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ORDINANCE NO. 595

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, REPLACING TITLE 6 OF THE SHORELINE MUNICIPAL CODE, WHICH ADOPTS BY REFERENCE THE KING COUNTY ANIMAL CONTROL REGULATIONS, WITH A NEW TITLE 6 ADOPTING SHORELINE-SPECIFIC ANIMAL CONTROL REGULATIONS

WHEREAS, upon incorporation in 1995, the City of Shoreline adopted Ordinance No. 25, which adopted by reference the King County Animal Control Code as the City's Animal Control Code; and

WHEREAS, the City's current Animal Control Code does not incorporate a leash law or provide for offenses relating to sanitation; and

WHEREAS, the City desires to adopt the code as text rather than by reference and reorganize the animal control regulations listed in the code for ease of reference, and incorporate a leash law and sanitation regulations;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Repeal. Title 6 of the Shoreline Municipal Code, Animal Control Regulations, is hereby repealed.

Section 2. New Chapter. A new Title 6, Animal Control Regulations, is hereby adopted as set forth in Attachment A.

Section 3. New Section. A new section 3.01.012, Animal licensing and service fees, is adopted as set forth in Attachment B.

Section 4. Publication, Effective Date. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after passage and publication.

ADOPTED BY THE CITY COUNCIL ON MARCH 28, 2011.

Keith A. McGlashan, Mayor

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ATTEST:

Scott Passey
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of publication: March 31, 2011
Effective date: April 5, 2011

ATTACHMENT A

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Title 6

ANIMAL CONTROL REGULATIONS

Chapters

6.05	General Regulations
6.10	Dog and Cat Regulations
6.15	Guard Dog Regulations
6.20	Animal Shelter, Kennel, Cattery, Grooming Service, Pet Shop, Hobby Kennel and Hobby Cattery Regulations
6.25	Fostering of Dogs and Cats
6.30	Unlawful Acts
6.35	Rabies Control
6.40	Enforcement, Penalties, and Appeals

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Chapter 6.05

GENERAL REGULATIONS

Sections:

6.05.010 Purpose –other animal regulations - conflict.
6.05.020 Definitions.

6.05.010 Purpose – other animal regulations - conflict.

A. It is declared the public policy of the City of Shoreline to secure and maintain such levels of animal care and control as will protect animal and human health and safety, and to the greatest degree practicable to prevent injury to property and cruelty to animal life. To this end, it is the purpose of this Title 6 to provide a means of caring for animals, licensing dogs, cats, animal shelters, kennels, catteries, grooming services, pet shops, hobby kennels, hobby catteries and related facilities, controlling errant animal behavior so that it shall not become a public nuisance and preventing cruelty to animals.

B. For regulations regarding the number, type, and species of animals that are allowed in Shoreline and the standards in which animals must kept, refer to SMC 20.40.240.

C. Except for SMC 6.20.080 regarding hobby kennels and hobby catteries, if there is a conflict between a provision of this title and a provision in SMC 20.40.240, the provision in SMC 20.40.240 shall control.

6.05.020 Definitions.

In construing Title 6, except where otherwise plainly declared or clearly apparent from the context, words shall be given their common and ordinary meaning. In addition, the following definitions apply to this chapter:

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

B. "Altered" means spayed or neutered.

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

D. "Animal care and control authority" means the City of Shoreline's animal care and control administrative section, whether staffed by City of Shoreline employees or through a contract with another governmental or non-governmental entity, acting alone or in concert with other jurisdictions for enforcement of the animal care and control laws of the City and state and the shelter and welfare of animals.

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

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

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G. "At large" means that an animal is off the premises of the owner and not under the control of the owner by leash; provided, that an animal within an automobile or other vehicle of its owner shall be deemed to be upon the owner's premises.

H. "Cattery" means a place where adult cats are temporarily boarded for compensation, whether or not for training. An adult cat is one of either sex, altered or unaltered, that is at least six months old.

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

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

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

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

L. "Fostering" means obtaining unwanted dogs or cats and locating adoptive homes for those licensed and spayed or neutered dogs or cats.

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

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

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

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

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

R. "Hobby cattery" means a noncommercial cattery at or adjoining a private residence where four or more adult cats are bred or kept for exhibition for organized shows or for the enjoyment of the species.

S. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult dogs are bred or kept for any combination of hunting, training and exhibition for organized shows, for field, working or obedience trials or for the enjoyment of the species.

T. "Juvenile" means any dog or cat, altered or unaltered, that is under six months old.

U. "Kennel" means a place where adult dogs are temporarily boarded for compensation, whether or not for training. An adult dog is one of either sex, altered or unaltered, that is at least six months old.

