



Legislation Text

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Clerk 06/21/2010

AN ORDINANCE relating to the provision of regional animal care and control services; amending Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015, Ordinance 12076, Section 10, as amended, and K.C.C. 4.08.025, 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 2, as amended, and K.C.C. 11.04.010, Ordinance 1396, Article I, Section 3, as amended, and K.C.C. 11.04.020, Ordinance 1396, Article II, Section 1, as amended, and K.C.C. 11.04.030, Ordinance 10423, Section 3, as amended, and K.C.C. 11.04.033, 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 II, Section 4, 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. 11.04.080, Ordinance 1396, Article II, Section 12, as amended, and K.C.C. 11.04.140, Ordinance 1396, Article II, Section 13, 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 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 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 5, 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 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 1396, Article III, Section 12, as amended, and K.C.C. 11.04.290, Ordinance 6370, Section 12, and K.C.C. 11.04.330, Ordinance 7986, Section 3, as amended, and K.C.C. 11.04.335, 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 22, as amended, and K.C.C. 11.04.550, Ordinance 10423, Section 26, as amended, and K.C.C. 11.04.570, Ordinance 3732, Section 1, as amended, and K.C.C. 11.08.040, Ordinance 3548, Section 5, as amended, and K.C.C. 11.08.060, Ordinance 11150, Section 1-2, and K.C.C. 11.08.075, 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 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 3232, Section 2, as amended, and K.C.C. 11.32.020, Ordinance 3232, Section 9, as amended, and K.C.C. 11.32.090 and Ordinance 3232 Section 13, as amended, and K.C.C. 11.32.100, adding a new section to K.C.C. chapter 2.80, adding a new section to K.C.C. chapter 4.08, adding a new section to K.C.C. chapter 4.100, adding new sections to K.C.C. chapter 11.02, repealing Ordinance 1396, Article II, Section 2, as amended, and K.C.C. 11.04.040, Ordinance 6370, Section 11, as amended, and K.C.C. 11.04.320, Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590, Ordinance 9464, Section 1, as amended, and K.C.C. 11.06.010, Ordinance 9464, Section 2, as amended, and K.C.C. 11.06.020, Ordinance 9464, Section 3, as amended, and K.C.C. 11.06.030, Ordinance 9464, Section 4, and K.C.C. 11.06.040, Ordinance 9464, Section 5, and K.C.C. 11.06.050, Ordinance 9464, Section 6, as amended, and K.C.C. 11.06.060 and Ordinance 9464, Section 7, and K.C.C. 11.06.070, adding a new section to K.C.C. chapter 4.08 and prescribing penalties.

STATEMENT OF FACTS:

1. King County animal care and control has provided services to the unincorporated areas of King County and by contract to the majority of cities in the county in exchange for retention of their pet licensing revenue since the mid-1980s.
2. The county general fund contribution to the provision of animal services has increased over the years, culminating in a general fund contribution of nearly \$3 million in recent years.
3. Motion 13092, adopted by the metropolitan King County council on November 9, 2009, directed the county executive to end the provision of animal shelter services by King County for contract cities and for unincorporated King County as soon as possible but no later than January 31, 2010, and to enter into new full cost recovery contracts with cities for animal control and licensing services by June 30, 2010.
4. The 2010 Budget Ordinance, Ordinance 16717, Section 30, provided funding for animal care and control such that sheltering services would be provided only through January 31, 2010.
5. With the adoption of Ordinance 16750, extending FTE authority for animal sheltering services through June 30, 2010, the county recognized that there is currently not sufficient sheltering capacity in the region to close the King County animal shelter. The extension of FTE authority provided a common deadline for the county to work with cities on a new regional model for animal services, inclusive of animal sheltering, animal control, and pet licensing functions.

6. A regional model for animal services enables the county and the cities to provide for better public health, safety, animal welfare and customer service outcomes at a lower cost than jurisdictions are able to provide for on their own. This is accomplished through properly aligned financial incentives, partnerships to increase revenue, economies of scale, a consistent regulatory approach across participating jurisdictions and collaborative initiatives to reduce the homeless animal population and leverage private sector resources while providing for a level of animal care respected by the community
7. Beginning in January of 2010, a joint cities-county work group began meeting on a weekly basis to develop a new regional animal services model for King County and individual cities to consider. The work group included representation from King County and the cities of SeaTac, Tukwila, Kent, Bellevue, Redmond, Sammamish, Shoreline and Lake Forest Park.
8. On February 26, 2010, the executive transmitted to the council an implementation plan for entering into new animal services contracts with cities.
9. Consistent with the implementation plan, the joint cities-county work group for regional animal services developed an agreement in principle for a new regional animal services model that defines services, expenditures, cost and revenue allocation methodologies and collaborative initiatives for increasing revenues through fees, penalties, and other means for animal shelter, animal control and pet licensing services. The agreement in principle and supporting materials were shared with all cities, the county council, and the public in early April, through presentations to city managers and administrators, the suburban cities' association public issues committee, the regional policy committee, numerous city council meetings and through individual meetings with county and city officials and staff.
10. Consistent with the implementation plan, the joint cities-county work group for regional animal services developed an interlocal agreement for animal services based on the agreement in principle.
11. The proposed interlocal agreement provides for regional animal services to be funded in part by revenue earned through license sales and fees and fines. In 2010, this revenue is estimated to total about two-thirds of expenditures.
12. King County and cities participating in the interlocal agreement have a mutual interest in increasing program revenue to support animal services, including through: (a) changes to pet license fees; (b) programs, penalties and other incentives to increase pet license sales; (c) enforcement of city and county codes requiring the licensing of pets; (d) gifts, bequests and donations that promote animal welfare; and (e) entrepreneurial programs for raising revenue, such as sponsorships, advertising, naming rights, concessions and fundraising events.
13. The proposed interlocal agreement requires cities to enact an ordinance or resolution that includes license, fee, penalty, enforcement, impound/redemption and sheltering provisions that are substantially the same as those of Title 11 of King County Code.
14. King County residents and volunteers regularly donate funds to King County to enhance the welfare of animals generally or through specific means such as providing for animals' special medical needs or supporting spay/neuter services. Expedient access to these funds for use in the manner in which they were donated is critical to the welfare of animals in King County's care.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.80 a new section to read as follows:

This chapter does not apply to gifts, bequests or donations, of under fifty thousand dollars, received for animal care and control purposes.

SECTION 2. Ordinance 12076, Section 9, as amended, and K.C.C. 4.08.015 are hereby amended to read as follows:

A. First tier funds and fund managers are as follows:

Fund No.	Fund Title	Fund Manager
103	County Road	Dept. of Transportation
104	Solid Waste Landfill Post Closure Maintenance	Dept. of Natural Resources and Parks
109	Recorder's O & M	Dept. of Executive Services
111	Enhanced-911 Emergency Tel System	Dept. of Executive Services
112	Mental Health	Dept. of Community and Human Services
113-5	Mental Illness and Drug Dependency	Dept. of Community and Human Services
114-1	Veterans Services Levy	Dept. of Community and Human Services
114-2	Health and Human Services Levy	Dept. of Community and Human Services
115	Road Improvement Guaranty	Dept. of Transportation
117	Arts and Cultural Development	Dept. of Executive Services
119	Emergency Medical Services	Dept. of Public Health
121	Surface Water Management	Dept. of Natural Resources and Parks
122	Automated Fingerprint Identification System	Dept. of Public Safety
124	Citizen Councilor Revolving	Auditor

