AN ORDINANCE relating to regional animal care and control services; amending Ordinance 1269, Section 1, as amended, and K.C.C. 11.02.010, Ordinance 1269, Section 3, as amended, and K.C.C. 11.02.020, Ordinance 1370, Section 1, as amended, and K.C.C. 11.02.030, Ordinance 16861, Section 11, as amended, and K.C.C. 11.02.050**,** Ordinance 16861, Section 10, as amended, and K.C.C. 11.02.060, Ordinance 1396, Article I, Section 2, as amended, and K.C.C. 11.04.010, Ordinance 1396, Article II, Section 1, as amended, and K.C.C. 11.04.030, Ordinance 7416, Article II, Section 3, as amended, and K.C.C. 11.04.035, Ordinance 1396, Article II, Section 3, as amended, and K.C.C. 11.04.060, Ordinance 1396, Article II, Section 5, as amended, and K.C.C. 11.04.070, Ordinance 1396, Article II, Section 6, as amended, and K.C.C. 11.04.150, Ordinance 1396, Article II, Section 14, as amended, and K.C.C. 11.04.160, Ordinance 1396, Article III, Section 1, as amended, and K.C.C. 11.04.170, Ordinance 1396, Article III, Section 2, as amended, and K.C.C. 11.04.180, Ordinance 1396, Article III, Section 4, as amended, and K.C.C. 11.04.200, Ordinance 1396, Article III, Section 4, as amended, and K.C.C. 11.04.210, Ordinance 1396, Article III, Section 6, as amended, and K.C.C. 11.04.220, Ordinance 15801, Section 66, and K.C.C. 11.04.225, Ordinance 1396, Article III, Section 7, as amended, and K.C.C. 11.04.230, Ordinance 1396, Article III, Section 8, as amended, and K.C.C. 11.04.250, Ordinance 1396, Article III,

Section 9, as amended, and K.C.C. 11.04.260, Ordinance 1396, Article III, Section 10, as amended, and K.C.C. 11.04.270, Ordinance 7986, Section 3, as amended, and K.C.C. 11.04.335, Ordinance 10423, Section 2, as amended, and K.C.C. 11.04.400, Ordinance 10423, Section 24, as amended, and K.C.C. 11.04.410, Ordinance 10423, Section 6, as amended, and K.C.C. 11.04.500, Ordinance 10423, Section 20, and K.C.C. 11.04.530, Ordinance 10423, Section 27, as amended, and K.C.C. 11.04.580 and Ordinance 2473, Section 3, as amended, and K.C.C. 11.28.030, adding a new section to K.C.C chapter 11.02, adding new sections to K.C.C. chapter 11.04, adding new sections to K.C.C. chapter 11.12, adding a new chapter to K.C.C. Title 11, recodifying K.C.C. 11.24.010 and K.C.C. 11.28.030, repealing Ordinance 1396, Article II, Section 1, as amended, and K.C.C. 11.04.020, Ordinance 10423, Section 3, as amended, and K.C.C. 11.04.033, Ordinance 1396, Article II, Section 3, as amended, and K.C.C. 11.04.050, Ordinance 1396, Article II, Section 6, as amended, and K.C.C. 11.04.080, Ordinance 1396, Article II, Section 7, as amended, and K.C.C. 11.04.090, Ordinance 1396, Article II, Section 8, as amended, and K.C.C. 11.04.100, Ordinance 1396, Article II, Section 9, as amended, and K.C.C. 11.04.110, Ordinance 1396, Article II, Section 9, as amended, and K.C.C. 11.04.130, Ordinance 1396, Article II, Section 12, as amended, and K.C.C. 11.04.140, Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165, Ordinance 10809, Section 4, as amended, and K.C.C. 11.04.167, Ordinance 1396, Article III, Section 3, as amended, and K.C.C. 11.04.190, Ordinance 10423, Section 8, and K.C.C. 11.04.235, Ordinance 4552, Section 2, and K.C.C. 11.04.240, Ordinance 1396, Article III, Section 11, as amended, and K.C.C.

11.04.280, Ordinance 1396, Article III, Section 12, as amended, and K.C.C. 11.04.290, Ordinance 100809, Section 5, and K.C.C. 11.04.345, Ordinance 10423, Section 19, and K.C.C. 11.04.520, Ordinance 10423, Section 12, and K.C.C. 11.04.540, Ordinance 10423, Section 25, as amended, and K.C.C. 11.04.560, Ordinance 10423, Section 26, as amended, and K.C.C. 11.04.570, Ordinance 3548, Section 1, as amended, and K.C.C. 11.08.010, Ordinance 3548, Section 2, as amended, and K.C.C. 11.08.020, Ordinance 3548, Section 3, as amended, and K.C.C. 11.08.030, Ordinance 10574, Section 1, and K.C.C. 11.08.035, Ordinance 3732, Section 4, as amended, and K.C.C. 11.08.040, Ordinance 3548, Section 4, as amended, and K.C.C. 11.08.050, Ordinance 3548, Section 5, as amended, and K.C.C. 11.08.060, Ordinance 11150, Sections 1-2, as amended, and K.C.C. 11.08.075, Ordinance 3548, Section 8 (part) (1), and K.C.C. 11.08.080, Ordinance 3548, Section 8 (part)(2), as amended, and K.C.C. 11.08.090, Ordinance 3810, Section 1, and K.C.C. 11.08.100, Ordinance 3811, Section 1, and K.C.C. 11.08.110, Ordinance 4149, Section 1, and K.C.C. 11.08.120, Ordinance 4150, Section 1, and K.C.C. 11.08.130, Ordinance 4370, Section 1, and K.C.C. 11.08.140, Ordinance 4371, Section 1, and K.C.C. 11.08.150, Ordinance 4385, Section 1, as amended, and K.C.C. 11.08.160, Ordinance 4991, Section 1, and K.C.C. 11.08.170, Ordinance 5058, Section 1, and K.C.C. 11.08.180, Ordinance 5059, Section 1, and K.C.C. 11.08.190, Ordinance 5186, Section 1, and K.C.C. 11.08.200, Ordinance 5185, Section 2, and K.C.C. 11.08.210, Ordinance 5492, Section 1 and K.C.C. 11.08.220, Ordinance 5493, Section 1 and K.C.C. 11.08.230, Ordinance 5673, Section 1, and K.C.C. 11.08.240, Ordinance 6340, Section 1, and K.C.C. 11.08.250, Ordinance

6430, Section 1, and K.C.C. 11.08.260, Ordinance 6640, Section 1, and K.C.C. 11.08.270, Ordinance 7570, Section 1, and K.C.C. 11.08.280, Ordinance 7608, Section 1, and K.C.C. 11.08.290, Ordinance 9063, Section 1, and K.C.C. 11.08.300, Ordinance 11719, Section 1 and K.C.C. 11.08.310, Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010, Resolution 27312, Section 2, as amended, and K.C.C. 11.12.020, Resolution 27312, Section 3, and K.C.C. 11.12.030, Resolution 27312, Section 4, as amended, and K.C.C. 11.12.040, Resolution 27312, Section 5, as amended, and K.C.C. 11.12.050, Resolution 27312, Section 6, as amended, and K.C.C. 11.12.060, Resolution 30346, Section 1, and K.C.C. 11.20.010, Resolution 30346, Section 2, and K.C.C. 11.20.020, Ordinance 5975, Section 3, and K.C.C. 11.24.030, Ordinance 2473, Section 1, as amended, and K.C.C. 11.28.010, Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020, Ordinance 2473, Section 4, as amended, and K.C.C. 11.28.040, Ordinance 2473, Section 5, as amended, and K.C.C. 11.28.050, Ordinance 2473, Section 6, as amended, and K.C.C. 11.28.060, Ordinance 2473, Section 7, as amended, and K.C.C. 11.28.070, Ordinance 2473, Section 8, as amended, and K.C.C. 11.28.080, Ordinance 2473, Section 9, and K.C.C. 11.28.090, Ordinance 2473, Section 10, as amended, and K.C.C. 11.28.100, and Ordinance 2473, Section 11, and K.C.C. 11.28.110, Ordinance 3232, Section 1 and K.C.C. 11.32.010, Ordinance 3232, Section 2, as amended, and K.C.C. 11.32.020, Ordinance 3232, Section 3, as amended, and K.C.C. 11.32.030, Ordinance 3232, Section 4, as amended, and K.C.C. 11.32.040, Ordinance 3232, Section 5, as amended, and K.C.C. 11.32.050, Ordinance 3232, Section 6, as amended, and K.C.C. 11.32.060, Ordinance 3232, Section 7, as amended, and

K.C.C. 11.32.070, Ordinance 3232, Section 8, as amended, and K.C.C. 11.32.080, Ordinance 3232, Section 9, as amended, and K.C.C. 11.32.090, Ordinance 3232, Section 13, as amended, and K.C.C. 11.32.100 and Ordinance 3232, Section 14, and K.C.C. 11.32.110, and prescribing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Sections 2 through 43 of this ordinance should constitute a new chapter in K.C.C. Title 11.

NEW SECTION. SECTION 2. The definitions in this chapter apply throughout this title unless the context clearly requires otherwise.

NEW SECTION. SECTION 3. "Abate" means to terminate or remedy any violation by reasonable and lawful means determined by the manager.

NEW SECTION. SECTION 4. "Adequate care" means providing to an animal:

A. Species-appropriate food or feed and water that is easily accessible to the animal and of sufficient quantity and quality to sustain the animal in good health;

B. A structure that:

1. Is sufficient to protect the animal from wind, rain, snow, cold, heat, or sun;

2. Has bedding to permit the animal to remain dry, reasonably clean, and free of excess feces and to maintain a normal body temperature, and that allows the animal to turn around freely, sit, stand, and lie without restriction; and

3. Does not injure, disfigure or physically impair the animal; and

C. Adequate veterinary medical care.

NEW SECTION. SECTION 5. "Altered" means spayed or neutered.

NEW SECTION. SECTION 6. "Animal" means any living amphibian, bird, fish, reptile or mammal, except a human.

NEW SECTION. SECTION 7. "Animal care and control authority" means the regional animal services section of the records and licensing services division, acting alone or in concert with other municipalities, to enforce animal care and control laws and for the shelter and welfare of animals.

NEW SECTION. SECTION 8. "Animal care and control officer" means any individual employed, contracted, or appointed by the animal care and control authority to aide in enforcing this title or any other law or ordinance relating to the care and licensing of animals, control of animals, or seizure and impoundment of animals. "Animal care and control officer" includes any state or municipal peace officer, sheriff, or other employee whose duties in whole or in part include assignments that involve the seizure and taking into custody of any animal.

NEW SECTION. SECTION 9. "Animal shelter" means a facility used to house or contain stray, homeless, abandoned, or unwanted animals, and that 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.

NEW SECTION. SECTION 10. "At large" means any animal off the premises of its owner and not under control of a competent person.

NEW SECTION. SECTION 11. "Companion animal" means any species of animal commonly kept for companionship, including working dogs and excluding exotic animals.

NEW SECTION. SECTION 12. "Competent person" means a person able to sufficiently care for, control, and restrain a particular animal, and who has the capacity to exercise sound judgment regarding the rights and safety of others.

