



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

January 27, 2010

R&R

Proposed No. BOH09-07.2

Sponsors

1 A RULE AND REGULATION for the protection of the
2 public health against diseases and injury from, and
3 establishing permit and fee requirements for, pet shops,
4 commercial kennels, pet daycare facilities, animal shelters,
5 pet grooming services and pet food retail businesses;
6 amending R&R 06-01, Section 2, and BOH 8.01.020 and
7 adding a new chapter to BOH Title 8 and a new chapter to
8 BOH Title 2; and amending the Seattle Health Code as
9 codified in chapters 10.03 and 10.72 of the Seattle
10 Municipal Code, adopted by the metropolitan King County
11 council pursuant to Ordinance 12098, Section 3; enacted
12 pursuant to RCW 70.05.060, including the latest
13 amendments or revisions thereto.

14 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

15 SECTION 1. R&R 06-01, Section 2, and BOH 8.01.020 are each hereby
16 amended to read as follows:

17 **Purpose and policy.**

18 A. Authority is established under RCW ((€))chapter 70.05 for the control and
19 prevention of zoonotic disease. This title is enacted as an exercise of the Board of Health

20 powers of King County to protect and preserve the public peace, health, safety and
21 welfare. Its provisions shall be liberally construed for the accomplishment of these
22 purposes. This title governs the prevention of zoonotic disease and includes rabies
23 control ~~((and))~~, rodent control and provisions for pet shops, commercial kennels, pet
24 daycare facilities, animal shelters, pet grooming services and pet food retail businesses.

25 B. ~~((It is expressly the purpose of this title to provide for and promote the peace,~~
26 ~~health, safety and welfare of the general public, and not)) Nothing in this title is intended
27 to or shall be construed to create or otherwise establish or designate any particular class
28 or group of persons who will or should be especially protected or benefited by the terms
29 of this title.~~

30 C. Nothing contained in this title is intended to be or shall be construed to create
31 or form the basis for any liability on the part of King County, or its officers, employees or
32 agents, for any injury or damage resulting from the failure of any person subject to this
33 title to comply with this title, or by reason or in consequence of any act or omission in
34 connection with the implementation or enforcement of this title on the part of King
35 County by its officers, employees or agents.

36 SECTION 2. Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
37 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 of this
38 rule should constitute a new chapter on pet businesses in BOH Title 8.

39 NEW SECTION. SECTION 3. Citation. This chapter may be cited and referred
40 to, and shall be known as, the "King County Board of Health Pet Shop and Pet Food
41 Retail Business Regulations."

42 NEW SECTION. SECTION 4. Purpose and scope of chapter.

43 A. This chapter governs the protection of human health and safety against the
44 spread of dangerous, contagious or infectious diseases by animals in pet shops,
45 commercial kennels, pet daycare facilities, animal shelters and pet grooming services, or
46 by pet foods or products sold in pet food retail businesses which may contain harmful
47 pathogens or toxins.

48 B. It is the specific intent of this chapter to place the obligation of complying
49 with its requirements upon owners and operators of pet shops, commercial kennels, pet
50 daycare facilities, animal shelters and pet food retail businesses, and other persons
51 designated by this chapter within its scope, and any provision of or term used in this
52 chapter is not intended to impose any duty whatsoever upon King County or any of its
53 officers or employees, for whom the implementation or enforcement of this chapter shall
54 be discretionary and not mandatory.

55 NEW SECTION. SECTION 5. Relationship of chapter to other laws, rules
56 **and regulations.**

57 A. In addition to the control and prevention of zoonotic disease, and in
58 recognition of the public policy of the county to protect animal and human health and
59 safety and prevent cruelty to animal life, it is the intent of this chapter to promote the
60 health, safety and well-being of animals kept, housed or cared for in pet shops,
61 commercial kennels, pet daycare facilities, animal shelters and pet grooming services,
62 and to promote disease prevention standards for pet foods or products sold in pet food
63 retail businesses.

64 B. Nothing in this chapter shall affect the obligation of any owner or operator of
65 any pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming

66 service or pet food retail business, or the owner or keeper of any pet animal, to comply
67 with other applicable laws, rules and regulations, including, but not limited to, those
68 governing animal care and control, building, zoning or environmental standards.

69 NEW SECTION. SECTION 6. Definitions. The definitions in this section apply
70 throughout this chapter unless the context clearly requires otherwise:

71 A. "Animal" means any living creature except *Homo sapiens*, insects and worms.

72 B. "Animal shelter" means a facility used to house or contain and offer or
73 distribute for adoption as pets any stray, homeless, abandoned or unwanted animals other
74 than livestock and that is owned, operated or maintained by a public body, an established
75 humane society, animal welfare society, society for the prevention of cruelty to animals
76 or other nonprofit organization, or by a person or persons devoted to the welfare,
77 protection and humane treatment of animals. "Animal shelter" includes "satellite pet
78 adoption facility," but does not include pet adoption services performed at an animal
79 shelter or satellite pet adoption facility not more than a total of twenty-one days per
80 calendar year.

81 C. "Aquarium" means any establishment, store or department of any store that
82 acquires, through purchase, consignment, donation, importation or breeding any
83 combination of live fish, corals, aquatic amphibians or invertebrates, but no other types of
84 pets, and sells or offers to sell, adopt or trade the live animals to the public or retail
85 outlets.

86 D. "Aquarium stock" means live fish, live corals, aquatic amphibians and aquatic
87 invertebrates.

88 E. "Board" means the provision of shelter and food to pet animals by an entity
89 other than the pet's owner and at a location separate from the owner's residence.

90 F. "Carapace" means a hard bony outer covering, such as the fused dorsal plates
91 or shell of a turtle.

92 G. "Commercial kennel" means any establishment or facility where four or more
93 dogs or cats are kept for commercial purposes including, but not limited to, board,
94 propagation and training. Commercial kennels include, but are not limited to, dog or cat
95 boarding facilities, training facilities where dogs or cats are boarded during the course of
96 training, catteries and dog or cat breeding or importation businesses. Commercial
97 kennels do not include pet shops, pet daycare facilities, animal shelters, pet grooming
98 services or veterinary hospitals or clinics where animals are kept for surgical or medical
99 treatment under the supervision of a licensed veterinarian.

100 H. "Establishment" or "facility" means those portions of any building, yard, pen
101 or other area at a single location in which any animals are kept or transported for the
102 purpose of adoption, breeding, boarding, day care, grooming, selling, sheltering, trading
103 or otherwise handling animals, or in which a pet food retail business is located.

104 I. "Livestock" means farm animals raised for food or fiber production or kept for
105 recreational purposes, including, but not limited to, horses, donkeys, mules, cattle, sheep,
106 llamas, alpacas, goats and swine, but excluding birds, Vietnamese, Chinese or Asian pot-
107 bellied pigs and miniature breeds of livestock kept primarily as pets.

108 J. "Mobile grooming unit" means any mobile vehicle used as a pet grooming
109 service.

110 K. "Owner" or "operator" means a person either owning or otherwise responsible
111 for the operation of a pet shop, commercial kennel, pet daycare facility, animal shelter,
112 pet grooming service or pet food retail business and, as applicable, the care and welfare
113 of the animals present.

114 L. "Pet" means a nonlivestock animal kept by a private individual for pleasure or
115 companionship.

116 M. "Pet daycare facility" means any commercial facility where four or more dogs
117 or other pet animals are left by their owners for periods of supervised social interaction in
118 play groups with other animals of the same species for the majority of the time the pets
119 are at the facility during the hours the facility is open to the public.

120 N. "Pet food retail business" means a retail establishment selling any of the
121 following for consumption by pets:

- 122 1. Foods or treats requiring refrigeration or freezing to prevent spoilage; or
- 123 2. Uncooked or partially cooked animal derived pet foods or treats not requiring
124 refrigeration or freezing. For the purpose of this chapter, "partially cooked animal
125 derived pet foods or treats" are those that are cured, dried, dehydrated or smoked and
126 include but are not limited to pig ears, beef hooves, dried tendons, smoked bones, chicken
127 or salmon jerky, and freeze dried seafood, meat or animal organs.

128 O. "Pet grooming service" means any place, establishment or mobile unit, public
129 or private, where pet animals are bathed, clipped or combed for the purpose of enhancing
130 their aesthetic value or health, or both, and for which a fee is charged. "Pet grooming
131 service" includes any self service dog washing business where customers wash their own
132 pets, but does not include incidental bathing or combing of pets as part of regular animal

133 care performed at a pet shop, commercial kennel, pet daycare facility or animal shelter, or
134 performed on an infrequent and nonprofit basis for hobby or recreational purposes.

135 P.1. "Pet shop" means any establishment, store or department of any store that
136 acquires, through purchase, consignment, donation, importation or breeding, live animals
137 including birds, reptiles, amphibians, fish or poultry, but excluding livestock, and sells or
138 offers to sell, adopt or trade the live animals to the public or to retail outlets.

139 2. "Pet shop" does not include the hobby breeding of animals at or adjoining a
140 private residence, animal shelters; livestock auctions; and farm and ranch feed stores that
141 sell baby poultry to commercial operations.