128	Local Hazardous Waste	Dept. of Public Health
129	Youth Sports Facilities Grant	Dept. of Natural Resources and Parks
131	Noxious weed control fund	Dept. of Natural Resources and Parks
134	Development and Environmental Services	Dept. of Development and Environmental Services
137	Clark Contract Administration	Office of Management and Budget
138	Parks Trust and Contribution	Dept. of Natural Resources and Parks
139	Risk Abatement	Office of Management and Budget
145	Parks and Recreation	Dept. of Natural Resources and Parks
156-1	KC Flood Control Operating Contract	Dept. of Natural Resources and Parks
164	Two-Tenths Sales Tax Revenue Receiving	Dept. of Transportation
165	Public Transit Self Insurance	Dept. of Transportation
215	Grants tier 1 fund	Dept. of Executive Services
216	Cultural Resource Mitigation Fund	Office of Strategic Planning and Performance Management
309	Neighborhood Parks and Open Space	Dept. of Executive Services
312	HMC Long Range CIP	Dept. of Executive Services
315	Conservation Futures	Dept. of Natural Resources and Parks
316	Parks, Rec. and Open Space	Dept. of Executive Services
318	Surface and Storm Water Mgmt Const	Dept. of Natural Resources and Parks
320	Public Art Fund	Dept. of Executive Services
322	Housing Opportunity Acquisition	Dept. of Community and Human Services
326	1990 Series B Youth Detention Facility	Dept. of Executive Services
327	Equipment and Building Acquisition	Dept. of Executive Services
329	SWM CIP Construction 1992-1997	Dept. of Natural Resources and Parks
331	Long-Term Leases	Dept. of Executive Services
334	Capital Acqn and County Fac Renovation	Office of Management and Budget
335	Youth Services Facilities Construction	Dept. of Executive Services
338	Airport Construction	Dept. of Transportation
339	Working Forest 1995 B	Dept. of Natural Resources and Parks
340	Park Lands Acquisition 1993	Dept. of Natural Resources and Parks
340-3	Urban Reforestation and Habitat Restoration	Dept. of Natural Resources and Parks
341	Arts and Historic Preservation Capital	Dept. of Executive Services
342	Major Maintenance Reserve	Dept. of Executive Services
343	Core GIS Capital Project	Dept. of Natural Resources and Parks
346	Regional Justice Center Construction	Dept. of Executive Services
347	Emergency Communications System	Dept. of Executive Services
349	Parks Facilities Rehabilitation	Dept. of Executive Services
350	Open Space Acquisition	Dept. of Natural Resources and Parks
357-1	KC Flood Control Capital Contract	Dept. of Natural Resources and Parks
358	Parks Capital Fund	Dept. of Natural Resources and Parks
364-3	Transit Cross-Border Lease Financing Fund	Dept. of Executive Services
369	Transfer of Development Credits Program (TDC) Fund	Dept. of Natural Resources Parks
377-1	OIRM Capital Fund	Office of Information Resource Management
378	Information and Telecommunications Capital Improvement Fund	Dept. of Executive Services
381	Solid Waste Cap Equip Recovery	Dept. of Natural Resources and Parks
383	Solid Waste Environmental Reserve	Dept. of Natural Resources and Parks
384	Farmland and Open Space Acquisition	Dept. of Natural Resources and Parks
385	Renton Maintenance Fac. Const	Dept. of Transportation
386	County Road Construction	Dept. of Transportation
387	HMC Construction	Dept. of Executive Services
390	Solid Waste Construction	Dept. of Natural Resources and Parks
391	Landfill Reserve	Dept. of Natural Resources and Parks
394	Kingdome CIP	Dept. of Executive Services
395	Building Capital Improvement	Dept. of Executive Services
396	HMC Building Repair and Replacement	Dept. of Executive Services
404	Solid Waste Operating	Dept. of Natural Resources and Parks
429	Airport Operating	Dept. of Transportation
448	Stadium Management	Dept. of Executive Services

453-1	Institutional Network Operating Fund	Dept. of Executive Services
461	Water Quality	Dept. of Natural Resources and Parks
464	Public Transportation	Dept. of Transportation
542	Safety and Workers' Compensation	Dept. of Executive Services
544	Wastewater Equipment Rental and Revolving Fund	Dept. of Transportation
546	Department of Executive Service Equipment Replacement	Dept. of Executive Services
547	Office of Information Resource Management Operating Fund	Dept. of Executive Services
550	Employee Benefits Program	Dept. of Executive Services
551	Facilities Management	Dept. of Executive Services
552	Insurance	Dept. of Executive Services
557	Public Works Equipment Rental	Dept. of Transportation
558	Motor Pool Equipment Rental	Dept. of Transportation
560	Printing/Graphic Arts Services	Dept. of Executive Services
603	Cultural Resources Endowment	Dept. of Executive Services
622	Judicial Administration Trust and Agency	Dept. of Judicial Administration
624	School District Impact Fee	Office of Management and Budget
674	Refunded Ltd GO Bond Rdmp.	Dept. of Executive Services
675	Refunded Unltd GO Bond	Dept. of Executive Services
676	H&CD Escrow	Dept. of Executive Services
693	Deferred Compensation	Dept. of Executive Services
694	Employee Charitable Campaign Contributions	Dept. of Executive Services
696	Mitigation Payment System	Dept. of Transportation
843	DMS Limited GO Bonds	Dept. of Executive Services
890	ULID Assessment - 1981	Dept. of Transportation
1010	Climate Exchange Fund	Office of Management and Budget
1411	Rainy Day Reserve	Office of Management and Budget
1421	Children and Families Services	Dept. of Community and Human Services
1590	Marine Division Operating Fund	Dept. of Transportation
3590	Marine Division Capital Fund	Dept. of Transportation
4590	Animal Bequest Fund	Dept. of Executive Services
****	Historical Preservation and Historical Programs Fund	Dept. of Executive Services

B. The following shall also be first tier funds:

1. All funds now or hereafter established by ordinance for capital construction through specific road improvement districts, utility local improvement districts or local improvement districts. The director of the department of transportation shall be the fund manager for transportation-related funds. The director of the department of natural resources and parks shall be the fund manager for utility-related funds.

2. All county funds that receive original proceeds of borrowings made under Chapter 216, Washington Laws of 1982, as now existing or hereafter amended, to the extent of the amounts then outstanding for the borrowings for that fund. For purposes of this subsection, the director of the county department or office primarily responsible for expenditures from that fund shall be the fund manager.

3. Any other fund as the council may hereinafter prescribe by ordinance to be invested for its own benefit. County funds shall be treated as provided in K.C.C. 4.10.110 unless a designation is made by the council.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 4.08 a new section to read as follows:

A. There is hereby created the animal bequest fund. The fund shall be a first tier fund as described in this chapter. The director of the department of executive services shall be the manager of the fund. All receipts and earnings from gifts, bequests and donations shall be deposited and credited to the fund. The fund may only be used in accordance with donor restrictions and for regional animal services purposes, including but not limited to housing of animals, medical attention for animals, public education, animal shelter improvements and such other purposes that further the general welfare of animals. All revenue in the animal bequest account within the general fund and any subaccounts of the account as of the effective date of this ordinance shall be transferred to the animal bequest fund.

SECTION 4. Ordinance 12076, Section 10, as amended, and K.C.C. 4.08.025 are each hereby amended to read as follows:

Second tier funds and fund managers are as follows, except to the extent that all or a portion of any listed fund is a first tier fund by virtue of any other provision of this chapter or other ordinance:

Fund No.	Fund Title	Fund Manager
001	Current Expense	Budget Organization in Executive Office
105	River Improvement	Dept. of Natural Resources and Parks

- 107 Developmental Disabilities Dept. of Community & Human Services
- 108 Civil Defense Dept. of Public Safety
- 120 Treasurer's O & M Dept. of Executive Services
- 126 Alcohol & Substance Abuse Services Dept. of Community & Human Services
- 180 Public Health Dept. of Public Health
- 182 Inter-County River Improvement Dept. of Natural Resources and Parks
- 214 Miscellaneous Grants Dept. of Executive Services
- 224 Youth Employment Programs Dept. of Community & Human Services
- 246 Community Dev Block Grant Dept. of Community & Human Services
- 548 Geographic Information Systems Dept. of Natural Resources and Parks
- 553 Computer and Communication Services Dept. of Executive Services
- 661 Deceased Effects Dept. of Executive Services
- 662 Real Prop Title Assurance Dept. of Executive Services
- 663 Treasurer's Prop Tax Refund Dept. of Executive Services
- 664 Prop Tax Foreclosure Sale Excess Dept. of Executive Services
- 666 Real Prop Advance Tax Collection Dept. of Executive Services
- 668 Ad Valorem Tax Refund Dept. of Executive Services
- 669 Certificate of Redemption LID assmt. Dept. of Executive Services
- 670 Undistributed Taxes Dept. of Executive Services
- 672 Cert/redemption Real Prop Dept. of Executive Services
- 673 Miscellaneous Tax Distribution Dept. of Executive Services
- 677 Property Tax Suspense Dept. of Executive Services
- 678 King County Fiscal Agent Dept. of Executive Services
- 697 Mailroom Prop Tax Refund Dept. of Executive Services
- 698 Miscellaneous Agency Dept. of Executive Services
- 699 Assessment Distribution/Refund Dept. of Executive Services
- 850 Unlimited GO Bond Redemption Dept. of Executive Services
- 860 Regional Animal Services Dept. of Executive Services

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 4.08 a new section to read as follows:

There is hereby created the regional animal services fund. This fund shall be a second tier fund managed by the department of executive services. The regional animal services fund shall be used to collect revenue from city contracts and other funding sources and to expend funds for regional animal services and related administration under an annual appropriation."