NEW SECTION. SECTION 13. A. "Dangerous animal" means any animal that:

1. Inflicts severe injury on or causes the death of a human being without provocation;
2. Inflicts severe injury on or causes the death of a domesticated animal without provocation;
3. Has been previously found to be potentially dangerous or vicious because of injury inflicted on a

human, the owner having received notice of such, and the animal again bites, attacks, or endangers the safety of humans;

4. Enters onto private property without the consent of the owner or occupant and, regardless of provocation, engages in conduct meeting subsection A.1., A.2., or A.3. of this section; or

5. Jointly engages, with one or more animals, in conduct meeting A.1., A.2., A.3., or A.4. of this section, in which case all animals may be deemed dangerous, absent an affirmative demonstration that a specific animal was not responsible for a qualifying act.

B. An animal shall not be declared a "dangerous animal" if:

1. The threat, injury, or bite alleged to have been committed by the animal was sustained by a person who was at the time committing a willful trespass upon the premises occupied by the owner of the animal, or who was abusing or assaulting the animal, or who was committing or attempting to commit a crime. This exclusion does not apply to actions taken in defense of oneself, other humans, animals, or property; or

2. The animal has not been previously found to be potentially dangerous, vicious, or dangerous, and the severe injury or death is to a domesticated animal other than pets or large livestock.

NEW SECTION. SECTION 14. "Director" means the director of public health - Seattle & King County or designee. However, for the purposes of K.C.C. chapter 11.02, "director" means the director of the department of executive services or designee.

NEW SECTION. SECTION 15. "Domesticated animal" means any animal that is a companion animal, a service or assistive animal, livestock, or poultry.

NEW SECTION. SECTION 16. "Euthanasia" means the humane destruction of an animal, accomplished by a method that involves near instantaneous unconsciousness and immediate death or by a method that causes painless loss of consciousness and death during the loss of consciousness.

NEW SECTION. SECTION 17. "Exotic animal" means any of the following:

A. Species of snakes capable of inflicting serious physical harm or death to human beings;

B. Nonhuman primates and prosimians;

C. Bears;

D. Nondomesticated species of felines;

E. Nondomesticated species of canines and their hybrids, including wolf and coyote hybrids; and

F. Any species within the order Crocodylia, including but not limited to alligators, crocodiles, caimans, and gavials.

NEW SECTION. SECTION 18. "Feral" means any animal belonging to a species typically domesticated that lives and behaves like a wild animal.

NEW SECTION. SECTION 19. "Grooming service" means any public or private place or establishment where animals are bathed, clipped, or combed to enhance either their aesthetic value or health, or both, for a fee.

NEW SECTION. SECTION 20. "Harbor, keep, or maintain" means:

A. Providing animal care, shelter, protection, refuge, food, or nourishment; or

B. Having custody of an animal.

NEW SECTION. SECTION 21. "Hobby cattery" means a noncommercial cattery at or adjoining a private residence where four or more nonjuvenile cats are bred or kept for exhibition or for enjoyment.

NEW SECTION. SECTION 22. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more nonjuvenile dogs are bred or kept for any combination of hunting, training, exhibition, field or obedience trials, working, or enjoyment.

NEW SECTION. SECTION 23. "Juvenile" means any dog or cat under six months old.

NEW SECTION. SECTION 24. "King County" means the unincorporated area of King County, Washington, and any jurisdiction that has an interlocal agreement with King County for regional animal services.

NEW SECTION. SECTION 25. "Livestock" has the same meaning as in RCW 16.57.010.

NEW SECTION. SECTION 26. "Mammal" means any animal of a class of warm-blooded vertebrate animals that nourish their young with milk secreted by mammary glands and have skin generally covered with hair, and includes bats.

NEW SECTION. SECTION 27. "Manager" means the manager of the regional animal services section of the records and licensing services division, or the manager's designees.

NEW SECTION. SECTION 28. "Muzzle" means a device that prevents an animal from biting others and does not cause injury to the animal nor inhibit its vision, respiration, or panting.

NEW SECTION. SECTION 29. "Owner" means any person who harbors, keeps, maintains, or has control of an animal except for individuals or organizations involved with providing care to a feral cat colony, such as trap, neuter, and release programs.

NEW SECTION. SECTION 30. "Pack" means any group of two or more animals running at large.

NEW SECTION. SECTION 31. "Person" means any individual, partnership, firm, company, corporation, association, or other legal entity.

NEW SECTION. SECTION 32. "Pet" means any dog or any nonferal cat.

NEW SECTION. SECTION 33. A. "Potentially dangerous animal" means any animal that when unprovoked:

1. Bites or inflicts injury on a human or domesticated animal;

2. Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack;

3. Has a known propensity, tendency, or disposition to attack, to cause injury, or otherwise to threaten the safety of humans or domestic animals; or

4. Jointly engages, with one or more animals in conduct meeting subsections A.1., A.2., or A.3., of this section, in which case all animals are deemed potentially dangerous, absent an affirmative demonstration that a specific animal was not responsible for a qualifying act.

B. Regardless of provocation, an animal is a "potentially dangerous animal" if it enters onto private property without the consent of the owner or occupant and bites a human or animal or chases or approaches a person in a menacing fashion or apparent attitude of attack.

C. An animal shall not be declared a "potentially dangerous animal" if the threat, injury, or bite alleged to have been committed by the animal was sustained by a person who was at the time committing a willful trespass upon the premises occupied by the owner of the animal, or who was abusing or assaulting the animal, or who was committing, or attempting to commit a crime. This exclusion does not apply to actions taken in defense of oneself, other humans, animals, or property.

NEW SECTION. SECTION 34. "Premises" means the real property or enclosed space that an animal's owner has a legal or equitable right to occupy, including a dwelling unit. "Premises" does not extend into areas of common ownership or use, such as an apartment lobby or public transportation.

NEW SECTION. SECTION 35. "Proper enclosure" means, while on its owner's premises, an animal is securely confined indoors or in an enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. The pen or structure must fully enclose the animal, consist of secure sides, top, and bottom, and provide protection from the elements.

NEW SECTION. SECTION 36. "Provocation" or "provoke" means to torment, agitate, or harass an animal immediately before the attack, chase, or menacing behavior. "Provocation" or "provoke" does not include actions taken to defend oneself, other humans, animals, or property.

NEW SECTION. SECTION 37. "Service or assistive animal" has the same meaning as in K.C.C. 12.22.020.

NEW SECTION. SECTION 38. "Severe injury" means any physical injury that results in:

A. One or more broken bones;

B. One or more disfiguring lacerations, avulsions, cuts or puncture wounds requiring medical attention, including, but not limited to, one or more sutures, steri strips or staples;

C. Permanent nerve damage; or

D. Transmittal of an infectious or contagious disease.

NEW SECTION. SECTION 39. "Under control" means a domesticated animal is restrained, by a human using a leash or competent and effective voice or signal control, from approaching any bystander or other domesticated animal and from causing property damage.

NEW SECTION. SECTION 40. "Vicious" means having performed the act of, or having the propensity to do any act, endangering the safety of any human, animal, or property of another, including, but not limited to, biting a human being, or attacking a human being or domesticated animal without provocation.

NEW SECTION. SECTION 41. "Warning sign" means a conspicuously displayed sign containing clearly visible words, along with a symbol informing those who are incapable of reading, warning of a potentially dangerous or dangerous animal on the property.

SECTION 42. Ordinance 1269, Section 1, as amended, and K.C.C. 11.02.010 are hereby amended to read as follows:

((~~There is established a~~))A regional animal services section is established in the records and licensing services division. This chapter designates ((~~T~~))the regional animal services section ((~~is by this chapter designated~~)) as the agency authorized to provide animal care services and enforce animal control laws.

SECTION 43. Ordinance 1269, Section 3, as amended, and K.C.C. 11.02.020 are hereby amended to read as follows:

((~~There is established w~~))Within the regional animal services section, the position of manager ((~~of the regional animal services section~~)) is established, to be compensated at a rate ((~~established~~)) in accordance with county personnel policies.

SECTION 44. Ordinance 1370, Section 1, as amended, and K.C.C. 11.02.030 are hereby amended to read as follows:

The county executive is authorized to enter into agreements with ((~~any or all other municipal~~

~~corporations in King County~~)) public agencies as defined in chapter 39.34 RCW for ((~~the~~)) animal licensing and enforcement of ((~~local municipal~~)) animal care and control ordinances ((~~relating to animal care and control~~)), and with other legal entities for the purpose of ((~~dead~~)) disposing of animal ((~~disposal~~)) remains.

SECTION 45. Ordinance 16861, Section 11, and K.C.C. 11.02.050 are hereby amended to read as follows:

A. The director ((~~of the department of executive services~~)) may negotiate and enter into advertising, sponsorship, and naming rights agreements ((~~for the purpose of providing~~)) to provide financial support for regional animal services programs. Advertising ((~~shall be~~)) is restricted to commercial speech.

B. Advertisers and sponsors shall abide by the nondiscrimination requirements of Section 840 of the King County Charter and K.C.C. Title 12. Furthermore, an advertising, sponsorship or naming rights agreement may not result in advertisement of spirits or tobacco products ((~~in violation of~~)) in accordance with K.C.C. chapter 12.51.

C. The director may impose additional subject-matter restrictions on advertising, sponsorship and naming rights agreements consistent with applicable law.

D. Revenue generated from advertising, sponsorships, and naming rights agreements entered into under this section ((~~shall~~)) must be applied solely to regional animal services.

SECTION 46. Ordinance 16861, Section 10, as amended, and K.C.C. 11.02.060 are hereby amended to read as follows:

A. Consistent with K.C.C. chapter 3.04, the executive, the director ((~~of the department of executive services~~)), the manager of the records and licensing services division, the manager ((~~of the regional animal services section~~)), the council and councilmembers((~~,~~)) and staff who report directly to those officers or officials and who do so at those officers' or officials' direction, may solicit and accept from the general public and business communities and all other persons, gifts, bequests, and donations to the county in support of regional animal services.

powered by Legistar™

B. All gifts, bequests, and donations of money to the county for regional animal services ((~~shall~~)) must be deposited and credited to the animal bequest fund created under K.C.C. ((~~4.08.410~~)) 4A.200.130.

C. The director ((~~of the department of executive services~~)) shall assure that expenditures from ((~~the~~)) gifts, bequests, or donations are consistent with the terms, if any, requested by ((~~the~~)) their grantors.

NEW SECTION. SECTION 47. There is hereby added to the K.C.C. chapter 11.02 a new section to read as follows:

The manager may adopt and enforce rules under the procedures specified in K.C.C. chapter 2.98 that are consistent with this title.

SECTION 48. Ordinance 1396, Article I, Section 2, as amended, and K.C.C. 11.04.010 are hereby amended to read as follows:

A. It is declared the public policy of the county to secure and maintain ((~~such~~)) levels of animal care and control ((~~as will protecting~~)) that protect animal and human health and safety, and to the greatest degree practicable ((~~to prevent~~)), prevent injury to property, protect the general public, and safeguard against cruelty and neglect of animal life. To this end, ((~~it is the purpose of~~)) this chapter's purpose is to provide a means of caring for animals, licensing ((~~dogs, cats~~)) pets, hobby ((~~catteries, hobby~~)) kennels, hobby catteries, and related facilities, and ((~~controlling~~)) to keep errant animal behavior ((~~so that it shall not become~~)) from becoming a public nuisance or public health risk, and to prevent cruelty to animals.

