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Sponsors:	
Attachments:	None

1 ..title

2 AN ORDINANCE relating to the provision of regional
3 animal care and control services; amending Ordinance
4 12076, Section 9, as amended, and K.C.C. 4.08.015,
5 Ordinance 1269, Section 1, as amended, and K.C.C.
6 11.02.010, Ordinance 1269, Section 3, as amended, and
7 K.C.C. 11.02.020, Ordinance 1396 Article I, Section 2, as
8 amended, and K.C.C. 11.04.010, Ordinance 1396, Article I,
9 Section 3, as amended, and K.C.C. 11.04.020, Ordinance
10 1396, Article II, Section 1, as amended, and K.C.C.
11 11.04.030, Ordinance 10423, Section 3, as amended, and
12 K.C.C. 11.04.033, Ordinance 7416, Section 2, as amended,
13 and K.C.C. 11.04.035, Ordinance 1396, Article II, Section
14 3, as amended, and K.C.C. 11.04.050, Ordinance 1396,
15 Article II, Section 4, as amended, and K.C.C. 11.04.060,
16 Ordinance 1396, Article II, Section 5, as amended, and
17 K.C.C. 11.04.070, Ordinance 1396, Article II, Section 6, as
18 amended, and K.C.C. 11.04.080, Ordinance 1396, Article II,
19 Section 12, as amended, and K.C.C. 11.04.140, Ordinance
20 1396, Article II, Section 13, as amended, and K.C.C.
21 11.04.150, Ordinance 1396, Article II, Section 14, as

22 amended, and K.C.C. 11.04.160, Ordinance 10809, Section
23 3, as amended, and K.C.C. 11.04.165, Ordinance 10809,
24 Section 4, as amended, and K.C.C. 11.04.167, Ordinance
25 1396, Article III, Section 1, as amended, and K.C.C.
26 11.04.170, Ordinance 1396, Article III, Section 2, as
27 amended, and K.C.C. 11.04.180, Ordinance 1396, Article
28 III, Section 5, as amended, and K.C.C. 11.04.210,
29 Ordinance 1396, Article III, Section 6, as amended, and
30 K.C.C. 11.04.220, Ordinance 1396, Article III, Section 8,
31 as amended, and K.C.C. 11.04.250, Ordinance 1396,
32 Article III, Section 9, as amended, and K.C.C. 11.04.260,
33 Ordinance 1396, Article III, Section 10, as amended, and
34 K.C.C. 11.04.270, Ordinance 1396, Article III, Section 12,
35 as amended, and K.C.C. 11.04.290, Ordinance 6370,
36 Section 12, and K.C.C. 11.04.330, Ordinance 7986, Section
37 3, as amended, and K.C.C. 11.04.335, Ordinance 10423,
38 Section 24, as amended, and K.C.C. 11.04.410, Ordinance
39 10423, Section 6, as amended, and K.C.C. 11.04.500,
40 Ordinance 10423, Section 26, as amended, and K.C.C.
41 11.04.570, Ordinance 3732, Section 1, as amended, and
42 K.C.C. 11.08.040, Ordinance 3548, Section 5, as amended,
43 and K.C.C. 11.08.060, Ordinance 11150, Section 1-2, and
44 K.C.C. 11.08.075, Resolution 27312, Section 1, as

45 amended, and K.C.C. 11.12.010, Ordinance 2473, Section
46 2, as amended, and K.C.C. 11.28.020, Ordinance 2473,
47 Section 6, as amended, and K.C.C. 11.28.060, Ordinance
48 2473, Section 7, as amended, and K.C.C. 11.28.070,
49 Ordinance 3232, Section 2, as amended, and K.C.C.
50 11.32.020, Ordinance 3232, Section 9, as amended, and
51 K.C.C. 11.32.090 and Ordinance 3232 Section 13, as
52 amended, and K.C.C. 11.32.100, adding a new section to
53 K.C.C. chapter 2.80, adding a new section to K.C.C.
54 chapter 4.08, adding a new section to K.C.C. chapter 4.100,
55 adding new sections to K.C.C. chapter 11.02, repealing
56 Ordinance 1396, Article II, Section 2, as amended, and
57 K.C.C. 11.04.040, Ordinance 6370, Section 11, as
58 amended, and K.C.C. 11.04.320, Ordinance 10423, Section
59 10, as amended, and K.C.C. 11.04.590, Ordinance 9464,
60 Section 1, as amended, and K.C.C. 11.06.010, Ordinance
61 9464, Section 2, as amended, and K.C.C. 11.06.020,
62 Ordinance 9464, Section 3, as amended, and K.C.C.
63 11.06.030, Ordinance 9464, Section 4, and K.C.C.
64 11.06.040, Ordinance 9464, Section 5, and K.C.C.
65 11.06.050, Ordinance 9464, Section 6, as amended, and
66 K.C.C. 11.06.060 and Ordinance 9464, Section 7, and
67 K.C.C. 11.06.070 and prescribing penalties.

68 ..body

69 STATEMENT OF FACTS:

70 1. King County animal care and control has provided services to the
71 unincorporated areas of King County and by contract to the majority of cities
72 in the county in exchange for retention of their pet licensing revenue since
73 the mid-1980s.

74 2. The county general fund contribution to the provision of animal services
75 has increased over the years, culminating in a general fund contribution of
76 nearly \$3 million in recent years.

77 3. Motion 13092, adopted by the metropolitan King County council on
78 November 9, 2009, directed the county executive to end the provision of
79 animal shelter services by King County for contract cities and for
80 unincorporated King County as soon as possible but no later than January
81 31, 2010, and to enter into new full cost recovery contracts with cities for
82 animal control and licensing services by June 30, 2010.

83 4. The 2010 Budget Ordinance, Ordinance 16717, Section 30, provided
84 funding for animal care and control such that sheltering services would be
85 provided only through January 31, 2010.

86 5. With the adoption of Ordinance 16750, extending FTE authority for
87 animal sheltering services through June 30, 2010, the county recognized that
88 there is currently not sufficient sheltering capacity in the region to close the
89 King County animal shelter. The extension of FTE authority provided a
90 common deadline for the county to work with cities on a new regional model

91 for animal services, inclusive of animal sheltering, animal control, and pet
92 licensing functions.

93 6. A regional model for animal services enables the county and the cities to
94 provide for better public health, safety, animal welfare and customer service
95 outcomes at a lower cost than jurisdictions are able to provide for on their
96 own. This is accomplished through properly aligned financial incentives,
97 partnerships to increase revenue, economies of scale, a consistent regulatory
98 approach across participating jurisdictions and collaborative initiatives to
99 reduce the homeless animal population and leverage private sector resources
100 while providing for a level of animal care respected by the community

101 7. Beginning in January of 2010, a joint cities-county work group began
102 meeting on a weekly basis to develop a new regional animal services model
103 for King County and individual cities to consider. The work group included
104 representation from King County and the cities of SeaTac, Tukwila, Kent,
105 Bellevue, Redmond, Sammamish, Shoreline and Lake Forest Park.

106 8. On February 26, 2010, the executive transmitted to the council an
107 implementation plan for entering into new animal services contracts with
108 cities.

109 9. Consistent with the implementation plan, the joint cities-county work
110 group for regional animal services developed an agreement in principle for a
111 new regional animal services model that defines services, expenditures, cost
112 and revenue allocation methodologies and collaborative initiatives for
113 increasing revenues through fees, penalties, and other means for animal

114 shelter, animal control and pet licensing services. The agreement in
115 principle and supporting materials were shared with all cities, the county
116 council, and the public in early April, through presentations to city managers
117 and administrators, the suburban cities' association public issues committee,
118 the regional policy committee, numerous city council meetings and through
119 individual meetings with county and city officials and staff.

120 10. Consistent with the implementation plan, the joint cities-county work
121 group for regional animal services developed an interlocal agreement for
122 animal services based on the agreement in principle.

123 11. The proposed interlocal agreement provides for regional animal services to be
124 funded in part by revenue earned through license sales and fees and fines. In
125 2010, this revenue is estimated to total about two-thirds of expenditures.

