



Legislation Details (With Text)

File #: 2002-0364 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/3/2002 **In control:** Committee of the Whole
On agenda: **Final action:** 10/7/2002
Enactment date: 10/17/2002 **Enactment #:** 14498

Title: AN ORDINANCE making technical corrections; and amending Ordinance 12075, Section 5, and K.C.C. 2.32.040, Ordinance 13623, Section 1, as amended, and K.C.C. 2.36.055, Ordinance 12075, Section 11, and K.C.C. 2.40.030, Ordinance 12901, Section 3, and K.C.C. 2.41.030, Ordinance 13629, Section 1, and K.C.C. 2.51.010, 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 1396, Article I, Section 3, as amended, and K.C.C. 11.04.020, Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035, Ordinance 1396, Article II, Section 3, as amended, and K.C.C. 11.04.050, Ordinance 1396, Article III, Section 1, as amended, and K.C.C. 11.04.170, Ordinance 1396, Article III, Section 7, as amended, and K.C.C. 11.04.230, Ordinance 1396, Article III, Section 8, and K.C.C. 11.04.250, Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590, Ordinance 9464, Section 6, and K.C.C. 11.06.060, Ordinance 3732, Section 1, and K.C.C. 11.08.040, Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010, Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020, Ordinance 3232, Section 2, and K.C.C. 11.32.020, Ordinance 9839, Sections 1 through 4, and K.C.C. 13.28.035, Ordinance 9462, Sections 1 through 3, and K.C.C. 13.28.055, Ordinance 1711, Section 5, as amended, and K.C.C. 14.44.050, Ordinance 7444, Section 5, as amended, and K.C.C. 15.90.050, Ordinance 1283 (part), as amended, and K.C.C. 16.78.060, Ordinance 1488 (part), as amended, and K.C.C. 16.82.130, Ordinance 6949, Section 15, and K.C.C. 20.44.130 and decodifying K.C.C. 13.28.020, K.C.C. 13.28.030, K.C.C. 13.28.040 and K.C.C. 13.28.050.

Sponsors: Cynthia Sullivan

Indexes: King County Code, Reorganization

Code sections: 11.02.010 -, 11.02.020 -, 11.04.020 -, 11.04.035 -, 11.04.050 -, 11.04.170 -, 11.04.230 -, 11.04.250 -, 11.04.590 -, 11.06.060 -, 11.08.040 -, 11.12.010 -, 11.28.020 -, 11.32.020 -, 13.28.020 -, 13.28.030 -, 13.28.035 -, 13.28.040 -, 13.28.050 -, 13.28.055 -, 14.44.050 -, 15.90.050 -, 16.78.060 -, 16.82.130 -, 2.32.040 -, 2.36.055 -, 2.40.030 -, 2.41.030 -, 2.51.010 -, 20.44.130 -

Attachments: 1. Ordinance 14498.pdf, 2. 2002-0364 Staff Report for 10-07-02 COW.doc, 3. 2002-0364 Transmittal Letter.doc

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------------------|-------------------------|--------|
| 10/7/2002 | 1 | Committee of the Whole | Recommended Do Pass | Pass |
| 10/7/2002 | 1 | Metropolitan King County Council | Hearing Held | |
| 10/7/2002 | 1 | Metropolitan King County Council | Passed | Pass |
| 9/3/2002 | 1 | Metropolitan King County Council | Introduced and Referred | |

Clerk 08/14/2002

AN ORDINANCE making technical corrections; and amending Ordinance 12075, Section 5, and K.C.C. 2.32.040, Ordinance 13623, Section 1, as amended, and K.C.C. 2.36.055, Ordinance 12075, Section 11, and K.C.C. 2.40.030, Ordinance

12901, Section 3, and K.C.C. 2.41.030, Ordinance 13629, Section 1, and K.C.C. 2.51.010, 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 1396, Article I, Section 3, as amended, and K.C.C. 11.04.020, Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035, Ordinance 1396, Article II, Section 3, as amended, and K.C.C. 11.04.050, Ordinance 1396, Article III, Section 1, as amended, and K.C.C. 11.04.170, Ordinance 1396, Article III, Section 7, as amended, and K.C.C. 11.04.230, Ordinance 1396, Article III, Section 8, and K.C.C. 11.04.250, Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590, Ordinance 9464, Section 6, and K.C.C. 11.06.060, Ordinance 3732, Section 1, and K.C.C. 11.08.040, Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010, Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020, Ordinance 3232, Section 2, and K.C.C. 11.32.020, Ordinance 9839, Sections 1 through 4, and K.C.C. 13.28.035, Ordinance 9462, Sections 1 through 3, and K.C.C. 13.28.055, Ordinance 1711, Section 5, as amended, and K.C.C. 14.44.050, Ordinance 7444, Section 5, as amended, and K.C.C. 15.90.050, Ordinance 1283 (part), as amended, and K.C.C. 16.78.060, Ordinance 1488 (part), as amended, and K.C.C. 16.82.130, Ordinance 6949, Section 15, and K.C.C. 20.44.130 and decodifying K.C.C. 13.28.020, K.C.C. 13.28.030, K.C.C. 13.28.040 and K.C.C. 13.28.050.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12075, Section 5, and K.C.C. 2.32.040 are each hereby amended to read as follows:

Fair board. A. It is the intent of the council to reduce the administrative workload of the King County

fair board and to clarify the relationships between, and responsibilities of, the county and the fair board. The ((~~King County~~)) fair board is hereby designated the following responsibilities:

1. To provide recommendations, advise and assist in the planning and conduct of the King County fair;
2. To function as a vital point of interface between King County, ~~((and;~~
a)) the citizenry of the county~~((;))~~ and
~~((b.))~~ key participating groups upon whose participation a successful fair depends;
3. To actively participate in the activities of the fair, particularly with respect to the agricultural and youth oriented events and activities of the fair;
4. To serve in a liaison capacity with participating groups and officials in the ~~((King County))~~ fair;
5. To make recommendations on the proposed ~~((King County))~~ fair budget; and
6. ~~((The board is authorized and encouraged to))~~ To communicate directly with the county executive, the county council, and the director of the department of natural resources and parks ~~((and cultural resources))~~ at its discretion. Such action is particularly encouraged in those instances where the fair board considers that its policies or recommendations are not being followed.