B. If there is a conflict between a provision of this chapter and ((~~a provision in K.C.C. Title 21A, the provision in K.C.C. Title 21A shall control~~)) an applicable zoning code provision, the zoning code provision controls.

C. This title's intent is to protect the health, safety, and welfare of the general public and are not intended to protect any particular class of individuals or organizations.

SECTION 49. Ordinance 1396, Article II, Section 1, as amended, and K.C.C. 11.04.020 are hereby repealed.

SECTION 50. Ordinance 1396, Article II, Section 1, as amended, and K.C.C. 11.04.030 are hereby amended to read as follows:

A. ((~~All dogs and cats~~)) Any owner of a pet eight weeks old and older ((~~that are harbored, kept or maintained~~)) in King County for more than thirty days shall ((~~be licensed~~)) license and ((~~registered~~)) register that pet, but this provision does not apply to a pet walker, sitter, or other temporary custodian, if that person can verify the pet owner's name and contact information. ((~~Licenses shall~~)) The license must be renewed on or before the date of expiration.

B.1. Upon application and the payment of a license fee ((~~made payable~~)) to the King County treasury according to the schedule provided in K.C.C. 11.04.035, the manager shall issue pet licenses ((~~shall be issued by the regional animal services section and may be issued by~~)). ((~~s~~))Shelters, veterinarians, pet shops, ((~~catteries and~~)) hobby kennels, hobby catteries, and other approved locations, under contract with the county, may issue pet licenses.

((~~1.~~)) 2. Pet licenses ((~~for dogs and cats shall be~~)) are valid for ((~~a term of~~)) one year from issuance, expiring on the last day of the twelfth month. There is no proration of any license fees. Renewal licenses ((~~shall~~)) retain the original expiration period whether renewed before, on or after their respective renewal months.

((~~2.~~)) 3. Juvenile pet licenses may be obtained in lieu of an unaltered pet license for pets from eight weeks to six months old.

((~~3.~~)) 4. King County residents sixty-five years old or older may purchase a discounted pet license for their ((~~cats or dogs that are neutered or spayed and that are~~)) altered pets maintained at the registered owner's registered address. However, ((~~R~~))residents sixty-five years old or older who ((~~have~~)) previously obtained a special permanent license for their ((~~cats or dogs shall not be~~)) pet or pets are not required to purchase a new license for ((~~the~~)) their permanently licensed animals.

((~~4. Disabled residents that~~)) 5. Residents with disabilities who meet the eligibility requirements ((~~of~~

~~the Metro~~)) for a regional reduced fare permit ((~~program~~)), authorized in K.C.C. ((~~chapter~~)) 28.94.255, may purchase a discounted pet license for their ((~~cats and dogs that are neutered or spayed and that are~~)) altered pets maintained at the registered owner's registered address.

((~~5.~~)) 6. Applications for a pet license ((~~shall~~)) must be on forms provided by the regional animal services section.

((~~6.~~)) 7. License tags ((~~shall~~)) must be worn by dogs at all times. Notwithstanding the requirement for license tags, ((~~A~~))as an alternative to a license tag, a ((~~dog or cat~~)) currently licensed pet 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~~)) implanted with a microchip registered with the regional animal services section.

((~~7.~~)) 8. Pet ((~~O~~))owners ((~~of dogs or cats~~)) who hold valid licenses from other jurisdictions and who move into King County may transfer the license, subject to ((~~by~~)) paying a transfer fee. The license ((~~shall maintain~~)) remains valid through the original license's expiration date or for twelve months after the license was issued by the other jurisdiction, whichever period is shorter.

9. It is a violation of this ((~~chapter~~)) title for any person to sell or transfer ownership of any pet ((~~without~~)) that does not have a pet license. Any person selling or transferring a pet shall notify ((~~T~~))the regional animal services section ((~~shall be notified~~)) of the name, address, and telephone number of the new owner ((~~by the person who sold or transferred the pet~~)) within thirty days following the sale or transfer.

((~~9. An applicant may be denied the issuance or renewal of a pet license, if the applicant was previously found in violation of the animal cruelty provisions of K.C.C. 11.04.250 or convicted of animal cruelty under RCW 16.52.205 or 16.52.207.~~

~~a. An applicant may be denied the issuance or renewal of a pet license for up to:~~

~~(1) four years, if found in violation of the animal cruelty provisions of K.C.C. 11.04.250 or convicted of a misdemeanor under RCW 16.52.207; or~~

~~(2) indefinitely, if convicted of a felony under RCW 16.52.205.~~

powered by Legistar™

~~b. Any applicant who is either the subject of a notice and order under K.C.C. 11.04.250 or charged with animal cruelty under RCW 16.52.205 or 16.52.207 denied, pending the final result of either the notice and order or charge.~~

~~10. The denial of the issuance or renewal of a pet license is subject to appealable, in accordance with K.C.C. 11.04.270.~~))

10. It is a violation of this title to falsely represent a pet as altered or nonaltered.

11. ((~~Cat or dog~~)) Pet owners are subject to ((~~a penalty according to the schedule~~)) the penalty set in K.C.C. 11.04.035 for failure to comply with the licensing requirement in subsection A. of this section.

C. ((~~A~~)) The late fee set in K.C.C. 11.04.035 shall be charged ((~~on all~~)) for any pet license ((~~applications, according to the schedule in K.C.C. 11.04.035~~)) not obtained within thirty days of ownership or not renewed before expiration. The late fee is in addition to any other penalties that might apply.

D. All fees and fines collected under this chapter ((~~shall~~)) must be deposited in the general fund to be applied solely to regional animal services. The records and licensing services division is authorized to accept credit and bank card payments for fees and penalties imposed under this title, in accordance with K.C.C. chapter 4.100.

E. ((~~It is a violation of this chapter for any person to knowingly~~)) A person may not write a check that is insufficiently funded or ((~~to~~)) stop payment on any check written in payment for any fees ((~~in~~)) or penalties imposed under this ((~~chapter~~)) title. Any license ((~~or penalty paid for with those types of checks are, in the case of the license,~~)) issued or penalty paid under those circumstances is invalid; and in the case of the penalty, still outstanding. Costs incurred by the county in collecting ((~~checks of this nature shall be~~)) any moneys owing as a result of an unpayable check are considered a cost of abatement and are the personal obligation((~~s~~)) of the payer under K.C.C. 11.04.300.

F. Except for subsection G. of this section, this section ((~~shall~~)) does not apply to ((~~dogs or cats~~)) pets in the custody of a veterinarian or shelter or ((~~whose owners are nonresidents~~)) to pets that are temporarily

within the county for ((~~a period not exceeding~~)) fewer than thirty days.

G. Veterinarians and shelters that sell or give away a ((~~dog or cat~~)) pet without a license shall make license application materials available to the new pet owner and shall monthly provide the regional animal services section ((~~monthly~~)) with the list of information required by K.C.C. 11.04.070 for any ((~~dog or cat~~)) pet given away or sold.

SECTION 51. Ordinance 10423, Section 3, as amended, and K.C.C. 11.04.033 are hereby repealed.

SECTION 52. Ordinance 7416, Article II, Section 3, as amended, and K.C.C. 11.04.035 are hereby amended to read as follows:

A.	The following animal license and registration fees apply:	
1.	Pet license ((~~- dog or cat~~))	
a.	Unaltered	$60.00
b.	Altered	$30.00
c.	Service or assistive animal	no charge
d.	K-9 police dog	no charge
2.	Juvenile pet license ((~~- dog or cat~~))	$15.00
3.	Discounted pet license ((~~- dog or cat~~)	$15.00
4.	Replacement tag	$5.00
5.	Transfer fee	$((~~3.00~~)) 5.00
6.	((~~Guard dog registration~~	~~$100.00~~
~~7.~~	~~Exotic pet~~	
~~a.~~	~~New~~	~~$500.00~~
~~b.~~	~~Renewal~~	~~$250.00~~
~~8.~~	~~Service animal~~)) Potentially dangero	((~~no charge~~)) $125.00
((~~9.~~)) 7.	((~~K-9 police dog~~)) Dangerous animal	((~~no charge~~)) $250.00
((~~10.~~)) 8.	The following late fees ((~~shall~~)) apply to license renewal applications and license fees and penalties:	
a.	received 45 to 90 days following lice	$15.00
b.	received 90 to 135 days following lic	$20.00
c.	received more than 135 days followi	$30.00
d.	received more than 365 days followi	$30.00 plus license fee(((~~s~~))) or fees for ((~~any year(s) that the pet was unlicensed~~)) current year.
B.	The following business and activity permit fees apply:	

powered by Legistar™

((1.))		Hobby kennel and hobby cattery lice	$50.00
((2.		~~Private animal placement permit~~	~~no charge~~))
C.		The following civil penalties ((~~shall be assessed~~)) apply:	
1.		Civil penalties: General	
a.		No previous similar code violation w	$50.00
b.		One previous similar code violation v	$100.00
c.		Two or more similar code violations	Double the rate of the previous penalty, up to a maximum of $1, 000.00
2.		Civil penalties: ((~~Vicious animal or~~)) Dangerous animal, potentially dang	
		neglect, or abandonment contrary to K.C.C. 11.04.250	
a.		First violation within one year	$500.00
b.		Subsequent violations within one yea	$1,000.00
c.		Failure to comply with potentially da	$250.00
		requirements	
d.		Failure to comply with dangerous an	$500.00
3.		((~~Civil penalties: Dog leash law viola~~	
~~a.~~		~~First violation within one year~~	~~$25.00~~
~~b.~~		~~Additional violations within one year~~	~~$50.00~~
~~4.~~	a. b.	~~Civil penalties: Animal abandonmen~~	~~$500.00~~))
4.		failure to comply with prohibition on	$1,000.00 $2,500.00
		residing with similar animals under K	$1,000.00
		First violation Second violation Failu	
		with a removal order	
5.		Civil penalties: ((~~Unlicensed cat or dog~~)) Pet without current and valid lic	
a.		Altered ((~~cat or dog~~)) pet	$125.00
b.		Unaltered ((~~cat or dog~~)) pet	$250.00
D.		The following service fees apply	
1. a.		Adoptions ((-)) ((~~p~~))Per ((~~animal~~)) pet, including licensing and	$75.00 - $
		((~~animal~~)) based on pet adoptability	
b.		Per animal that is not a pet	$5.00 - $250.00 based on adoptab
2.		((~~Spay or neuter deposit - per animal~~	~~$150.00~~
		~~11.04.210.B.1.a.~~	
~~3.~~))		Impound or redemption - ((~~dogs, cats~~)) pets or other small animals	
a.		First impound within one year	$45.00
b.		Second impound within one year	$85.00
c.		Third impound within one year	$125.00
((~~4.~~		~~Impound or redemption - Livestock,~~	~~$45.00~~
~~5.~~)) 3.		Impound or redemption - Livestock (	$45.00 ((~~or actual cost of sheltering, whichever is greater~~))

powered by Legistar™

4.	Livestock boarding	Actual cost of boarding
((6.)) 5.	Kenneling at King County animal sh	$20.00
	portion thereof	
((7.)) 6.	In-field pick up of an owner's deceas	$50.00
	pick up of an unlicensed pet released	
	regional animal services section	
((8.)) 7.	Owner-requested euthanasia (unlicen	$50.00
((9.)) 8.	((Optional m)) Microchipping pets ((	$25.00

SECTION 53. Ordinance 1396, Article II, Section e, as amended, and K.C.C. 11.04.050 are hereby repealed.