V. "Lawful training" means to be engaged in training on the premises of the owner or on the land of another person by permission; provided, that the animal is accompanied afield by the owner or trainer.

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W. "Leash" includes a cord, thong or chain not more than fifteen feet in length by which an animal is physically controlled by the person accompanying it.

X. "Notice of violation" includes notices of violation and orders to comply and civil infractions.

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

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

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

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

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

DD. "Private animal placement permit" means a permit or permits issued to qualified persons engaged in fostering dogs and cats, to allow them to possess more dogs and cats than is otherwise specified in SMC 20.40.240.

EE. "Restraint." An animal is considered to be under restraint if it is maintained and remains within the property limits of its owner or keeper.

FF. "Rules and regulations of the animal care and control authority" means such rules and regulations, consistent with the intent of this chapter, as may be adopted by the animal care and control authority.

GG. "Service animal" means any animal that is individually trained to perform tasks for people with disabilities.

HH. "Special hobby kennel license" means a license issued under certain conditions to pet owners, who do not meet the requirements for a hobby kennel license, to allow them to retain only those specific dogs and cats then in their possession until such time as the death or transfer of the animals reduces the number they possess to the legal limit in SMC 20.40.240.

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

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

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Chapter 6.10

DOG AND CAT REGULATIONS

Sections:

6.10.010 Licenses - required - issuance - penalty - fee use - improper checks – exceptions.
6.10.020 Mandatory spaying and neutering.
6.10.030 Spay/neuter vouchers.
6.10.040 Unaltered dogs and cats - Advertising requirements.
6.10.050 Rabies vaccination required.
6.10.060 Exemptions from chapter.

6.10.010. Licenses - required - issuance - penalty - fee use - improper checks - exceptions.

A. All dogs and cats eight weeks old and older that are harbored, kept or maintained in the City of Shoreline shall be licensed and registered with the animal care and control authority. Licenses shall be renewed on or before the date of expiration.

B. Upon application and the payment of a license fee made payable to the animal care and control authority as provided in the city's official fee schedule, SMC 3.01.012, pet licenses shall be issued by the animal care and control authority and may be issued by animal shelters, veterinarians, pet shops, catteries and kennels and other approved locations, under contract with the animal care and control authority.

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

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

3. City of Shoreline residents sixty-five years old or older may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address. Residents sixty-five years old or older who have previously obtained a special permanent license for their cats or dogs shall not be required to purchase a new license for the permanently licensed animals.

4. Residents with disabilities that meet the eligibility requirements of the animal care and control authority may purchase a discounted pet license for their cats or dogs that are neutered or spayed and that are maintained at the registered owner's registered address.

5. Applications for a pet license shall be on forms provided by the animal care and control authority.

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

7. Owners of dogs or cats who hold valid licenses from other jurisdictions and who move into the City of Shoreline may transfer the license by paying a transfer fee to the animal care and control authority. The license shall maintain the original license's expiration date.

8. It is a violation of this chapter for any person to sell or transfer ownership of any pet without a pet license. The animal care and control authority shall be notified of the name, address and telephone number of the new owner by the person who sold or transferred the pet.

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9. An applicant may be denied the issuance or renewal of a pet license if the applicant was previously found in violation of the animal cruelty provisions of SMC 6.30.020 or convicted of animal cruelty under RCW 16.52.205 or 16.52.207 or SMC 9.10.170.

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

(1) four years, if found in violation of the animal cruelty provisions of SMC 6.35.020 or convicted of a misdemeanor under RCW 16.52.207 or SMC 9.10.170; or

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

b. Any applicant who is either the subject of a notice and order under SMC 6.40.030 or charged with animal cruelty under RCW 16.52.205 or 16.52.207, may have the issuance or renewal of their pet license denied pending the final result of either the notice and order or charge.

10. The denial of the issuance or renewal of a pet license is subject to appeal, in accordance with SMC 6.40.070.

11. Cat or dog owners are subject to a penalty according to the schedule provided in SMC 6.40.060 for failure to comply with the licensing requirement in this section.

C. A late fee shall be charged on all pet license applications, according to the schedule provided in the city's official fee schedule, SMC 3.01.012.

D. Any license or penalty paid for with checks for which funds are insufficient or with checks for which payment is stopped are, in the case of the license, invalid; and in the case of the penalty, still outstanding.

E. This section shall not apply to dogs or cats in the custody of a veterinarian or animal shelter or whose owners are nonresidents temporarily within the City of Shoreline for a period not exceeding thirty (30) days.