B. The ~~((King County))~~ fair board shall consist of the following members, all of whom shall vote except as noted:

1. Thirteen members each representing a council district shall be selected by the county executive from a list of one or more nominees presented to ~~((him/her))~~ him or her by the councilmember representing that district~~((;))~~, provided as follows:

- a. ~~((in the event that))~~ if no nominees are submitted for the district within thirty days from the effective date of the vacancy, the executive may make ~~((his/her))~~ his or her own selection; and

- b. the terms of office for the member from each council district shall be for a three-year period commencing October 1 ~~((, except that appointments in districts 10 through 13 made pursuant to this section~~

shall be made subject to Ordinance 11293, terms to be assigned as follows: ~~one member to serve a one-year term; one member to serve a two-year term; and two members to serve three-year terms~~).

2. The director of the King County extension service ~~(, or his/her)~~ or his or her designee;

3. One member selected by the King County vocational agriculture instructors' organization, the ~~((~~))Future Farmers of America~~((+))~~;

4. Two members selected by the members of the King County 4-H leader's council;

5. Two non~~((-~~))voting youth members; one appointed by the agriculture teachers from the membership of the ~~((FFA))~~ Future Farmers of America and one appointed by the King County extension agent from the membership of 4-H; and

6. One representative from the ~~((C))~~city of Enumclaw to be appointed by the ~~((M))~~ayor of the ~~((C))~~city of Enumclaw and confirmed by the Enumclaw ~~((C))~~city ~~((C))~~council.

C. The ~~((King County))~~ fair is designated the line responsibility of the department of natural resources and parks ~~((and cultural resources, recreation and aquatics division. Direct operating authority and responsibilities concerning the fair rest with the recreation and aquatics division))~~.

D. The ~~((King County))~~ fair board shall recommend at least three candidates for the position of fair manager to the ~~((manager of the recreation and aquatics division))~~ director of the department of natural resources and parks. The ~~((manager of the recreation and aquatics division))~~ director shall appoint the fair manager after considering the fair board's recommendation. The fair manager will report directly to the ~~((manager of the recreation and aquatics division))~~ director or his or her designee. The position will be exempt from career service. The ~~((King County))~~ fair manager shall attend all regular meetings of the ~~((King County))~~ fair board and keep the ~~((King County))~~ fair board informed of all developments concerning the ~~((King County))~~ fair.

E. The ~~((King County))~~ fair manager ~~((and/or the manager of the recreation and aquatics division))~~ shall consult with the ~~((King County))~~ fair board in connection with the submittal of a budget for the operation

of the fair and fairgrounds. The proposed budget will be submitted to the ((King County)) fair board whose comments and recommended modifications, if any, will be included in or appended to the budget documentation forwarded to the executive and the county council. No budget shall be presented for adoption which cannot be shown to have reasonable expectation of operating the fair, its maintenance and proposed improvements from funds accruing from fair revenues.

F. All ((monies)) moneys received by or on behalf of the fair shall be deposited in the county treasury. All expenditures incurred in operation of the ((county)) fair and fair board shall be in accordance with procedures, ordinances and general laws governing the financial administration of King County.

G. Capital improvements to the ((King County)) fairgrounds at Enumclaw, Washington, shall be paid for from revenues generated by the fair, its revenues and grants, gifts and other moneys accruing to the fair from other than the county current expense fund, unless otherwise provided by ordinance. The use of bonds for purposes of capital improvements may be proposed, subject to approval of the executive and thereafter upon review and approval of the council. No substantial change in land use at the ((King County)) fairgrounds or adjacent property will be made without the express approval of the council.

H. The fair board shall establish rules governing its operation including provision for removal of members for cause.

SECTION 2. Ordinance 13623, Section 1, as amended, and K.C.C. 2.36.055 are each hereby amended to read as follows:

King County emergency management committee. A. The King County emergency management advisory committee is hereby established. The committee shall act in an advisory capacity to the county executive, council and office of emergency management ((division)) on emergency management matters and facilitate the coordination of regional emergency planning in King County.

B. The committee shall be composed of members who represent the following emergency management interests, with each interest having one member except for the Suburban Cities Association, which may have

three members:

1. The Central Region Emergency Medical Services and Trauma Care Council;
2. Cities with populations larger than one hundred thousand;
3. Electric and gas utilities;
4. The financial community;
5. The King County Fire Chiefs Association;
6. The King County Fire Commissioners Association;
7. The King County Police Chiefs Association;
8. Local emergency planning committees;
9. The Port of Seattle;
10. Private industry;
11. The Puget Sound Educational Service District;
12. The Seattle/King County Chapter of the American Red Cross;
13. Water-sewer districts;
14. The Suburban Cities Association;
15. The Washington Association of Building Officials;
16. The King County executive or his or her designee;
17. The King County department of natural resources and parks; and
18. The King County department of transportation (~~((road services and transit divisions))~~).

C. The scope and charge of the committee is to:

1. Advise King County on emergency management issues and facilitate coordination of regional emergency planning in King County;
2. Assist King County in the development of programs and policies concerning emergency management; and

3. Review and comment on proposed emergency management rules, policies or ordinances before the adoption of the rules, policies or ordinances.

D. 1. The county executive shall appoint regular members of the committee, subject to confirmation by the county council (~~(motion)~~).

2. Individuals serving as members of the committee shall be the chair of the association or designee if an association or agency is named as a member. This includes the Suburban Cities Association, which shall designate the individuals to serve as its representative members.

3. Individuals serving the committee from industry groups shall be recruited with the assistance of the industry.

4. A member of the committee shall serve a term of three years or until the member's successor is appointed and confirmed as provided in this section. The terms of office shall be staggered consistent with K.C.C. chapter 2.28.

5. Memberships are not limited as to numbers of terms, but members shall participate in a reappointment process every three years. Reappointment is subject to confirmation by the county council.

6. A vacancy shall be filled for the remainder of the term of the vacant position in the manner described in the initial appointment.

E.1. The committee shall elect a committee member as chair by a majority vote of committee members. The term of the chair is one year.

2. The committee shall adopt appropriate bylaws, including quorum requirements.

F. The office of emergency management (~~(division)~~) shall provide ongoing administrative support to the committee.

G. Members of the committee shall serve without compensation.

SECTION 3. Ordinance 12075, Section 11, and K.C.C. 2.40.030 are each hereby amended to read as follows:

Membership, terms and ex-officio members.

A. The commission shall consist of fifteen members; the members shall serve terms of three years as specified in K.C.C. chapter 2.28.

B. The fifteen voting members of the commission shall serve without compensation and represent the diversity of the agricultural economy, various agricultural operations, and the regions of the county.