142 Q. "Poultry" means all domesticated fowl and all game birds which are held in
143 captivity.

144 R. "Psittacine bird" means all birds commonly known as parrots, macaws,
145 cockatoos, cockatiels, lovebirds, parakeets and all other birds of the order psittaciformes.

146 S. "Satellite pet adoption facility" means a fixed location within a separately
147 permitted pet shop, commercial kennel, pet daycare facility, pet grooming service or pet
148 food retail business where an animal shelter, its staff or volunteers house, care for and
149 regularly offer pets for adoption from the fixed location.

150 T. "Water resistant" means that which repels water. The following materials and
151 substances shall be considered water resistant: painted or sealed wood surfaces, sealed
152 concrete, sealed concrete blocks, stainless steel, vinyl flooring, glass, treated or sealed
153 paneling, fiberglass, tile, tile blocks and other materials approved by the director on a
154 case by case basis after finding that the material is water resistant.

155 NEW SECTION. SECTION 7. Overnight boarding. Overnight boarding is
156 permitted at commercial kennels, pet daycare facilities and animal shelters. Overnight
157 boarding is not permitted at pet grooming services or pet shops unless the owner or
158 operator obtains a separate commercial kennel, pet daycare facility or animal shelter
159 permit for the facility.

160 NEW SECTION. SECTION 8. Pet shop, commercial kennel, pet daycare
161 **facility, animal shelter and pet grooming service infection control plan**
162 **requirements.**

163 A. The owner or operator of a pet shop, commercial kennel, pet daycare facility,
164 animal shelter or pet grooming service shall develop and maintain a written basic
165 infection control plan, subject to review and approval by the director, specifying: the
166 schedule for cleaning and disinfection of cages, surfaces and equipment; proper methods
167 for handling and disposal of soiled animal bedding, litter and wastes; disinfectants to be
168 used; and personal protective measures, including, but not limited to, gloves and
169 handwashing, to be used by employees. The owner or operator shall ensure the plan
170 identifies a licensed veterinarian or veterinary practice that is routinely consulted or
171 available for consultation on animal health, disease prevention, immunization and
172 parasite control and includes contact information for the director's duly authorized
173 representatives.

174 B. The pet shop, commercial kennel, pet daycare facility, animal shelter or pet
175 grooming service owner or operator shall maintain the basic infection control plan on the
176 premises and make the plan available to the director for examination upon request.

177 C. The director is authorized to provide assistance to the pet shop owner or
178 operator in developing the basic infection control plan. For example, the director may
179 provide the owner or operator a model or sample plan free of charge.

180 NEW SECTION. SECTION 9. Pet shop facility construction and equipment
181 **standards.** A pet shop owner or operator shall:

182 A. Ensure that buildings are of adequate structure, maintained in good repair and
183 secured in order to protect animals from injury or escape and restrict the unauthorized
184 entry of animals from outside;

185 B. Construct all floors and walls of readily cleanable and water resistant material
186 in rooms, pens and cages used to retain animals and in areas where animals are handled,
187 bathed or treated, and maintain all such rooms, pens, cages and areas in good repair;

188 C. Maintain hot and cold running water conveniently available at all times, and
189 provide a sink or tub of sufficient size for washing of equipment and utensils used in the
190 pet shop, including washing and sanitizing of dishes, bowls and other food and water
191 containers and utensils used for feeding of animals;

192 D. Provide toilet and handwashing facilities with hot and cold running water;

193 E. Ensure that food and water containers and utensils used for mixing of food and
194 feeding of animals are constructed of metal or other water impervious material that is
195 readily cleanable and kept in good condition;

196 F. Provide and maintain refrigeration at forty-one degrees Fahrenheit or lower for
197 the protection of perishable foods;

198 G. Store and prepare separately from pet food and pet medications any
199 medications, food and beverages intended for human consumption;

200 H. Store cleaning products and disinfectants securely in areas inaccessible to
201 animals kept at the facility;

202 I. Provide an adequately ventilated isolation area physically separated from the
203 rest of the animals for segregation of pets that become sick, are injured or are suspected
204 of having a contagious disease; and

205 J. Dispose of excreta, dead animals, soiled litter, bedding, waste water and other
206 materials by sanitary means.

207 NEW SECTION. NEW SECTION 10. Pet shop primary animal enclosure
208 **requirements.** The pet shop owner or operator shall, for primary animal enclosures
209 including cages, pens, runs, tanks and habitats:

210 A. Provide and maintain primary enclosures of sufficient size to allow each pet
211 animal to turn around, exercise normal postural movements, experience or avoid
212 socialization with cage mates, and avoid overcrowding;

213 B. Maintain primary animal enclosures in good condition and repair to protect
214 animals from injury, to contain them, to prevent entry of predators and to allow animals
215 to stay clean and dry, except for aquatic species;

216 C. Ensure that primary animal enclosures are constructed of materials that are
217 water resistant and can be readily cleaned and disinfected;

218 D. 1. If wire or slatted flooring is used:

219 a. ensure that it is constructed to prevent injury to animals' feet and legs;

220 b. use wire mesh or slats of adequate gauge or size to prevent sagging under

221 the animals' weight and small enough to prevent the animals' feet from passing through;

222 and

223 c. ensure that the floor or other surface under wire bottom cages where animal
224 wastes fall are made of a water resistant material that can be readily cleaned and
225 disinfected; and

226 2. If the primary flooring is wire mesh or a slatted material, provide solid resting
227 surfaces according to the needs of the species;

228 E. Maintain primary animal enclosures in a clean and sanitary condition; and

229 F. Cedar shavings may not be used for bedding or litter material for rodents,
230 rabbits, chinchillas, ferrets or reptiles.

231 NEW SECTION. SECTION 11. Pet shop sanitation standards. The pet shop
232 owner or operator shall, for sanitation purposes:

233 A. Maintain all areas where equipment, supplies and food for animals are stored
234 in a clean and sanitary condition and free from insects and rodents;

235 B. Store equipment on the premises in a sanitary and orderly manner;

236 C. Maintain in a clean and sanitary condition and routinely disinfect all cages,
237 pens, runs, tanks, habitats and other animal housing in accordance with the pet shop's
238 infection control plan; and

239 D. In order to avoid creating aerosols or airborne dust that can spread pathogens,
240 not use shop vacuums or vacuum cleaners to remove bedding and debris from animal,
241 reptile or bird cages.

242 NEW SECTION. SECTION 12. Pet shop animal health, care and disease
243 **prevention standards.** The pet shop owner or operator shall, for animal care and
244 feeding:

245 A. Provide proper food and potable water to the animals, according to the needs
246 of the species;

247 B. Remove from display and sale animals with potentially infectious disease or
248 significant injury, and isolate them from animals appearing healthy and normal, keep
249 potentially infectious animals in isolation quarters with adequate ventilation and care to
250 keep from exposing customers or other animals at the establishment;

251 C. Not knowingly sell or otherwise transfer a potentially infectious or injured
252 animal or an animal with signs of external parasites without notifying the person
253 acquiring the animal of the illness, injury or condition of the animal;

254 D. Not offer for sale, trade or adoption any juvenile or adult dog, cat or ferret that
255 has not received all required immunizations or that has not been treated for internal and
256 external parasites in accordance with the recommendations of the pet shop's consulting
257 veterinarian;

258 E. At all times that any pet shop is open to the public, ensure a person in charge
259 is present at the establishment and responsible for the pets held for sale or display. The
260 person in charge, or other employee under the supervision of the person in charge, shall
261 feed, water and perform cleaning in accordance with the basic infection control plan for
262 the facility, or as may be required by the director; and

263 F. Physically separate animals on the premises of the pet shop for the purposes of
264 boarding, grooming, daycare or animal shelter from all sick animals and animals offered
265 for sale.

266 NEW SECTION. SECTION 13. Pet information at time of purchase -
267 **general.** The pet shop owner or operator shall make available to each retail pet purchaser

268 or adopter, other than purchasers of fish, live aquarium stock or of rodents intended as
269 food for other animals, a written hard copy or web-based basic information about
270 prevention of diseases that may be communicable from the purchased or adopted animal
271 to humans. The information may be developed by the pet shop owner or operator, or
272 provided free of charge by the director. Any information developed by the owner or
273 operator in charge shall be subject to review and approval by the director. Any hard copy
274 information provided to pet purchasers or adopters shall be free of charge.

275 **NEW SECTION. SECTION 14. Salmonella - Measures to prevent human**
276 **disease acquired from reptiles and amphibians.**

277 A. The owner or operator of any pet shop offering reptiles or amphibians for sale
278 shall post a clearly visible sign, in the area of the shop displaying these animals,
279 containing information about the risk to humans of contracting *Salmonella* bacterial
280 infections from reptiles and amphibians and a statement advising that these animals are
281 unsuitable as pets in households with children under the age of five years, or
282 immunocompromised persons, in accordance with the recommendations of the federal
283 Centers for Disease Control and Prevention as set forth by the National Center for
284 Infectious Disease's Pet-Scripton series, as amended. The director is authorized to
285 establish reasonable guidelines for the size, location and contents of the sign consistent
286 with this section. The pet shop owner or operator may obtain a sign free of charge from
287 the director, or use a sign approved by the director as meeting the requirements of this
288 section.