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 4.100 a new section to read as follows:

The records and licensing services division is authorized to accept electronic payments for animal care and control and pet licensing purposes, including for all fees and penalties in K.C.C. 11.04.035. The records and licensing services division is authorized to absorb the operational and business costs of accepting these electronic payments, including bank and processing fees charged by electronic payment vendors, subject to appropriation authority being provided by the county council.

SECTION 7. Ordinance 1269, Section 1, as amended, and K.C.C. 11.02.010 are hereby amended to read as follows:

There is established ((an animal care and control)) a regional animal services section in the records and licensing services division. The ((animal care and control)) regional animal services section is by this chapter designated the agency authorized to provide animal care services and enforce animal control laws.

SECTION 8. Ordinance 1269, Section 3, as amended, and K.C.C. 11.02.020 are hereby amended to read as follows:

There is established within the ((animal care and control)) regional animal services section the position of manager of the ((animal care and control)) regional animal services section, to be compensated at a rate established in accordance with county personnel policies.

NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 11.02 a new section to read as follows:

The director of the department of executive services is authorized to enter into concession agreements with vendors to sell animal-related products and services at the King County animal shelter and at other county facilities and events. The revenue from these concession agreements shall be applied solely to regional animal services.

NEW SECTION. SECTION 10. There is hereby added to K.C.C. chapter 11.02 a new section 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.

B. All gifts, bequests and donations of money to the county for regional animal services shall be deposited and credited to the animal bequest fund created under section 3 of this ordinance.

C. The director of the department of executive services shall assure that expenditures from the gift, bequest or donation are consistent with the terms, if any, requested by the grantor.

NEW SECTION. SECTION 11. There is hereby added to K.C.C. chapter 11.02 a new section 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 financial support for regional animal services programs. Advertising shall be restricted to commercial speech.

B. Advertisers and sponsors shall abide by the nondiscrimination requirements of 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 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 be applied solely to regional animal services.

SECTION 12. 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 protect animal and human health and safety, and to the greatest degree practicable to prevent injury to property and cruelty to animal life. To this end, it is the purpose of this chapter to provide a means of caring for animals, licensing dogs, cats, ((animal shelters)) hobby catteries, hobby kennels ((, kennels and pet shops)) and related facilities and controlling errant animal behavior so that it shall not become a public nuisance 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.

SECTION 13. Ordinance 1396, Article I, Section 3, as amended, and K.C.C. 11.04.020 are hereby amended to read as follows:

In construing this chapter, except where otherwise plainly declared or clearly apparent from the context, words shall be given their common and ordinary meaning. In addition, the following definitions apply to this chapter:

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

B. "Altered" means spayed or neutered.

C. "Animal" means any living creature except Homo sapiens, insects and worms.

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

((D.)) E. "Animal care and control officer" means any individual employed, contracted or appointed by the animal care and control authority for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the care and 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 that involve the seizure and taking into custody of any animal.

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

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

((G.)) H. "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 the loss of consciousness.

((H.)) I. "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 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, must obtain either an individual or organizational private animal placement permit.))

((I.)) J. "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 or health, or both, and for which a fee is

charged.

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

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

((L.)) M. "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, for field, working or obedience trials or for the enjoyment of the species. However, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number otherwise allowed in K.C.C. Title 21A.

((M.)) N. "Juvenile" means any dog or cat, altered or unaltered, that is under six months old.

((N.)) O. "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 is at least six months old.

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

((P.)) Q. "Owner" means any person having an interest in or right of possession to an animal. "Owner" also means any person having control, custody or possession of any animal, or by reason of the animal being seen residing consistently at a location, to an extent such that the person could be presumed to be the owner.

((Q.)) R. "Pack" means a group of two or more 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 the animals are not restrained or controlled.

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

((S.)) T. "Pet" means a dog or a cat or any other animal required to be licensed by this chapter. "Dog," "cat" and "pet" may be used interchangeably.

((T.)) U. "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 rents, or offers to sell or rent, the live animals to the public or to retail outlets.

((U.)) V. "Private animal placement permit ((- individual))" means a permit or permits issued to qualified persons or organizations engaged in fostering dogs and cats, ((who meet certain requirements)) to allow ((the persons)) them to possess more dogs and cats than is otherwise specified in K.C.C. Title 21A. ((Persons holding an individual private animal placement 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 animal placement permit - organizational" means permits issued to organizations engaged in fostering dogs and cats, 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 the individuals to possess more dogs and cats than is specified in K.C.C. Title 21A. The organizations must be approved by the manager of the animal care and control section, 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, verbal voice or signal control.

X. "Service animal" means any animal 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 that is 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.

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

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

BB. "Vicious" means having performed the act of, or having 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 or attacking a human being or domesticated animal without provocation.

SECTION 14. 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 eight weeks old and older that are harbored, kept or maintained in King County shall be licensed and registered ((annually)). Licenses shall be renewed on or before the date of expiration.

B. 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, ((P))pet licenses shall be issued by the ((animal care and control)) regional animal services section and may be issued by shelters, veterinarians, pet shops, catteries and kennels and other approved locations ((upon application and the payment of a license fee made payable to the department of finance according to the schedule provided in K.C.C. 11.04.035)), under contract with the county.

1. Pet licenses for ((unaltered)) dogs and cats shall be valid for a term of one year from issuance, expiring on the last day of the twelfth month. ((Pet licenses for altered dogs and cats shall be valid for one year, 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. Juvenile licenses ((must)) may be obtained in lieu of an unaltered pet license for pets from eight weeks to six months old.

3. 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 maintained at the registered owner's registered address. Residents sixty-five years old or older who have previously obtained a special permanent license for ((the lifetime of)) their cats or dogs ((that are neutered or spayed and for which they are the registered owners when the animals are maintained at the owners' registered addresses. Those residents)) shall not be required to ((annually)) purchase a new license for ((the lifetime of)) the permanently licensed animals ((though no person shall be issued more than three special permanent animal licenses for any combination of three cats and dogs for which the person is the registered owner)).

4. Disabled residents that meet the eligibility requirements of the Metro regional reduced fare permit program authorized in K.C.C. chapter 28.94 may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address.

5. Applications for a pet license shall be on forms provided by the ((animal care and control)) regional animal services section.

((5.)) 6. License tags shall be worn by dogs at all times. As an alternative to a license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the ((animal care and control)) regional animal services section.

((6.)) 7. Owners of dogs or cats who hold valid licenses from other jurisdictions and who move into King County may transfer the license by paying a transfer fee. The license shall maintain the original license's expiration date.

((7.)) 8. It is a violation of this chapter for any person to sell or transfer ownership of any pet without a pet license. The ((King County animal care and control authority)) 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.

((8.)) 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.

b. Any applicant who is either ((or both)) 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, ((or both,)) may have the issuance or renewal of their pet license denied pending the final result of either the notice and order or charge((, or both)).

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

((10.)) 11. Cat or dog owners are subject to a penalty according to the schedule in K.C.C. 11.04.035 for failure to comply with the licensing requirement in subsection A. of this section ((only if the owner fails to immediately license his or her dog or cat when the animal care and control section offers the owner the opportunity to do so)).

C. A late ((penalty)) fee shall be charged on all pet license applications, according to the schedule provided in K.C.C. 11.04.035.

D. All fees and fines collected under this chapter shall be deposited in the ((county current expense)) general fund ((and shall be distributed according to K.C.C. 11.04.035)) 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 issue a check for which funds are insufficient or to stop payment on any check written in payment of fees in this chapter. Any license or penalty paid for with those types of checks are, in the case of the license, invalid; and in the case of the penalty, still outstanding. Costs incurred by the county in collecting checks of this nature shall be considered a cost of abatement and are personal obligations of the animal owner under K.C.C. 11.04.300.

F. Except for subsection G., ((T))this section shall not apply to dogs or cats in the custody of a veterinarian or ((animal)) shelter or whose owners are nonresidents temporarily within the county for a period not exceeding thirty days.