Membership should be representative of producers of agricultural commodities and persons with demonstrated knowledge, experience and interest in agricultural real estate, food and feed processing, wholesale and retail marketing, produce buying, direct marketing, supply, and finance. ~~((Provided, h))~~ However, ~~((that))~~ at least eight of the voting commission members shall be producers as defined in K.C.C. 2.40.020.

C. The directors of the departments of natural resources and parks ~~((and cultural resources))~~, development and environmental services, community and human services, public health, ~~((natural resources, and construction and facility management))~~ and executive services, and the King County conservation district may serve as additional members in an ex officio capacity.

SECTION 4. Ordinance 12901, Section 3, and K.C.C. 2.41.030 are each hereby amended to read as follows:

Membership, terms and non-voting ex-officio members.

A. The commission shall consist of thirteen voting members; the members shall serve terms of three years as specified in K.C.C. chapter 2.28.

B. The voting members of the commission shall serve without compensation. The members shall represent the diversity of rural forestry interests and the different geographic regions of rural King County.

C. Commission membership shall include an equitable representation of the following interests:

1. At least five members representing private rural forest landowners, with at least one from each of the following ownership categories:

a. forest landowners with greater than five hundred acres of rural forest land in King County;

- b. forest landowners with forty to five hundred acres of rural forest land in King County, and for whom income from forestry is an important component of total income;
 - c. residential forest landowners with greater than twenty acres of rural forest land enrolled in the Forest Land Designation (~~((RCW))~~ chapter 84.33 RCW) program; and
 - d. residential forest landowners with less than twenty acres of rural forest land;
2. Advocates of non~~((-))~~timber values of forest land, such as environmental protection, recreation and open space;
 3. The Washington Department of Natural Resources;
 4. Affected Indian ~~((T))~~tribes;
 5. Consumers or users of local forest products, such as mills, lumber suppliers, craftsmen, florist suppliers~~((;))~~ or users of other alternative forest products;
 6. Academic or professional foresters, or forestry associations; and
 7. Rural cities.

D. The directors of the departments of natural resources~~((;))~~ and parks ~~((and recreation))~~, development and environmental services, ~~((human resources))~~ executive services, ~~((and))~~ the office of budget ~~((and strategic planning))~~, a representative of the King County council natural resources, parks and open space committee, or its successor, and the director of the King conservation district may serve as non~~((-))~~voting ex officio members of the commission.

E. All appointees should have a working knowledge of King County forestry, a strong commitment to promote forestry in the rural area, the ability to work with differing viewpoints to find solutions to complex problems~~((;))~~ and a willingness to commit the time necessary to attend commission meetings and activities.

SECTION 5. Ordinance 13629, Section 1, and K.C.C. 2.51.010 are each hereby amended to read as follows:

Policies - guidelines adoption - implementation ~~((by department of community and human~~

~~services—cooperation with other departments and offices)—consideration of inclusion in 2000 Comprehensive Plan update).~~

A. The King County Framework Policies for Human Services, dated August 24, 1999, and contained in Attachment A to ~~((this ordinance))~~ Ordinance 13629, and the Implementation Guidelines for the Framework Policies for Human Services, dated August 24, 1999, and contained in Attachment B to ~~((ø))~~Ordinance 13629, are adopted to guide the future development of county human services programs.

B. The department of community and human services shall have lead responsibility for implementing the framework policies for human services in accord with the implementation guidelines. The department shall work in cooperation with the King County children & family commission and with other county departments and offices also providing services to the same populations, including but not limited to the departments of public health, ~~((youth services,))~~ adult and juvenile detention, natural resources and parks~~((and recreation,))~~ and transportation~~((and regional planning))~~.

~~((C. The executive shall consider incorporating some or all of the framework policies for human services in the year 2000 Comprehensive Plan update.))~~

SECTION 6. Ordinance 1269, Section 1, as amended, and K.C.C. 11.02.010 are each hereby amended to read as follows:

Established. There is established an animal control section in the ~~((division of general))~~ records, elections and licensing services division ~~((an animal control section))~~. The animal control section is by this chapter designated the agency authorized to enforce animal control laws.

SECTION 7. Ordinance 1269, Section 3, as amended, and K.C.C. 11.02.020 are each hereby amended to read as follows:

Office of manager created - Compensation. There is established within the animal control section ~~((of the division of general services))~~ the position of "manager-animal control section" to be compensated at a rate established ~~((by the))~~ in accordance with county personnel ~~((division))~~ policies.

SECTION 8. Ordinance 1396, Article I, Section 3, as amended, and K.C.C. 11.04.020 are each hereby amended to read as follows:

Definitions. In construing the provisions of this chapter, except where otherwise plainly declared or clearly apparent from the context, words ~~((used herein))~~ shall be given their common and ordinary meaning~~((;)).~~

~~((;))~~In addition, the following definitions shall apply:

A. "Abate~~((ment))~~" means ~~((the termination of))~~ to terminate any violation by reasonable and lawful means determined by the ~~((director))~~ manager of the animal control authority in order that an owner or a person presumed to be the owner shall comply with this chapter.

B. "Animal" means any living creature except ~~((h))~~Homo sapiens, insects and worms.

C. "Animal control authority" means the county animal control section~~((, division))~~ of the records, elections and licensing ~~((and regulatory))~~ services division, acting alone or in concert with other municipalities for enforcement of the animal control laws of the county and state and the shelter and welfare of animals.

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

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

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

G. "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death~~((;))~~ or by a method that causes painless loss of

consciousness((;)) and death during ((such)) the loss of consciousness.

H. "Fostering" means obtaining unwanted dogs or cats and locating adoptive homes for those licensed and spayed or neutered dogs or cats. Individuals who wish to foster dogs and cats, and who through ((such)) the activity shall routinely or from time to time harbor, keep or maintain more dogs and cats than allowed in K.C.C. Title 21A ((~~K.C.C.~~)), must obtain either an ((I))individual or ((O))organizational ((P))private ((A))a nimal ((P))placement ((P))permit.

I. "Grooming service" means any place or establishment, public or private, where animals are bathed, clipped or combed for the purpose of enhancing either their aesthetic value ((and/))or health, or both, and for which a fee is charged.

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

K. "Hobby cattery" means a noncommercial cattery at or adjoining a private residence where four or more adult cats are bred or kept for exhibition for organized shows or for the enjoyment of the species. ((~~provided, h~~))However, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed in K.C.C. Title 21A.

L. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult dogs are bred or kept for any combination of hunting, training and exhibition for organized shows, field, working ((and/))or obedience trials, or for the enjoyment of the species. ((~~provided, h~~))However, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed in K.C.C. Title 21A.