SECTION 54. Ordinance 1396, Article II, Section 4, as amended, and K.C.C. 11.04.060 are hereby amended to read as follows:

A. It is ((unlawful)) a violation of this chapter for any person to ((keep and maintain any)) operate a hobby kennel or hobby cattery ((without)) unless the person possesses and complies with a ((valid and subsisting)) hobby kennel or hobby cattery license ((therefor)). ((The fee for such an annual license shall be assessed upon the owner or keeper of the animals and shall be as provided in K.C.C. 11.04.035. In addition,))

B. ((e))Each animal ((that is)) maintained at a hobby kennel or hobby cattery ((shall)) must be licensed individually under K.C.C. 11.04.030((.B)).

((B.)) C. Any hobby kennel or hobby cattery license shall limit the total number of ((adult dogs and cats kept by the hobby kennel or hobby cattery)) pets based on:

1. Animal age and size;

2. ((Type and characteristics of the b))Breed characteristics; in particular, in the case of dogs, the pitch and volume of their barks;

3. The amount of lot area, though the maximum number ((shall)) may not exceed:

a. ((twenty-five where the lot area contains five acres or more;

b. ten where the lot area contains thirty-five thousand square feet but less than five acres; and

c.)) three on lots of less than twenty thousand square feet;

powered by Legistar™

b. five ((~~where the~~)) on lots ((~~area is less than~~)) between twenty thousand and thirty-five thousand square feet, except that a maximum of three total pets may remain unaltered; and

c. an additional two pets for each acre of lot area beyond thirty-five thousand square feet, up to a maximum of twenty, except that a maximum of three total pets may remain unaltered;

4. The ((~~facility specifications and dimensions in which the dogs or cats are to be maintained~~)) layout and size of any structure for sheltering the pets; and

5. The zoning classification ((~~in which~~)) where the hobby kennel or hobby cattery would be maintained.

((~~C. The following are requirements for~~)) D. ((~~h~~))Hobby kennels and hobby catteries shall comply with the following:

1. All open run areas ((~~shall~~)) must be completely surrounded by a six-foot fence, set back at least twenty feet from all property lines, though 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 or cats~~)) pets are sheltered or maintained. If there is no area set aside for sheltering or maintaining the ((~~dogs~~)) pets 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 c~~))Commercial signs or other appearances advertising the hobby kennel or hobby cattery are not permitted on the ((~~property~~)) premises, except for those advertising the sale of the allowable offspring, as set forth in this section;

3. The manager ((~~of the regional animal services section~~)) may require setbacks, ((~~additional setback,~~)) fencing, screening, or soundproofing, as ((~~the manager deems~~)) necessary to ensure ((~~the~~)) compatibility of the hobby kennel or hobby cattery with the surrounding neighborhood. Factors to be considered in determining

((~~the~~)) compatibility are:

a. statements ((~~regarding approval or disapproval~~)) of surrounding neighbors relative to maintenance of a hobby kennel or hobby cattery at the address applied for;

b. history of verified animal care and control complaints relating to ((~~the dogs and cats of~~)) the applicant's pets ((~~at the address for which the hobby kennel or hobby cattery is applied for~~));

c. facility specifications or dimensions in which the ((~~dogs or cats~~)) pets are to be maintained;

d. animal size, type, and characteristics of breed; and

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

4. The hobby kennel or hobby cattery shall limit ((~~dogs or cats~~)) pet reproduction to no more than one litter per license year per female dog and two litters per license year per female cat; and

5. Each ((~~dogs or cats~~)) pet in the hobby kennel or hobby cattery ((~~shall~~)) must have the following current ((~~and proper~~)) immunizations: ((~~from disease according to the dog's and cat's species and age. The immunizations shall consist of~~))

a. for dogs over three months old, distemper, hepatitis, ((~~leptospirosis,~~)) parainfluenza, and parvo virus ((~~DHLPP~~)) (DA2PP) inoculation ((~~for dogs over three months old and~~));

b. for cats over two months old, feline herpesvirus 1, calicivirus, and panleukopenia virus (FVRCP) inoculation ((~~for cats over two months old~~)); and

c. for all pets over four months old, rabies inoculation((~~s for all dogs and cats over four months old~~)).

((~~D.~~)) E. A hobby kennel or hobby cattery license ((~~may be issued only when the manager of the regional animal services section is satisfied that the requirements of K.C.C. 11.04.060C.1. through 5. have been met. The license~~)) remains valid for one year, subject to renewal, and may be terminated ((~~if the number of dogs and cats exceeds the number allowed by the regional animal services section or~~)) if the facility fails to comply with ((~~any of the requirements of K.C.C. 11.04.060 C.1.through 5~~)) this section.

((~~E.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 regional animal services, which shall allow them to retain the specific animals then in their possession, but only if the following conditions are met:~~

~~a. the applicant must apply for the special hobby kennel license and individual licenses for each dog and cat by July 6, 1992, or at the time they are contacted by an animal care and control officer, King County license inspector or King County pet license canvasser and~~

~~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 otherwise imposed by K.C.C. Title 21A until such a time as the death or transfer of the animals reduces the number possessed to the legal limit set forth in K.C.C. Title 21A.~~

~~3. The manager of the regional animal services section may deny any application for a special hobby kennel license:~~

~~a. based on past Animal Care and Control Code violations by the applicant's dogs and cats or verified complaints from neighbors regarding the applicant's dogs and cats; or~~

~~b. if the animal or animals are maintained in inhumane conditions.~~))

F. ((~~The manager of the regional animal services section may authorize hobby kennels, hobby catteries and special hobby kennels to exceed the maximum number of dogs and cats otherwise allowed under this section where necessary to address an emergency proclaimed by the executive in accordance with K.C.C. 12.52.030.~~)) For applicants who cannot meet the requirements of this section, the manager may issue a hobby kennel or hobby cattery license authorizing persons to retain more than three pets if:

1. The applicant keeps the pets for enjoyment only, and not as a commercial enterprise;

powered by Legistar™

2. The applicant keeps only those pets in the applicant's possession at the time of license issuance. The license must identify each pet and allow possession of more animals than would otherwise be allowed only until the death or relocation of those specific animals;

3. The licensed facility provides a living environment with sufficient area, dimension, design, ventilation, and cleanliness to assure the comfort and lack of distress of each animal and is operated and maintained in a manner that is compatible with neighboring properties; and

4. The pets have no additional litters until the total number of pets is reduced to three or fewer.

SECTION 55. Ordinance 1396, Article II, Section 5, as amended, and K.C.C. 11.04.070 are hereby amended to read as follows:

Each animal shelter, ((~~kennel,~~)) hobby kennel, ((~~cattery,~~)) hobby cattery, or pet shop shall monthly provide the ((~~regional animal services section~~)) manager with a ((~~monthly~~)) list of all ((~~dogs and cats~~)) pets that it has given away or sold. The list ((~~shall~~)) must include the origin, age, sex, color, breed, altered status, and, if applicable, microchip number and license number of each ((~~dog or cat~~)) pet given away or sold and the new owner's name, address and, if available, email address and telephone number.

SECTION 56. The following are hereby repealed:

A. Ordinance 1396, Article II, Section 6, as amended, and K.C.C. 11.04.080;

B. Ordinance 1396, Article II, Section 7, as amended, and K.C.C. 11.04.090

C. Ordinance 1396, Article II, Section 8, as amended, and K.C.C. 11.04.100;

D. Ordinance 1396, Article II, Section 9, as amended, and K.C.C. 11.04.110;

E. Ordinance 1396, Article II, Section 9, as amended, and K.C.C. 11.04.130; and

F. Ordinance 1396, Article II, Section 12, as amended, and K.C.C. 11.04.140.

SECTION 57. Ordinance 1396, Article II, Section 13, as amended, and K.C.C. 11.04.150 are hereby amended to read as follows:

((~~The regional animal services section may, i~~))In addition to ((~~other~~)) imposing penalties provided in this title, the manager may condition, revoke, suspend, or refuse to renew any hobby kennel license((~~,~~)) or hobby cattery ((~~, guard dog purveyor, guard dog trainer license or guard dog registration upon good cause or~~)) license for failure to comply with any ((~~provision~~)) condition of the license or permit or for any violation of this title. Enforcement ((~~of such a revocation, suspension or refusal shall be~~)) is stayed during the pendency of an appeal filed in accordance with K.C.C. 11.04.260.

SECTION 58. Ordinance 1396, Article II, Section 14, as amended, and K.C.C. 11.04.160 are hereby amended to read as follows:

((~~If a~~))An applicant who has had a license, permit, or registration revoked or a renewal refused((~~, the applicant~~)) shall not be issued a hobby kennel license((~~,~~)) or a hobby cattery license((~~, guard dog purveyor, guard dog trainer license or guard dog registration~~)) for one year after the revocation ((~~and~~)) or refusal to renew becomes final.

SECTION 59. The following are hereby repealed:

A. Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165; and

B. Ordinance 10809, Section 4, as amended, and K.C.C. 11.04.167.

SECTION 60. Ordinance 1396, Article III, Section 1, as amended, and K.C.C. 11.04.170 are hereby amended to read as follows:

A. The manager ((~~of the regional animal services section and the animal care and control officers are~~)) is authorized to take such lawful action as ((~~may be required~~)) appropriate to enforce:

1. ((~~t~~))This ((~~chapter,~~)) title;

2. Ordinance 10870, as amended, and K.C.C. Title 21A ((~~, as they pertain to the keeping of~~)) pertaining to animals((~~,~~)); and

3. ((~~t~~))The laws of ((~~the state of~~)) Washington ((~~as the laws pertain~~)) pertaining to animals ((~~cruelty, shelter, welfare and enforcement of control~~)).

B. ((~~The manager of the regional animal services section or animal care and control officers shall not enter a building designated for and used for private purposes, unless a proper warrant has first been issued upon a showing that the officer has reasonable cause to believe an animal is being maintained in the building in violation of this chapter.~~

~~C.~~)) The manager ((~~of the regional animal services section and animal care and control officers~~)), while pursuing or observing any animal in violation of this ((~~chapter~~)) title, may enter upon any public or private property, except any building designated for and used for private purposes, for the purpose of abating the animal violation being pursued or observed.

((~~D. No person shall deny, prevent, obstruct or attempt to deny, prevent or obstruct an animal care and control officer from pursuing any animal observed to be in violation of this chapter. Further, no person shall fail or neglect, after a proper warrant has been presented, to promptly permit the manager of the regional animal services section or an animal care and control officer to enter private property to perform any duty imposed by this chapter. Any person violating this subsection is guilty of a misdemeanor.~~)) C. The manager may inspect any facilities licensed or permitted under this title to ensure compliance with this title and the applicable permit or license.