289 B. The pet shop owner or operator may not sell, hold, offer for sale or otherwise
290 distribute live turtles with a carapace length of less than four inches for the purposes of
291 being kept as a pet.

292 NEW SECTION. SECTION 15. **Salmonella - measures to prevent human**
293 **disease acquired from poultry.** The owner or operator of any pet shop offering poultry
294 for sale shall post a clearly visible sign, in the area of the shop displaying these animals,
295 containing information about the risk to humans of contracting *Salmonella* bacterial
296 infections from poultry. The director is authorized to establish reasonable guidelines for
297 the size, location and contents of the sign consistent with this section. The pet shop
298 owner or operator may obtain a sign free of charge from the director, or use a sign
299 approved by the director as meeting the requirements of this section.

300 NEW SECTION. SECTION 16. **Psittacosis - measures to prevent human**
301 **disease acquired from psittacine birds.**

302 A. The owner or operator of any pet shop offering psittacine birds for sale shall
303 post a clearly visible sign, in the area of the shop displaying these birds, containing
304 information about the risk to humans of contracting *Chlamydiophila psittaci* bacterial
305 infections from psittacine birds and the signs of the disease in birds. The director is
306 authorized to establish reasonable guidelines for the size, location and contents of the
307 sign consistent with this section. The pet shop owner or operator may obtain a sign free
308 of charge from the director, or use a sign approved by the director as meeting the
309 requirements of this section.

310 B. The pet shop owner or operator shall comply with all requirements of WAC
311 246-100-201, as amended, pertaining to the prevention and control of psittacosis in
312 humans and avian chlamydiosis in birds.

313 NEW SECTION. SECTION 17. Rabies vaccination requirement for dogs,
314 **cats or ferrets.** The pet shop owner or operator shall ensure that any dog, cat or ferret
315 age four months or older is vaccinated against rabies as required under BOH chapter 8.04
316 before being offered for sale, exchange or adoption. The pet shop owner or operator shall
317 provide the purchaser or adopter of any such an animal, at time of purchase, a certificate
318 of rabies vaccination issued by a licensed veterinarian.

319 NEW SECTION. SECTION 18. Pet shop handwashing and public animal
320 **contact requirements.** The owner or operator of any pet shop allowing patrons to
321 handle pets or poultry offered for sale or adoption shall provide readily accessible public
322 handwashing facilities with hot and cold running water or disinfectant hand wipes or
323 hand sanitizers. The pet shop owner or operator shall notify patrons, by means of
324 conspicuous signage or other methods as approved by the director, to wash their hands
325 after handling any of the animals at the pet shop.

326 NEW SECTION. SECTION 19. Pet shop recordkeeping requirements.

327 A. The pet shop owner or operator shall maintain written records of each
328 individual or groups of animals purchased or otherwise acquired, except that records are
329 not required for fish or other aquarium stock or feeder rodents. The owner or operator
330 shall include the following information in the written records:

- 331 1. Acquisition date;
- 332 2. Name, address and telephone number of supplier;

- 333 3. Number of animals received;
- 334 4. Animal breed or description;
- 335 5. Tattoo, microchip or bird band number, as applicable; and
- 336 6. Veterinary records, including any vaccinations, medical treatment and
- 337 surgeries performed.

338 B. The pet shop owner or operator shall maintain records of each individual dog,

339 cat and bird, except poultry, sold, adopted, traded, transferred, euthanized or otherwise

340 disposed of, including the following information:

- 341 1. Date of sale or other disposition;
- 342 2. Name, address and telephone number of the purchaser or adopter;
- 343 3. Breed of dog or cat or species of bird;
- 344 4. Description including approximate age, color and sex, except for birds when
- 345 not determined; and
- 346 5. Tattoo, microchip or bird leg band number, as applicable.

347 C. The pet shop owner or operator shall maintain at the pet shop all written

348 records required by this section for not less than three hundred sixty-five days after the

349 date of sale or transfer of the animal from the pet shop, and make all such records

350 available to the director for examination upon request.

351 NEW SECTION. SECTION 20. Pet shop quarterly reporting requirements.

352 The owner or operator of any pet shop offering dogs or cats shall provide a list to the

353 director, quarterly based on the calendar year, of all dogs and cats sold, adopted, traded,

354 transferred or otherwise disposed of, including those that have died or were euthanized.

355 The owner or operator shall include on each list, as applicable, the sale, adoption, trade,

356 transfer or death of each dog or cat, the date of sale, adoption, trade, transfer or death, the
357 age and breed or type of dog or cat and the names and addresses of all persons to whom
358 any dogs or cats were sold, adopted, traded or transferred.

359 NEW SECTION. SECTION 21. Pet shop reporting of animal bites and
360 **disease outbreaks.** Immediately upon receiving notice of the occurrence or outbreak, the
361 pet shop owner or operator shall report to the director any occurrence of an animal biting
362 a human at the pet shop, or any known or suspected infectious disease that may be
363 transmissible from animals to humans in any animal offered for sale or otherwise kept on
364 the premises.

365 NEW SECTION. SECTION 22. Indoor facility construction and equipment
366 **standards for commercial kennels, pet daycare facilities, animal shelters and pet**
367 **grooming services.** The owner or operator of any commercial kennel, pet daycare
368 facility, animal shelter or pet grooming service, as applicable, shall, in the indoor areas of
369 the kennel, facility, shelter or service:

370 A. Ensure that buildings are of adequate structure, maintained in good repair and
371 secured in order to protect animals from injury or escape and restrict the entry of animals
372 from outside;

373 B. Provide sufficient heating and cooling of indoor areas to maintain the ambient
374 temperature not less than fifty degrees Fahrenheit and not greater than ninety degrees
375 Fahrenheit, except that the owner or operator shall maintain indoor temperatures
376 consistent with the needs of the pet animals at the facility, and shall protect the animals
377 from temperatures which may be deleterious to the animals' health;

378 C. Provide lighting, whether natural or artificial or a combination of both,
379 sufficient for inspection of the animals, routine cleaning and proper animal care;

380 D. Provide sufficient ventilation to ensure the health and comfort of the animals
381 and to minimize odors and moisture condensation. Fresh air may be provided by means
382 of windows, doors, vents, fans or turbine ventilators, or by heating and cooling systems;

383 E.1. Construct all floors and walls of readily cleanable and water impervious
384 material in indoor rooms, play areas, runs, pens, crates and cages used to retain animals
385 or in areas where animals are clipped, groomed or treated and maintain all such rooms,
386 play areas, runs, pens crates and cages in good repair;

387 2. Ensure that floors have proper drainage to rapidly eliminate excess water, and
388 that seams in flooring are designed and installed to prevent accumulation of liquids,
389 moisture or debris; and

390 3. Construct interior walls so that the interface with floor surfaces is sealed from
391 the flow or accumulation of liquids, moisture or debris;

392 F. Maintain hot and cold running water conveniently available at all times, and
393 provide a sink or tub of sufficient size for washing of equipment and utensils used in the
394 facility, including washing and sanitizing of toys, litter pans, dishes, bowls and other food
395 and water containers and utensils used for feeding of animals;

396 G. Provide toilet and handwashing facilities with hot and cold running water,
397 except that toilet facilities are not required for mobile grooming units;

398 H. Ensure that food and water containers and utensils used for mixing of food
399 and feeding of animals are constructed of metal or other water impervious material that is
400 readily cleanable and kept in good condition;

401 I. Provide and maintain refrigeration at forty-one degrees Fahrenheit or lower for
402 the protection of foods requiring refrigeration;

403 J. Store and prepare separately from pet food and pet medications any
404 medications, food and beverages intended for human consumption;

405 K. Store cleaning products and disinfectants securely in areas inaccessible to
406 animals kept at the facility;

407 L. Provide an adequately ventilated isolation area physically separated from the
408 rest of the animals for segregation of pets that become sick, are injured or are suspected
409 of having a contagious disease, except that isolation areas are not required for mobile
410 grooming units;

411 M. Ensure that any common animal play areas are of sufficient size to allow for
412 maintenance of sanitary conditions and to avoid overcrowding of animals;

413 N. Ensure that any grooming facilities in commercial kennels, pet daycare
414 facilities and animal shelters are physically separated from common animal play areas
415 and boarding areas;

416 O. Ensure that any furnishings such as rugs, couches, mattresses or chairs
417 contained within a common play area are made of materials that can readily be laundered
418 with hot water and detergent or otherwise readily cleaned and sanitized, and that the
419 furnishings are maintained in a sanitary condition;