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

N. "Kennel" means a place where four or more adult dogs are kept, whether by owners of the dogs or

by persons providing facilities and care, whether or not for compensation, but not including a pet shop. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months.

O. "Livestock" (~~means as defined~~) has the same meaning as in K.C.C. 21A.06.695.

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

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

R. "Person" means any individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

S. "Pet" (~~shall~~) means a dog or a cat or any other animal required to be licensed by (~~the provisions of~~) this chapter. (~~The terms~~) "~~(d)~~ Dog," (~~or~~) "cat" and "pet" may be used interchangeably.

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

U. "Private (~~(A)~~animal (~~(P)~~placement (~~(P)~~permit - (~~(I)~~individual)" means a permit issued to persons engaged in fostering dogs and cats who meet certain requirements to allow (~~such~~) the persons to possess more dogs and cats than is specified in K.C.C. Title 21A (~~(K.C.C.)~~). Persons holding an (~~(I)~~individual (~~(P)~~private (~~(A)~~animal (~~(P)~~placement (~~(P)~~permit and fostering dogs and cats must locate an adoptive home for a dog or cat within six months of acquisition of the dog or cat.

V. "Private (~~(A)~~animal (~~(P)~~placement (~~(P)~~permit - (~~(O)~~organizational)" means permits issued to organizations engaged in fostering dogs and cats, (~~such~~) the organizations having first met certain requirements. These organizations may distribute these permits to individuals who will foster the dogs and cats

in their homes. The permits will allow ~~((such persons))~~ the individuals to possess more dogs and cats than is specified in K.C.C. Title 21A ~~((K.C.C.))~~. ~~((Such))~~ The organizations must be approved by the director, and their permit holders must locate an adoptive home for a dog or cat within six months of acquisition of the dog or cat.

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

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

Y. "Shelter" means a facility ~~((which))~~ that is used to house or contain stray, homeless, abandoned or unwanted animals and ~~((which))~~ 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.

Z. "Special hobby kennel license" means a license issued under certain conditions to pet owners ~~((under certain conditions))~~, who do not meet the requirements for a ~~((H))~~hobby ~~((K))~~kennel ~~((L))~~license, to allow them to retain only those specific dogs and cats then in their possession until such time as the death or transfer of ~~((such))~~ the animals reduces the number they possess to the legal limit ~~((set forth))~~ in K.C.C. Title 21A, the King County ~~((Z))~~zoning ~~(())~~code.

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

BB. "Vicious" means the act of, or the propensity to do any act, endangering the safety of any person, animal or property of another, including, but not limited to, biting a human being, ~~((and/or an attack on))~~ or

attacking a human being((s)) or ((domestic)) domesticated animal((s)) without provocation.

SECTION 9. Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035 are each hereby amended to read as follows:

License fees and penalties.

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

| | | | |
|-----|----|--|-----------|
| 1. | | Pet license | |
| | a. | Unaltered (dog or cat) | \$ 55.00 |
| | b. | Altered | 15.00 |
| 2. | | Juvenile pet license | 5.00 |
| 3. | a. | Senior citizen/lifetime license - dog | 20.00 |
| | b. | Senior citizen/lifetime license - cat | 12.00 |
| 4. | | Replacement tag | 3.00 |
| 5. | | Transfer fee | 3.00 |
| 6. | | Animal shelter | 200.00 |
| 7. | | Kennel and cattery | |
| | a. | Hobby | 50.00 |
| | b. | Commercial | 200.00 |
| 8. | | Pet shop | 200.00 |
| 9. | | Grooming service | |
| | a. | Operating alone | 100.00 |
| | b. | When operated in conjunction with pet shop or kennel or veterinarian | 100.00 |
| 10 | | Guard dog registration | 100.00 |
| 11. | | Exotic pet | |
| | a. | New | 500.00 |
| | b. | Renewals | 250.00 |
| 12. | | Service animal | no charge |
| 13. | | K-9 police dog | no charge |
| 14. | | Individual private animal placement permit | 25.00 |
| 15. | | Organizational private animal placement permit | 10.00 |

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

| | | | |
|-------------------------------|--|---|----------|
| License renewal applications: | | | |
| 1. | | Received after thirty days of license expiration, but before sixty days or failure to comply with K.C.C. 11.04.030C | \$ 10.00 |
| 2. | | Received after sixty days of license expiration, but before ninety days | 20.00 |
| 3. | | Received after ninety days of license expiration | 40.00 |

C. (~~Penalties~~) The following penalties shall be assessed:

| | | | |
|-----------------------------|----|---------------------------------------|-------------|
| 1. Dog leash law violations | | | |
| | a. | First notice | \$ 25.00 |
| | b. | Successive violations within one year | 50.00 |
| 2. | | Civil penalties | max 1000.00 |
| 3. | | Animal abandonment | 500.00 |

D. (~~Service fees~~) The following service fees are applicable as provided in this chapter:

| | | | |
|------------------------------------|--|--|--|
| 1. Adoptions - per animal \$ 60.00 | | | |
|------------------------------------|--|--|--|

This is a one-price fee which includes the fee for adopting an animal, the license fee and the spaying/neutering of the animal.

| | | | |
|--|----|--|-------------------|
| 2. Spay/neuter deposit - per animal as required in K.C.C. 11.04.210B. 1a 35.00 | | | |
| 3. | | Impound/redemption | |
| | a. | Dog, cats, other small animals First offense Second offense, within one year Third offense, within one year | 30.00 60.00 90.00 |
| | b. | Livestock | 100.00 |
| 4. | | Kenneling - per 24 hours or portion thereof | 10.00 |
| 5. | | Recovery of deceased (domestic) <u>domesticated</u> pets from doctors of veterinary medicine, per pet | 7.00 |

SECTION 10. Ordinance 1396, Article II, Section 3, as amended, and K.C.C. 11.04.050 are each hereby amended to read as follows:

Animal shelter cattery, pet shop, grooming service and kennel license - Information required.

A. (~~(ZONING COMPLIANCE.)~~) The applicant for an original animal shelter, cattery, pet shop, grooming service, or kennel license shall present to the animal control authority a written statement from the county department of (~~(parks, planning and resources)~~) development and environmental services that the establishment of the animal shelter, cattery, pet shop, grooming service or kennel at the proposed site is not in violation of K.C.C. Title 21A, the King County zoning code, has a legal nonconforming zoning status, or a conditional use permit has been issued for the intended use.