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

SECTION 15. Ordinance 10423, Section 3, as amended, and K.C.C. 11.04.033 are hereby amended to read as follows:

All ((animal shelters, kennels, catteries,)) hobby kennels((,)) and hobby catteries((, pet shops and grooming services)) must be licensed by the ((animal care and control authority)) regional animal services section. Licenses shall be valid for one year from the date of application. Fees shall be assessed as provided in K.C.C. 11.04.035. There is no proration of the license fee. Renewal licenses shall retain the original expiration date whether renewed on or after their respective renewal month. ((Any person or persons who engage in more than one of the services or maintains more than one of the types of facilities cited in this section shall pay license fees as provided in K.C.C. 11.04.035. Veterinarians shall obtain the required licenses for any service other than a service that by law may be performed only by a veterinarian, but no such a license shall be required for veterinarians' possession of animals solely for the purposes of veterinary care.)) Issuance of a license under this section shall not excuse any requirement to obtain a private animal placement permit.

SECTION 16. Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035 are hereby amended to read as follows:

A. The following animal license and registration fees ((are applicable as provided in this chapter)) apply:

1. Pet license - dog or cat
 - a. Unaltered ((dog or cat)) \$((90.00)) 60.00
 - b. Altered \$30.00
2. Juvenile pet license - dog or cat \$((5.00)) 15.00
3. ((Senior citizen - lifetime license)) Discounted pet license - dog or cat \$15.00
 - (a. Senior citizen - lifetime license - dog \$20.00
 - b. Senior citizen - lifetime license - cat \$12.00))
4. Replacement tag \$5.00
5. Transfer fee \$3.00
- ((6. Animal shelter \$250.00
7. Kennel and cattery
 - a. Hobby \$50.00
 - b. Commercial \$250.00
8. Pet shop \$250.00
9. Grooming service
 - a. Operating alone\$150.00
 - b. When operated in conjunction with pet shop or kennel or veterinarian \$150.00
10. Guard dog registration \$100.00
11. Exotic pet
 - a. New \$500.00
 - b. Renewal \$250.00
12. Service animal no charge
13. K-9 police dog no charge))
6. Guard dog registration \$100.00
7. Exotic pet
 - a. New \$500.00
 - b. Renewal \$250.00
8. Service animal no charge
9. K-9 police dog no charge
10. The following late fees shall apply to license renewal applications:
 - a. received 45 to 90 days following license expiration \$15.00

- b. received 90 to 135 days following license expiration \$20.00
 - c. received more than 135 days following license expiration \$30.00
 - d. received more than 365 days following license expiration \$30.00 plus license fee(s) for any year(s) that the pet was unlicensed
- B. The following business and activity permit fees apply:
- 1. Hobby kennel and hobby cattery license \$50.00
 - ((14.)) 2. ((Individual private)) Private animal placement permit \$((25.00)) no charge
 - ((15.)) 3. Organizational private animal placement permit \$10.00
- B. The following late fees are applicable to license renewal applications as provided in this chapter:
- 1. Received after forty-five days of license expiration but before ninety days or failure to comply with K.C.C. 11.04.030.C \$15.00
 - 2. Received after ninety days of license expiration, but before one hundred thirty-five days \$20.00
 - 3. After one hundred thirty-five days of license expiration the pet shall be considered unlicensed.)
- C. The following civil penalties shall be assessed:
- 1. Civil penalties: General ((Dog leash law violations \$25.00
 - a. First notice
 - b. Successive violations within one year \$50.00))
 - a. No previous similar code violation within one year \$50.00
 - b. One previous similar code violation within one year \$100.00
 - c. Two or more similar code violations within one year Double the rate of the previous penalty, up to a maximum of \$1000.00
 - 2. Civil penalties: Vicious animal or animal cruelty violations
 - a. First violation within one year \$500.00
 - b. Subsequent violations within one year \$1000.00
 - 3. Civil penalties: Dog leash law violations
 - a. First violation within one year \$25.00
 - b. Additional violations within one year \$50.00
 - ((2.)) 4. Civil penalties: Animal abandonment \$500.00
 - ((4.)) 5. Civil penalties: Unlicensed cat or dog \$((75.00))
 - a. Altered cat or dog \$125.00
 - b. Unaltered cat or dog \$250.00
- D. The following service fees apply((as provided in this chapter)):
- 1. Adoptions - per animal, including licensing and spaying or neutering of the animal \$((75.00)) \$75.00 - \$250.00 based upon adoptability
((This is a one-price fee that includes the fee for adopting an animal, the license fee and the spaying or neutering of the animal))
 - 2. Spay or neuter deposit - per animal as required in K.C.C. 11.04.210.B.1.a. \$((50.00)) 150.00
 - 3. Impound or redemption - dogs, cats or other small animals
 - a. ((Dog, cats other small animals first offense)) First impound within one year \$45.00
 - b. Second ((offense.)) impound within one year \$85.00
 - c. Third ((offense)) impound within one year \$((90.00)) 125.00
 - ((b.)) 4. Impound or redemption - Livestock, small \$45.00
 - 5. Impound or redemption - Livestock, large \$((100.00)) 45.00 or actual cost of sheltering, whichever is greater
 - ((4.)) 6. Kenneling at King County animal shelter - per 24 hours or portion thereof \$((12.00)) 20.00
 - ((5.)) 7. In-field pick up of an owner's deceased unlicensed pet or pick up of an unlicensed pet released voluntarily to ((animal care and control)) the regional animal services section \$((20.00)) 50.00
 - ((6.)) 8. Owner-requested euthanasia (unlicensed pets) \$((20.00)) 50.00
 - ((7.)) 9. Optional microchipping for adopted pets \$25.00

SECTION 17. Ordinance 1396 Article II Section 3, as amended, and K.C.C. 11.04.050 are hereby amended to read as follows:

A. ((The applicant for an original animal shelter, cattery, pet shop, grooming service or kennel license shall present to the animal care and control authority a written statement from the county department of 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, or has a legal nonconforming zoning status, or a conditional use permit has been issued for the intended use.

B. Before an animal shelter, cattery)) Shelters, catteries, pet shops, grooming services ((or)) and kennels ((license may be issued by the animal care and control authority, a certificate of inspection from)) shall comply with the licensing requirements of the Seattle-King County ((health)) department ((or King County animal care and control section must be issued showing that the animal shelter, cattery, pet shop, grooming service or kennel is in compliance with K.C.C. 11.04.080, 11.04.090, 11.04.100 and 11.04.110)) of public health. Subject to applicable restrictions in K.C.C. Title 21A, the facilities may board animals as authorized by their Seattle-King County department of public health license.

SECTION 18. 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 for any person to keep and maintain any ((dog or cat within the county for the purposes of a)) hobby kennel or hobby cattery without ((annually obtaining)) a valid and subsisting 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, each animal that is maintained at a hobby kennel or hobby cattery shall be licensed individually under K.C.C. 11.04.030.B.

B. Any hobby kennel or hobby cattery license shall limit the total number of adult dogs and cats ((over six months old)) kept by the hobby kennel or hobby cattery based on ((the following guidelines)):

1. Animal size;
2. Type and characteristics of the breed;
3. The amount of lot area, though the maximum number shall 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. five where the lot area is less than thirty-five thousand square feet;
4. The facility specifications and dimensions in which the dogs and cats are to be maintained;
5. The zoning classification in which the hobby kennel or hobby cattery would be maintained.

C. The following are requirements for hobby kennels and hobby catteries:

1. All open run areas shall be completely surrounded by a six-foot fence set back at least twenty feet from all property lines, 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 and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs within the property lines of the premises the twenty foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six-foot fence;

2. No commercial signs or other appearances advertising the hobby kennel or hobby cattery are permitted on the property except for the sale of the allowable offspring set forth in this section;

3. The manager of the ((animal care and control)) regional animal services section may require setback, 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 at the address for which the hobby kennel or hobby cattery is applied for;
 - c. facility specifications or dimensions in which the dogs and cats 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 dog and cat 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 dog and cat in the hobby kennel or hobby cattery shall have current and proper immunization from disease according to the dog's and cat's species and age. The immunizations shall consist of distemper, ((hepatitis)) hepatitis, leptospirosis, parainfluenza and parvo virus (DHLPP) inoculation for dogs over three months old and feline herpes virus 1, calicivirus and panleukopenia virus (FVRCP) inoculation for cats over two months old and rabies inoculations for all dogs and cats over ((six)) four months old.