420 P. Provide and maintain cages, crates, pens or individual runs where animals can
421 periodically rest or sleep; and

422 Q. Dispose of excreta, soiled litter, bedding, waste water and other materials by
423 sanitary means.

424 NEW SECTION. SECTION 23. **Outdoor facilities for commercial kennels,**
425 **pet daycare facilities, animal shelters and pet grooming services.** The owner or
426 operator of any commercial kennel, pet daycare facility, animal shelter or pet grooming
427 service shall, in outdoor areas of the kennel, facility, shelter or service:

428 A. Provide adequate walls or fences and keep them secured and maintained in
429 good repair to protect pet animals from injury or escape and restrict the entry of animals
430 from outside;

431 B. Provide areas of shelter from excessive sunlight, rain, snow, wind or other
432 elements unless animals are provided indoor facilities to protect them from adverse
433 climate conditions;

434 C. Provide adequate drainage in outdoor areas to prevent standing water or
435 accumulation of liquids, mud, debris, excreta or other materials. Surfaces may be made
436 of concrete, asphalt or similar materials designed to facilitate cleaning and removal of
437 animal wastes and debris. Natural lawn or turf may be used if well maintained with
438 regular watering, mowing and repair, and kept free of mud or bare dirt. Alternatively,
439 surfaces may be covered with a sufficient layer of a disposable material such as gravel,
440 sand or coarse wood chips that can be removed when contaminated by animal excreta and
441 periodically changed to maintain sanitary conditions; and

442 D. Dispose of excreta, dead animals, soiled litter, bedding, waste water and other
443 materials by sanitary means.

444 NEW SECTION. NEW SECTION 24. **Primary animal enclosures for**
445 **commercial kennels, pet daycare facilities, animal shelters and pet grooming**
446 **services.** The owner or operator of any commercial kennel, pet daycare facility, animal

447 shelter or pet grooming service. shall in the primary animal enclosures including cages,
448 pens, runs, tanks and habitats:

449 A. Provide and maintain primary enclosures of sufficient size to allow each pet
450 animal to turn around, exercise normal postural movements, experience or avoid
451 socialization with cage mates and avoid overcrowding;

452 B. Maintain primary animal enclosures in good condition and repair to protect
453 animals from injury, to contain them, to prevent entry of predators and to allow animals
454 to stay clean and dry, except for aquatic species;

455 C. Ensure that primary animal enclosures are constructed of materials that are
456 water resistant and can be readily cleaned and disinfected;

457 D.1. If wire or slatted flooring is used:

458 a. ensure that it is constructed to prevent injury to animals' feet and legs;

459 b. use wire mesh or slats of adequate gauge or size to prevent sagging under
460 the animals' weight and small enough to prevent the animals' feet from passing through;
461 and

462 c. ensure that the floor or other surface under wire bottom cages where animal
463 wastes fall are made of a water resistant material that can be readily cleaned and
464 disinfected; and

465 2. When the primary flooring is wire mesh or a slatted material, provide solid
466 resting surfaces according to the needs of the species;

467 E. Maintain primary animal enclosures in a clean and sanitary condition; and

468 F. Not use cedar shavings for bedding or litter material for rodents, rabbits,
469 chinchillas, ferrets or reptiles.

470 NEW SECTION. SECTION 25. Sanitation standards for commercial
471 **kennels, pet daycare facilities, animal shelters and pet grooming services.** The owner
472 or operator of a commercial kennel, pet daycare facility, animal shelter or pet grooming
473 service shall:

474 A. Maintain all areas where equipment, supplies and food for animals are stored
475 in a clean and sanitary condition and free from insects and rodents;

476 B. Maintain all indoor and outdoor play areas, grooming areas, cages, pens, runs,
477 crates, furnishings, bedding and other animal housing in a clean and sanitary condition
478 and disinfected on a routine basis; and

479 C. Ensure that sanitation is accomplished through cleaning of surfaces and
480 equipment to remove gross contamination, dirt and debris followed by the application of
481 a safe and effective disinfectant product.

482 NEW SECTION. SECTION 26. Animal health, care and disease prevention
483 **standards for pet daycare facilities.** A pet daycare facility owner or operator shall, for
484 animal health, care and disease prevention:

485 A. Provide proper food and potable water to the animals, according to the needs
486 of the species;

487 B.1. Immediately separate sick or significantly injured animals and those
488 suspected of having a contagious disease from those appearing healthy and normal;

489 2. Keep animals suspected of having a contagious disease in a designated
490 separation area in order to avoid exposure to other animals or people; and

491 3. Ensure that only designated staff trained in infection control procedures as set
492 forth in the basic infection control plan required under this chapter attend to animals held

493 in the designated separation area, and that sick and injured animals and those suspected
494 of having a contagious disease are released to their owners or receive veterinary care as
495 soon as possible after the illness or injury is discovered;

496 C. Before admission of a dog, cat or ferret four months of age or older, obtain a
497 copy of a valid rabies certificate or other verification from a licensed veterinarian, or
498 written acknowledgment from the pet owner, that the animal is currently immunized
499 against rabies in accordance with the King County Board of Health Rabies Regulations,
500 BOH chapter 8.04;

501 D. At all times that animals are allowed to commingle for the purposes of play or
502 exercise, ensure that there is direct supervision by a sufficient number of trained
503 employees responsible for the management of the playgroup. For the purpose of this
504 subsection D., active engagement in grooming or the viewing of animals by video camera
505 does not qualify as direct supervision of pets in commingled groups. Direct supervision
506 includes:

507 1. Maintaining a person in charge present at all times that any pet animal is
508 present at the establishment;

509 2. Maintaining the presence of a sufficient number of employees equipped to
510 immediately remove animal feces, urine or other bodily fluids followed by cleaning and
511 disinfection of any soiled area; and

512 3. Limiting the number of animals that may be maintained in a common play
513 area in order to prevent overcrowding and reduce the risk of zoonotic disease transmittal.

514 E. Ensure that when pets are boarded overnight or present on days when the pet
515 daycare facility is closed to the public, the pets are fed and watered and cleaning is

516 performed as necessary to reduce the risk of zoonotic disease transmittal. When pets are
517 boarded overnight or present on days when the pet daycare facility is closed, pets may be
518 commingled only if the owner or operator is present to provide direct supervision as is
519 required during business hours; and

520 F. Not offer pet adoption services, pet grooming services or sales of pets unless
521 the facility has obtained a public health permit for these services in accordance with this
522 title, as applicable.

523 **NEW SECTION. SECTION 27. Animal health, care and disease prevention**
524 **standards for commercial kennels.** A commercial kennel owner or operator shall, for
525 animal health, care and disease prevention:

526 A. Provide proper food and potable water to the animals, according to the needs
527 of the species, and provide cats with a litter pan;

528 B.1. Immediately separate sick or significantly injured animals and those
529 suspected of having a contagious disease from those appearing healthy and normal;

530 2. Keep animals suspected of having a contagious disease in isolation quarters
531 with adequate ventilation and care to keep from exposing other animals or clients; and

532 3. Ensure that only designated staff trained in infection control procedures
533 attend to animals held in isolation, and that sick and injured animals and those suspected
534 of having a contagious disease are released to their owners or receive veterinary care as
535 soon as possible after the illness or injury is discovered;

536 C. Before admission of a dog, cat or ferret four months of age or older, obtain a
537 copy of a valid rabies certificate or other verification from a licensed veterinarian, or
538 written acknowledgment from the pet owner, that the animal is currently immunized

539 against rabies in accordance with the King County Board of Health Rabies Regulations,
540 BOH chapter 8.04;

541 D. At all times when the commercial kennel is open to the public, ensure a person
542 in charge is present at the establishment and responsible for the care and welfare of the
543 pets;

544 E. Ensure that when the commercial kennel is closed to the public, the pets are
545 fed and watered and cleaning is performed as necessary to reduce the risk of zoonotic
546 disease transmittal;

547 F. At all times that animals are allowed to commingle for the purposes of play or
548 exercise, ensure that there is direct supervision by a sufficient number of trained
549 employees responsible for the management of the playgroup. For the purpose of this
550 subsection F., active engagement in grooming or the viewing of animals by video camera
551 does not qualify as direct supervision of pets in commingled groups. Direct supervision
552 includes:

553 1. Maintaining a person in charge present at all times that any pet animal is
554 present at the establishment;

555 2. Maintaining the presence of a sufficient number of employees equipped to
556 immediately remove animal feces, urine or other bodily fluids followed by cleaning and
557 disinfection of any soiled area; and

558 3. Limiting the number of animals that may be maintained in a common play
559 area in order to prevent overcrowding and reduce the risk of zoonotic disease transmittal;
560 and

561 G. Not offer pet grooming services, pet adoption services or sales of pets unless
562 the commercial kennel has obtained a public health permit for these services in
563 accordance with this chapter, as applicable.