B. (~~(HEALTH INSPECTION.)~~) Before an animal shelter, cattery, pet shop, grooming service or kennel license may be issued by the animal control authority, a certificate of inspection from the Seattle-King County health department or King County animal control section must be issued showing that the animal shelter, cattery, pet shop, grooming service or kennel is in compliance with (~~(Sections)~~) K.C.C. 11.04.080, 11.04.090, 11.04.100 and 11.04.110.

SECTION 11. Ordinance 1396, Article III, Section 1, as amended, and K.C.C. 11.04.170 are each hereby amended to read as follows:

Enforcement power.

A. The (~~(director)~~) manager of the animal control authority and his or her authorized animal control officers are authorized to take such lawful action as may be required to enforce the provisions of this chapter, (~~(the provisions of)~~) Ordinance 10870, as amended, and K.C.C. Title 21A (~~(K.C.C.)~~), as (~~(they)~~) the provisions pertain to the keeping of animals, and the laws of the state of Washington as (~~(they)~~) the laws pertain to animal cruelty, shelter, welfare and enforcement of control.

B. The (~~(director)~~) manager of the animal control authority or his or her authorized animal 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. ~~((Provided that the director))~~ The manager of the animal control authority and his or her authorized animal control officers, while pursuing or observing any animal in violation of this chapter, 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 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 ~~((director))~~ manager or the authorized animal control officer to enter private property to perform any duty imposed by this chapter. Any person violating this subsection is guilty of a misdemeanor.

SECTION 12. Ordinance 1396, Article III, Section 7, as amended, and K.C.C. 11.04.230 are each hereby amended to read as follows:

Nuisances defined. For purposes of this chapter, nuisances are violations of this chapter and shall be defined as follows:

- A. Any public nuisance relating to animal control known at common law or in equity jurisprudence;
- B. A dog running at large within the county~~((:));~~
- C. Any domesticated animal, whether licensed or not, ~~((which))~~ that runs at large in any park~~((:))~~ or enters any public beach, pond, fountain~~((:))~~ or stream ~~((therein))~~, or upon any public playground or school ground~~((: provided, however that))~~. However, this section shall not prohibit a person from walking or exercising an animal in a public park or on any public beach when ~~((such))~~ the animal is on a leash, tether or chain not to exceed eight feet in length. ~~((Provided, however, that))~~ Also, this section shall not apply to any blind person using a trained seeing-eye dog, to animal shows, exhibitions or organized dog-training classes ~~((where))~~ if at least twenty-four hours' advance notice has been given to the animal control authority by ~~((such))~~

those persons requesting to hold ~~((such))~~ the animal shows, exhibitions or organized dog-training classes;

D. Any domesticated animal ~~((which))~~ that enters any place where food is stored, prepared, served or sold to the public, or any other public building or hall. ~~((Provided, however, that))~~ However, this section shall not apply to any blind person using a trained seeing-eye dog, to veterinary offices or hospitals~~((;))~~ or to animal shows, exhibitions or organized dog-training classes ~~((where))~~ if at least twenty-four hours' advance notice has been given to the animal control authority~~((;))~~ by ~~((such))~~ the persons requesting to hold ~~((such))~~ the animal shows, exhibitions or organized dog-training classes;

E. A female domesticated animal, whether licensed or not, while in heat~~((;))~~ and accessible to other animals for purposes other than controlled and planned breeding;

F. Any domesticated animal ~~((which))~~ that chases, runs after~~((;))~~ or jumps at vehicles using the public streets and alleys;

G. Any domesticated animal ~~((which))~~ 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 ~~((which))~~ that has exhibited vicious propensities and ~~((which))~~ constitutes a danger to the safety of persons or property off ~~((his))~~ the animal's premises or lawfully on ~~((his))~~ the animal's premises. ~~((; provided that,))~~ However, in addition to other remedies and penalties, the provisions of this chapter relating to vicious animals shall apply;

I. A vicious animal or animal with vicious propensities ~~((which))~~ that runs at large at any time~~((; or such animal))~~ 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 ~~((such))~~ the animal. ~~((; provided that,))~~ However, in addition to other remedies and penalties, the provisions of this chapter relating to vicious animals shall apply;

J. Any domesticated animal ~~((which))~~ that howls, yelps, whines, barks~~((;))~~ or makes other oral noises, in such a manner as to disturb any person or neighborhood to an unreasonable degree;

K. Any domesticated animal ~~((which))~~ that enters upon ~~((another))~~ a person's property without the

permission of that person;

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

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

N. Animals harbored, kept (~~(,harbored,)~~) or maintained and known to have a contagious disease unless under the treatment of a licensed veterinarian; and

O. Animals running in packs.

SECTION 13. Ordinance 1396, Article III, Section 8, and K.C.C. 11.04.250 are each hereby amended to read as follows:

Cruelty to animals - (~~(U))~~unlawful acts designated. It is unlawful for any person to:

A. Willfully and cruelly injure or kill any animal by any means causing it fright or pain;

B. By reason of neglect or intent to cause or allow any animal to endure pain, suffering or injury or to fail or neglect to aid or attempt alleviation of pain, suffering or injury (~~(he))~~ the person has so caused to any animal;

C. Lay out or expose any kind of poison, or to leave exposed any poison food or drink for (~~(man))~~ humans, animals or fowl, or any substance or fluid whatever whereon or wherein there is or shall be deposited or mingled, any kind of poison or deadly 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 (~~(the provisions of))~~ RCW 16.52.190; and

D. Abandon any (~~(domestic))~~ domesticated animal by dropping off or leaving (~~(such))~~ the animal on the street, road or highway, (~~(or))~~ in any other public place, or on the private property of another.

SECTION 14. Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590 are each hereby amended to read as follows:

Use of canvassing revenue. Funds collected from the animal control license canvassing program and

the sale of juvenile licenses should be used for the following purposes:

A. Fifty percent (~~((50%))~~) to pay for or provide reimbursements for the cost of spaying and neutering of cats and dogs. Although the subsidy shall be available to all people who own unaltered dogs or cats, the emphasis should be for pets owned or harbored by low-income or fixed-income residents or senior citizens on a low or fixed income to make spaying and neutering affordable and convenient for them.

B. Fifty percent (~~((50%))~~) to provide public education to prevent the overpopulation of dogs and cats and to encourage licensing and the responsible treatment of cats and dogs. The education program shall include but not be limited to public advertising and informational campaigns.

C. If the (~~((licensing and regulatory))~~) records, elections and licensing services division cannot adhere to the expenditure targets listed in (~~((A-B))~~) subsections A and B of this section, it shall be noted in the annual budget proposed by the King County executive.