126 12. King County and cities participating in the interlocal agreement have a
127 mutual interest in increasing program revenue to support animal services,
128 including through: (a) changes to pet license fees; (b) programs, penalties
129 and other incentives to increase pet license sales; (c) enforcement of city and
130 county codes requiring the licensing of pets; (d) gifts, bequests and donations
131 that promote animal welfare; and (e) entrepreneurial programs for raising
132 revenue, such as sponsorships, advertising, naming rights, concessions and
133 fundraising events.

134 13. The proposed interlocal agreement requires cities to enact an ordinance
135 or resolution that includes license, fee, penalty, enforcement,

136 impound/redemption and sheltering provisions that are substantially the
137 same as those of Title 11 of King County Code.

138 14. King County residents and volunteers regularly donate funds to King County
139 to enhance the welfare of animals generally or through specific means such as
140 providing for animals' special medical needs or supporting spay/neuter services.
141 Expedient access to these funds for use in the manner in which they were donated
142 is critical to the welfare of animals in King County's care.

143 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

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

150 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

171 accordance with donor restrictions and for regional animal services purposes, including
172 but not limited to housing of animals, medical attention for animals, public education,
173 animal shelter improvements and such other purposes that further the general welfare of
174 animals. All revenue in the animal bequest account within the general fund and any
175 subaccounts of the account as of the effective date of this ordinance shall be transferred
176 to the animal bequest fund.

177 NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 4.100 a
178 new section to read as follows:

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

185 SECTION 5. Ordinance 1269, Section 1, as amended, and K.C.C. 11.02.010 are
186 hereby amended to read as follows:

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

191 SECTION 6. Ordinance 1269, Section 3, as amended, and K.C.C. 11.02.020 are
192 hereby amended to read as follows:

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

197 NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 11.02 a
198 new section to read as follows:

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

203 NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 11.02 a
204 new section to read as follows:

205 A. Consistent with K.C.C. chapter 3.04, the executive may solicit and accept
206 from the general public and business communities and all other persons, gifts, bequests
207 and donations to the county in support of regional animal services.

208 B. All gifts, bequests and donations of money to the county for regional animal
209 services shall be deposited and credited to the animal bequest fund created under section
210 3 of this ordinance.

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

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

216 A. The director of the department of executive services may negotiate and enter
217 into advertising, sponsorship and naming rights agreements for the purpose of providing
218 financial support for regional animal services programs. Advertising shall be restricted to
219 commercial speech.

220 B. Advertisers and sponsors shall abide by the nondiscrimination requirements of
221 K.C.C. Title 12. Furthermore, an advertising, sponsorship or naming rights agreement
222 may not result in advertisement of spirits or tobacco products in violation of K.C.C.
223 chapter 12.51.

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

226 D. Revenue generated from advertising, sponsorships and naming rights
227 agreements entered into under this section shall be applied solely to regional animal
228 services.

229 SECTION 10. Ordinance 1396, Article I, Section 2, as amended, and K.C.C.
230 11.04.010 are hereby amended to read as follows:

231 A. It is declared the public policy of the county to secure and maintain such levels
232 of animal care and control as will protect animal and human health and safety, and to the
233 greatest degree practicable to prevent injury to property and cruelty to animal life. To this
234 end, it is the purpose of this chapter to provide a means of caring for animals, licensing
235 dogs, cats, ~~((animal shelters))~~ hobby catteries, hobby kennels ~~((, kennels and pet shops))~~
236 and related facilities and controlling errant animal behavior so that it shall not become a
237 public nuisance and to prevent cruelty to animals.

238 B. If there is a conflict between a provision of this chapter and a provision in
239 K.C.C. Title 21A, the provision in K.C.C. Title 21A shall control.

240 SECTION 11. Ordinance 1396, Article I, Section 3, as amended, and K.C.C.
241 11.04.020 are hereby amended to read as follows:

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

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

249 B. "Altered" means spayed or neutered.

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

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

255 (~~D.~~) E. "Animal care and control officer" means any individual employed,
256 contracted or appointed by the animal care and control authority for the purpose of aiding
257 in the enforcement of this chapter or any other law or ordinance relating to the care and
258 licensing of animals, control of animals or seizure and impoundment of animals, and
259 includes any state or municipal peace officer, sheriff, constable or other employee whose

260 duties in whole or in part include assignments that involve the seizure and taking into
261 custody of any animal.

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

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

269 ~~((G.))~~ H. "Euthanasia" means the humane destruction of an animal accomplished
270 by a method that involves instantaneous unconsciousness and immediate death or by a
271 method that causes painless loss of consciousness and death during the loss of
272 consciousness.

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

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

281 ~~((J.))~~ K. "Harbored, kept or maintained" means performing any of the acts of
282 providing care, shelter, protection, refuge, food or nourishment in such a manner as to

283 control the animal's actions, or that the animal or animals are treated as living at one's
284 house by the homeowner.

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

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

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

298 ~~((N:))~~ O. "Kennel" means a place where four or more adult dogs are kept, whether
299 by owners of the dogs or by persons providing facilities and care, whether or not for
300 compensation, but not including a pet shop. An adult dog is one of either sex, altered or
301 unaltered, that is at least six months old.

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

303 ~~((P:))~~ Q. "Owner" means any person having an interest in or right of possession to
304 an animal. "Owner" also means any person having control, custody or possession of any

305 animal, or by reason of the animal being seen residing consistently at a location, to an
306 extent such that the person could be presumed to be the owner.

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

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

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

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

318 ~~((U:))~~ V. "Private animal placement permit ~~((—individual))~~" means a permit or
319 permits issued to qualified persons or organizations engaged in fostering dogs and cats,
320 ~~((who meet certain requirements))~~ to allow ~~((the persons))~~ them to possess more dogs and
321 cats than is otherwise specified in K.C.C. Title 21A. ~~((Persons holding an individual
322 private animal placement permit and fostering dogs and cats must locate an adoptive home
323 for a dog or cat within six months of acquisition of the dog or cat.))~~

324 ~~((V: "Private animal placement permit —organizational" means permits issued to
325 organizations engaged in fostering dogs and cats, the organizations having first met certain
326 requirements. These organizations may distribute these permits to individuals who will
327 foster the dogs and cats in their homes. The permits will allow the individuals to possess~~

328 ~~more dogs and cats than is specified in K.C.C. Title 21A. The organizations must be~~
329 ~~approved by the manager of the animal care and control section, and their permit holders~~
330 ~~must locate an adoptive home for a dog or cat within six months of acquisition of the dog~~
331 ~~or cat.))~~

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

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

338 Y. "Shelter" means a facility that is used to house or contain stray, homeless,
339 abandoned or unwanted animals and that is owned, operated or maintained by a public
340 body, an established humane society, animal welfare society, society for the prevention
341 of cruelty to animals or other nonprofit organization or person devoted to the welfare,
342 protection and humane treatment of animals.

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

348 AA. "Under control" means the animal is either under competent voice control or
349 competent signal control, or both, so as to be restrained from approaching any bystander

350 or other animal and from causing or being the cause of physical property damage when
351 off a leash or off the premises of the owner.

352 BB. "Vicious" means having performed the act of, or having the propensity to do
353 any act, endangering the safety of any person, animal or property of another, including,
354 but not limited to, biting a human being or attacking a human being or domesticated
355 animal without provocation.

356 SECTION 12. Ordinance 1396 Article II, Section 1, as amended, and K.C.C.
357 11.04.030 are hereby amended to read as follows:

358 A. All dogs and cats eight weeks old and older that are harbored, kept or
359 maintained in King County shall be licensed and registered (~~(annually)~~). Licenses shall
360 be renewed on or before the date of expiration.

361 B. Upon application and the payment of a license fee made payable to the King
362 County treasury according to the schedule provided in K.C.C. 11.04.035, ((P))pet
363 licenses shall be issued by the ((animal care and control)) regional animal services
364 section and may be issued by shelters, veterinarians, pet shops, catteries and kennels and
365 other approved locations ((upon application and the payment of a license fee made
366 payable to the department of finance according to the schedule provided in K.C.C.
367 11.04.035)), under with contract with the county.

