of a licensee's premises or the premises of an area guarded by a registered guard dog for the purpose of enforcing the provisions of this chapter and the rules and regulations of the Animal Control Authority. (Ord. 3232 § 9, 1977).

11.32.100 Authorization. In protecting the health, safety and welfare of the public; to enforce the laws of the state of Washington as they pertain to animal cruelty, shelter, welfare and enforcement of control; the director of the Animal Control Authority and his authorized officers are authorized to take such lawful action in exercising appropriate powers and responsibilities contained in Article III of Ordinance No. 1396 and Chapter 11.04 of this code. (Ord. 3232 § 13, 1977).

11.32.110 Limitations. The provisions of this chapter shall not apply to any facility possessing or maintaining dogs or guard dogs as defined in this chapter which is owned, and operated or maintained by any city, county, state or the federal government; provided, private parties renting or leasing public facilities for commercial purposes as specified in this chapter shall not be exempt. (Ord. 3232 § 14, 1977).

11.32.120 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 3232 § 15, 1977).