SECTION 61. Ordinance 1396, Article III, Section 2, as amended, and K.C.C. 11.04.180 are hereby amended to read as follows:

All violations of this ((~~chapter~~)) title are detrimental to ((~~the~~)) public health, safety and welfare and are deemed public nuisances ((~~. All conditions that are determined after review by the manager of the regional animal services section to be in violation of this chapter shall be abated~~)), subject to abatement and other enforcement in accordance with this title or as otherwise authorized by law or equity.

SECTION 62. Ordinance 1396, Article III, Section 3, as amended, and K.C.C. 11.04.190 are hereby repealed.

SECTION 63. Ordinance 1396, Article III, Section 4, as amended, and K.C.C. 11.04.200 are

hereby amended to read as follows:

In addition to or as an alternative to any other penalty provided in this ((~~chapter~~)) title or by law, any person whose animal is maintained in violation of this ((~~chapter~~)) title shall incur a civil penalty ((~~in an amount not to exceed one thousand dollars per violation to be directly assessed by the manager of the animal care and control authority plus billable costs of the animal care and control authority. The manager, 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~~)) as specified by K.C.C. 11.04.035. All civil penalties ((~~shall be enforced~~)) will be assessed and collected in accordance with the procedure specified in this ((~~chapter~~)) title.

SECTION 64. Ordinance 1396, Article III, Section 4, as amended, and K.C.C. 11.04.210 are hereby amended to read as follows:

A. The manager ((~~of the regional animal services section and the manager's authorized representatives~~)) may apprehend and impound any ((~~animals found doing any of the acts defined as a public nuisance or being subjected to cruel treatment as defined by law. After the animal is apprehended, the regional animal services section shall ascertain whether the animal is licensed or otherwise identifiable. If reasonably possible, the regional animal services section shall return the animal to the owner together with a notice of violation of this chapter.~~

~~1. If it is not reasonably possible to immediately return a currently licensed animal to its owner, the regional animal services section shall notify the owner within a reasonable time by regular mail or telephone that the animal has been impounded and may be redeemed. Any currently licensed animal impounded in accordance with this chapter shall be held for the owner at least one hundred twenty hours, after telephone contact by the impounding agency or for at least two weeks after posting of the notification of impoundment by~~

~~regular mail.~~

~~2. Any other animal impounded in accordance with this chapter shall be held for its owner at least seventy-two hours from the time of impoundment.~~

~~3. Any animal suffering from serious injury or disease may be euthanized.~~

~~4. At the discretion of the impounding authority, any animal may be held for a longer period than otherwise specified in this section and redeemed by any person on payment of charges not exceeding those prescribed in this chapter~~)) animal found to be at large.

B. The manager shall make reasonable efforts to serve the owner with written notice specifying the basis for impoundment and the requirements for regaining custody of the animal, if applicable.

C. Animals impounded under this section must be retained as follows:

1. Any currently licensed animal must be held for five calendar days after telephone contact to the owner or posting notice of impoundment on the front door of the living unit of the owner, or for at least fourteen calendar days after sending the owner notice of impoundment by regular mail;

2. Any animal whose owner cannot be determined by license or other means must be held for at least three calendar days from the time of impoundment, unless otherwise provided by law;

3. The manager may provide medical care to an animal during impoundment. Any animal suffering from serious injury or disease may be euthanized; and

4. Feral cats that are altered and ear tipped are exempt from the holding periods in this subsection and are subject to immediate disposition, at the discretion of the manager, which may include returning the feral cat to the location where it was found.

D. Except where return of the animal is restricted by law, order of the manager, order of the hearing examiner, or order of a court, an owner may redeem the animal by paying the redemption and kenneling fees provided in K.C.C. 11.04.035 and any expenses the manager incurred altering, microchipping, and providing necessary medical care to the animal during the animal's period of impoundment.

E. Any animal not redeemed ((~~shall~~)) within the time required by subsection C. of this section may be ((~~treated in one of the following ways~~)):

1. Made available for adoption at the fee provided in K.C.C. 11.04.035((~~.~~

~~a. As provided in K.C.C. 11.04.400, all dogs and cats adopted from the King County animal shelter shall be spayed or neutered before adoption, except that, persons adopting a juvenile may elect not to spay or neuter the animal at the time of adoption if such persons purchase a juvenile license and pre-purchase an adult altered license, effective the month that the animal would become six months of age. Such persons shall also pay a spay or neuter deposit that shall be returned to the adopting person upon submission of proof that the sterilization was performed within six months from the adoption. Failure to spay or neuter such a dog or cat is a violation of this chapter and a breach of the adoption contract and shall result in the forfeiture of the adoption and return of the dog or cat to King County animal care and control for the required spaying or neutering. Persons adopting a juvenile dog or cat that is spayed or neutered may purchase an adult altered license at the time of adoption, effective for one year.~~

~~b. The manager of the regional animal services section may adopt administrative rules regarding the adoption of animals from King County shelters~~)); ((~~or~~))

2. Transferred to another animal welfare organization for adoption;

3. ((~~Entered~~)) Placed into foster care; ((~~or~~))

4. Sold at public auction; or

5. Euthanized.

((~~C.~~)) F. The county shall not sell any animals for the purposes of medical research to any research institute or any other purchasers.

((~~D.1.~~)) G. All pets adopted from the King County animal shelter must be altered and microchipped before adoption.

H. Any ((~~unaltered dog or cat~~)) pet impounded more than once shall be ((~~spayed or neutered.~~

~~a. by the regional animal services before the release of the dog or cat; or~~

~~b. at the request of the owner, after release of the dog or cat to the owner, but only if the owner agrees to pay a cash deposit of two hundred fifty dollars and provides proof of neutering or spaying on a form provided by the county. In order for the deposit to be refunded to the owner the form must be certified by a licensed veterinarian within ten days of release of the dog or cat to the owner. If proof of neutering or spaying is not provided within ten days, the regional animal services may again impound the dog or cat to verify that it is spayed or neutered. If the animal is not spayed or neutered, the regional animal services section may spay or neuter the animal before it is released to the owner.~~

~~2. If the dog or cat is spayed or neutered by the regional animal services section, the cost of the spay or neuter shall be charged to the owner upon redemption but shall be deducted from the impound and redemption fees otherwise required under this chapter~~)) microchipped before redemption.

SECTION 65. Ordinance 1396, Article III, Section 6, as amended, and K.C.C. 11.04.220 are hereby amended to read as follows:

Notwithstanding the existence or use of any other remedy, the manager ((~~of the regional animal services section~~)) may seek legal or equitable relief to enjoin acts or practices and abate any conditions that constitute a violation of this ((~~chapter or other regulations adopted under this chapter~~)) title.

NEW SECTION. SECTION 66. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

In addition to other remedies provided in this title, the manager may order an animal removed from the county when the animal has been the subject of five or more notices and orders of violation in any two-year period.

SECTION 67. Ordinance 15801, Section 66, and K.C.C. 11.04.225 are hereby amended to read as follows:

A. The manager ((~~of the animal care and control authority~~)) may prohibit a person who ((~~is~~

~~issued a notice and order for violation of~~)) violates K.C.C. 11.04.250 ((~~or who is either charged or convicted of animal cruelty under either RCW 16.52.205 or 16.52.207 from owning, harboring, keeping or maintaining any animal~~)) from owning, caring for, or residing with any animals for up to two years, if the manager determines that the ((~~enforcement~~)) prohibition furthers the purposes of this ((~~chapter in accordance with the following: a person may be prohibited from owning, harboring, keeping or maintaining any animal:~~

~~1. For up to four years, if the person is found in violation of the animal cruelty provisions of K.C.C. 11.04.250 or convicted of a misdemeanor under RCW 16.52.207;~~

~~2. Indefinitely, if the person is convicted of a felony under RCW 16.52.205; or~~

~~3. Pending the final adjudication of a notice and order issued under K.C.C. 11.04.250 or a charge under RCW 16.52.205 or 16.52.207~~)) title.

B. The manager may prohibit a person convicted of animal cruelty from owning, caring for, or residing with any animals, consistent with RCW 16.52.200.

C. The ((~~director or authorized animal care and control officer~~)) manager may enforce this section through the notice and order process in K.C.C. 11.04.260. ((~~A~~)) The notice and order ((~~issued to enforce this section~~)) is subject to appeal, in accordance with K.C.C. 11.04.270.

D. The manager may impound an animal owned, cared for, or residing with a person contrary to this section. If an animal is impounded under this section, then the procedures in RCW 16.52.085 shall apply.

SECTION 68. Ordinance 1396, Article III, Section 7, as amended, and K.C.C. 11.04.230 are hereby amended to read as follows:

((~~For purposes of this chapter, nuisances are violations of this chapter and shall be defined as follows~~)) The following constitute public nuisances and are prohibited:

A. Any public nuisance relating to animal care and control known at common law or in equity jurisprudence;

powered by Legistar™

B. ((~~A dog running at large within the county;~~

~~C. Any domesticated animal, whether licensed or not, that runs at large in any park or enters any public beach, pond, fountain or stream or upon any public playground or school ground. However, this subsection shall not prohibit a person from walking or exercising an animal in a public park or on any public beach when the animal is on a leash, tether or chain not to exceed eight feet in length. Also, this subsection shall not apply to any person using a trained service animal, to animal shows, exhibitions or organized dog-training classes if at least twenty-four hours' advance notice has been given to the animal care and control authority by those persons requesting to hold the animal shows, exhibitions or organized dog-training classes;~~

~~D. Any domestic animal~~)) A domesticated animal that enters any ((~~place~~)) area where food is stored, prepared, served, or sold to the public ((~~, or any other public building or hall. However, this subsection shall not apply to any person using a trained service animal, to veterinary offices or hospitals or to animal shows, exhibitions or organized dog-training classes if at least twenty-four hours' advance notice has been given to the animal care and control authority by the persons requesting to hold the animal shows, exhibitions or organized dog-training classes~~)); however, this subsection B.2. does not apply to service or assistive animals;

((~~E. Any female domesticated animal, whether licensed or not,~~)) C. ((~~w~~))While in heat ((~~and~~)), for a pet to be accessible to ((~~other animals for purposes other than controlled and~~)) males of the same species, except for planned breeding;

((~~F. Any domesticated animal that~~)) D. A domesticated animal that chases, runs after, or jumps at people riding in vehicles ((~~using the public streets and alleys~~)), or on bicycles, skateboards, roller skates, or other wheeled devices in public areas;

((~~G. Any domesticated animal that habitually snaps, growls, snarls, jumps upon or otherwise threatens persons lawfully using the public sidewalks, streets, alleys or other public ways;~~

~~H. Any animal that has exhibited vicious propensities and constitutes a danger to the safety of persons or property off the animal's premises or lawfully on the animal's premises. However, in addition to other~~

~~remedies and penalties, the provisions of this chapter relating to vicious animals shall apply;~~