564 NEW SECTION. SECTION 28. Animal health, care and disease prevention
565 **standards for animal shelters.** The animal shelter owner or operator shall, for animal
566 health, care and disease prevention:

567 A. Provide proper food and potable water to the animals, according to the needs
568 of the species, and provide cats with a litter pan;

569 B.1. Immediately separate sick or significantly injured animals and those
570 suspected of having a contagious disease from those appearing healthy and normal;

571 2. Keep animals suspected of having a contagious disease in isolation quarters
572 with adequate ventilation and care to keep from exposing other animals or visitors to the
573 shelter; and

574 3. Ensure that only designated staff trained in infection control procedures
575 attend to animals held in isolation;

576 C. Ensure that sick or injured animals are offered for adoption or foster care only
577 after disclosing the animal's condition and providing recommendations for proper
578 treatment including veterinary care;

579 D. Before releasing a dog, cat or ferret four months of age or older for adoption
580 or foster care, ensure that the animal is currently immunized against rabies in accordance
581 with the King County Board of Health Rabies Regulations, BOH Chapter 8.04;

582 E. At all times when the animal shelter is open to the public, ensure a person in
583 charge is present at the establishment and responsible for the care and welfare of the pets.

584 The person in charge, or other employee or employees under the supervision of the
585 person in charge, shall feed, water and perform necessary cleaning on all days the animal
586 shelter is closed to the public, or as may be required by the director;

587 F. At all times that animals are allowed to commingle for the purposes of play or
588 exercise, ensure that there is direct supervision by a sufficient number of trained
589 employees responsible for the management of the playgroup. For the purpose of this
590 subsection F., active engagement in grooming or the viewing of animals by video camera
591 does not qualify as direct supervision of pets in commingled groups. Direct supervision
592 includes:

593 1. Maintaining a person in charge present at all times that any pet animal is
594 present at the establishment;

595 2. Maintaining the presence of a sufficient number of employees equipped to
596 immediately remove animal feces, urine or other bodily fluids followed by cleaning and
597 disinfection of any soiled area; and

598 3. Limiting the number of animals that may be maintained in a common play
599 area in order to prevent overcrowding and reduce the risk of zoonotic disease transmittal;
600 and

601 G. Not offer commercial overnight boarding, pet daycare services or pet
602 grooming services unless the animal shelter has obtained a public health permit for these
603 services in accordance with the requirements of this title, as applicable.

604 **NEW SECTION. SECTION 29. Animal health, care and disease prevention**
605 **standards for pet grooming services.** The owner or operator of a pet grooming service
606 shall, for animal health, care and disease prevention:

607 A. Not leave pets unattended before a hot air dryer and care must be taken when
608 using dryers to prevent burning;

609 B. Tether in a manner that the tethered animal cannot become entangled with
610 other pet animals and other objects, and designed to prevent the pet from falling or being
611 hanged. The tether or grooming loop, or both, must be attached to the dog by means of a
612 well-fitted and nontightening collar or loop and the other end attached to a solid
613 attachment. All tethering chains and grooming loops shall have a swivel. Grooming
614 loops, tethers or muzzles may be used only under constant direct human supervision;

615 C. Clean and disinfect grooming equipment including but, not limited to, clipper
616 blades, combs and brushes, after each pet has been groomed;

617 D. Immediately separate pets admitted for grooming services and found to be
618 sick or significantly injured, and those suspected of having a contagious disease, from
619 those appearing healthy and normal. The animals found to be sick or significantly
620 injured, and those suspected of having a contagious disease, shall be released to their
621 owners or receive veterinary care as soon as possible after the illness or injury is
622 discovered;

623 E. Before admission of a dog, cat or ferret four months of age or older, obtain a
624 copy of a valid rabies certificate or other verification from a licensed veterinarian, or
625 written acknowledgment from the pet owner, that the animal is currently immunized
626 against rabies in accordance with the King County Board of Health Rabies Regulations,
627 BOH chapter 8.04, except that verification or acknowledgment of rabies vaccination is
628 waived at facilities where animal grooming or bathing is performed only by pet owners;

629 F. At all times that the pet grooming services facility is open to the public or in
630 use, ensure a person in charge is present at the facility and responsible for the care and
631 welfare of the pets;

632 G. Ensure that pet animal holding or drying areas so that they are large enough to
633 allow the animals to stand, lie down and turn around;

634 H. Ensure that cages and grooming areas such as tables, benches and tubs are
635 structurally sound and maintained in good repair; and

636 I. Not offer overnight boarding, pet daycare services, pet adoption services or
637 sales of pets unless the pet grooming business has obtained a public health permit for
638 these services in accordance with this title, as applicable.

639 **NEW SECTION. SECTION 30. Recordkeeping requirements for commercial**
640 **kennels, pet daycare facilities and animal shelters.**

641 A. The owner or operator of a commercial kennel, pet daycare facility or animal
642 shelter shall maintain written records as applicable and as described in this section. The
643 owner or operator shall include the following information in the written records:

- 644 1. Dates of attendance;
- 645 2. Owners address and telephone number;
- 646 3. Type of animal, including breed;
- 647 4. Animal's name;
- 648 5. Date or dates of rabies vaccinations or owner's written acknowledgment of
649 current rabies vaccination;
- 650 6. Dates of any bite inflicted by the animal to another animal or human, or
651 animal bite received by the animal at the facility; and

652 7. Any illness or injury requiring the animal to be placed into the isolation area
653 or removed from the premises for veterinary care.

654 B. The owner or operator of any animal shelter shall maintain written records for
655 each animal attending the shelter, including the following:

656 1. Date of adoption, rescue or placement into foster care, as applicable;

657 2. Name, address and telephone number of the owner or the person adopting,
658 rescuing or fostering the pet, as applicable;

659 3. Type of animal, including breed if applicable;

660 4. Animal's name, if applicable;

661 5. Shelter identification number and tattoo, microchip or bird leg band number,
662 as applicable;

663 6. Date or dates of rabies vaccination or vaccinations, as applicable under BOH
664 chapter 8.04;

665 7. Dates of any known or suspected zoonotic disease occurrence;

666 8. Bite inflicted or received by the animal; and

667 9. Any illness or injury requiring the animal to be placed into the isolation area
668 or removed from the premises for veterinary care.

669 C. The owner or operator of any commercial kennel, pet daycare facility or
670 animal shelter shall maintain at the establishment all written records required by this
671 section for not less than three hundred sixty-five days after the date of release of the
672 animal from the establishment, and make all such records available to the director for
673 examination upon request.

674 NEW SECTION. SECTION 31. Pet food retail business sanitation standards.

675 The pet food retail business owner or operator shall:

676 A. Maintain all areas where equipment, supplies and food for pets are stored in a
677 clean and sanitary condition and free from insects and rodents; and

678 B. Maintain a sink with hot and cold running water conveniently available at all
679 times.

680 NEW SECTION. SECTION 32. Pet food retail business sales of pet foods or

681 **treats requiring refrigeration or freezing to prevent spoilage.** The pet food retail

682 business owner or operator shall:

683 A. Maintain all refrigerators and freezers clean and in good working order;

684 B. Ensure that pet foods stored in freezers remain frozen;

685 C. Store refrigerated pet foods in a working refrigerator that maintains a
686 temperature of forty-one degrees Fahrenheit or below; and

687 D. Protect foods from cross contamination by separating pet foods requiring
688 freezing or refrigeration from all other types of pet foods or human foods during storage,
689 preparation, holding and display.

690 E. Ensure written safe handling information modeled on the information and
691 labeling requirements established by the United States Department of Agriculture for safe
692 handling of foods for human consumption is made available to purchasers as provided in
693 this subsection E.1 and E.2 or as approved by the director for animal derived pet foods
694 requiring refrigeration or freezing. The safe handling information may be preprinted on
695 the product package label or on separate brochures, pamphlets or other documentation,
696 except that separate brochures, pamphlets or other documentation shall not be required if

697 the safe handling information is preprinted by the manufacturer on the product package
698 label.

699 1. All safe handling information shall be presented under the heading, "Safe
700 Handling Instructions" and the following rationale statement or as approved by the
701 director be included as part of the safe handling instructions: "Some food products may
702 contain bacteria that could cause illness to you or your pet if the product is mishandled.
703 For your protection, follow these safe handling instructions."

704 2. The following safe handling instructions, or the equivalent as approved by the
705 director, shall be printed in a clearly visible manner on the product package or provided
706 in writing to the purchaser:

- 707 a. Pet food - not for human consumption.
- 708 b. Keep refrigerated or frozen until ready to use.
- 709 c. Thaw frozen pet food in the refrigerator or microwave.
- 710 d. Keep pet foods separate from human foods.
- 711 e. Wash working surfaces (including cutting boards), pet bowls and utensils
712 with hot soapy water or in the dishwasher.
- 713 f. Always wash hands with soap and water after handling pet food to help
714 prevent illness.
- 715 g. Refrigerate or discard uneaten food within thirty minutes after serving to
716 pets.