6.10.020 Mandatory spaying and neutering.

A. No person shall own or harbor any cat or dog over the age of six months that has not been spayed or neutered unless the person holds an unaltered animal license for the animal pursuant to SMC 6.10.010.

B. Guide dog puppies in training and police service dogs are exempted from the provisions of this section.

C. Any dog or cat over the age of six months adopted from the animal care and control authority's animal shelter shall be spayed or neutered before transfer to the owner.

6.10.030 Spay/neuter vouchers.

When issuing a license for an unaltered pet, the animal care and control authority may provide to the applicant a voucher for the payment of all or part of the cost of a spay or neuter operation by a licensed veterinarian on the pet, with the amount of the voucher established by the Director of the animal care and control authority based upon available resources and appropriation authority being provided. The animal care and control authority shall compile, maintain and make available to the public a list of veterinarians who accept the vouchers as full or partial payment for spay or neuter operations. Spay or neuter vouchers shall be redeemed through the animal care and control authority by veterinarians who have performed a spay or neuter operation on a pet licensed in the City of Shoreline as an unaltered pet.

6.10.040 Unaltered dogs and cats - Advertising requirements.

No person in the City of Shoreline shall publish or advertise to Shoreline residents the availability of any unaltered cat or dog unless the publication or advertisement includes: the unaltered animal's license number or the animal's juvenile license number, provided, however that nothing in this chapter shall prohibit licensed breeders from advertising in national publications for sale of a planned litter or litters.

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6.10.050 Rabies vaccination required.

All dogs and cats six months of age or older shall be vaccinated against rabies. All vaccinations shall be performed in accordance with the standards contained in the Compendium of Animal Rabies Control as amended, published by the National Association of State Public Health Veterinarians, Inc.

6.10.060 Exemptions from chapter.

The provisions of this chapter shall not apply to dogs and cats in the custody of an animal facility registered or licensed by the United States Department of Agriculture and regulated by 7 United States Code 2131, et seq.

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Chapter 6.15

GUARD DOG REGULATIONS

Sections:

6.15.010 Guard dog purveyor – license – fee.
6.15.020 Guard dog purveyor - license - application.
6.15.030 Guard dog trainer - license required - fee.
6.15.040 Guard dog trainer - license - application.
6.15.050 Guard dog - registration.
6.15.060 Guard dog - registration - application.
6.15.070 Inspections.
6.15.080 Enforcement authorization.
6.15.090 Limitations.
6.15.100 Licenses, registration - revocation, suspension or refusal to renew.
6.15.110 Licenses, registration - revocation or refusal waiting period.
6.15.120 Guard dog purveyors, guard dog trainers and guard dog owners - additional conditions.

6.15.010 Guard dog purveyor - license - fee.

A. It is unlawful for any person, firm or corporation to supply guard dogs to the public without a valid license to do so issued to the person, firm or corporation by the animal care and control authority. Only a person who complies with this chapter and such rules and regulations of the animal care and control authority as may be adopted in accordance with this chapter shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person and place for which issued. The licenses shall be valid for one year from issue.

B. The cost of the license shall be as provided in the city's official fee schedule, SMC 3.01.012. However, if the guard dog purveyor is in possession of a valid animal shelter, kennel or pet shop license, the fee for the guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel or pet shop license.

6.15.020 Guard dog purveyor - license - application.

Any person desiring to supply guard dogs to the public shall make written application for a license on a form to be provided by the animal care and control authority. The application shall be filed with the animal care and control authority and shall include the following:

A. A legal description of the premises or the business address of the office from which the applicant desires to supply guard dogs;

B. A statement of whether the applicant owns or rents the premises to be used for the purpose of purveying guard dogs. If the applicant rents the premises, the application shall be accompanied by a written statement of acknowledgment by the property owner that the applicant has the property owner's permission to purvey guard dogs on the premises for the duration of the license; and

C. A written acknowledgment by the applicant that before the actual commercial sale or purveyance of any and all guard dogs the licensee shall coordinate with the animal care and control authority in properly marking the guard dog and in notifying all customers of the guard dog purveyor that the customer is required to register the guard dog and pay the appropriate registration fee to animal care and control authority before the animal performing guard dog functions.

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6.15.030 Guard dog trainer - license required - fee.

It is unlawful for anyone to engage in the training of dogs as guard dogs without a valid license to do so issued to the person by the animal care and control authority. Only a person who complies with this chapter and the rules and regulations of the animal care and control authority shall be entitled to receive and retain such a license. Licenses shall not be transferable and shall be valid only for the person for which they were issued. The cost of the license shall be as provided in the city's official fee schedule, SMC 3.01.012. Licenses shall be valid for one year from issue.