~~I. Any vicious animal or animal with vicious propensities that runs at large at any time is off the owner's premises not securely leashed on a line or confined and in the control of a person of suitable age and discretion to control or restrain the animal. However, in addition to other remedies and penalties, the provisions of this chapter relating to vicious animals shall apply;~~

~~J. Any domesticated animal that howls, yelps, whines, barks or makes other oral~~))

E. A domesticated animal that menaces a person or other domesticated animals under circumstances not meeting the definition of "potentially dangerous";

F. A domesticated animal that meets the definition of "potentially dangerous animal" or "dangerous animal." In addition, the provisions of this chapter relating to potentially dangerous animals or dangerous animals shall apply;

G. A domesticated animal that violates any provision of this title after a final determination of the animal being potentially dangerous, vicious, or dangerous;

H. Failure to comply with a manager's order related to a potentially dangerous, vicious or dangerous animal;

I. A domesticated animal leaving the owner's premises and thereafter cause damage to anything of value;

J. A domesticated animal chasing livestock, unless engaged in the specific work of herding that livestock, as approved by the livestock's owner;

K. A domesticated animal making noise((~~s~~)), in such a manner as to disturb any person or neighborhood to an unreasonable degree;

((~~K. Any domesticated animal that enters~~)) L. A domesticated animal entering upon a person's property or premises without ((~~the~~)) that person's permission ((~~of that person~~));

((~~L. Animals staked, tethered or kept on public property without prior written consent of the animal~~

powered by Legistar™

~~care and control authority;~~

~~M. Animals on any public premises not under control by the owner or other competent person;~~

~~N. Animals harbored, kept or maintained and known to have a contagious disease, unless under the treatment of a licensed veterinarian~~)) M. Failure to obtain care for a domesticated animal from a licensed veterinarian when the owner knows the animal has a contagious disease; ((~~and~~))

((~~O. Animals running in packs~~)) N. Bringing into King County, breeding, or having custody or control, even temporarily, of a potentially dangerous wild animal as defined in chapter 16.30 RCW as of the effective date of this ordinance. For purposes of this chapter, wolf hybrids and coyote hybrids are potentially dangerous wild animals;

O. For a dog to be at large, or be at large in a pack, except in designated off-leash areas or while engaged in obedience training, lawful hunting activity, lawful organized competition, lawful training in preparation for such hunting or competition, herding livestock, or sanctioned search and rescue activities;

P. Failure to license a pet, as required by K.C.C. 11.04.030;

Q. Sell, barter, or otherwise transfer ownership of any animal without the appropriate license or permit;

R. Stake, tether, or keep any animal on public property without prior written consent of the public entity that owns the premises;

S. Fail to remove the feces of their domesticated animal from another's premises and deposit the same in an appropriate receptacle;

T. Possess an exotic animal in violation of K.C.C. 11.28.030;

U. Fail to comply with an order related to an animal designated as potentially dangerous, vicious, or dangerous;

V. Fail to timely obtain or renew a potentially dangerous registration or a dangerous animal registration;

W. Bring a potentially dangerous or dangerous animal into King County without meeting the requirements of section 74 or 75 of this ordinance;

X. Release any animal from any confinement, vehicle, or restraint unless the release is with the owner's permission, necessary for the animal's immediate health and safety, or undertaken by peace, animal care, or humane officers;

Y. Sell, offer for sale, barter, or give away any fowl under three weeks old or any rabbit under two months old, as a companion animal, toy, premium, or novelty, or to color, dye, stain, or otherwise change the natural color of any such a fowl or rabbit; or

Z. Violate the prohibition on owning, caring for, or residing with any animals under K.C.C. 11.04.225.

SECTION 69. The following are hereby repealed:

A. Ordinance 10423, Section 8, and K.C.C. 11.04.235; and

B. Ordinance 4552, Section 2, and K.C.C. 11.04.240.

SECTION 70. Ordinance 1396, Article III, Section 8, as amended, and K.C.C. 11.04.250 are hereby amended to read as follows:

A. It is ((~~unlawful~~)) a violation of this chapter for any person to:

1. ((~~Willfully and cruelly~~ ~~i~~))Injure or ((~~kill~~)) cause the death of any animal by any means causing it fright or pain;

2. ~~((By reason of neglect or intent to~~))Cause or allow any animal to endure pain, suffering, or injury ((~~or to~~));

3. ((~~f~~))Fail or neglect to aid or attempt to ((~~alleviation of~~)) alleviate pain, suffering or injury the person has ((~~so~~)) caused ((~~to~~)) any animal;

4. Deprive any animal of care sufficient to maintain its health and well-being, by failing to provide:

a. food of sufficient quantity or quality to allow for normal growth, body weight, health, and vigor;

b. sufficient potable water, which must be always available;

powered by Legistar™

c. containers for food and water that allow the animal easy access;

d. a living environment with sufficient area, dimension, design, ventilation, and cleanliness to assure the animal's comfort and lack of distress;

e. shelter sufficient to protect against cold or heat; or

f. veterinary care necessary to relieve distress from injury, neglect or disease;

5. Fail to provide adequate care to any animal, even if the failure does not result in the animal actually enduring pain, suffering or injury;

6. Leave or confine any animal unattended in a motor vehicle or enclosed space if the animal could be harmed or killed by exposure to excessive heat, cold, lack of ventilation or lack of necessary water;

7. Restrain a dog outside by a tether, except in compliance with RCW 16.52.350. Each incident involving a violation of this subsection G. is a separate nuisance;

8. Lay out or expose any kind of poison, or to leave exposed any poison food or drink for humans, animals or fowl, or any deadly substance or fluid ((~~whatever whereon or wherein there is or shall be deposited~~)) , alone or mingled((~~, any kind of poison or deadly~~)) with any other substance or fluid ((~~whatever~~)), on any premises((~~,~~)) or in any unenclosed place, or to aid or abet any person in so doing, unless in accordance with RCW 16.52.190;

9. Torment, torture, beat, kick, strike, or harass any dog used by a police department for police work, or otherwise interfere with the use of any such dog for police work; ((~~and~~)) or

((~~4.~~)) 10. Abandon any domesticated animal ((~~by dropping off or leaving the animal on the street, road or highway, in any other public place or on the private property of another anywhere but the owner's premises.~~

~~B. The regional animal services section shall keep a database containing the names of all persons who are either found in violation of K.C.C. 11.04.250 or charged or convicted of animal cruelty under either RCW 16.52.205 or 16.52.207. Further, the regional animal services section shall coordinate with law enforcement,~~

powered by Legistar™

~~when necessary, to keep this database current~~)), excluding feral cats.

B. The manager may impound an animal that has been subject to any of the acts, or failures to act, in this section. If an animal is impounded under this section, then the procedures in RCW 16.52.085 shall apply.

SECTION 71. Ordinance 1396, Article III, Section 9, as amended, and K.C.C. 11.04.260 are hereby amended to read as follows:

A. Whenever the manager ((~~of the regional animal services section or animal care and control officer has found an animal maintained in~~)) finds a violation of this ((~~chapter~~)) title, the manager ((~~of the regional animal services section~~)) shall commence proceedings to ((~~cause the~~)) abate((~~ment of~~)) each violation.

B. The manager ((~~of the regional animal services section or animal care and control officer~~)) shall issue a notice of violation and an order directed to the owner or the person presumed to be the owner of the animal maintained in violation of this chapter. The notice and order shall contain:

1. The name and address, if known, of the ((~~owner or person presumed to be the owner of the animal in violation of this chapter~~)) violator;

2. The license number, if available, and description of the animal in violation sufficient for identification;

3. A statement to the effect that the manager ((~~or animal care and control officer~~)) has found ((~~the animal maintained illegally, with a brief and concise description of the conditions, which caused the animal to be in violation of this chapter~~)) a violation of this title, including reference to the specific sections of code or statute violated and, where relevant, reference to the specific sections of code or statute authorizing removal of the animal;

4.a. A statement of the action ((~~required to be taken to abate~~)) the manager may require for abating the violation ((~~, as determined by the manager of the regional animal services section~~)).

((~~a. If the manager has determined the animal in violation must be disposed of,~~)) b. ((~~t~~))The order ((~~shall~~)) may require that the abatement, if any, be completed within a specified time from the order, as ((

~~determined by~~)) the manager ((~~to be~~)) determines reasonable((~~,~~)).

((~~b.~~)) c. If the manager ((~~of the regional animal services section~~)) has determined to assess a civil penalty, the order ((~~shall~~)) must require that the penalty be paid within ((~~fourteen~~)) twenty-four days from the order;

5. Statements advising that if any required abatement is not commenced within the time specified, the manager ((~~of the regional animal services section~~)) shall proceed to ((~~cause abatement~~)) abate and charge the abatement costs ((~~thereof~~)) against the ((~~owner~~)) violator; and

6. Statements advising:

a. that a person having a legal interest in the animal may appeal ((~~from~~)) the notice of violation and order or any action of the manager ((~~of the regional animal services section~~)) to the office of the hearing examiner by filing an appeal with the ((~~section~~)) manager in accordance with K.C.C. 20.22.080; and

b. that failure to appeal constitutes a waiver of all rights to an administrative hearing and a final determination of the matter.

C. The notice and order ((~~shall~~)) must be served on the ((~~owner or presumed owner of the animal in violation~~)) violator in one of the following ways((~~.~~

~~D. Service of the notice of violation and order shall be made upon all persons entitled thereto~~)):

1. Personally;

2. By mailing a copy of the notice of violation and order by certified mail, postage prepaid, return receipt requested, to the person at the person's last known address; or

3. 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~~)) violator, if the ((~~owner or~~)) person is not home.

((~~E.~~)) D. Proof of service of the notice of violation and order ((~~shall~~)) must be made at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made.

SECTION 72. Ordinance 1396, Article III, Section 10, as amended, and K.C.C. 11.04.270 are hereby amended to read as follows:

The office of the hearing examiner is designated to hear appeals by parties aggrieved by actions of the manager ((~~of the regional animal services section~~)) under this ((~~chapter~~)) title. ((~~The examiner may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the examiner shall be delivered to the manager of the regional animal services section, who shall make them freely accessible to the public. All examiner decisions and findings shall be rendered to the appellant in writing with a copy to the manager of the regional animal services section~~)).

SECTION 73. The following are each repealed:

A. Ordinance 1396, Article III, Section 11, as amended, and K.C.C. 11.04.280; and

B. Ordinance 1396, Article III, Section 12, as amended, and K.C.C. 11.04.290.

NEW SECTION. SECTION 74. There is hereby added to the K.C.C. chapter 11.04 a new section to read as follows:

A. If the manager determines an animal's conduct falls within the definition of a potentially dangerous animal, the manager shall designate the animal as potentially dangerous. Following such a designation the animal's owner shall:

1. Obtain a potentially dangerous animal registration, in addition to the regular animal license, as set forth in section K.C.C. 11.04.035; and

2. The registration expires one year after issuance and the owner shall renew the registration every twelve months.

B. A registration will be issued to the owner of a potentially dangerous animal only if, within twenty-four days of the designation, the owner transmits to the manager two current, color, digital photographs in electronic format of the animal, with a minimum size of three inches by five inches, and provides sufficient proof of the following:

1. An escape-proof fence, a proper enclosure, or other means of confinement approved by the manager;

2. A posted warning sign;

3. The animal has been microchipped, with the microchip number provided to the manager;

4. Current rabies vaccination;

5. Possession of a muzzle and a leash; and

6. Possession of a current license tag and a brightly colored collar sufficient to restrain the animal.

C. At all times the potentially dangerous animal must:

1. Wear its collar and license tag;

2. Be within an escape-proof fence, a proper enclosure, or within other means of confinement approved by the manager when on the owner's premises; and

3. When off the owner's premises, be securely leashed, under the control of a competent adult, and humanely muzzled or securely restrained in a carrier or crate, made in accordance with International Air Transport Association guidelines, while traveling in a vehicle.