717 **NEW SECTION. SECTION 33. Pet food retail business sales of uncooked or**
718 **partially cooked animal derived pet foods or treats not requiring refrigeration or**
719 **freezing.** For the purpose of this section, uncooked or partially cooked animal derived

720 pet foods and treats not requiring refrigeration or freezing are those that are cured, dried,
721 dehydrated or smoked and include but are not limited to pig ears, beef hooves, dried
722 tendons, smoked bones, chicken or salmon jerky, and freeze dried seafood, meat or
723 animal organs. The pet food retail business owner or operator shall:

724 A. Provide tongs, scoops, disposable gloves or other methods approved by the
725 director to minimize bare hand contact with unwrapped uncooked or partially cooked
726 animal derived pet foods or treats offered for sale from bins, baskets or other open
727 containers, and provide plastic bags, waxed paper bags or other approved means for
728 customers to carry and transport the foods or treats;

729 B. Ensure that preschool age children do not have direct access to unwrapped
730 uncooked or partially cooked animal derived pet foods or treats, including by ensuring
731 that any open bins, baskets or other open containers of such pet foods or treats are out of
732 reach of preschool age children;

733 C. Ensure that uncooked or partially cooked animal derived pet foods and treats
734 not requiring refrigeration or freezing offered for sale are clearly designated as pet or
735 animal food; and

736 D. Ensure that the following safe handling instructions, or the equivalent as
737 approved by the director for uncooked or partially cooked animal derived pet foods or
738 treats, are printed in a clearly visible manner on the product package, provided in writing
739 to the purchaser or displayed on a readily visible sign in the area of the establishment
740 where the product is sold:

741 1. Always wash hands with soap and water after handling pet food or treats to
742 help prevent illness.

743 2. People with immune deficiencies and preschool age children should not
744 handle this product.

745 NEW SECTION. SECTION 34. Emergency occurrence - ceasing operations

746 **and reporting.** The pet shop, commercial kennel, pet daycare facility, animal shelter, pet
747 grooming service or pet food retail business owner or operator shall immediately
748 discontinue operations and notify the director upon receiving notice of an emergency at
749 the facility such as fire, flood, extended interruption of electrical or water service, sewage
750 backup, misuse of poisonous or toxic materials, onset of an apparent zoonotic disease
751 outbreak, gross insanitary occurrence or condition or other circumstance that may
752 endanger public health, except that the pet shop, commercial kennel, pet daycare facility,
753 animal shelter, pet grooming service or pet food retail business owner or operator is not
754 required to discontinue operations in an area of an establishment that is unaffected by the
755 emergency.

756 NEW SECTION. SECTION 35. Variance.

757 A. The director may grant a variance to the pet shop, commercial kennel, pet
758 daycare facility, animal shelter, pet grooming service or pet food retail business owner or
759 operator by modifying or waiving the requirements of this chapter if in the opinion of the
760 director a health hazard will not result from the variance. The applicant for a variance
761 shall submit application in writing and shall include:

762 1. A statement of the proposed variance of the code requirement citing relevant
763 code section numbers; and

764 2. A statement of the rationale for how the potential public health hazards
765 addressed by the relevant code sections will be alternatively addressed by the proposal,
766 and shall include documentation or other relevant evidence in support of the rationale.

767 B. Any variance granted or denied by the director shall be in writing and shall
768 include:

769 1. A statement of the proposed variance of the code requirement citing relevant
770 code section numbers; and

771 2. As applicable, any conditions or other requirements the director determines
772 necessary so that the relevant code sections waived or modified will be alternatively
773 addressed in order to protect the public against a health hazard.

774 NEW SECTION. SECTION 36. Permit requirement.

775 A. It is unlawful to maintain or operate a pet shop, commercial kennel, pet
776 daycare facility, animal shelter, pet grooming service or pet food retail business without a
777 valid pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming
778 service or pet food retail business operating permit issued by the director. Each permit is
779 valid only for the location or establishment and owner for which it is issued. A separate
780 permit shall be obtained for each separate pet shop, commercial kennel, pet daycare
781 facility, animal shelter, pet grooming service or pet food retail business establishment or
782 location. Veterinarians shall obtain the required licenses for any service other than one
783 which by law may be performed only by a veterinarian. However, such a license shall
784 not be required for the veterinarian's possession of animals solely for the purposes of
785 veterinary care.

786 B. The director shall designate each pet shop as a Risk Category 1 or Risk
787 Category 2 pet shop based on the following categories of animals or other items offered
788 for trade, transfer, adoption or sale:

789 1. Risk Category 1:

790 a. Aquariums, with no other nonaquatic animals offered for trade, transfer,
791 adoption or sale; or

792 b. Baby poultry offered for trade, transfer, adoption or sale for not more than
793 one hundred twenty consecutive days and not more than a total of one hundred twenty
794 days within any twelve month period, with no other animals offered for trade, transfer,
795 adoption or sale; and excluding livestock auctions and farm and ranch feed stores that sell
796 baby poultry to commercial operations.

797 2. Risk Category 2: All animal trades, transfers, adoptions or sales not
798 qualifying as Risk Category 1 pet shop operation, excluding animal shelters, livestock
799 auctions, and farm and ranch feed stores that sell baby poultry to commercial operations.

800 C. The director shall designate each animal shelter as a Category 1, Category 2 or
801 Category 3 animal shelter based on the following criteria:

802 1. Category 1: Animal shelter performing not more than one thousand five
803 hundred animal adoptions per calendar year, but not including a Category 3 animal
804 shelter;

805 2. Category 2: Animal shelter performing more than one thousand five hundred
806 animal adoptions per calendar year, but not including a Category 3 animal shelter; and

807 3. Category 3: Animal shelter operating a satellite pet adoption facility in a
808 permitted pet shop, commercial kennel, pet daycare facility, pet grooming service or pet
809 food retail business in King County.

810 D. Except as otherwise provided in this chapter, each pet shop, commercial
811 kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail
812 business operating permit is an annual permit and shall expire on the date established by
813 the director.

814 E. Permits are the property of the director. The pet shop, commercial kennel, pet
815 daycare facility, animal shelter, pet grooming service or pet food retail business owner or
816 operator shall display each permit issued under this chapter conspicuously in the
817 establishment for which it is issued unless the permit is expired or is suspended or
818 revoked. The owner or operator shall remove from display any expired, suspended or
819 revoked permit.

820 NEW SECTION. SECTION 37. Plan review application process.

821 A. A pet shop, commercial kennel, pet daycare facility, animal shelter or pet
822 grooming service permit applicant or permit holder shall submit to the director a plan
823 review application, including completed plans and specifications, before a pet shop,
824 commercial kennel, pet daycare facility, animal shelter or pet grooming service is
825 constructed or an existing structure is converted for use as a pet shop, commercial kennel,
826 pet daycare facility, animal shelter or pet grooming service. If an existing pet shop,
827 commercial kennel, pet daycare facility, animal shelter or pet grooming service is being
828 remodeled, the owner or operator shall notify the director of the proposed remodel and
829 shall submit to the director a completed plan review application if the director determines

830 that review of plans and specifications is necessary to ensure compliance with this
831 chapter.

832 B. The applicant or permit holder shall submit the plan review application at least
833 thirty days before the date planned for opening the pet shop, commercial kennel, pet
834 daycare facility, animal shelter or pet grooming service, unless a different period is
835 approved by the director.

836 C. The pet shop owner or operator shall include the following information in the
837 plans and specifications:

838 1. Types of animals kept and sold, including types and quantities of foods stored
839 and provided for the animals;

840 2. Proposed indoor and outdoor facility layout, including mechanical
841 equipment, heating, lighting, plumbing and provisions for isolation room or area, and
842 construction schedule;

843 3. Description of and types of material used for walls, floors, fencing, kennels,
844 runs, animal enclosures, sinks and drains and dimensions of any animal enclosures;

845 4. Description of types of waste disposal, including dead animals, sewage
846 disposal and indoor and outdoor animal waste disposal; and

847 5. Other information the director may require for review of the proposed
848 construction, conversion or remodeling to ensure compliance with this chapter.

849 D. The commercial kennel, pet daycare facility, animal shelter or pet grooming
850 service owner or operator shall include the following information in the plans and
851 specifications:

852 1. Types of animals kept or served at the facility, including types and quantities
853 of foods stored and provided for the animals;

854 2. Proposed indoor and outdoor facility layout, including mechanical
855 equipment, heating, lighting, plumbing, provisions for isolation room or area (except
856 mobile grooming units) and construction schedule;

857 3. Description of and types of material used for walls, floors, fencing, kennels,
858 runs, animal enclosures, sinks and drains, and dimensions of any animal enclosures;

859 4. Description of types of waste disposal, including dead animals, sewage
860 disposal and indoor and outdoor animal waste disposal; and

861 5. Other information the director may require for review of the proposed
862 construction, conversion or remodeling to ensure compliance with this chapter.