368 1. Pet licenses for (~~(unaltered)~~) dogs and cats shall be valid for a term of one
369 year from issuance, expiring on the last day of the twelfth month. (~~(Pet licenses for~~
370 ~~altered dogs and cats shall be valid for one year, expiring on the last day of the twelfth~~
371 ~~month.)) There is no proration of any license fees. Renewal licenses shall retain the~~

372 original expiration period whether renewed before, on or after their respective renewal
373 months.

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

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

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

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

392 ~~((5.))~~ 6. License tags shall be worn by dogs at all times. As an alternative to a
393 license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or

394 on its inside right thigh or groin with a license number approved or issued by the ~~((animal~~
395 ~~care and control))~~ regional animal services section.

396 ~~((6.))~~ 7. Owners of dogs or cats who hold valid licenses from other jurisdictions
397 and who move into King County may transfer the license by paying a transfer fee. The
398 license shall maintain the original license's expiration date.

399 ~~((7.))~~ 8. It is a violation of this chapter for any person to sell or transfer
400 ownership of any pet without a pet license. The ~~((King County animal care and control~~
401 ~~authority))~~ regional animal services section shall be notified of the name, address and
402 telephone number of the new owner by the person who sold or transferred the pet.

403 ~~((8.))~~ 9. An applicant may be denied the issuance or renewal of a pet license, if
404 the applicant was previously found in violation of the animal cruelty provisions of K.C.C.
405 11.04.250 or convicted of animal cruelty under RCW 16.52.205 or 16.52.207.

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

408 (1) four years, if found in violation of the animal cruelty provisions of K.C.C.
409 11.04.250 or convicted of a misdemeanor under RCW 16.52.207; or

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

411 b. Any applicant who is either ~~((or both))~~ the subject of a notice and order
412 under K.C.C. 11.04.250 or charged with animal cruelty under RCW 16.52.205 or
413 16.52.207, ~~((or both,))~~ may have the issuance or renewal of their pet license denied
414 pending the final result of either the notice and order or charge~~((, or both))~~.

415 ~~((9.))~~ 10. The denial of the issuance or renewal of a pet license is subject to
416 appeal, in accordance with K.C.C. 11.04.270.

417 ~~((10.))~~ 11. Cat or dog owners are subject to a penalty according to the schedule
418 in K.C.C. 11.04.035 for failure to comply with the licensing requirement in subsection A.
419 of this section ~~((only if the owner fails to immediately license his or her dog or cat when
420 the animal care and control section offers the owner the opportunity to do so))~~.

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

423 D. All fees and fines collected under this chapter shall be deposited in the
424 ~~((county current expense))~~ general fund ~~((and shall be distributed according to K.C.C.
425 11.04.035))~~ to be applied solely to regional animal services. The records and licensing
426 services division is authorized to accept credit and bank card payments for fees and
427 penalties imposed under this title, in accordance with K.C.C. chapter 4.100.

428 E. It is a violation of this chapter for any person to knowingly issue a check for
429 which funds are insufficient or to stop payment on any check written in payment of fees
430 in this chapter. Any license or penalty paid for with those types of checks are, in the case
431 of the license, invalid; and in the case of the penalty, still outstanding. Costs incurred by
432 the county in collecting checks of this nature shall be considered a cost of abatement and
433 are personal obligations of the animal owner under K.C.C. 11.04.300.

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

437 G. Veterinarians and shelters that sell or give away a dog or cat without a license
438 shall make license application materials available to the new pet owner and shall provide

439 the regional animal services section monthly with the list of list of information required
440 by K.C.C. 11.04.070 for any dogs and cats given away or sold.

441 SECTION 13. Ordinance 10423, Section 3, as amended, and K.C.C. 11.04.033
442 are hereby amended to read as follows:

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

456 SECTION 14. Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035 are
457 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))~~

		<u>60.00</u>
b.	Altered	\$30.00
2.	Juvenile pet license - <u>dog or cat</u>	\$((5.00))
		<u>15.00</u>
3.	((Senior citizen — lifetime license)) <u>Discounted pet license - dog or cat</u>	<u>\$15.00</u>
((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.	<u>Service animal</u>	<u>no charge</u>
13.	<u>K-9 police dog</u>	<u>no charge</u>
6.	<u>Guard dog registration</u>	<u>\$100.00</u>
7.	<u>Exotic pet</u>	
a.	<u>New</u>	<u>\$500.00</u>
b.	<u>Renewal</u>	<u>\$250.00</u>
8.	<u>Service animal</u>	<u>no charge</u>
9.	<u>K-9 police dog</u>	<u>no charge</u>
10.	<u>The following late fees shall apply to license renewal applications:</u>	
a.	<u>received 45 to 90 days following license expiration</u>	<u>\$15.00</u>
b.	<u>received 90 to 135 days following license expiration</u>	<u>\$20.00</u>
c.	<u>received more than 135 days following license expiration</u>	<u>\$30.00</u>
d.	<u>received more than 365 days following license expiration</u>	<u>\$30.00</u>
		<u>plus</u>
		<u>license</u>
		<u>fee(s) for</u>
		<u>any</u>
		<u>year(s)</u>
		<u>that the</u>
		<u>pet was</u>
		<u>unlicensed</u>

- B. The following business and activity permit fees apply:
- | | | |
|-----------------------|--|--|
| 1. | <u>Hobby kennel and hobby cattery license</u> | <u>\$50.00</u> |
| ((14.)) 2. | ((Individual private)) <u>Private animal placement permit</u> | \$((25.00))
<u>15.00</u> |
| ((15. | 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.)) | |
| 3. | <u>Private animal placement permit for individuals or organizations that foster animals from the King County animal shelter</u> | <u>no charge</u> |
- C. The following civil penalties shall be assessed:
- | | | |
|----|---|----------------------|
| 1 | <u>Civil penalties: General</u> ((Dog leash law violations | <u>\$25.00</u> |
| a. | <u>First notice</u> | |
| b. | <u>Successive violations within one year</u> | \$50.00)) |
| a. | <u>No previous similar code violation within one year</u> | <u>\$50.00</u> |
| b. | <u>One previous similar code violation within one year</u> | <u>\$100.00</u> |
| c. | <u>Two or more similar code violations within one year</u> | <u>Double</u> |

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 (((\$75.00))
neutering of the animal \$75.00 -

\$250.00

based

upon

adoptabilit

y

~~((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)
<u>150.00</u> |
| 3. | <u>Impound or redemption – dogs, cats or other small animals</u> | |
| a. | ((Dog, cats other small animals first offense)) <u>First</u>
<u>impound within one year</u> | \$45.00 |
| b. | Second ((offense,)) <u>impound</u> within one year | \$85.00 |
| c. | Third ((offense)) <u>impound</u> within one year | \$(90.00)
<u>125.00</u> |
| ((b.)) 4. | <u>Impound or redemption – Livestock</u> | \$100.00 <u>or</u>
<u>actual cost</u>
<u>of</u>
<u>sheltering,</u>
<u>whichever</u>
<u>is greater</u> |
| ((4.)) 5. | <u>Kenneling at King County animal shelter</u> - per 24 hours or | \$(12.00) |

	portion thereof	<u>20.00</u>
((5.)) <u>6.</u>	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)) <u>the regional animal services section</u>	\$(20.00) <u>75.00</u>
((6.)) <u>7.</u>	Owner-requested euthanasia (unlicensed pets)	\$(20.00) <u>50.00</u>
((7.)) <u>8.</u>	Optional microchipping for adopted pets	\$25.00

458 SECTION 15. Ordinance 1396 Article II Section 3, as amended, and K.C.C.

459 11.04.050 are hereby amended to read as follows:

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

467 B. ~~Before an animal shelter, cattery))~~ Shelters, catteries, pet shops, grooming
468 services ~~((or))~~ and kennels ~~((license may be issued by the animal care and control~~
469 ~~authority, a certificate of inspection from))~~ shall comply with the licensing requirements
470 of the Seattle-King County ~~((health))~~ department ~~((or King County animal care and~~
471 ~~control section must be issued showing that the animal shelter, cattery, pet shop,~~
472 ~~grooming service or kennel is in compliance with K.C.C. 11.04.080, 11.04.090,~~
473 ~~11.04.100 and 11.04.110))~~ of public health.