D. A hobby kennel or hobby cattery license may be issued ((O))only when the manager of the ((animal care and control)) regional animal services section is satisfied that the requirements of K.C.C. 11.04.060C.1. through 5. have been met((, a hobby kennel or hobby cattery license may be issued)). The license ((shall continue in full force throughout the license year unless, at anytime, the hobby kennel or hobby cattery is maintained in such a manner as to:

1. Exceed)) may be terminated if the number of dogs and cats exceeds the number allowed ((at the hobby kennel by the animal care and control)) by the regional animal services section((:)) or

((2. Fail)) if the facility fails to comply with any of the requirements of K.C.C. 11.04.060 C.1. through 5.

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 special hobby kennel license to be issued at no cost by the ((animal care and control authority)) regional animal services section, 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 ((animal care and control)) 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 ((is [are])) 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.

SECTION 19. 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 provide the regional animal services section with a monthly list ((to the animal care and control authority, quarterly, based upon the calendar year,)) of all dogs and cats that it has given away or sold. The list shall include the origin, ((the)) age, sex, color, breed, altered status and, if applicable, microchip number and ((type)) license number of each dog or cat given away or sold and the new owner's name, ((and)) address and, if available, email address and telephone number ((of the person to whom the dog, dogs, cat or cats was [were] given or sold)).

SECTION 20. Ordinance 1396, Article II, Section 6, as amended, and K.C.C. 11.04.080 are hereby amended to read as follows:

A. It shall be the duty of the director of the Seattle-King County department of public health or the director's agent or the manager of the ((animal care and control)) regional animal services section or the manager's agent to make or cause to be made such an inspection as may be necessary to ((ensure)) determine compliance with K.C.C. 11.04.090, 11.04.100 and 11.04.110. The owner or keeper of an animal shelter, kennel, cattery, grooming service or pet shop shall admit to the premises, for the purpose of making an inspection, any officer, agent or employee of the Seattle-King County department of public health or animal care and control authority at any reasonable time that admission is requested.

B. It is unlawful to keep, use or maintain within King County any animal shelter, kennel, cattery, grooming service or pet shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health or safety and not in compliance with K.C.C. 11.04.070, 11.04.090, 11.04.100 ((and)) or 11.04.110 ((and may be cause for revocation or denial of the license)).

SECTION 21. Ordinance 1396, Article II, Section 12, as amended, and K.C.C. 11.04.140 are hereby amended to read as follows:

The manager of the ((animal care and control)) regional animal services section is authorized to promulgate rules and regulations not in conflict with this title as they pertain to the conditions and operations of animal shelters, hobby kennels, kennels, hobby catteries, catteries, pet shops and grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners. The rules and regulations may be enacted only after a public hearing has been held regarding the rules and regulations. Enforcement of these rules and regulations may be appealed to the county board of appeals.

SECTION 22. Ordinance 1396, Article II, Section 13, as amended, and K.C.C. 11.04.150 are hereby amended to read as follows:

The ((animal care and control authority)) regional animal services section may, in addition to other penalties provided in this title, revoke, suspend or refuse to renew any ((animal shelter,)) hobby kennel, ((kennel, grooming parlor, pet shop)), hobby cattery, guard dog purveyor or guard dog trainer license or guard dog registration upon good cause or for failure to comply with any provision of this title. ((However, e))Enforcement of such a revocation, suspension or refusal shall be stayed during the pendency of an appeal filed in accordance with K.C.C. 11.04.260.

SECTION 23. Ordinance 1396, Article II, Section 14, as amended, and K.C.C. 11.04.160 are hereby amended to

read as follows:

((No)) If an applicant has had a license or registration revoked or a renewal refused, the applicant shall not be issued ((an animal shelter,)) a hobby kennel license, ((kennel, grooming parlor, pet shop)) hobby cattery license, guard dog purveyor license, guard dog trainer license or guard dog registration ((who has previously had the license or registration revoked or a renewal refused,)) for ((a period of)) one year after the revocation or refusal ((and until the applicant meets the requirements in K.C.C. 11.04.070 through 11.04.110 or any other provision of this title to the satisfaction of the animal care and control authority)).

SECTION 24. Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165 are hereby amended as follows:

A. Any person independently engaged in the fostering of dogs and cats who routinely possesses more dogs and cats than are otherwise allowed in K.C.C. Title 21A must obtain a((n individual)) private animal placement permit from ((animal care and control)) the regional animal services section. Permits shall be valid for one year from issuance and may not be transferred.

B. In order to qualify for a((n individual)) private animal placement permit, an applicant must:

1. Maintain and care for dogs and cats in a humane and sanitary fashion, in compliance with K.C.C. 11.04.090.
2. ((Reside where the fostering of)) Foster the dogs and cats at a location that is compatible with the

surrounding neighborhood.

3. Agree to return stray or lost animals to their owners in accordance with K.C.C. 11.04.210 before placing the animals in an adoptive home.

4. Agree to spay or neuter and license each dog or cat before placement into its new home and transfer the license of each animal to its adoptive owner.

5. Agree to coordinate their adoption process with ((animal care and control)) the regional animal services section, including reporting on the disposition of each animal, and only adopting to owners who would qualify to adopt an animal from a King County animal care and control shelter based on the adoption procedures and guidelines used by the ((animal care and control authority)) regional animal services section.

C. ((Those)) Individuals or organizations holding a((n individual)) private animal placement permit shall be allowed to possess five foster animals above the limit that would normally apply to their property under K.C.C. Title 21A.

Permit holders are required to locate an adoptive home for each dog or cat within six months of acquiring the dog or cat. If, after six months, an adoptive home has not been found for a dog or cat, the ((animal care and control authority)) regional animal services section shall review the situation to determine if the permit holder is complying with the permit. If the manager of the ((animal care and control)) regional animal services section ascertains that a good faith effort is being made to locate adoptive homes, a six-month extension may be granted.

The presence of juvenile animals shall not necessarily place a permit holder over their limit unless the manager of the ((animal care and control)) regional animal services section determines that juvenile animals are present in such large numbers as to otherwise place the permit holder out of compliance with the permit.

Holders of hobby kennel licenses shall be allowed to possess and foster five more animals than are allowed by the conditions of a hobby kennel permit.

D. The ((animal care and control authority)) regional animal services section may inspect the facilities of an applicant for a((n individual)) private animal placement permit to determine whether or not such a permit shall be issued. In addition, the ((animal care and control authority)) regional animal services section may periodically inspect the facilities of holders of ((individual)) private animal placement permits to ensure compliance with this section. The ((animal care and control authority)) regional animal services section may also deny or revoke permits based on any one or more of the following((;)):

1. A failure to meet the qualifications listed in subsections A. through C. of this section;
2. ((Animal)) Verified animal care and control complaints; and
3. ((Complaints)) Verified complaints by neighbors regarding the ((maintenance of the individual)) failure to

comply with private animal placement permit ((by neighbors)) requirements.

SECTION 25. Ordinance 10809, Section 4, as amended, and K.C.C. 11.04.167 are hereby amended as follows:

A. Any organization engaged in the fostering of dogs and cats whose members routinely or from time to time have in their possession up to five more dogs and cats than are otherwise allowed in K.C.C. Title 21A must obtain ((organizational)) private animal placement permits from ((animal care and control)) the regional animal services section for each of those members. Organizations may purchase up to five permits, or up to twenty permits per year. However, the manager of the ((animal care and control)) regional animal services section may issue more than twenty permits to an organization when to do so would further the goals of the ((animal care and control)) regional animal services section and be in the public interest. Permits shall be valid for one year from issuance and may be transferred between members of the organization.

B. In order to qualify to distribute ((organizational)) private animal placement permits to its members, an organization must:

1. Be of a reputable nature and engaged in the fostering of animals solely for the benefit of the animals involved, and not as a commercial enterprise;
2. Agree to furnish animal care and control with the names, addresses and phone numbers of each of the holders of its permits(;;), including immediately furnishing this information when a transfer takes place; and
3. Agree that, to the best of their ability, they shall only ((issue)) distribute permits to individuals who ((will):
 - a. maintain and care for dogs and cats in a humane and sanitary fashion in compliance with K.C.C. 11.04.090;
 - b. reside where the fostering of dogs and cats is compatible with the surrounding neighborhood;
 - c. agree to return stray or lost animals to their owners in accordance with K.C.C. 11.04.210 before placing the animals in an adoptive home;
 - d. spay or neuter and license each dog or cat and transfer the license of each animal to its adoptive owner;and
 - e. coordinate their adoption process with animal care and control, including reporting on the disposition of each animal, and only adopting to owners who would qualify to adopt an animal from a King County animal care and control shelter based on the adoption procedures and guidelines used by the animal care and control authority.