863 NEW SECTION. SECTION 38. Permit application process.

864 A. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet
865 grooming service or pet food retail business owner or operator shall submit a permit
866 application in writing, on a form provided by the director, at least thirty calendar days
867 before the date planned for opening the facility, or the expiration date of the current
868 permit for an existing facility unless a different period is approved by the director. The
869 application shall include:

870 1. The name, mailing address, telephone number and signature of the person
871 applying for the permit and the name, mailing address, telephone number and location of
872 the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming
873 service or pet food retail business;

874 2. The name, mailing address and telephone number of: the legal owner of the
875 pet shop or pet food retail business, whether it be an association, corporation, individual,
876 partnership or other legal entity; and the local resident agent if one is required based on
877 the type of legal ownership;

878 3. For a new pet shop, commercial kennel, pet daycare facility, animal shelter,
879 pet grooming service or pet food retail business, or for a change of ownership of an
880 existing facility, a written basic infection control plan as required by this chapter;

881 4. For a new pet shop or for a change of ownership, information specifying the
882 types of animals to be offered for sale, exchange or adoption, and whether the pet shop
883 will offer for sale uncooked or partially cooked animal derived pet foods or pet treats;

884 5. For a new commercial kennel, pet daycare facility, animal shelter or pet
885 grooming service or for a change of ownership , information specifying the types of
886 animals to be admitted to the facility, and whether the facility will offer for sale uncooked
887 or partially-cooked animal derived pet foods or pet treats;

888 6. A statement signed by the applicant that attests to the accuracy of the
889 information provided in the application; and

890 7. Other information required by the director to ensure compliance with this
891 chapter.

892 B. The applicant shall pay the applicable permit and plan review fees at the time
893 the application is submitted.

894 C. The director may issue a new or renewal permit to the applicant or may issue a
895 permit to a new owner of an existing pet shop, commercial kennel, pet daycare facility,
896 animal shelter, pet grooming service or pet food retail business after a properly completed

897 application is submitted, all outstanding fees are paid, the application is reviewed and
898 approved and the director has determined the pet shop or pet food retail business to be in
899 compliance with this chapter.

900 D. The director may deny the permit application if the applicant has any
901 outstanding moneys owed to the Seattle-King County Department of Public Health for
902 permit fees, late fees, checks returned by the bank, civil penalties or other miscellaneous
903 fees.

904 E. If an application for a permit to operate is denied, the director shall provide the
905 applicant with a notice that includes the reasons and code citations for the permit denial.

906 NEW SECTION. SECTION 39. Inspections.

907 A. After presenting identification credentials, the director is authorized to enter
908 and conduct inspections of any pet shop, commercial kennel, pet daycare facility, animal
909 shelter, pet grooming service or pet food retail business during normal business hours,
910 hours of operation and other reasonable times to determine compliance with and enforce
911 this chapter, including the conditions of a permit or variance. The facility owner or
912 operator shall allow the director to enter and inspect the establishment, and the
913 establishment's records required to be maintained under this chapter, to determine
914 compliance with and enforce this chapter, including the conditions of a permit or
915 variance. The director is also authorized to enter any pet shop, commercial kennel, pet
916 daycare facility, animal shelter, pet grooming service or pet food retail business for the
917 purpose of providing information and education to facility personnel, including written
918 materials and consultation on good sanitation practices and methods to prevent the spread
919 of zoonotic disease.

920 B. The director shall document on an inspection form:

921 1. Administrative information about the pet shop, commercial kennel, pet
922 daycare facility, animal shelter, pet grooming service or pet food retail business name,
923 location, name of owner or operator, inspection date and permit status;

924 2. The director's inspection findings, including factual observations of
925 violations, nonconformance with this chapter or other substandard conditions that require
926 correction by the permit holder;

927 3. Failure of any owner, operator or employee of the pet shop, commercial
928 kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail
929 business to allow the director access to the premises, or to the facility's records, for
930 purposes of determining compliance with and enforcing this chapter;

931 4. Notification of any violations requiring correction, including the time frame
932 for completing the corrections;

933 5. Notification that an opportunity for an office conference to review the
934 inspection findings will be provided if a written appeal of the inspection report is
935 submitted within ten days following the date of the inspection; and

936 6. Other information the director deems necessary to include on the inspection
937 report.

938 C. At the conclusion of the inspection, the director shall furnish the owner or
939 operator of the pet shop, commercial kennel, pet daycare facility, animal shelter, pet
940 grooming service or pet food retail business a duplicate of the completed inspection
941 report.

| | |
|--|---|
| a. Risk category 1 | \$182.00 |
| b. Risk category 2 | \$473.00 |
| 2. Commercial kennel | \$291.00 |
| 3. Pet daycare facility | \$291.00 |
| 4. Animal shelter | |
| a. Category 1: not more than 1,500 pet adoptions per calendar year | \$182.00 |
| b. Category 2: more than 1,500 pet adoptions per calendar year | \$291.00 |
| c. Category 3: Satellite pet adoption facility | \$60.00 per location |
| 5. Pet grooming service other than a mobile grooming unit | \$182.00 |
| 6. Mobile grooming unit | \$182.00 base fee for one vehicle plus \$60.00 for each additional vehicle owned by the same person and inspected at the same time and location as all other vehicles |
| 7. Pet food retail business | \$182.00 |
| 8. Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare | Highest applicable permit fee plus \$182.00 for one additional permit classification or \$364.00 for two |

facility, animal shelter or pet grooming or more additional permit
 service) other than pet food retail classifications
 business at the same location

963 B. The applicant for two or more annual operating permits at the same location
 964 for any combination of pet shop, commercial kennel, pet daycare facility, animal shelter
 965 or pet grooming service establishments shall pay to the director the highest applicable
 966 operating permit fee plus the additional permit classification fee as set forth in this
 967 section, but the pet food retail business permit fee shall be waived for any holder of a
 968 current pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming
 969 service permit.

970 C. The applicant for a pet shop, commercial kennel, pet daycare facility, animal
 971 shelter, pet grooming service or pet food retail business that is to be operated no longer
 972 than any period of six consecutive months shall pay one-half the applicable annual permit
 973 fee in subsections A. and B. of this Part 1.

Part 2 - Permit Fees.

Effective January 1, 2011, Through December 31, 2011.

976 A. The owner or operator of a pet shop, commercial kennel, pet daycare facility,
 977 animal shelter, pet grooming service or pet food retail business shall pay to the director
 978 the following annual operating permit fees, as applicable:

| | | |
|----|--------------------|----------|
| 1. | Pet shop | |
| | a. Risk category 1 | \$191.00 |
| | b. Risk category 2 | \$497.00 |

| | | |
|----|--|---|
| 2. | Commercial kennel | \$306.00 |
| 3. | Pet daycare facility | \$306.00 |
| 4. | Animal shelter | \$306.00 |
| | a. Category 1: not more than 1,500 pet adoptions per calendar year | \$191.00 |
| | b. Category 2: more than 1,500 pet adoptions per calendar year | \$306.00 |
| | c. Category 3: Satellite pet adoption facility | \$63.00 per location |
| 5. | Pet grooming service other than a mobile grooming unit | \$191.00 |
| 6. | Mobile grooming unit | \$191.00 base fee for one vehicle plus \$63.00 for each additional vehicle owned by the same person and inspected at the same time and location as all other vehicles |
| 7. | Pet food retail business | \$191.00 |
| 8. | Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service) other than pet food retail | Highest applicable permit fee plus \$191.00 for one additional permit classification or \$382.00 for two or more additional permit classifications |

| | | |
|--|-------------------------------|--|
| | business at the same location | |
|--|-------------------------------|--|

979 B. The applicant for two or more annual operating permits at the same location
 980 for any combination of pet shop, commercial kennel, pet daycare facility, animal shelter
 981 or pet grooming service establishments shall pay to the director the highest applicable
 982 operating permit fee plus the additional permit classification fee as set forth in this
 983 section, but the pet food retail business permit fee shall be waived for any holder of a
 984 current pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming
 985 service permit.

986 C. The applicant for a pet shop, commercial kennel, pet daycare facility, animal
 987 shelter, pet grooming service or pet food retail business that is to be operated no longer
 988 than any period of six consecutive months shall pay one-half the applicable annual permit
 989 fee in subsections A. and B. in this Part 2.

990 **Part 3 - Permit Fees.**

991 **Effective January 1, 2012, and Thereafter.**

992 A. The owner or operator of a pet shop, commercial kennel, pet daycare facility,
 993 animal shelter, pet grooming service or pet food retail business shall pay to the director
 994 the following annual operating permit fees, as applicable:

- 1. Pet shop
 - a. Risk category 1 \$201.00
 - b. Risk category 2 \$523.00
- 2. Commercial kennel \$322.00
- 3. Pet daycare facility \$322.00

-
- | | | |
|----|--|---|
| 4. | Animal shelter | \$322.00 |
| a. | Category 1: not more than 1,500 pet adoptions per calendar year | \$201.00 |
| b. | Category 2: more than 1,500 pet adoptions per calendar year | \$322.00 |
| c. | Category 3: Satellite pet adoption facility | \$66.00 per location |
| 5. | Pet grooming service other than a mobile grooming unit | \$201.00 |
| 6. | Mobile grooming unit | \$201.00 base fee for one vehicle plus \$66.00 for each additional vehicle owned by the same person and inspected at the same time and location as all other vehicles |
| 7. | Pet food retail business | \$201.00 |
| 8. | Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service) other than pet food retail business at the same location | Highest applicable permit fee plus \$201.00 for one additional permit classification or \$402.00 for two or more additional permit classifications |

995 B. The applicant for two or more annual operating permits at the same location
 996 for any combination of pet shop, commercial kennel, pet daycare facility, animal shelter

997 or pet grooming service establishments shall pay to the director the highest applicable
998 operating permit fee plus the additional permit classification fee as set forth in this
999 section, but the pet food retail business permit fee shall be waived for any holder of a
1000 current pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming
1001 service permit.