SECTION 15. Ordinance 9464, Section 6, and K.C.C. 11.06.060 are each hereby amended to read as follows:

Administrative support. Ongoing administrative support to the committee shall be provided by the (~~((general services division))~~) manager of the records, elections and licensing services division.

SECTION 16. Ordinance 3732, Section 1, and K.C.C. 11.08.040 are each hereby amended to read as follows:

Petitions to create dog control zones.

A. Petitions requesting the King County council to create a dog control zone shall be submitted to the office of the clerk of the council. The clerk of the council shall forward copies of the petitions and other materials to:

1. The office of the councilmember in whose district the proposed zone is requested;~~((and))~~
2. The animal control section of the (~~((general services))~~) records, elections and licensing services

division; and

3. The manager of the records, ~~((and))~~ elections and licensing services division.

B. Petitions shall be accompanied by a map and should include a legal description of the proposed zone. In addition, the petitions should contain:

1. The signatures, ~~((f))~~ both written and printed legibly~~((t))~~, of at least ten percent of the registered voters within the proposed zone; and

2. The popular addresses of the petitioners.

C. Upon receipt of the copy of the filed petition, the animal control section shall conduct a comprehensive review of the enforceability of the proposed boundaries and if necessary recommend alternative boundaries to the ~~((county administrative officer))~~ director of the department of executive services and the affected councilmember.

D. The records, ~~((and))~~ elections and licensing services division shall:

1. Determine the approximate number of registered voters within the proposed zone;

2. Determine the number of signatures of registered voters contained in the petition; and

3. Forward the conclusions regarding the number of signatures of registered voters and total number of registered voters residing within the proposed zone to the office of the affected councilmember and the ~~((county administrative officer))~~ director of the department of executive services.

E. The executive may recommend by ordinance a proposed dog control zone to the council based on the recommendation of the ~~((county administrative officer))~~ director of the department of executive services. ~~((An ordinance to create a dog control zone may be introduced by a member or members of the council.))~~

F. In addition to other statutory requirements, the council may cause to occur ~~((such))~~ any public meetings or notification through the local media as ~~((deemed))~~ it considers necessary to insure that affected citizens are aware of the proposed ordinance to create a dog control zone.

G. If the King County council finds the formation of the petitioned area to be beneficial to be public health, safety and general welfare, it shall establish such a dog control zone by ordinance. The council shall

consider, but is not limited to, the location, terrain and surrounding land use of the petitioned area.

SECTION 17. Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010 are each hereby amended to read as follows:

Quarantine order. Whenever the director of the Seattle-King County department of public health(~~(; hereinafter referred to as the director,)~~) has cause to suspect that an animal capable of transmitting rabies is infected with ~~((such))~~ the disease, ~~((he))~~ the director shall order a period of quarantine of not less than ten days. The director shall notify in writing the owner or keeper of the infected animal of ~~((such))~~ the quarantine order. The infected animal shall be quarantined by the animal control section~~((;))~~ in the records, elections and licensing services division ~~((of general services, hereinafter referred to as the animal control authority,))~~ in its shelter or upon the premises of the owner or licensed veterinarian where conditions of quarantine are strictly kept. The place of quarantine shall be at the discretion of the director, unless the animal had been exposed to rabies by contact, in which case ~~((Section))~~ K.C.C. 11.12.040 shall apply. Delivery of a copy of ~~((said))~~ the quarantine order to some person of suitable age and discretion residing upon the premises where ~~((such))~~ the animal is found shall be notice of ~~((such))~~ the quarantine. Good cause for such an order of quarantine shall include, but is not limited to, evidence that ~~((such))~~ the animal has bitten, or that there is reasonable certainty that ~~((such))~~ the animal has bitten, a human being. During the period of quarantine, the officers, agents and employees of the animal control ~~((authority))~~ section, and other police officers, are authorized to enter any premises for the purpose of apprehending any such an animal and impounding ~~((same))~~ the animal, except where the animal is kept upon the premises of the owner or licensed veterinarian as ~~((above))~~ provided in this section.

SECTION 18. Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020 are each hereby amended to read as follows:

Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Animal control authority" means the (~~(County Animal Control Section,))~~ animal control section in the records, elections and licensing (~~(and regulatory))~~ services division, acting alone or in concert with other municipalities for enforcement of the animal control laws of the county and state and the shelter and welfare of animals.

B. "Director" means director of the (~~(animal control authority))~~ department of executive services.

C. "Exotic animal" means any of the following:

1. Venomous species of snakes capable of inflicting serious physical harm or death to human beings;
2. Non((-)human primates and prosimians;
3. Bears;
4. Non((-)domesticated species of felines;
5. Non((-)domesticated species of canines and their hybrids, including wolf and coyote hybrids; and
6. The order (~~(erœœdilia))~~ Crocodylia, including alligators, crocodiles, caimans(;) and gavials.

SECTION 19. Ordinance 3232, Section 2, and K.C.C. 11.32.020 are each hereby amended to read as follows:

Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Animal (~~(C))~~control (~~(A))~~authority" means the (~~(King County Animal Control Section, Division of General Services))~~ animal control section in the records, elections and licensing services division, acting alone or in concert with other municipalities in the enforcement of the animal control laws of the county and state.

B. "Director" means director of the (~~(Animal Control Section))~~ department of executive services.

C. "Guard dog" means any member of the dog family (~~(e))~~Canidae (~~(which))~~ that has been trained or represented as trained to protect either person (~~(and/))~~ or property, or both, by virtue of exhibiting hostile propensities and aggressiveness to unauthorized persons.

D. "Guard dog purveyor" means any person, firm or corporation supplying guard dogs to members of

the public.

E. "Guard dog trainer" means any person, either as an individual or as an employee of a guard dog purveyor, whose prime function is the training of dogs as guard dogs.

F. (~~"Guard dog owner" means any person, firm or corporation which employs a guard dog to protect person or property from unauthorized intrusion. For purposes of this definition, "owner" includes both the legal owner and any person, firm or corporation who, through arrangement or contract, has secured the use of a guard dog to protect person and/or property from unauthorized intrusion.~~

G.) "Rules and regulations of the (~~(Animal Control Authority)~~) animal control authority" means such rules and regulations, not inconsistent with the intent of this chapter, as may be adopted by the (~~(Animal Control Authority pursuant to)~~) animal control authority under K.C.C. (~~(C)~~)chapter 2.98(~~, not inconsistent with the intent of this chapter~~).