474 SECTION 16. Ordinance 1396, Article II, Section 4, as amended, and K.C.C.

475 11.04.060 are hereby amended to read as follows:

476 A. It is unlawful for any person to keep and maintain any (~~dog or cat within the~~
477 ~~county for the purposes of a~~) hobby kennel or hobby cattery without (~~annually~~
478 ~~obtaining~~) a valid and subsisting license therefor. The fee for such an annual license
479 shall be assessed upon the owner or keeper of the animals and shall be as provided in
480 K.C.C. 11.04.035. In addition, each animal that is maintained at a hobby kennel or hobby
481 cattery shall be licensed individually under K.C.C. 11.04.030.B.

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

485 1. Animal size;

486 2. Type and characteristics of the breed;

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

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

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

491 c. five where the lot area is less than thirty-five thousand square feet;

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

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

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

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

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

509 3. The manager of the (~~(animal care and control)~~) regional animal services section
510 may require setback, additional setback, fencing, screening or soundproofing as the
511 manager deems necessary to ensure the compatibility of the hobby kennel or hobby cattery
512 with the surrounding neighborhood. Factors to be considered in determining the
513 compatibility are:

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

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

519 c. facility specifications or dimensions in which the dogs and cats are to be
520 maintained;

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

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

524 4. The hobby kennel or hobby cattery shall limit dog and cat reproduction to no
525 more than one litter per license year per female dog and two litters per license year per
526 female cat; and

527 5. Each dog and cat in the hobby kennel or hobby cattery shall have current and
528 proper immunization from disease according to the dog's and cat's species and age. The
529 immunizations shall consist of distemper, ~~((hepatitis))~~ hepatitis, leptospirosis,
530 parainfluenza and parvo virus (DHLPP) inoculation for dogs over three months old and
531 feline herpes virus 1, calicivirus and panleukopenia virus (FVRCP) inoculation for cats
532 over two months old and rabies inoculations for all dogs and cats over ~~((six))~~ four months
533 old.

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

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

543 ~~((2. Fail))~~ if the facility fails to comply with any of the requirements of K.C.C.
544 11.04.060 C.1. through 5.

545 E.1. Persons owning a total number of dogs and cats exceeding three, who do not
546 meet the requirements for a hobby kennel license, may be eligible for special hobby kennel
547 license to be issued at no cost by the ~~((animal care and control authority))~~ regional animal
548 services section, which shall allow them to retain the specific animals then in their
549 possession, but only if the following conditions are met:

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

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

556 2. The special hobby kennel license shall only be valid for those specific dogs and
557 cats in the possession of the applicant at the time of issuance, and is intended to allow pet
558 owners to possess animals beyond the limits otherwise imposed by K.C.C. Title 21A until
559 such a time as the death or transfer of the animals reduces the number possessed to the
560 legal limit set forth in K.C.C. Title 21A.

561 3. The manager of the ~~((animal care and control))~~ regional animal services
562 section may deny any application for a special hobby kennel license:

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

566 b. if the animal or animals ~~((is-[are]))~~ are maintained in inhumane conditions.

567 SECTION 17. Ordinance 1396, Article II, Section 5, as amended, and K.C.C.

568 11.04.070 are hereby amended to read as follows:

569 Each animal shelter, kennel, hobby kennel, cattery, hobby cattery or pet shop shall
570 provide the regional animal services section with a monthly list ~~((to the animal care and
571 control authority, quarterly, based upon the calendar year,))~~ of all dogs and cats that it has
572 given away or sold. The list shall include the origin, ~~((the))~~ age, sex, color, breed, altered
573 status, microchip number and ((type)) license number of each dog or cat given away or sold
574 and the new owner's name, ((and)) address, e-mail address and telephone number ~~((of the
575 person to whom the dog, dogs, cat or cats was [were] given or sold))~~.

576 SECTION 18. Ordinance 1396, Article II, Section 6, as amended, and K.C.C.

577 11.04.080 are hereby amended to read as follows:

578 A. It shall be the duty of the director of the Seattle-King County department of
579 public health or the director's agent or the manager of the ~~((animal care and control))~~
580 regional animal services section or the manager's agent to make or cause to be made such
581 an inspection as may be necessary to ~~((ensure))~~ determine compliance with K.C.C.

582 11.04.090, 11.04.100 and 11.04.110. The owner or keeper of an animal shelter, kennel,
583 cattery, grooming service or pet shop shall admit to the premises, for the purpose of making
584 an inspection, any officer, agent or employee of the Seattle-King County department of

585 public health or animal care and control authority at any reasonable time that admission is
586 requested.

587 B. It is unlawful to keep, use or maintain within King County any animal shelter,
588 kennel, cattery, grooming service or pet shop that is unsanitary, nauseous, foul or offensive,
589 or in any way detrimental to public health or safety and not in compliance with K.C.C.
590 11.04.070, 11.04.090, 11.04.100 ~~((and))~~ or 11.04.110 ~~((and may be cause for revocation or~~
591 ~~denial of the license))~~.

592 SECTION 19. Ordinance 1396, Article II, Section 12, as amended, and K.C.C.
593 11.04.140 are hereby amended to read as follows:

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

601 SECTION 20. Ordinance 1396, Article II, Section 13, as amended, and K.C.C.
602 11.04.150 are hereby amended to read as follows:

603 The ~~((animal care and control authority))~~ regional animal services section may, in
604 addition to other penalties provided in this title, revoke, suspend or refuse to renew any
605 ~~((animal shelter,))~~ hobby kennel, ~~((kennel, grooming parlor, pet shop)),~~ hobby cattery,
606 guard dog purveyor or guard dog trainer license or guard dog registration upon good cause
607 or for failure to comply with any provision of this title. ~~((However, e))~~ Enforcement of such

608 a revocation, suspension or refusal shall be stayed during the pendency of an appeal filed in
609 accordance with K.C.C. 11.04.260.

610 SECTION 21. Ordinance 1396, Article II, Section 14, as amended, and K.C.C.
611 11.04.160 are hereby amended to read as follows:

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

619 SECTION 22. Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165 are
620 hereby amended as follows:

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

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

628 1. Maintain and care for dogs and cats in a humane and sanitary fashion, in
629 compliance with K.C.C. 11.04.090.

630 2. (~~Reside where the fostering of~~) Foster the dogs and cats at a location that is
631 compatible with the surrounding neighborhood.

632 3. Agree to return stray or lost animals to their owners in accordance with K.C.C.
633 11.04.210 before placing the animals in an adoptive home.

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

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

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

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

651 The presence of juvenile animals shall not necessarily place a permit holder over
652 their limit unless the manager of the (~~animal care and control~~) regional animal services

653 section determines that juvenile animals are present in such large numbers as to otherwise
654 place the permit holder out of compliance with the permit.

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

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

664 1. A failure to meet the qualifications listed in subsections A. through C. of this
665 section;

666 2. ~~((Animal))~~ Verified animal care and control complaints; and

667 3. ~~((Complaints))~~ Verified complaints by neighbors regarding the ~~((maintenance~~
668 ~~of the individual))~~ failure to comply with private animal placement permit ~~((by neighbors))~~
669 requirements.

670 SECTION 23. Ordinance 10809, Section 4, as amended, and K.C.C. 11.04.167
671 are hereby amended as follows:

672 A. Any organization engaged in the fostering of dogs and cats whose members
673 routinely or from time to time have in their possession up to five more dogs and cats than
674 are otherwise allowed in K.C.C. Title 21A must obtain ~~((organizational))~~ private animal
675 placement permits from ~~((animal care and control))~~ the regional animal services section for

676 each of those members. Organizations may purchase up to five permits, or up to twenty
677 permits per year. However, the manager of the (~~(animal care and control)~~) regional animal
678 services section may issue more than twenty permits to an organization when to do so
679 would further the goals of the (~~(animal care and control)~~) regional animal services section
680 and be in the public interest. Permits shall be valid for one year from issuance and may be
681 transferred between members of the organization.