1002 C. The permit applicant for a pet shop, commercial kennel, pet daycare facility,
1003 animal shelter, pet grooming service or pet food retail business that is to be operated no
1004 longer than any period of six consecutive months shall pay one-half the applicable annual
1005 permit fee in subsections A. and B. of this Part 3.

1006 NEW SECTION. SECTION 45. Plan review fees.

1007 **Plan review fees.**

1008 **Part 1 - Plan Review Fees.**

1009 **Effective Through December 31, 2010.**

1010 The owner or operator of a pet shop, commercial kennel, pet daycare facility,
1011 animal shelter or pet grooming service shall pay to the director plan review fees for
1012 reviewing plans and specifications, conducting preoperational inspections and providing
1013 consultation, as follows:

- | | | |
|----|--|---|
| A. | New pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service construction | \$182.00 base fee plus \$182.00 per hour for each hour after 1 hour |
| B. | Conversion of existing structure to pet shop, commercial kennel, pet daycare facility, animal | \$182.00 base fee plus \$182.00 per hour for each |

| | | |
|----|--|---|
| | shelter or pet grooming service | hour after 1 hour |
| C. | Remodel of existing pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$182.00 base fee plus \$182.00 per hour for each hour after 1 hour |
| D. | Two or more plan reviews for one facility | \$182.00 base fee plus \$182.00 per hour for each hour after 1 hour |
| E. | Plan resubmittal | \$182.00 per hour |
| F. | Subsequent preoperational inspections, on-site inspection before plan submittal or on-site inspection when plan review is not required | \$182.00 base fee plus \$182.00 per hour for each hour after 1 hour |

1014

Part 2 - Plan Review Fees.

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Effective January 1, 2011, Through December 31, 2011.

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The owner or operator of a pet shop, commercial kennel, pet daycare facility,
animal shelter or pet grooming service shall pay to the director plan review fees for
reviewing plans and specifications, conducting preoperational inspections and providing
consultation, as follows:

| | | |
|----|--|---|
| A. | New pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service construction | \$191.00 base fee plus \$191.00 per hour for each hour after 1 hour |
| B. | Conversion of existing structure to pet shop, commercial kennel, pet daycare facility, animal | \$191.00 base fee plus \$191.00 per hour for each |

- shelter or pet grooming service hour after 1 hour
- C. Remodel of existing pet shop, commercial kennel, \$191.00 base fee plus
pet daycare facility, animal shelter or pet grooming \$191.00 per hour for each
service hour after 1 hour
- D. Two or more plan reviews for one facility \$191.00 base fee plus
\$191.00 per hour for each
hour after 1 hour
- E. Plan resubmittal \$191.00 per hour
- F. Subsequent preoperational inspections, on-site \$191.00 base fee plus
inspection before plan submittal or on-site \$191.00 per hour for each
inspection when plan review is not required hour after 1 hour

1020

Part 3 - Plan Review Fees.

1021

Effective January 1, 2012, and Thereafter.

1022

The owner or operator of a pet shop, commercial kennel, pet daycare facility,

1023

animal shelter or pet grooming service shall pay to the director plan review fees for

1024

reviewing plans and specifications, conducting preoperational inspections and providing

1025

consultation, as follows:

| | | |
|----|--|---|
| A. | New pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service construction | \$201.00 base fee plus \$201.00 per hour for each hour after 1 hour |
| B. | Conversion of existing structure to pet shop, commercial kennel, pet daycare facility, animal | \$201.00 base fee plus \$201.00 per hour for each |

| | | |
|----|--|--|
| | shelter or pet grooming service | hour after 1 hour |
| C. | Remodel of existing pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$201.00 base fee plus \$201.00 per hour for each hour after 1 hour |
| D. | Two or more plan reviews for one facility | \$201.00 base fee plus \$201.00 per hour for each hour after 1 hour |
| E. | Plan resubmittal | \$201.00 per hour |
| F. | Subsequent preoperational inspections, on-site inspection before plan submittal or on-site inspection when plan review is not required | \$201.00 base fee plus \$201.00 per hour for each hour after 1 hour |

1026 **NEW SECTION. SECTION 46. Special services - authority.** The director is
 1027 authorized to charge fees for the furnishing of special services or materials requested by
 1028 the public that are not ordinarily provided under permit or pursuant to statute. Such
 1029 services and materials may include but are not limited to examination, testing, or
 1030 inspection of particular products, materials, procedures, construction, equipment, or
 1031 appliances to determine their compliance with this title or their acceptability for use. The
 1032 director is authorized to specify the terms and conditions upon which the services and
 1033 materials shall be made available, consistent with any applicable laws; provided, that any
 1034 fees imposed pursuant to this authorization shall not exceed the actual cost to the county
 1035 for furnishing services and materials.

1036 **NEW SECTION. SECTION 47. Miscellaneous fees.**

1037 A. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet
1038 grooming service or pet food retail business owner or operator shall pay the following
1039 miscellaneous fees, as applicable:

- | | | |
|------|---|---------------------------|
| 1040 | 1. Variance request fee | \$182.00 |
| 1041 | 2. Second and subsequent reinspection fee | 50 percent of applicable |
| 1042 | | permit fee |
| 1043 | 3. Reinstatement of permit after suspension | 100 percent of applicable |
| 1044 | | permit fee |

1045 B. The director is authorized to charge a fee equal to one-half of the applicable
1046 permit fee when the director determines that a second or subsequent reinspection is
1047 necessary following a routine inspection or complaint investigation, and to adopt
1048 administrative policies to specify the terms and conditions upon which the reinspections
1049 are made, which must be based upon the extent and severity of violations found.

1050 C. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet
1051 grooming service or pet food retail business owner or operator shall pay fees, as
1052 applicable, for dishonored check submittal, permit replacement, permit transfer or name
1053 change, inspections outside regular department working hours, special services and
1054 refunds, in accordance with the fee provisions of chapter 2.06 of this code.

1055 NEW SECTION. SECTION 48. Penalty for commencing operation without
1056 **approval.** Any person who commences any work on or any operation of a pet shop,
1057 commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food
1058 retail business for which a permit or plan review is required under BOH Title 8 without
1059 first having obtained the permit or plan review shall upon subsequent application for the

1060 permit or plan review pay the applicable permit or plan review fee and a penalty fee equal
1061 to one-half of the applicable permit or plan review fee. The director is authorized to
1062 waive the penalty fee upon receipt of proof, to the satisfaction of the director, that the
1063 work was urgently necessary and that it was not practical to obtain a permit before the
1064 commencement of the work. In all such emergency cases, the owner or operator of the
1065 pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or
1066 pet food retail business shall obtain a permit as soon as it is practical to do so and, if the
1067 director determines there is an unreasonable delay in obtaining the permit, a penalty fee
1068 shall be charged as provided in this section.

1069 NEW SECTION. SECTION 49. Refunds.

1070 A. The director shall issue the pet shop, commercial kennel, pet daycare facility,
1071 animal shelter, pet grooming service or pet food retail business owner or operator a
1072 refund of a permit fee if:

- 1073 1. A permit is denied;
- 1074 2. A fee has been paid where none is imposed;
- 1075 3. The permit is issued where none is required;
- 1076 4. The permittee never engages in permitted activity due to the denial by any
1077 governmental agency to issue a necessary license;
- 1078 5. The applicant for a permit withdraws his or her application before the permit
1079 is issued; or
- 1080 6. The permit fee has been overpaid by more than the amount of the refund
1081 processing fee set forth in BOH chapter 2.06.

1082 B. Each refund shall be subject to a twenty-five-dollar deduction for the cost of
1083 administration.

1084 SECTION 50. That portion of the Seattle Health Code, as codified in Seattle
1085 Municipal Code sections 10.03.170, 10.72.010, 10.72.020, 10.72.030 and 10.72.040, in
1086 their entirety, adopted by the metropolitan King County council under Ordinance 12098,
1087 Section 3, is hereby repealed.

1088 SECTION 51. Severability. If any provision of this rule or its application to any
1089 person or circumstance is held invalid, the remainder of the rule or the application of the

1090 provision to other persons or circumstances is not affected.

1091 SECTION 52. Effective date. This rule takes effect March 1, 2010.

R&R BOH09-07 was introduced on and passed as amended by the Board of Health on 1/21/2010, by the following vote:

Yes: 9 - Ms. Drago, Ms. Frisinger, Mr. Hutchinson, Mr. Conlin, Ms. Patterson, Ms. Clark and Ms. Manning
No: 0
Excused: 4 - Ms. Lambert, Mr. Licata, Dr. Nicola and Dr. Danielson

BOARD OF HEALTH
KING COUNTY, WASHINGTON

Julia Patterson, Chair

ATTEST:

Anne Noris, Clerk of the Board

Attachments: None