SECTION 20. Ordinance 9839, Sections 1 through 4, and K.C.C. 13.28.035 are each hereby amended to read as follows:

Vashon Water System Plan. A. (~~(Ratification.)~~) The Vashon Coordinated Water System Plan is ratified in accordance with the regulations of the Washington State Department of Health found in WAC 248-56. The King County council finds the Vashon Coordinated Water System Plan (~~(to be)~~) is consistent with the county's adopted land use plans and policies, as (~~(called for)~~) set forth in (~~(RCW)~~) chapter 70.116 RCW and K.C.C. chapter 13.24 and recommends its approval by the Washington (~~(S)~~)state Department of Health with the following conditions:

1. (~~(Service Area.)~~) A principal requirement and objective of the Vashon Coordinated Water System Plan is the establishment of service areas to assist the water utilities in providing an effective process for the planning and development of a water system. The Vashon Coordinated Water System Plan defines a service area as a geographical area assigned to a water purveyor for the purpose of providing both current and future public water service consistent with local land use plans. The geographic boundaries are defined by agreements

among adjacent utilities and are recorded on a set of maps on file with the (~~(building and land development division))~~ department of development and environmental services, the Seattle-King County (~~(health))~~ department of public health, and the (~~(real property division))~~ department of executive services. Water service provided within a designated service area is to be consistent with county land use plans and policies and existing county review procedures regarding water utility comprehensive plans, a water utility's service area and a planning area. An existing service area is a geographic area within which service to customers is available as specifically defined on a map in a utility's comprehensive plan which is approved by King County as consistent with its land use policies.

A planning area is the remaining geographic area identified on the service area maps contained in the Vashon Coordinated Water System Plan which is a logical area for expansion of the system. Extension of service into the planning area requires King County approval as part of the utility's comprehensive plan to make certain that the proposed utility service is consistent with land use plans and policies.

2. (~~(Land Use Policies.))~~ Vashon Island purveyors recognize the county's land use policies and will not use water service as a vehicle to supersede the land use policies and zoning on Vashon Island. The purveyors may perform satellite management of all class 2, 3 and 4 water systems within their service areas as provided for by the Vashon Coordinated Water System Plan.

3. (~~(Conservation Element.))~~ An application has been submitted to the (~~(U.S.))~~ United States Environmental Protection Agency to declare Vashon/Maury Island water supply as a sole source aquifer. For this reason, a water conservation program is an integral element of the Vashon Coordinated Water System Plan. All purveyors shall develop a conservation element as part of their individual water comprehensive plans. The conservation programs to reduce water consumption as outlined in the Vashon Coordinated Water System Plan shall be in place and operating by 1996 and will be reviewed by the Washington (~~(S))~~ state Department of Health with assistance from the Water Utility Coordinating Committee. King County will monitor and review the effectiveness of purveyor conservation plans in conjunction with the approval of their water comprehensive

plans. 1991 will be the base year used to establish the average annual per capita((1)) water consumption figure for measurement purposes, adjusted for any weather abnormalities or previous reduction as a result of an existing conservation program. All water utilities shall achieve a four percent minimum total reduction in water use from the 1991 average annual per capita consumption figure (((base-year measurement))) by 1996.

A minimum total reduction in average per capita water consumption of six percent from the 1991 base figure is the stated goal for the entire Vashon/Maury Island Critical Water Supply Service Area by the year 2000.

B. ~~((Service areas in dispute.))~~ The Vashon Coordinated Water System Plan identified an unresolved service area dispute between Westside Water Association and Island Spring Water Company. King County recommends to the Washington ~~((S))~~state Department of Health that the area in question be assigned as part of the designated water service area of Westside Water Association.

C. ~~((Plan consistency.))~~ King County approvals of water service areas through water comprehensive plans or developer extensions will be based upon consistency with V-59 and V-60 of the Vashon Community Plan and F-111, F-305, F-309, and F-310 of the King County Comprehensive Plan, in effect on the effective date of Ordinance 9839.

D. ~~((Fire protection.))~~ K.C.C. 17.08.020E exempting new or replacement water mains from fire flow requirements as long as the main will serve exempt uses only shall be utilized in sizing water mains~~((, and further.))~~. ~~((e))~~Consistent with K.C.C. 17.08.030 A.4 and A.5, if fire protection measures are warranted for buildings over ~~((2,500))~~ two thousand five hundred square feet, sprinkler systems, on-site water storage facilities or other measures shall be proven infeasible before requiring fire flow to the site.

SECTION 21. Ordinance 9462, Sections 1 through 3, and K.C.C. 13.28.055 are each hereby amended to read as follows:

East King County Water System Plan.

A. ~~((Ratification.))~~ The East King County Coordinated Water System Plan is ratified in accordance

with the regulations of the Washington ((S))state Department of Health found in ((C))chapter 248-56 WAC. The King County council finds the East King County Coordinated Water System Plan ((to be)) is consistent with the county's adopted land use plans and policies, as called for in ((C))chapter 70.116 RCW and K.C.C. chapter 13.24 and recommends its approval by the Washington ((S))state Department of Health with the following conditions:

1. ((Service Area)) A principle requirement and objective of the East King County Coordinated Water System Plan is the establishment of service areas to assist the water utilities in providing an effective process for the planning and development of a water system. The East King County Coordinated Water System Plan defines a service area as a geographical area assigned to a water purveyor for the purpose of providing both current and future public water service consistent with local land use plans. The geographic boundaries are defined by agreements among adjacent utilities and are recorded on a set of maps on file with the ((building and land development division)) department of development and environmental services, the Seattle-King County health department, and the ((real property division)) department of executive services. Water service provided within a designated service area is to be consistent with local land use plans. In order to be consistent with county land use plans and policies and existing county review procedures regarding water utility comprehensive plans, a water utility's service area boundary in the context of the East King County Coordinated Water System Plan is understood to consist of an existing service area and a planning area. An existing service area is a geographic area within which service to customers is available as specifically defined on a map in a utility's comprehensive plan which is approved by King County as consistent with its land use policies.

A planning area is the remaining geographic area identified on the service area maps contained in the East King County Coordinated Water System Plan which is a logical area for expansion of the system. Extension of service into the planning area requires King County approval as part of the utility's comprehensive plan to make certain that the proposed utility service is consistent with land use plans and policies.

2. (~~Land Use Policies.~~) East King County purveyors recognize the county's land use policies and will not use water service as a vehicle to supersede the land use policies and zoning within unincorporated King County.

The purveyors may perform satellite management of all class 2, 3 and 4 water systems within their service areas as provided for by the East King County Coordinated Water System Plan.