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

684 1. Be of a reputable nature and engaged in the fostering of animals solely for the
685 benefit of the animals involved, and not as a commercial enterprise;

686 2. Agree to furnish animal care and control with the names, addresses and phone
687 numbers of each of the holders of its permits(~~(s)~~), including immediately furnishing this
688 information when a transfer takes place; and

689 3. Agree that, to the best of their ability, they shall only (~~(issue)~~) distribute
690 permits to individuals who (~~(will:~~

691 ~~———— a. maintain and care for dogs and cats in a humane and sanitary fashion in~~
692 ~~compliance with K.C.C. 11.04.090;~~

693 ~~———— b. reside where the fostering of dogs and cats is compatible with the surrounding~~
694 ~~neighborhood;~~

695 ~~———— c. agree to return stray or lost animals to their owners in accordance with K.C.C.~~
696 ~~11.04.210 before placing the animals in an adoptive home;~~

697 ~~———— d. spay or neuter and license each dog or cat and transfer the license of each~~
698 ~~animal to its adoptive owner; and~~

699 ~~———— e. coordinate their adoption process with animal care and control, including~~
700 ~~reporting on the disposition of each animal, and only adopting to owners who would~~
701 ~~qualify to adopt an animal from a King County animal care and control shelter based on the~~
702 ~~adoption procedures and guidelines used by the animal care and control authority.~~

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

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

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

718 ~~———— D. The animal care and control authority may inspect the facilities of an applicant~~
719 ~~for an organizational private animal placement permit to determine whether or not such a~~
720 ~~permit shall be issued. In addition, the animal care and control authority may~~
721 ~~periodically inspect the facilities of holders of organizational private animal placement~~

722 ~~permits to ensure compliance with this section, and to determine whether or not the~~
723 ~~organization as a whole shall be allowed to continue fostering dogs and cats. The animal~~
724 ~~care and control authority may also deny or revoke permits based on any one ore more of~~
725 ~~the following:~~

726 ~~———— 1. A failure to meet the qualifications in subsections A. through C of this~~
727 ~~section;~~

728 ~~———— 2. Animal care and control complaints; and~~

729 ~~———— 3. Complaints regarding the maintenance of the organizational private animal~~
730 ~~placement permit by neighbors shall comply with the requirements of K.C.C. 11.04.165.~~

731 SECTION 24. Ordinance 1396, Article III, Section 1, as amended, and K.C.C.
732 11.04.170 are hereby amended to read as follows:

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

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

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

749 D. No person shall deny, prevent, obstruct or attempt to deny, prevent or obstruct
750 an animal care and control officer from pursuing any animal observed to be in violation of
751 this chapter. Further, no person shall fail or neglect, after a proper warrant has been
752 presented, to promptly permit the manager of the (~~(animal care and control)~~) regional
753 animal services section or an animal care and control officer to enter private property to
754 perform any duty imposed by this chapter. Any person violating this subsection is guilty of
755 a misdemeanor.

756 SECTION 25. Ordinance 1396, Article III, Section 2, as amended, and K.C.C.
757 11.04.180 are hereby amended to read as follows:

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

762 SECTION 26. Ordinance 1396, Article III, Section 5, as amended, and K.C.C.
763 11.04.210 are hereby amended as follows:

764 A. The (~~(manager)~~) manager of the (~~(animal care and control)~~) regional animal
765 services section and the manager's authorized representatives may apprehend any animals
766 found doing any of the acts defined as a public nuisance or being subjected to cruel

767 treatment as defined by law. After the animal~~((s are))~~ is apprehended, the ~~((animal care~~
768 ~~and control authority))~~ regional animal services section shall ascertain whether ~~((they are))~~
769 the animal is licensed or otherwise identifiable. If reasonably possible, the ~~((animal care~~
770 ~~and control authority))~~ regional animal services section shall return the animal to the
771 owner together with a notice of violation of this chapter.

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

779 ~~((a))~~ 2. Any other animal impounded in accordance with this chapter shall be held for its
780 owner at least seventy-two hours from the time of impoundment. ~~((The county shall not~~
781 ~~sell any animals to research institutes or licensed dealers for research purposes.))~~

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

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

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

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

789 a. ~~((Any person may adopt an animal impounded in accordance with this chapter~~
790 ~~when all billable costs, redemption fees, penalties and boarding costs incurred in the~~
791 ~~impoundment are made payable to the manager of finance and business operations, which~~
792 ~~may be accepted by the animal care and control authority acting as agent for the county.))~~
793 As provided in K.C.C. ~~((11.04.035))~~ 11.04.400, all dogs and cats ~~((over six months old))~~
794 adopted from the King County animal shelter shall be spayed or neutered before adoption,
795 except that, persons adopting a juvenile may elect not to spay or neuter the animal at the
796 time of adoption if such persons purchase a juvenile license and pre-purchase an adult
797 altered license, effective the month that the animal would become six months of age. Such
798 persons shall also pay ~~((A))~~ a spay or neuter deposit ~~((shall be charged for dogs and cats~~
799 ~~under six months old that are too young to be spayed or neutered before adoption. This~~
800 ~~deposit))~~ that shall be returned to the adopting person upon submission of proof that the
801 sterilization was performed within six months from the adoption. Failure to spay or neuter
802 such a dog or cat is a violation of this chapter and a breach of the adoption contract and
803 shall result in the forfeiture of the adoption and return of the dog or cat to King County
804 animal care and control for the required spaying or neutering. Persons adopting a juvenile
805 dog or cat that is spayed or neutered may purchase an adult altered license at the time of
806 adoption, effective for one year.

807 b. The manager of the ~~((animal care and control))~~ regional animal services
808 section may ~~((set))~~ adopt administrative rules regarding the adoption of animals from King
809 County shelters; ~~((or))~~

- 810 2. Transferred to another animal welfare organization for adoption;
- 811 3. Entered into foster care; or

812 4. Euthanized.

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

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

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

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

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

833 SECTION 27. Ordinance 1396, Article III, Section 6, as amended, and K.C.C.
834 11.04.220 are hereby amended to read as follows:

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

839 SECTION 28. Ordinance 1396, Article III, Section 8, as amended, and K.C.C.
840 11.04.250 are hereby amended to read as follows:

841 A. It is unlawful for any person to:

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

844 2. By reason of neglect or intent to cause or allow any animal to endure pain,
845 suffering or injury or to fail or neglect to aid or attempt alleviation of pain, suffering or
846 injury the person has so caused to any animal;

847 3. Lay out or expose any kind of poison, or to leave exposed any poison food or
848 drink for humans, animals or fowl, or any substance or fluid whatever whereon or
849 wherein there is or shall be deposited or mingled, any kind of poison or deadly substance
850 or fluid whatever, on any premises, or in any unenclosed place, or to aid or abet any
851 person in so doing, unless in accordance with RCW 16.52.190; and

852 4. Abandon any domesticated animal by dropping off or leaving the animal on the
853 street, road or highway, in any other public place or on the private property of another.

854 B. The ~~((animal care and control))~~ regional animal services section shall keep a
855 database containing the names of all persons who are either ~~((or both))~~ found in violation of
856 K.C.C. 11.04.250 or charged or convicted of animal cruelty under either RCW 16.52.205
857 or 16.52.207~~((, or both))~~. Further, the ~~((animal care and control))~~ regional animal services

858 section shall coordinate with law enforcement, when necessary, to keep this database
859 current.

860 SECTION 29. Ordinance 1396, Article III, Section 9, as amended, and K.C.C.
861 11.04.260 are hereby amended as follows:

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

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

870 1. The name and address if known of the owner or person presumed to be the
871 owner of the animal in violation of this chapter;

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

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

879 4. A statement of the action required to be taken to abate the violation, as
880 determined by the manager of the ((~~animal care and control~~)) regional animal services
881 section.