C. Those holding an organizational private animal placement permit shall be allowed to foster up to five more dogs or cats above the limit that would normally apply to their property under K.C.C. Title 21A. Holders of hobby kennel licenses shall be allowed to foster five more animals than are allowed by conditions of a hobby kennel permit.

Permit holders are required to locate an adoptive home for each dog or cat within six months of acquiring the dog or cat. If, after six months, an adoptive home has not been found for a dog or cat the animal care and control authority shall review the situation to determine if the permit holder is complying with the permit. If the manager of the animal care and control section ascertains that a good faith effort is being made to locate adoptive homes, a six-month extension may be granted.

The presence of juvenile animals shall not necessarily place a permit holder over the limit of five foster animals beyond the limit that would normally apply to their property under K.C.C. 21A.30.020 unless the manager of the animal care and control section determines that juvenile animals are present in such large numbers as to place the permit holder out of compliance with the permit.

D. The animal care and control authority may inspect the facilities of an applicant for an organizational private animal placement permit to determine whether or not such a permit shall be issued. In addition, the animal care and control authority may periodically inspect the facilities of holders of organizational private animal placement permits to ensure compliance with this section, and to determine whether or not the organization as a whole shall be allowed to continue fostering dogs and cats. The animal care and control authority may also deny or revoke permits based on any one ore more of the following:

1. A failure to meet the qualifications in subsections A. through C of this section;
 2. Animal care and control complaints; and
 3. Complaints regarding the maintenance of the organizational private animal placement permit by neighbors))
- shall comply with the requirements of K.C.C. 11.04.165.

SECTION 26. 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 ((animal care and control authority)) regional animal services section and the animal care and control officers are authorized to take such lawful action as may be required to enforce this chapter, Ordinance 10870, as amended, and K.C.C. Title 21A, as they pertain to the keeping of animals, and the laws of the state of Washington as the laws pertain to animal cruelty, shelter, welfare and enforcement of control.

B. The manager of the ((animal care and control authority)) 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 ((animal care and control authority)) regional animal services section and animal care and 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 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 ((animal care and control)) 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.

SECTION 27. 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 are detrimental to the public health, safety and welfare and are public nuisances. All conditions that are determined after review by the manager of the ((animal care and control)) regional animal services section to be in violation of this chapter shall be abated.

SECTION 28. Ordinance 1396, Article III, Section 5, as amended, and K.C.C. 11.04.210 are hereby amended as follows:

A. The ([[manager]]) manager of the ((animal care and control)) regional animal services section and the manager's authorized representatives may apprehend 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((s are)) is apprehended, the ((animal care and control authority)) regional animal services section shall ascertain whether ((they are)) the animal is licensed or otherwise identifiable. If reasonably possible, the ((animal care and control authority)) 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 ((animal care control authority)) 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((:)).

((a)) 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. ((The county shall not sell any animals to research institutes or licensed dealers for research purposes.))

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

4. ((or, in)) 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.

B. Any animal not redeemed shall be treated in one of the following ways:

1. Made available for adoption at ((a)) the fee ((of seven dollars and fifty cents per animal as)) provided in K.C.C. 11.04.035.

a. ((Any person may adopt an animal impounded in accordance with this chapter when all billable costs, redemption fees, penalties and boarding costs incurred in the impoundment are made payable to the manager of finance and business operations, which may be accepted by the animal care and control authority acting as agent for the county.)) As provided in K.C.C. ((11.04.035)) 11.04.400, all dogs and cats ((over six months old)) 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)) a spay or neuter deposit ((shall be charged for dogs and cats under six months old that are too young to be spayed or neutered before adoption. This 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 ((animal care and control)) regional animal services section may ((set)) adopt administrative rules regarding the adoption of animals from King County shelters; ((or))

2. Transferred to another animal welfare organization for adoption;

3. Entered into foster care; or

4. Euthanized.

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

D.1. Any unaltered dog or cat impounded more than once shall be spayed or neutered ((by either)):

a. by the ((animal care and control authority)) regional animal services section before the release of the dog or cat; or

b. at the request of the owner, ((by the owner of the dog or cat)) 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 ((five)) ten days of release of the dog or cat to the owner. If proof of neutering or spaying is not provided within ((five)) ten days, the ((animal care and control authority)) regional animal services section may again impound the dog or cat to ((ensure)) 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 ((animal care and control authority)) 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.

SECTION 29. 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 ((animal care and control)) 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.

SECTION 30. 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 for any person to:

1. Willfully and cruelly injure or kill 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 fail or neglect to aid or attempt alleviation of pain, suffering or injury the person has so caused to any animal;
3. Lay out or expose any kind of poison, or to leave exposed any poison food or drink for 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 RCW 16.52.190; and
4. 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.

B. The ((animal care and control)) regional animal services section shall keep a database containing the names of all persons who are either ((or both)) 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((, or both)). Further, the ((animal care and control)) regional animal services section shall coordinate with law enforcement, when necessary, to keep this database current.

SECTION 31. Ordinance 1396, Article III, Section 9, as amended, and K.C.C. 11.04.260 are hereby amended as follows:

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

B. The manager of the ((animal care and control)) 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;
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, 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 statement of the action required to be taken to abate the violation, as determined by the manager of the ((animal care and control)) regional animal services section.
 - a. If the manager has determined the animal in violation must be disposed ((with)) of, the order shall require that the abatement be completed within a specified time from the order as determined by the manager to be reasonable;
 - b. If the manager of the ((animal care and control)) regional animal services section determined to assess a civil penalty, the order shall require that the penalty shall be paid within fourteen days from the order.
5. Statements advising that if any required abatement is not commenced within the time specified, the manager of the ((animal care and control)) regional animal services section shall proceed to cause abatement and charge the costs thereof against the owner;
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 ((animal care and control)) regional animal services section to the board of appeals, but only if the appeal is made in writing as provided by this chapter and filed with the manager of the ((animal care and control)) regional animal services section within fourteen days from the service of the notice of violation and order((,)); and
 - b. that failure to appeal constitutes a waiver of all right to an administrative hearing and determination of the matter.

C. The notice and order shall be served on the owner or presumed owner of the animal in violation.

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 if the owner or person is not home.

E. Proof of service of the notice of violation and order shall 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.

((F. This chapter shall be followed by the manager of the animal care and control section in determining the existence of an animal care and control violation and in determining the abatement action required.))

SECTION 32. Ordinance 1396, Article III, Section 10, as amended, and K.C.C. 11.04.270 are hereby amended as follows:

A. The King County board of appeals as established by Article 7 of the King County Charter is designated to hear appeals by parties aggrieved by actions of the manager of the ((animal care and control)) regional animal services section under this chapter. The board may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the board shall be delivered to the manager of the ((animal care and control)) regional animal services section, who shall make them freely accessible to the public. All decisions and findings of the board shall be rendered to the appellant in writing with a copy to the manager of the ((animal care and control)) regional animal services section.

B. Any person entitled to service under K.C.C. 11.04.260.B. may appeal from any notice and order or any action of the manager of the ((animal care and control)) regional animal services section under this chapter by filing at the office of the manager of the ((animal care and control)) regional animal services section within fourteen days from the service of the order, a written appeal containing:

1. A heading in the words: "Before the Board of Appeals of the County of King";
2. A caption reading: "Appeal of _____ giving the names of all appellants participating in the appeal;
3. A brief statement setting forth the legal interest of each of the appellants in the animal involved in the notice and order;
4. A brief statement in concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant;
5. A brief statement in concise language of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside;
6. The signatures of all parties' names as appellants, and their official mailing addresses;
7. The verification, by declaration under penalty of perjury, of at least one appellant as to the truth of the matters stated in the appeal.

C. The board of appeals shall set a time and place, not more than thirty days from the notice of appeal for a hearing on the appeal. Written notice of the time and place of hearing shall be given at least ten days (([before])) before the hearing to each appellant by the manager-clerk of the board.

D. At the hearing, the appellant shall be entitled to appear in person, to be represented by counsel and to offer evidence that is pertinent and material to the action of the manager of the ((animal care and control authority)) regional animal services section. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered.