3. (~~Conservation Element.~~) A water conservation program is an integral element of the East King County Coordinated Water System Plan. All purveyors shall develop a conservation element as part of their individual water comprehensive plans. The conservation program to reduce water consumption as outlined in the East King County Coordinated Water System Plan shall be in place and operating by 1995 and will be reviewed at that time for its effectiveness by the Washington (~~(S)~~)state Department of Health with assistance from the Water Utility Coordinating Committee. King County will monitor and review the effectiveness of purveyor conservation plans in conjunction with the approval of their water comprehensive plans.

1990 will be the base year used to establish the average annual per capita water consumption figure for measurement purposes, adjusted for any weather abnormalities or previous reduction as a result of an existing conservation program.

All utilities of five hundred or fewer customers shall achieve a four percent minimum total reduction in water use from the 1990 average annual per capita(~~(1)~~) consumption figure (~~((base year measurement))~~) by 1995.

Utilities with five hundred to ten thousand customers and those utilities with greater than ten thousand customers shall achieve a (~~((6.5))~~) six and five-tenths percent reduction per capita(~~(1)~~) consumption figure by 1995.

A minimum total reduction in average per capita water consumption of eight percent from the 1990 base figure is the stated goal for the entire East King County Critical Water Supply Service Area by the year 2000.

B. With respect to the (~~(U)~~)unresolved service area between the (~~(C)~~)city of Redmond and Union Hill

Water Association((-)), King County recommends to the Washington ((S))state Department of Health that the area in question be assigned as a part of the city of Redmond's designated water service area with the following provisions:

1. The ((C))city of Redmond shall establish an implementation schedule to finalize water service arrangements to this area in a timely and reasonable manner and the area shall be addressed in ((their)) its Comprehensive Water Plan updated by ((year)) the end of 1990. If this is not accomplished, reconsideration will be given to another service provider for the area.

2. The ((C))city of Redmond shall endorse land use and zoning as provided in the Bear Creek Community Plan and Area Zoning and shall not use water service to supersede King County land use authority. Failure to comply will cause King County to withdraw its approval of this portion of the coordinated water system plan and to decertify that particular service area for consistency with county land use plans and policies. Washington ((S))state Department of Health will be notified of this action and the consequences.

3. King County supports the ((C))city of Redmond and the Woodinville Sewer and Water District in the effort to re((-))examine ((their)) the existing interlocal agreement between them regarding provision of water service in this area and to consider changes based on property ownership lines.

C. ~~((Changes to the Plan.))~~ The Seattle-King County ((health)) department of public health requests that the following changes to the plan be forwarded to the Washington ((S))state Department of Health for consideration during the final Washington ((S))state Department of Health approval process:

SECTION XI, Part 4 of the East King County Coordinated Water System Plan follows:

a. 4A, ((1st)) first paragraph, insert before the last sentence: "SKCHD maintains a database for data related to ground water systems." Replace the last sentence with: "However, there is currently no unified program for developing a common utility planning database for storage and use of all utility planning information."

b. Change the first sentence of the ((3rd)) third paragraph to read: "A database will also be maintained

by the SKCHD for groundwater systems and related regulatory information using information provided by USGSS, EPA, Ecology, and utilities."

SECTION 22. Ordinance 1711, Section 5, as amended, and K.C.C. 14.44.050 are each hereby amended to read as follows:

Construction permit - application - review.

A. The ~~((property services division))~~ department of executive services shall coordinate the review by all departments of right-of-way construction permit applications and shall determine whether the proposed construction is consistent with the applicant's right-of-way franchise from the county.

B. The department of transportation shall review and evaluate applications in respect to the hazard and risk of the proposed construction, location of the proposed construction in relation to other utilities in the right-of-way and the adequacy of the engineering and design of the proposed construction.

C. The ~~((water and land resources division))~~ department of natural resources and parks shall review and evaluate all applications for right-of-way construction permits for sewer and water main extensions to determine whether the proposed construction is consistent with the sewer or water comprehensive plan approved by the county council pursuant to K.C.C. chapter 13.24. If the facility is not consistent with an approved comprehensive plan, then the construction permit shall not be issued. Applications for those water utilities with Group A non((-)expanding public water systems that are not required to prepare comprehensive plans for approval by the county council pursuant to K.C.C. 13.24.010 shall be approved if all other conditions of this chapter are met.

SECTION 23. Ordinance 7444, Section 5, as amended, and K.C.C. 15.90.050 are each hereby amended to read as follows:

Charter. The charter of the authority ~~((the "charter"))~~, Exhibit A of Ordinance 7444, is hereby approved. The charter shall be issued in duplicate originals, each bearing the county seal attested by the council clerk. One original shall be recorded with the ~~((county))~~ records, ~~((and))~~ elections and licensing

services division, or its successor agency; a duplicate original shall be provided to the authority. The charter shall be amended only by county ordinance adopted at or after a public hearing held with notice to the public authority and authority directors and affording them a reasonable opportunity to be heard and present testimony.

SECTION 24. Ordinance 1283 (part), as amended, and K.C.C. 16.78.060 are each hereby amended to read as follows:

Enforcement. The director of the department of ((parks, planning and resources)) development and environmental services is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of K.C.C. Title 23.

SECTION 25. Ordinance 1488 (part), as amended, and K.C.C 16.82.130 are each hereby amended to read as follows:

Enforcement. The director of the department of ((parks, planning and resources)) development and environmental services is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of K.C.C. Title 23.

If clearing inconsistent with the purposes and requirements of this chapter has occurred on a site, King County shall not accept or grant any development permits or approvals for the site unless the applicant adequately restores the site. The director shall require appropriate restoration of the site under an approved restoration plan which shall include a time schedule for compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the department, the director shall order restoration using funds from building and land development division contingency accounts and seek restitution from the property owner through liens or other available legal methods.

SECTION 26. Ordinance 6949, Section 15, and K.C.C. 20.44.130 are each hereby amended to read as

follows:

Department procedural rules.

A. County departments which administer activities subject to SEPA may prepare rules and regulations pursuant to K.C.C. chapter 2.98 for the implementation of SEPA, ~~((eh-))~~ chapter 197-11 WAC and this chapter.

B. The rules and regulations prepared by the department of ~~((parks, planning and resources))~~ development and environmental services, which exercises initial jurisdiction over a private proposal, shall not become effective until approved by the council by motion.

SECTION 27. K.C.C. 13.28.020, 13.28.030, 13.28.040 and 13.28.050 are hereby decodified.