882 a. If the manager has determined the animal in violation must be disposed
883 ((with)) of, the order shall require that the abatement be completed within a specified time
884 from the order as determined by the manager to be reasonable;

885 b. If the manager of the ((~~animal care and control~~)) regional animal services
886 section determined to assess a civil penalty, the order shall require that the penalty shall be
887 paid within fourteen days from the order.

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

891 6. Statements advising:

892 a. that a person having a legal interest in the animal may appeal from the notice
893 of violation and order or any action of the manager of the ((~~animal care and control~~))
894 regional animal services section to the board of appeals, but only if the appeal is made in
895 writing as provided by this chapter and filed with the manager of the ((~~animal care and~~
896 ~~control~~)) regional animal services section within fourteen days from the service of the
897 notice of violation and order((7)); and

898 b. that failure to appeal constitutes a waiver of all right to an administrative
899 hearing and determination of the matter.

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

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

904 1. Personally;

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

907 3. By posting the notice of violation and order on the front door of the living unit
908 of the owner or person with right to control the animal if the owner or person is not home.

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

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

915 SECTION 30. Ordinance 1396, Article III, Section 10, as amended, and K.C.C.
916 11.04.270 are hereby amended as follows:

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

924 the appellant in writing with a copy to the manager of the ((~~animal care and control~~))
925 regional animal services section.

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

931 1. A heading in the words: "Before the Board of Appeals of the County of King";

932 2. A caption reading: "Appeal of _____ giving the names of all appellants
933 participating in the appeal;

934 3. A brief statement setting forth the legal interest of each of the appellants in the
935 animal involved in the notice and order;

936 4. A brief statement in concise language of the specific order or action protested,
937 together with any material facts claimed to support the contentions of the appellant;

938 5. A brief statement in concise language of the relief sought, and the reasons why
939 it is claimed the protested order or action should be reversed, modified or otherwise set
940 aside;

941 6. The signatures of all parties' names as appellants, and their official mailing
942 addresses;

943 7. The verification, by declaration under penalty of perjury, of at least one
944 appellant as to the truth of the matters stated in the appeal.

945 C. The board of appeals shall set a time and place, not more than thirty days from
946 the notice of appeal for a hearing on the appeal. Written notice of the time and place of

947 hearing shall be given at least ten days (~~((before))~~) before the hearing to each appellant by
948 the manager-clerk of the board.

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

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

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

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

963 SECTION 31. Ordinance 1396, Article III, Section 12, as amended, and K.C.C.
964 11.04.290 are hereby amended to read as follows:

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

- 970 a. the breed of the animal and its characteristics;
- 971 b. the physical size of the animal;
- 972 c. the number of animals in the owner's home;
- 973 d. the zoning involved; size of the lot where the animal resides and the number
974 and proximity of neighbors;
- 975 e. the existing control factors, including, but not limited to, fencing, caging, runs
976 and staking locations; and
- 977 f. the nature of the behavior giving rise to the manager's determination that the
978 animal is vicious, including:
- 979 (1) extent of injury or injuries;
- 980 (2) circumstance, such as time of day, if it was on or off the property and
981 provocation instinct; and
- 982 (3) circumstances surrounding the result and complaint, such as neighborhood
983 disputes, identification, credibility of complainants and witnesses.
- 984 2. Requirements that may be prescribed include, but are not limited to, the
985 following:
- 986 a. Erection of additional or new fencing adequate to keep the animal within the
987 confines of its property;
- 988 b. Construction of a run within which the animal is to be kept. Dimensions of
989 the run shall be consistent with the size of the animal;
- 990 c. Keeping the animal on a leash adequate to control the animal, the length and
991 location to be determined by the manager. When unattended the leash must be securely
992 fastened to a secure object;

993 d. Maintenance of the animal indoors at all times, except when personally
994 controlled on a leash adequate to control the animal by the owner or a competent person at
995 least fifteen years old; and

996 e. Removal of the animal from the county within forty-eight hours from receipt
997 of such a notice.

998 3. Failure to comply with any requirement prescribed by the manager in
999 accordance with this section constitutes a misdemeanor. Such an animal shall not be kept
1000 in unincorporated King County after forty-eight hours after receiving written notice from
1001 the manager. Such an animal or animals found in violation of this section shall be
1002 impounded and disposed of as an unredeemed animal and the owner or keeper of the
1003 animal or animals has no right to redeem the animal or animals.

1004 B.1. Any animal constituting a public nuisance as provided in this chapter shall be
1005 abated and removed from the county by the owner or by the manager of the ((~~animal care~~
1006 ~~and control~~)) regional animal services section, upon the receipt of three notices and orders
1007 of violation by the owner in any one-year period, though this removal procedure shall not
1008 apply to the vicious animal removal procedure set out in K.C.C. 11.04.290.A.3. Where it is
1009 established by record in accordance with this chapter and no finding was entered showing
1010 that the owner will be able to provide reasonable restraints to protect the public from
1011 repetitions of violations, the manager of the ((~~animal care and control~~)) regional animal
1012 services section shall notify and direct the owner of the animal to abate or remove the same
1013 from the county within ninety-six hours from the notice. If the animal is found to be within
1014 the confines of King County after ninety-six hours have elapsed from the notice, the same
1015 shall be abated and removed by the manager of the ((~~animal care and control~~)) regional

1016 animal services section. Animals removed in accordance with this section shall be
1017 removed from King County or be subjected to euthanasia by the ((~~animal care and control~~
1018 ~~authority~~)) regional animal services section.

1019 2. Any animal that bites, attacks or attempts to bite one or more persons two or
1020 more times within a two-year period is declared to be a public nuisance and shall not be
1021 kept within unincorporated King County forty-eight hours after receiving written notice
1022 from the manager. Such an animal or animals found in violation of this section shall be
1023 impounded and disposed of as an unredeemed animal, and the owner or keeper of the
1024 animal or animals has no right to redeem the animal.

1025 SECTION 32. Ordinance 6370, Section 12, and K.C.C. 11.04.330 are hereby
1026 amended to read as follows:

1027 The ((~~animal control~~)) regional animal services section is authorized to make and
1028 enforce rules and regulations, not inconsistent with the provisions of this chapter, and it is
1029 unlawful to violate or fail to comply with any of such rules and regulations. All of such
1030 rules and regulations shall be reduced to writing and adopted ((~~pursuant to King County~~
1031 ~~Code,~~)) in accordance with K.C.C. ((€))chapter 2.98.

1032 SECTION 33. Ordinance 7986, Section 3, as amended, and K.C.C. 11.04.335 are
1033 hereby amended to read as follows:

1034 A. The manager of the ((~~animal care and control~~)) regional animal services section
1035 may waive or provide periods of amnesty for payment of outstanding licensing fees, late
1036 licensing penalty fees, adoption fees and redemption and sheltering fees, in whole or in
1037 part, when to do so would further the goals of the ((~~animal care and control~~)) regional
1038 animal services section and be in the public interest.

1039 B. In determining whether a waiver should apply, the manager of the ~~((animal care~~
1040 ~~and control))~~ regional animal services section must take into consideration the following
1041 elements:

- 1042 1. The reason the animal was impounded;
- 1043 2. The reason or basis for the violation, the nature of the violation, the duration of
1044 the violation and the likelihood the violation will not recur;
- 1045 3. The total amount of the fees charged as compared with the gravity of the
1046 violation;
- 1047 4. The effect on the owner, the animal's welfare and the ~~((animal care and~~
1048 ~~control))~~ regional animal services section if the fee or fees or penalties are not waived and
1049 no payment is received.