E. Failure of any person to file an appeal in accordance with this section shall constitute a waiver of the right to an administrative hearing.

F. Enforcement of any notice and order of the manager of the ((animal care and control)) regional animal services section issued under this chapter shall be stayed during the pending of an appeal, except impoundment of an animal that is vicious or dangerous or cruelly treated.

G. In proceedings before the board, the regional animal services section shall bear the burden of proving by a preponderance of the evidence both the violation and the appropriateness of the remedy it has imposed.

SECTION 33. Ordinance 1396, Article III, Section 12, as amended, and K.C.C. 11.04.290 are hereby amended to read as follows:

A.1. An animal, declared by the manager of the ((animal care and control)) regional animal services section to be vicious, may be harbored, kept or maintained in King County only upon compliance with those requirements prescribed by the manager. In prescribing the requirements, the manager must take into consideration the following factors:

- a. the breed of the animal and its characteristics;
- b. the physical size of the animal;
- c. the number of animals in the owner's home;
- d. the zoning involved; size of the lot where the animal resides and the number and proximity of neighbors;
- e. the existing control factors, including, but not limited to, fencing, caging, runs and staking locations; and

- f. the nature of the behavior giving rise to the manager's determination that the animal is vicious, including:
 - (1) extent of injury or injuries;
 - (2) circumstance, such as time of day, if it was on or off the property and provocation instinct; and
 - (3) circumstances surrounding the result and complaint, such as neighborhood disputes, identification, credibility of complainants and witnesses.
- 2. Requirements that may be prescribed include, but are not limited to, the following:
 - a. Erection of additional or new fencing adequate to keep the animal within the confines of its property;
 - b. Construction of a run within which the animal is to be kept. Dimensions of the run shall be consistent with the size of the animal;
 - c. Keeping the animal on a leash adequate to control the animal, the length and location to be determined by the manager. When unattended the leash must be securely fastened to a secure object;
 - d. Maintenance of the animal indoors at all times, except when personally controlled on a leash adequate to control the animal by the owner or a competent person at least fifteen years old; and
 - e. Removal of the animal from the county within forty-eight hours from receipt of such a notice.
- 3. Failure to comply with any requirement prescribed by the manager in accordance with this section constitutes a misdemeanor. Such an animal shall not be kept in unincorporated King County after forty-eight hours after receiving written notice from the manager. Such an animal or animals found in violation of this section shall be impounded and disposed of as an unredeemed animal and the owner or keeper of the animal or animals has no right to redeem the animal or animals.

B.1. Any animal constituting a public nuisance as provided in this chapter shall be abated and removed from the county by the owner or by the manager of the ((animal care and control)) regional animal services section, upon the receipt of three notices and orders of violation by the owner in any one-year period, though this removal procedure shall not apply to the vicious animal removal procedure set out in K.C.C. 11.04.290.A.3. Where it is established by record in accordance with this chapter and no finding was entered showing that the owner will be able to provide reasonable restraints to protect the public from repetitions of violations, the manager of the ((animal care and control)) regional animal services section shall notify and direct the owner of the animal to abate or remove the same from the county within ninety-six hours from the notice. If the animal is found to be within the confines of King County after ninety-six hours have elapsed from the notice, the same shall be abated and removed by the manager of the ((animal care and control)) regional animal services section. Animals removed in accordance with this section shall be removed from King County or be subjected to euthanasia by the ((animal care and control authority)) regional animal services section.

2. Any animal that bites, attacks or attempts to bite one or more persons two or more times within a two-year period is declared to be a public nuisance and shall not be kept within unincorporated King County forty-eight hours after receiving written notice from the manager. Such an animal or animals found in violation of this section shall be impounded and disposed of as an unredeemed animal, and the owner or keeper of the animal or animals has no right to redeem the animal.

SECTION 34. Ordinance 6370, Section 12, and K.C.C. 11.04.330 are hereby amended to read as follows:

The ((animal control)) regional animal services section is authorized to make and enforce rules and regulations, not inconsistent with the provisions of this chapter, and it is unlawful to violate or fail to comply with any of such rules and regulations. All of such rules and regulations shall be reduced to writing and adopted ((pursuant to King County Code,)) in accordance with K.C.C. ((C))chapter 2.98.

SECTION 35. 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 ((animal care and control)) regional animal services section may waive or provide periods of amnesty for payment of outstanding licensing fees, late licensing penalty fees, adoption fees and redemption and sheltering fees, in whole or in part, when to do so would further the goals of the ((animal care and control)) regional animal services section and be in the public interest.

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

- 1. The reason the animal was impounded;
- 2. The reason or basis for the violation, the nature of the violation, the duration of the violation and the likelihood the violation will not recur;
- 3. The total amount of the fees charged as compared with the gravity of the violation;
- 4. The effect on the owner, the animal's welfare and the ((animal care and control)) regional animal services section if the fee or fees or penalties are not waived and no payment is received.

SECTION 36. 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 ((animal control authority)) regional animal services section

((shall also)) may provide to the applicant a voucher ((with a value not to exceed twenty-five dollars)) for the payment of all or part of the cost of a spay or neuter operation by a licensed veterinarian on the pet, with the amount of the voucher established by the manager of regional animal services based upon available resources and appropriation authority being provided by the council. The ((animal control authority)) regional animal services section 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 vouchers shall be redeemed through the King County ((office of finance)) treasury by veterinarians who have performed a spay or neuter operation on a pet licensed in King County as an unaltered pet.

SECTION 37. Ordinance 10423, Section 6, as amended, and K.C.C. 11.04.500 are hereby amended to read as follows:

A. It shall be 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 euthanized by the ((animal care and control authority)) regional animal services section or its designees. The euthanasia rates shall be calculated based on the total number of live cats and dogs 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 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 and vaccinations should such services be made available to the public by ((King County animal care and control)) the regional animal services section.

B. ((The total number of cats and dogs euthanized by ((King County animal care and control is not to exceed twenty percent in the year ending December 31, 2008.

C.)) The total number of cats and dogs euthanized by ((King County animal care and control)) the regional animal services section is not to exceed fifteen percent ((in the years following 2008)).

SECTION 38. Ordinance 10423, Section 22, as amended, and K.C.C. 11.04.550 are each hereby amended to read as follows

The ((animal care and control authority)) regional animal services section shall report to the council no ((later than July 15)) less than twice each year on the number of animals taken into King County's custody, the average length of stay for animals, the number of animals redeemed by their owners, the number of animals adopted, the number of animals transferred to other animal welfare organizations or agencies, the number of animals euthanized, the number of animals euthanized at an owner's request, the number of animals euthanized due to a determination of vicious temperament, the number of animals euthanized due to a determination that the animal had a poor or grave prognosis of health and was irremediably suffering, the number of animals that die of causes other than an administered method of euthanasia, the number of animals spayed or neutered, the number of animal cruelty cases, the number and type of pet licenses issued and the number of spay or neuter vouchers issued and redeemed. ((Eleven copies of the report shall be filed with the clerk of the council, for distribution to all councilmembers.)) The reports shall include program revenues, expenditures, status of payments from cities for contractual services, an accounting for the use of the animal bequest funds and impacts to the general fund. These twice annual reports shall be prepared concurrent with and include the reports developed for cities per the terms of any interlocal agreements for regional animal services. One paper copy and an electronic copy of each report shall be filed with the clerk of the council, who shall distribute electronic copies to all councilmembers.

SECTION 39. Ordinance 10423, Section 26, as amended, and K.C.C. 11.04.570 are hereby amended to read as follows:

The ((animal care and control authority in conjunction with the King County citizen's advisory committee)) regional animal services section shall develop a breeder certification program, including a definition of the term "breeder," to promote the "best management practices" for the breeding and caring of animals. The proposed breeder certification program shall be submitted to the county council for approval.

SECTION 40. Ordinance 3732 Section 1, as amended, and K.C.C. 11.08.040 are hereby amended to read as follows:

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;
2. The ((animal care and control)) regional animal services section ((of the records and licensing services division)); and
3. The ((manager of the records and licensing services division)) director of elections.

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, both written and printed legibly, 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 care and control)) regional animal services section shall conduct a comprehensive review of the enforceability of the proposed boundaries and if necessary recommend alternative boundaries to the director of the department of executive services and the affected councilmember.

D. The ((records and licensing services division)) department of elections shall:

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

2. Determine the number of signatures of registered voters 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 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 director of the department of executive services.