D. This section does not apply to police dogs, as defined in RCW 4.24.410.

E. Animals found potentially dangerous by any jurisdiction of this or any other state are subject to the same regulations as if designated potentially dangerous by King County.

F. Animals declared to be vicious under a prior version of this title shall continue to comply with all conditions prescribed by the manager at the time the animal was declared vicious. Violation of any such condition shall constitute a violation of the requirements for a potentially dangerous animal and shall be subject to the same monetary penalty as a potentially dangerous animal violation in K.C.C. 11.04.035.

G. During the entire appeal process of a potentially dangerous animal designation, the owner shall keep the animal in a proper enclosure, or by other means approved by the manager. It is a violation of this chapter for the owner appealing a declaration to allow or permit the animal to go beyond the premises of the owner

unless such animal is securely leashed, under the control of a competent adult, and humanely muzzled or securely restrained in a carrier or crate, made in accordance with International Air Transport Association guidelines, while traveling in a vehicle.

H. The manager may immediately impound the animal upon a violation of any provision of this section. The animal's owner shall pay the costs of confinement and the penalty imposed for the violation. The manager shall notify the owner of the reasons for impounding the animal, that the owner is responsible for paying the costs of confinement, and that the animal will be destroyed if the deficiencies for which the animal was confiscated are not corrected within twenty-four days. If within twenty-four days the owner cures the deficiencies for which the animal was impounded to the satisfaction of the manager, and the owner pays the costs of confinement and the penalty imposed, then the owner may redeem the animal. The manager shall destroy the impounded animal if all violations of this section are not corrected, and all costs and penalties are not paid, within twenty-four days of notification.

I. It is the duty of every animal owner to always keep the owner's animals under proper supervision and control. If an animal is designated potentially dangerous, the duty is upon the animal owner to comply with this chapter. When an animal owner breaches these duties, the responsibility for any resulting injury or damage shall be on the animal owner and not King County.

NEW SECTION. SECTION 75. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

A. If the manager determines an animal's conduct falls within the definition of a dangerous animal, the manager shall designate the animal as dangerous. Following such a designation, the animal's owner shall:

1. Obtain a dangerous animal registration within twenty-four days of receiving a dangerous animal designation, in addition to the regular animal license, as set forth in section K.C.C. 11.04.035; and

2. The registration expires one year after issuance and the owner shall renew the registration every twelve months.

B. The manager shall issue a dangerous animal registration if, within twenty-four days of the designation, the owner pays the fee prescribed in K.C.C. 11.04.035, transmits to the manager two current, color, digital photographs in electronic format of the animal, with a minimum size of three inches by five inches, and provides sufficient proof of all the following:

1. A proper enclosure and a posted warning sign;
2. The animal has been microchipped, with the microchip number provided;
3. Current rabies vaccination;
4. The animal has been spayed or neutered;
5. A muzzle and a leash;
6. A current license tag and a brightly colored collar sufficient to restrain the animal; and
7. A surety bond or liability insurance policy, such as a homeowner's or renter's insurance policy, that:

a. is issued by a surety insurer qualified under chapter 48.28 RCW or an insurer qualified under Title 48 RCW;

b. is in a form acceptable to the manager;

c. provides at least five hundred thousand dollars coverage, with a reasonable deductible;

d. is payable to any person for any personal injuries inflicted by the dangerous animal;

e. shall be continuously maintained during the life of the registration;

f. provides for prior written notification to the manager of cancellation or material change; and

g. a copy of such bond or liability policy is furnished to the manager, to allow the manager a reasonable time to review and determine whether it is sufficient to warrant a dangerous animal registration.

C. The manager may inspect the premises where a dangerous animal is maintained at any time.

D. At all times a dangerous animal must:

1. Wear its collar and license tag;
2. Be confined to a proper enclosure when on the owner's premises; and

3. When off the owner's premises, be securely leashed, under the control of a competent adult, and humanely muzzled or securely restrained in a carrier or crate, made in accordance with International Air Transport Association guidelines, while traveling in a vehicle.

E. This section does not apply to police dogs as defined in RCW 4.24.410. A police dog is a dog used by a law enforcement agency specially trained for law enforcement work and under the control of a dog handler.

F. The owner must notify the manager in writing in the event of a dangerous animal's death, relocation or change in ownership. For a change of ownership or relocation, the registered owner shall provide the manager with: written notice, at least ten days in advance of any change, of the new owner's phone number and complete street, mailing and email addresses; and proof that the new owner and the new jurisdiction's animal control authority have been notified of the animal's designation as dangerous. If the change of ownership or relocation is within King County, the owner shall satisfy all requirements of this section before relocating the animal.

G. An animal found dangerous by any jurisdiction of this state or any other state is subject to the same requirements as if the animal was designated dangerous by King County.

H. A dangerous animal that is relocated outside King County is prohibited from reentering the county without prior written consent of the manager and a valid dangerous animal registration.

I. During the entire appeal process of a dangerous animal designation, the owner shall keep the animal in a proper enclosure. It is a violation of this chapter for the owner appealing a declaration to allow or permit the animal to be outside of the proper enclosure unless the animal is securely leashed, under the control of a competent adult, and humanely muzzled or securely restrained in an airline-approved carrier or crate while traveling in a vehicle.

J. The manager shall immediately impound the animal upon a violation of this section. The animal's owner shall pay the costs of confinement and the penalty imposed for the violation. The manager shall notify

the owner of the reasons for impounding the animal, that the owner is responsible for paying the costs of confinement, and that the animal will be destroyed if the deficiencies for which the animal was confiscated are not corrected within twenty-four days. If within twenty-four days the owner cures the deficiencies for which the animal was impounded to the satisfaction of the manager, and the owner pays the costs of confinement and the penalty imposed, then the owner may redeem the animal. The manager shall destroy the impounded animal if all violations of this section are not corrected, and all costs and penalties are not paid, within twenty-four days of notification.

K. It is the duty of every animal owner to always keep the animal under proper supervision and control. When an animal is declared dangerous, the duty is upon the animal owner to comply with this chapter. When an animal owner breaches these duties, the responsibility for any resulting injury or damage shall be on the animal owner and not King County.

NEW SECTION. SECTION 76. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

A. The manager may immediately impound an animal when the animal aggressively attacks and causes severe injury to or death of any human without provocation, even where the animal had not previously been designated potentially dangerous or dangerous. If the animal is impounded, the manager shall designate the animal as a dangerous animal and section 75 of this ordinance shall apply, except the animal shall remain impounded during the entire appeal process, if any.

B. The manager may immediately impound an animal and the owner forfeits all rights to the animal if the animal is not removed from the county in accordance with an order of the manager under section 66 of this ordinance. The animal's owner shall pay the costs of confinement. The manager shall notify the owner of the reason for impounding the animal, that the owner is responsible for paying the costs of confinement, and that the animal is the property of the manager. If within twenty-four days the owner provides to the manager a location for the animal to live outside of the county, including the

name, address, phone number, and email address of the person or organization taking ownership of the animal to the satisfaction of the manager, and the owner pays the costs of confinement and the penalty imposed, then the owner may redeem the animal. The owner shall ensure the animal is removed from the county immediately upon redemption. The manager shall make a disposition of the animal consistent with the options in K.C.C. 11.04.210.E.1. through E.5. if, within twenty-four days of notification, the owner has not paid the costs of confinement and provided the information required by this section.

SECTION 77. Ordinance 7986, Section 3, as amended, and K.C.C. 11.04.335 are hereby amended to read as follows:

A. The manager ((~~of the regional animal services section~~)) may, in full or in part, waive, refund or provide amnesty periods ((~~of amnesty~~)) for ((~~payment of~~)) outstanding civil penalties, licensing fees, late licensing penalty fees, adoption fees, and redemption and sheltering fees, in whole or in part, when ((~~to do~~)) doing so would further the goals of ((~~the regional animal services section~~)) this title and be in the public interest.

B. In determining whether a waiver should apply, the manager ((~~of the regional animal services section must take into consideration~~)) shall consider the following elements:

1. The reason the animal was impounded;

2. The violation's reason or the basis ((~~for the violation, the~~)), nature ((~~of the violation, the~~)), duration ((~~of the violation~~)), and ((~~the~~)) likelihood ((~~the violation will not recur~~)) of recurrence;

3. The total amount of the fees charged as compared with the gravity of the violation; and

4. The effect on the owner, the animal's welfare, and the regional animal services section if the fee ((~~or fees~~)) or penalties are not waived ((~~and no payment is received~~)).

SECTION 78. Ordinance 10809, Section 5, and K.C.C. 11.04.345 are hereby repealed.

NEW SECTION. SECTION 79. There is hereby added to K.C.C. chapter 11.04 a new section to read

as follows:

It is a misdemeanor to:

A. Intentionally cause, aid, or abet any violation of K.C.C.11.04.230 or 11.04.250, by any act or omission;

B. Fail to comply with a manager's order related to an animal designated as potentially dangerous, vicious, or dangerous after the animal has committed two violations of this chapter;

C. Fail to comply with a manager's order related to an animal designated as dangerous;

D. Cause an animal to injure a human or domesticated animal acting in a lawful manner;

E. Own or maintain a pet shop, hobby kennel or hobby cattery, pet daycare facility, animal shelter, or pet grooming service without the operating permit or permits required by K.C.C. chapter 11.04, after having committed a related violation;

F. Sell, adopt, transfer ownership, or trade an unlicensed pet, except in accordance with K.C.C. 11.04.030, after committing a related violation;

G. Sell, adopt, transfer ownership, or trade an animal knowing it to be ill or injured, without disclosing the animal's illness or injury;

H. Remove any animal from the possession of the animal care and control authority without permission of the manager or without paying all lawful charges;

I. Obstruct any animal care and control officer in the performance of any official duty;

J. Within a two-year period, receive five or more notices of violations or infractions issued under this title; or

K. Permit livestock to run at large in a stock restricted area.

NEW SECTION. SECTION 80. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

It is a gross misdemeanor for anyone to keep, maintain, control, or retain custody of any animal in

conjunction with or for the purpose, whether in whole or in part, of aiding, abetting, or conducting any illegal activity or committing any crime.

SECTION 81. Ordinance 10423, Section 2, as amended, and K.C.C. 11.04.400 are hereby amended to read as follows:

A. ((~~No person shall own or harbor~~)) A person may not harbor, keep, or maintain any ((~~cat or dog over the age of six months~~)) nonjuvenile pet that has not been ((~~spayed or neutered~~)) altered, unless the person holds an unaltered ((~~animal~~)) pet license for the animal ((~~pursuant to K.C.C. 11.04.030~~)).