1050 SECTION 34. Ordinance 10423, Section 24, as amended, and K.C.C. 11.04.410
1051 are hereby amended to read as follows:

1052 When issuing a license for an unaltered pet the ~~((animal control authority))~~
1053 regional animal services section ~~((shall also))~~ may provide to the applicant a voucher
1054 ~~((with a value not to exceed twenty five dollars))~~ for the payment of all or part of the cost
1055 of a spay or neuter operation by a licensed veterinarian on the pet, with the amount of the
1056 voucher established by the manager of regional animal services based upon available
1057 resources and appropriation authority being provided by the council. The ~~((animal control~~
1058 ~~authority))~~ regional animal services section shall compile, maintain and make available to
1059 the public a list of veterinarians who accept the vouchers as full or partial payment for spay
1060 or neuter operations. Spay or neuter vouchers shall be redeemed through the King County

1061 ~~((office of finance))~~ treasury by veterinarians who have performed a spay or neuter
1062 operation on a pet licensed in King County as an unaltered pet.

1063 SECTION 35. Ordinance 10423, Section 6, as amended, and K.C.C. 11.04.500 are
1064 hereby amended to read as follows:

1065 A. It shall be the policy of King County that a maximum euthanasia rate target is
1066 set to measure the progress towards reducing the rates of cats and dogs euthanized by the
1067 ~~((animal care and control authority))~~ regional animal services section or its designees.

1068 The euthanasia rates shall be calculated based on the total number of live cats and dogs take
1069 in to King County custody to include stray, homeless, abandoned, unwanted or surrendered
1070 animals, and animals euthanized at an owner's request. The euthanasia rates shall exclude
1071 animals euthanized at the order of the director of the Seattle-King County department of
1072 public health and those animals who are not in the custody of King County but are brought
1073 to a King County shelter by their owner or guardian for the purposes of licensing, or clinic
1074 services, such as spaying, neutering and vaccinations should such services be made
1075 available to the public by ~~((King County animal care and control))~~ the regional animal
1076 services section.

1077 B. ~~((The total number of cats and dogs euthanized by ((King County animal care~~
1078 ~~and control is not to exceed twenty percent in the year ending December 31, 2008.~~

1079 ~~€))~~ The total number of cats and dogs euthanized by ~~((King County animal care~~
1080 ~~and control))~~ the regional animal services section is not to exceed fifteen percent ~~((in the~~
1081 ~~years following 2008)).~~

1082 SECTION 36. Ordinance 10423, Section 26, as amended, and K.C.C. 11.04.570
1083 are hereby amended to read as follows:

1084 The (~~animal care and control authority~~) regional animal services section (~~in~~
1085 ~~conjunction with the King County citizen's advisory committee~~) shall develop a breeder
1086 certification program, including a definition of the term "breeder," to promote the "best
1087 management practices" for the breeding and caring of animals. The proposed breeder
1088 certification program shall be submitted to the county council for approval.

1089 SECTION 37. Ordinance 3732 Section 1, as amended, and K.C.C. 11.08.040 are
1090 hereby amended to read as follows:

1091 A. Petitions requesting the King County council to create a dog control zone shall
1092 be submitted to the office of the clerk of the council. The clerk of the council shall forward
1093 copies of the petitions and other materials to:

1094 1. The office of the councilmember in whose district the proposed zone is
1095 requested;

1096 2. The (~~animal care and control~~) regional animal services section (~~of the~~
1097 ~~records and licensing services division~~); and

1098 3. The (~~manager of the records and licensing services division~~) director of
1099 elections.

1100 B. Petitions shall be accompanied by a map and should include a legal description
1101 of the proposed zone. In addition, the petitions should contain:

1102 1. The signatures, both written and printed legibly, of at least ten percent of the
1103 registered voters within the proposed zone; and

1104 2. The popular addresses of the petitioners.

1105 C. Upon receipt of the copy of the filed petition, the (~~animal care and control~~)
1106 regional animal services section shall conduct a comprehensive review of the enforceability

1107 of the proposed boundaries and if necessary recommend alternative boundaries to the
1108 director of the department of executive services and the affected councilmember.

1109 D. The (~~records and licensing services division~~) department of elections shall:

1110 1. Determine the approximate number of registered voters within the proposed
1111 zone;

1112 2. Determine the number of signatures of registered voters in the petition; and

1113 3. Forward the conclusions regarding the number of signatures of registered
1114 voters and total number of registered voters residing within the proposed zone to the office
1115 of the affected councilmember and the director of the department of executive services.

1116 E. The executive may recommend by ordinance a proposed dog control zone to the
1117 council based on the recommendation of the director of the department of executive
1118 services.

1119 F. In addition to other statutory requirements, the council may cause to occur any
1120 public meetings or notification through the local media as it considers necessary to ensure
1121 that affected citizens are aware of the proposed ordinance to create a dog control zone.

1122 G. If the King County council finds the formation of the petitioned area to be
1123 beneficial to be public health, safety and general welfare, it shall establish such a dog
1124 control zone by ordinance. The council shall consider, but is not limited to considering, the
1125 location, terrain and surrounding land use of the petitioned area.

1126 SECTION 38. Ordinance 3548, Section 5, as amended, and K.C.C. 11.08.060 are
1127 hereby amended to read as follows:

1128 In addition to, or as an alternate to, any other penalty provided in this title or by
1129 general law, any person whose animal is maintained in violation of this chapter shall incur

1130 a civil penalty plus billable costs of the ~~((animal care and control authority))~~ regional
1131 animal services section. The penalty for a violation shall be as provided in K.C.C.
1132 11.04.035. However, for the first thirty days following the enactment of each individual
1133 dog control zone, no penalty shall be assessed ~~((in those cases where a licensed animal is~~
1134 ~~maintained in violation of this chapter and the animal care and control officer is able to~~
1135 ~~determine the owner and, if impounded, return animal to its owner directly from the site in~~
1136 ~~which it was impounded. Also, on the thirty first day following the enactment of each~~
1137 ~~individual dog control zone and thereafter, one half the normal penalty shall be assessed in~~
1138 ~~those cases where a licensed animal is maintained in violation of this chapter and the~~
1139 ~~animal care and control officer is unable to determine the owner and, if impounded, return~~
1140 ~~the animal to its owner directly from the site in which it was impounded))~~ for a violation of
1141 this chapter that occurs within the newly established dog control zone.

1142 SECTION 39. Ordinance 11150, Section 1-2, and K.C.C. 11.08.075 are hereby
1143 amended to read as follows:

1144 A. ~~((Findings. The King County council finds that the establishment of a dog~~
1145 ~~control zone in King County is necessary for the following reasons:~~

1146 1. ~~The protection of dogs and other domestic animals from dogs at large or~~
1147 ~~without restraint;~~

1148 2. ~~The preservation of private property rights from unlawful trespass by dogs at~~
1149 ~~large or without restraint;~~

1150 3. ~~The preservation, protection and maintenance of public property and public~~
1151 ~~amenities such as parks, schools and playgrounds from the waste products generated by~~
1152 ~~dogs at large or without restraint;~~

1153 4. ~~The prevention of unintentional loss of dogs at large or without restraint due to~~
1154 ~~their becoming lost or being struck by vehicular traffic; and~~

1155 5. ~~The protection of pedestrians and bicyclists from dogs at large or without~~
1156 ~~restraint.~~

1157 B.)) In addition to the dog control zones already in effect under the provisions of
1158 this chapter, there is created a dog control zone in the following urban zoning districts of
1159 unincorporated King County(~~designated urban as defined in K.C.C. 21: SE, SC,~~
1160 ~~SR/RS15000, SR/RS9600, RS7200, SR5000, RMHP, RD3600, RM2400, RT, RM1800,~~
1161 ~~RM900, RM900P, BN, BR N, B C, C G, M L, M P, and M H; or as defined in K.C.C.~~
1162 ~~21A~~): R-1 through R-48, O, NB, RB, CB((;)) and I.