F. In addition to other statutory requirements, the council may cause to occur any public meetings or notification through the local media as it considers necessary to ensure 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 considering, the location, terrain and surrounding land use of the petitioned area.

SECTION 41. Ordinance 3548, Section 5, as amended, and K.C.C. 11.08.060 are hereby amended to read as follows:

In addition to, or as an alternate to, any other penalty provided in this title or by general law, any person whose animal is maintained in violation of this chapter shall incur a civil penalty plus billable costs of the ((animal care and control authority)) regional animal services section. The penalty for a violation shall be as provided in K.C.C. 11.04.035. However, for the first thirty days following the enactment of each individual dog control zone, no penalty shall be assessed ((in those cases where a licensed animal is maintained in violation of this chapter and the animal care and control officer is able to determine the owner and, if impounded, return animal to its owner directly from the site in which it was impounded. Also, on the thirty-first day following the enactment of each individual dog control zone and thereafter, one-half the normal penalty shall be assessed in those cases where a licensed animal is maintained in violation of this chapter and the animal care and control officer is unable to determine the owner and, if impounded, return the animal to its owner directly from the site in which it was impounded)) for a violation of this chapter that occurs within the newly established dog control zone.

SECTION 42. Ordinance 11150, Section 1-2, and K.C.C. 11.08.075 are hereby amended to read as follows:

A. ((Findings. The King County council finds that the establishment of a dog control zone in King County is necessary for the following reasons:

1. The protection of dogs and other domestic animals from dogs at large or without restraint;

2. The preservation of private property rights from unlawful trespass by dogs at large or without restraint;

3. The preservation, protection and maintenance of public property and public amenities such as parks, schools and playgrounds from the waste products generated by dogs at large or without restraint;

4. The prevention of unintentional loss of dogs at large or without restraint due to their becoming lost or being struck by vehicular traffic; and

5. The protection of pedestrians and bicyclists from dogs at large or without restraint.

B.)) In addition to the dog control zones already in effect under the provisions of this chapter, there is created a dog control zone in the following urban zoning districts of unincorporated King County((designated urban as defined in K.C.C. 21: SE, SC, SR/RS15000, SR/RS9600, RS7200, SR5000, RMHP, RD3600, RM2400, RT, RM1800, RM900, RM900P, BN, BR-N, B-C, C-G, M-L, M-P, and M-H; or as defined in K.C.C. 21A)): R-1 through R-48, O, NB, RB, CB((,)) and I.

SECTION 43. Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010 are hereby amended to read as follows:

Whenever the director of the Seattle-King County department of public health has cause to suspect that an animal capable of transmitting rabies is infected with the disease, 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 the quarantine order. The infected animal shall be quarantined by the ((animal care and control)) regional animal services section ((in the records and licensing services division)) 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 K.C.C. 11.12.040 shall apply. Delivery of a copy of the quarantine order to some person of suitable age and discretion residing upon the premises where the animal is found shall be notice of the quarantine. Good cause for such an order of quarantine shall include, but is not limited to, evidence

that the animal has bitten, or that there is reasonable certainty that the animal has bitten, a human being. During the period of quarantine, the officers, agents and employees of the ((animal care and control)) regional animal services section, and other police officers, are authorized to enter any premises for the purpose of apprehending any such an animal and impounding the animal, except where the animal is kept upon the premises of the owner or licensed veterinarian as provided in this section.

SECTION 44. Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020 are hereby amended to read as follows:

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

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

B. "Director" means director of the 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. Nonhuman primates and prosimians;
3. Bears;
4. Nondomesticated species of felines;
5. Nondomesticated species of canines and their hybrids, including wolf and coyote hybrids; and
6. The order Crocodylia, including alligators, crocodiles, caimans and gavials.

SECTION 45. Ordinance 2473, Section 6, as amended, and K.C.C. 11.28.060 are hereby amended to read as follows:

If, after investigation by the manager of the ((animal care and control)) regional animal services section, it appears that the applicant is the owner or tenant of or has a possessory interest in the property shown in the application; if applicable, has the written permission of the property owner as specified in K.C.C. 11.28.050 and that the applicant intends in good faith to possess or maintain an exotic animal in accordance with the law and the rules and regulations of the ((animal care and control authority)) regional animal services section, the ((animal care and control authority)) regional animal services section shall issue a license to the applicant describing therein the premises to be used by the licensee and certifying that the licensee is lawfully entitled to use the same for the possession or maintenance of the exotic animal or animals specified in the license. However, before issuing the license, the ((animal care and control authority)) regional animal services section shall inspect the cage or other confinement as required by rule or regulation and specified in the licensee's application in order to determine whether the cage or confinement meets the standard specifications for the classification of the exotic animal. If the cage or confinement is deemed inadequate, the applicant shall make such changes as are necessary to meet the standard specifications before the license shall be issued.

SECTION 46. Ordinance 2473, Section 7, as amended, and K.C.C. 11.28.070 are hereby amended to read as follows:

The manager of the ((animal care and control)) regional animal services section, or any other officer authorized by the manager, may make routine periodic inspections of a licensee's premises and records in order to determine the number, kind, weight and condition of exotic animals possessed by the licensee, and for purposes of enforcing this chapter and the rules and regulations of the ((animal care and control authority)) regional animal services section.

SECTION 47. Ordinance 3232, Section 2, as amended, and K.C.C. 11.32.020 are hereby amended to read as follows:

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

A. "Animal care and control authority" means the ((animal care and control)) regional animal services section in the records and licensing services division, acting alone or in concert with other municipalities in the enforcement of the animal care and control laws of the county and state.

B. "Director" means director of the department of executive services.

C. "Guard dog" means any member of the dog family Canidae that has been trained or represented as trained to protect either person 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. "Rules and regulations of the ((animal care and control authority)) regional animal services section" means such rules and regulations, consistent with the intent of this chapter, as may be adopted by the ((animal care and control authority)) regional animal services section under K.C.C. chapter 2.98.

SECTION 48. Ordinance 3232, Section 9, as amended, and K.C.C. 11.32.090 are hereby amended to read as follows:

The manager of the ((animal care and control)) regional animal services section or the manager's authorized representative shall inspect all premises that are the subject of the licenses and registrations required in this chapter before the issuance of licenses or registrations. The inspections shall include, but not be limited to, a verification that adequate measures are being taken to protect the health, welfare and safety of the general public and to ensure the humane treatment of the guard dogs. If the premises are deemed inadequate, the ((animal care and control authority)) regional animal services section shall direct the applicant to make such changes as are necessary before the license or registration is issued. The manager of the ((animal care and control)) regional animal services section or the manager's authorized representative may make the inspections of a licensee's premises or the premises of an area guarded by a registered guard dog for the purpose of enforcing this chapter and the rules and regulations of the ((animal care and control authority)) regional animal services section.

SECTION 49. Ordinance 3232, Section 13, as amended, and K.C.C. 11.32.100 are hereby amended to read as follows:

In protecting the health, safety and welfare of the public; to enforce the laws of the state of Washington as they pertain to animal cruelty, shelter, welfare and enforcement of control; the manager of the ((animal care and control)) regional animal services section and the manager's authorized officers are authorized to take such lawful action in exercising appropriate powers and responsibilities in Article III of Ordinance 1396 and K.C.C. chapter 11.04.

SECTION 50. Ordinance 1396, Article II, Section 2, as amended, and K.C.C. 11.04.040 are hereby repealed.

SECTION 51. Ordinance 6370, Section 11, as amended, and K.C.C. 11.04.320 are hereby repealed.

SECTION 52. Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590 are hereby repealed.

SECTION 53. Ordinance 9464, Section 1, as amended, and K.C.C. 11.06.010 are hereby repealed.

SECTION 54. Ordinance 9464, Section 2, as amended, and K.C.C. 11.06.020 are hereby repealed.

SECTION 55. Ordinance 9464, Sections 3, as amended, and K.C.C. 11.06.030 are hereby repealed.

SECTION 56. Ordinance 9464, Section 4, and K.C.C. 11.06.040 are hereby repealed.

SECTION 57. Ordinance 9464, Section 5, and K.C.C. 11.06.050 are hereby repealed.

SECTION 58. Ordinance 9464, Section 6, as amended, and K.C.C. 11.06.060 are hereby repealed.

SECTION 59. Ordinance 9464, Section 7, and K.C.C. 11.06.070 are hereby repealed.

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