B. Guide dogs ((~~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~~)) nonjuvenile pet adopted from an animal shelter in King County ((~~shall be spayed or neutered~~)) must be altered before transfer to the owner.

SECTION 82. Ordinance 10423, Section 24, as amended, and K.C.C. 11.04.410 are hereby amended to read as follows:

When issuing a license for an unaltered pet, the ((~~regional animal services section~~)) manager may provide to the applicant a voucher for ((~~the payment of~~)) paying all or part of the cost of an altering ((~~spay or neuter~~)) operation by a licensed veterinarian ((~~on the pet~~)), with the amount of the voucher established by the manager ((~~of regional animal services~~)) based upon available resources and upon the council providing appropriation authority ((~~being provided by the council~~)). The ((~~regional animal services section~~)) manager shall compile, maintain, and make available to the public a list of veterinarians who accept the vouchers as full or partial payment for ((~~spay or neuter operations. Spay or neuter~~)) altering. ((~~v~~))Vouchers ((~~shall be redeemed~~)) are redeemable through the King County treasury by veterinarians who have performed an alteration ((~~spay or neuter operation~~)) on a pet licensed in King County as an unaltered pet.

SECTION 83. Ordinance 10423, Section 6, as amended, and K.C.C. 11.04.500 are hereby amended to read as follows:

A. It ((~~shall be~~)) is the policy of King County that a maximum euthanasia rate target is set to measure the progress towards reducing the rates of ((~~cats and dogs~~)) pets euthanized by the regional animal services section or its designees. The euthanasia rates ((~~shall be~~)) must be calculated based on the total number of live ((~~cats and dogs take in to~~)) pets taken into King County custody to include stray, homeless, abandoned, unwanted or surrendered animals, and animals euthanized at an owner's request. The euthanasia rates ((~~shall~~)) must exclude animals euthanized at the order of the director ((~~of the Seattle-King County department of public health~~)) and those animals ((~~who are~~)) not in the custody of King County but ((~~are~~)) brought to a King County shelter by their owner or guardian for the purposes of licensing, or clinic services, such as ((~~spaying, neutering~~)) alterations and vaccinations, should ((~~such services be made available~~)) the manager make those services available to the public ((~~by the regional animal services section~~)). The calculation of the euthanasia rate for a given year should include the inventory of pets carried over from the preceding year and exclude the inventory of pets carried over to the subsequent year.

B. The total number of ((~~cats and dogs~~)) pets euthanized by the regional animal services section is not to exceed fifteen percent.

C. The manager should, to the extent feasible, calculate other measures of euthanasia rates or live release rates that enable comparison with other agencies.

SECTION 84. Ordinance 10423, Section 19, and K.C.C. 11.04.520 are hereby repealed.

SECTION 85. Ordinance 10423, Section 20, and K.C.C. 11.04.530 are hereby amended to read as follows:

((~~The provisions of t~~))This chapter ((~~shall~~)) does not apply to dogs and cats in the custody of ((~~an animal~~)) a research facility registered or ((~~licenses~~)) licensed by the United States Department of Agriculture and regulated by 7 United States Code 2131, et seq.

SECTION 86. Ordinance 10423, Section 21, as amended, and K.C.C. 11.04.540 are hereby repealed.

SECTION 87. The following are hereby repealed:

powered by Legistar™

A. Ordinance 10423, Section 25, as amended, and K.C.C. 11.04.560; and

B. Ordinance 10423, Section 26, as amended, and K.C.C. 11.04.570.

SECTION 88. Ordinance 10423, Section 27, as amended, and K.C.C. 11.04.580 are hereby amended to read as follows:

The ((~~animal care and control authority~~)) manager ~~shall~~ may develop and implement a twelve-month program to canvass for compliance with the licensing requirements of this ((~~chapter~~)) title. The program ((~~shall~~)) must be directed at households within unincorporated areas of King County and cities under contract with King County for animal care control services. ((~~Animal care and control authority~~)) Regional animal services section employees and persons or organizations under contract to ((~~the animal care and control authority~~)) the regional animal service section performing the canvassing may issue pet licenses and collect license fees. The manager shall annually review the canvassing program ((~~shall be reviewed by the animal care and control authority~~)). Funding ((~~for subsequent years shall~~)) must be reviewed annually based upon an evaluation of the efficacy of the canvassing program.

NEW SECTION. SECTION 89. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

If any provision of this title or its application to any person or circumstance is held invalid, the remainder of the title or the application of the provision to other persons or circumstances is not affected.

SECTION 90. The following are each repealed:

A. Ordinance 3548, Section 1, as amended, and K.C.C. 11.08.010;

B. Ordinance 3548, Section 2, as amended, and K.C.C. 11.08.020;

C. Ordinance 3548, Section 3, as amended, and K.C.C. 11.08.030;

D. Ordinance 10574, Section 1 and K.C.C. 11.08.035;

E. Ordinance 3732, Section 4, as amended, and K.C.C. 11.08.040;

F. Ordinance 3548, Section 4, as amended, and K.C.C. 11.08.050;

G. Ordinance 3548, Section 5, as amended, and K.C.C. 11.08.060;

H. Ordinance 11150, Sections 1-2, as amended, and K.C.C. 11.08.075;

I. Ordinance 3548, Section 8 (part) (1), and K.C.C. 11.08.080;

J. Ordinance 3548, Section 8 (part)(2), as amended, and K.C.C. 11.08.090;

K. Ordinance 3810, Section 1, and K.C.C. 11.08.100;

L. Ordinance 3811, Section 1, and K.C.C. 11.08.110;

M. Ordinance 4149, Section 1, and K.C.C. 11.08.120;

N. Ordinance 4150, Section 1, and K.C.C. 11.08.130;

O. Ordinance 4370, Section 1, and K.C.C. 11.08.140;

P. Ordinance 4371, Section 1, and K.C.C. 11.08.150;

Q. Ordinance 4385, Section 1, as amended, and K.C.C. 11.08.160;

R. Ordinance 4991, Section 1, and K.C.C. 11.08.170;

S. Ordinance 5058, Section 1, and K.C.C. 11.08.180;

T. Ordinance 5059, Section 1, and K.C.C. 11.08.190;

U. Ordinance 5186, Section 1, and K.C.C. 11.08.200;

V. Ordinance 5185, Section 2, and K.C.C. 11.08.210;

W. Ordinance 5492, Section 1 and K.C.C. 11.08.220;

X. Ordinance 5493, Section 1 and K.C.C. 11.08.230;

Y. Ordinance 5673, Section 1, and K.C.C. 11.08.240;

Z. Ordinance 6340, Section 1, and K.C.C. 11.08.250;

AA. Ordinance 6430, Section 1, and K.C.C. 11.08.260;

BB. Ordinance 6640, Section 1, and K.C.C. 11.08.270;

CC. Ordinance 7570, Section 1, and K.C.C. 11.08.280;

DD. Ordinance 7608, Section 1, and K.C.C. 11.08.290;

EE. Ordinance 9063, Section 1, and K.C.C. 11.08.300;

FF. Ordinance 11719, Section 1, and K.C.C. 11.08.310;

GG. Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010;

HH. Resolution 27312, Section 2, as amended, and K.C.C. 11.12.020;

II. Resolution 27312, Section 3, and K.C.C. 11.12.030;

JJ. Resolution 27312, Section 4, as amended, and K.C.C. 11.12.040;

KK. Resolution 27312, Section 5, as amended, and K.C.C. 11.12.050; and

LL. Resolution 27312, Section 6, as amended, and K.C.C. 11.12.060.

SECTION 91. NEW SECTION. There is hereby added to K.C.C. 11.04 a new section to follow K.C.C. 11.04.170, to read as follows:

The manager is authorized to assist the director in enforcing and carrying out BOH chapter 8.04 of the King County Board of Health Code.

SECTION 92. The following are hereby repealed:

A. Resolution 30346, Section 1, and K.C.C. 11.20.010; and

B. Resolution 30346, Section 2, and K.C.C. 11.20.020.

SECTION 93. K.C.C. 11.24.010 is hereby recodified as a new section in K.C.C. chapter 11.04 to follow K.C.C 11.04.230.

SECTION 94. The following are hereby repealed:

A. Ordinance 5975, Section 3, and K.C.C. 11.24.030;

B. Ordinance 2473, Section 1, as amended, and K.C.C. 11.28.010;

C. Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020;

D. Ordinance 2473, Section 4, as amended, and K.C.C. 11.28.040;

E. Ordinance 2473, Section 5, as amended, and K.C.C. 11.28.050;

F. Ordinance 2473, Section 6, as amended, and K.C.C. 11.28.060;

G. Ordinance 2473, Section 7, as amended, and K.C.C. 11.28.070;

H. Ordinance 2473, Section 8, as amended, and K.C.C. 11.28.080;

I. Ordinance 2473, Section 9, and K.C.C. 11.28.090;

J. Ordinance 2473, Section 10, as amended, and K.C.C. 11.28.100; and

K. Ordinance 2473, Section 11, and K.C.C. 11.28.110.

SECTION 95. K.C.C. 11.28.030, as amended by this ordinance, is hereby recodified as a new section in K.C.C. chapter 11.04 to follow K.C.C 11.04.230.

SECTION 96. Ordinance 2473, Section 3, as amended, and K.C.C. 11.28.030 are hereby amended to read as follows:

((~~The possession or maintenance of~~)) A. A person may not harbor, keep, or maintain an exotic animal ((~~within King County by private citizens as pets is prohibited unless the owner possessed or maintained the exotic animal on or before June 10, 1994, and agrees to promptly act to satisfy the licensing requirements in K.C.C. 11.28.040 through 11.28.090 and such rules and regulations as the animal care and control authority may adopt as provided in K.C.C. chapter 2.98 regarding the maintenance of the animals~~)), unless an exception in RCW 16.30.020 applies.

B. An exotic animal harbored, kept or maintained in violation of this section is subject to impoundment. If an animal is impounded under this section, the procedures in RCW 16.30.040(2) through (6) shall apply.

SECTION 97. The following are hereby repealed:

A. Ordinance 3232, Section 1 and K.C.C. 11.32.010;

B. Ordinance 3232, Section 2, as amended, and K.C.C. 11.32.020;

C. Ordinance 3232, Section 3, as amended, and K.C.C. 11.32.030;

D. Ordinance 3232, Section 4, as amended, and K.C.C. 11.32.040;

E. Ordinance 3232, Section 5, as amended, and K.C.C. 11.32.050;

F. Ordinance 3232, Section 6, as amended, and K.C.C. 11.32.060;

G. Ordinance 3232, Section 7, as amended, and K.C.C. 11.32.070;

H. Ordinance 3232, Section 8, as amended, and K.C.C. 11.32.080;

I. Ordinance 3232, Section 9, as amended, and K.C.C. 11.32.090;

J. Ordinance 3232, Section 13, as amended, and K.C.C. 11.32.100; and

K. Ordinance 3232, Section 14, and K.C.C. 11.32.110.