1163 SECTION 40. Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010 are
1164 hereby amended to read as follows:

1165 Whenever the director of the Seattle-King County department of public health has
1166 cause to suspect that an animal capable of transmitting rabies is infected with the disease,
1167 the director shall order a period of quarantine of not less than ten days. The director shall
1168 notify in writing the owner or keeper of the infected animal of the quarantine order. The
1169 infected animal shall be quarantined by the ~~((animal care and control))~~ regional animal
1170 services section ~~((in the records and licensing services division))~~ in its shelter or upon the
1171 premises of the owner or licensed veterinarian where conditions of quarantine are strictly
1172 kept. The place of quarantine shall be at the discretion of the director, unless the animal
1173 had been exposed to rabies by contact, in which case K.C.C. 11.12.040 shall apply.
1174 Delivery of a copy of the quarantine order to some person of suitable age and discretion
1175 residing upon the premises where the animal is found shall be notice of the quarantine.

1176 Good cause for such an order of quarantine shall include, but is not limited to, evidence that
1177 the animal has bitten, or that there is reasonable certainty that the animal has bitten, a
1178 human being. During the period of quarantine, the officers, agents and employees of the
1179 ~~((animal care and control))~~ regional animal services section, and other police officers, are
1180 authorized to enter any premises for the purpose of apprehending any such an animal and
1181 impounding the animal, except where the animal is kept upon the premises of the owner or
1182 licensed veterinarian as provided in this section.

1183 SECTION 41. Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020 are
1184 hereby amended to read as follows:

1185 The definitions in this section apply throughout this chapter unless the context
1186 clearly requires otherwise.

1187 A. "Animal care and control authority" means the ~~((animal care and control))~~
1188 regional animal services section in the records and licensing services division, acting alone
1189 or in concert with other municipalities for enforcement of the animal care and control laws
1190 of the county and state and the shelter and welfare of animals.

1191 B. "Director" means director of the department of executive services.

1192 C. "Exotic animal" means any of the following:

- 1193 1. Venomous species of snakes capable of inflicting serious physical harm or
1194 death to human beings;
- 1195 2. Nonhuman primates and prosimians;
- 1196 3. Bears;
- 1197 4. Nondomesticated species of felines;

1198 5. Nondomesticated species of canines and their hybrids, including wolf and
1199 coyote hybrids; and

1200 6. The order Crocodylia, including alligators, crocodiles, caimans and gavials.

1201 SECTION 42. Ordinance 2473, Section 6, as amended, and K.C.C. 11.28.060 are
1202 hereby amended to read as follows:

1203 If, after investigation by the manager of the (~~(animal care and control)~~) regional
1204 animal services section , it appears that the applicant is the owner or tenant of or has a
1205 possessory interest in the property shown in the application; if applicable, has the written
1206 permission of the property owner as specified in K.C.C. 11.28.050 and that the applicant
1207 intends in good faith to possess or maintain an exotic animal in accordance with the law
1208 and the rules and regulations of the (~~(animal care and control authority)~~) regional animal
1209 services section, the (~~(animal care and control authority)~~) regional animal services section
1210 shall issue a license to the applicant describing therein the premises to be used by the
1211 licensee and certifying that the licensee is lawfully entitled to use the same for the
1212 possession or maintenance of the exotic animal or animals specified in the license.
1213 However, before issuing the license, the (~~(animal care and control authority)~~) regional
1214 animal services section shall inspect the cage or other confinement as required by rule or
1215 regulation and specified in the licensee's application in order to determine whether the cage
1216 or confinement meets the standard specifications for the classification of the exotic animal.
1217 If the cage or confinement is deemed inadequate, the applicant shall make such changes as
1218 are necessary to meet the standard specifications before the license shall be issued.

1219 SECTION 43. Ordinance 2473, Section 7, as amended, and K.C.C. 11.28.070 are
1220 hereby amended to read as follows:

1221 The manager of the ((~~animal care and control~~)) regional animal services section, or
1222 any other officer authorized by the manager, may make routine periodic inspections of a
1223 licensee's premises and records in order to determine the number, kind, weight and
1224 condition of exotic animals possessed by the licensee, and for purposes of enforcing this
1225 chapter and the rules and regulations of the ((~~animal care and control authority~~)) regional
1226 animal services section.

1227 SECTION 44. Ordinance 3232, Section 2, as amended, and K.C.C. 11.32.020 are
1228 hereby amended to read as follows:

1229 The definitions in this section apply throughout this chapter unless the context
1230 clearly requires otherwise.

1231 A. "Animal care and control authority" means the ((~~animal care and control~~))
1232 regional animal services section in the records and licensing services division, acting alone
1233 or in concert with other municipalities in the enforcement of the animal care and control
1234 laws of the county and state.

1235 B. "Director" means director of the department of executive services.

1236 C. "Guard dog" means any member of the dog family Canidae that has been
1237 trained or represented as trained to protect either person or property, or both, by virtue of
1238 exhibiting hostile propensities and aggressiveness to unauthorized persons.

1239 D. "Guard dog purveyor" means any person, firm or corporation supplying guard
1240 dogs to members of the public.

1241 E. "Guard dog trainer" means any person, either as an individual or as an employee
1242 of a guard dog purveyor, whose prime function is the training of dogs as guard dogs.

1243 F. "Rules and regulations of the (~~(animal care and control authority)~~) regional
1244 animal services section" means such rules and regulations, consistent with the intent of this
1245 chapter, as may be adopted by the (~~(animal care and control authority)~~) regional animal
1246 services section under K.C.C. chapter 2.98.

1247 SECTION 45. Ordinance 3232, Section 9, as amended, and K.C.C. 11.32.090 are
1248 hereby amended to read as follows:

1249 The manager of the (~~(animal care and control)~~) regional animal services section or
1250 the manager's authorized representative shall inspect all premises that are the subject of the
1251 licenses and registrations required in this chapter before the issuance of licenses or
1252 registrations. The inspections shall include, but not be limited to, a verification that
1253 adequate measures are being taken to protect the health, welfare and safety of the general
1254 public and to ensure the humane treatment of the guard dogs. If the premises are deemed
1255 inadequate, the (~~(animal care and control authority)~~) regional animal services section shall
1256 direct the applicant to make such changes as are necessary before the license or registration
1257 is issued. The manager of the (~~(animal care and control)~~) regional animal services section
1258 or the manager's authorized representative may make the inspections of a licensee's
1259 premises or the premises of an area guarded by a registered guard dog for the purpose of
1260 enforcing this chapter and the rules and regulations of the (~~(animal care and control~~
1261 ~~authority)~~) regional animal services section.

1262 SECTION 46. Ordinance 3232, Section 13, as amended, and K.C.C. 11.32.100
1263 are hereby amended to read as follows:

1264 In protecting the health, safety and welfare of the public; to enforce the laws of
1265 the state of Washington as they pertain to animal cruelty, shelter, welfare and

1266 enforcement of control; the manager of the (~~animal care and control~~) regional animal
1267 services section and the manager's authorized officers are authorized to take such lawful
1268 action in exercising appropriate powers and responsibilities in Article III of Ordinance
1269 1396 and K.C.C. chapter 11.04.

1270 SECTION 47. Ordinance 1396, Article II, Section 2, as amended, and K.C.C.
1271 11.04.040 are hereby repealed.

1272 SECTION 48. Ordinance 6370, Section 11, as amended, and K.C.C. 11.04.320
1273 are hereby repealed.

1274 SECTION 49. Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590
1275 are hereby repealed.

1276 SECTION 50. Ordinance 9464, Section 1, as amended, and K.C.C. 11.06.010 are
1277 hereby repealed.

1278 SECTION 51. Ordinance 9464, Section 2, as amended, and K.C.C. 11.06.020 are
1279 hereby repealed.

1280 SECTION 52. Ordinance 9464, Sections 3, as amended, and K.C.C. 11.06.030
1281 are hereby repealed.

1282 SECTION 53. Ordinance 9464, Section 4, and K.C.C. 11.06.040 are hereby
1283 repealed.

1284 SECTION 54. Ordinance 9464, Section 5, and K.C.C. 11.06.050 are hereby
1285 repealed.

1286 SECTION 55. Ordinance 9464, Section 6, as amended, and K.C.C. 11.06.060 are
1287 hereby repealed.

1288 SECTION 56. Ordinance 9464, Section 7, and K.C.C. 11.06.070 are hereby
1289 repealed.