6.15.040 Guard dog trainer - license - application.

Any person desiring to train dogs as guard dogs shall make written application for a license on a form to be provided by the animal care and control authority. All such applications shall be filed with the animal care and control authority and shall contain the following:

A. A legal description or business address of the premises at which the applicant desires to train the guard dogs;

B. A statement of whether the applicant is self-employed or a member of a business, firm, corporation or organization that trains guard dogs. If the applicant is a member of such a business, firm, corporation or organization, the applicant shall state the name of the entity and shall provide the name of the major executive officer of the entity; and

C. If the premises at which the applicant proposes to train dogs as guard dogs is rented, the application must be accompanied by a written statement of acknowledgment from the property owner that the applicant has the owner's permission to carry on the activity of guard dog training at the location for the duration of the license.

6.15.050 Guard dog – registration - fee.

All persons using dogs as guard dogs shall register the dogs with the animal care and control authority. The cost of the registration shall be as provided in the city's official fee schedule, SMC 3.01.012. The registration shall be valid for one year from date of issue. All registrations shall be affixed on the guard dog in such a manner so as to be readily identifiable.

6.15.060 Guard dog - registration - application.

Any person desiring to use a guard dog shall register the dog with the animal care and control authority and the registration shall be accompanied by the following information:

A. A legal description or business address of the premises that the applicant desires to employ a registered guard dog to prevent unauthorized intrusion;

B. A statement whether the applicant owns or rents the premises to be guarded. If the applicant rents the premises, the application must be accompanied by a written statement of acknowledgment from the property owner that the applicant has the owner's permission to use a guard dog on the premises to prevent unauthorized intrusion for the duration of the registration;

C. A description of the guard dog for purposes of identification;

D. Acknowledgment by the applicant of whether the guard dog has been trained as a guard dog to exhibit hostile propensities;

E. Acknowledgment by the applicant that the premises to be guarded has devices, such as fencing, to prevent general access by the public during those times the guard dog is used for purposes of protecting the premises and persons for unauthorized intrusion. The acknowledgment shall contain a statement that the premises is properly signed to forewarn the public of the presence of a guard dog; and

F. Acknowledgment by the applicant that the guard dog will be maintained in such a manner as to ensure the safety of the public and the welfare of the animal.

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6.15.070 Inspections.

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

6.15.080 Enforcement authorization.

In protecting the health, safety and welfare of the public; to enforce the laws of the state of Washington as they pertain to animal cruelty, shelter, welfare and enforcement of control; the Director of the animal care and control authority and the authorized officers of the authority are authorized to take such lawful action in exercising appropriate powers and responsibilities of this chapter.

6.15.090 Limitations.

The provisions of this chapter shall not apply to any facility possessing or maintaining dogs or guard dogs as defined in this chapter which is owned, and operated or maintained by any city, county, state or the federal government; provided, private parties renting or leasing public facilities for commercial purposes as specified in this chapter shall not be exempt.

6.15.100 Licenses, registration - revocation, suspension or refusal to renew.

The animal care and control authority may, in addition to other penalties provided in this title, revoke, suspend or refuse to renew any guard dog purveyor, guard dog trainer license or guard dog registration upon good cause or for failure to comply with any provision of this chapter. Enforcement of such a revocation, suspension or refusal shall be stayed during the pendency of an appeal filed in accordance with SMC 6.40.070.

6.15.110 Licenses, registration - revocation or refusal waiting period.

If an applicant has had a license or registration revoked or a renewal refused, the applicant shall not be issued a guard dog purveyor license, guard dog trainer license or guard dog registration for one year after the revocation and refusal.

6.15.120 Guard dog purveyors, guard dog trainers and guard dog owners - additional conditions.

The Director of the animal care and control authority is authorized to promulgate rules and regulations not in conflict with this chapter as they pertain to the conditions and operations of guard dog purveyors, guard dog trainers and guard dog owners. Enforcement of these rules and regulations may be appealed to the animal care and control authority board of appeals in accordance with SMC 6.40.070.

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Chapter 6.20

ANIMAL SHELTER, KENNEL, CATTERY, GROOMING SERVICE, PET SHOP, HOBBY KENNEL AND HOBBY CATTERY REGULATIONS

Sections:

6.20.010 Animal shelter, kennel, cattery, grooming service and pet shop license – licensing requirement.
6.20.020 Animal shelters, kennels, catteries, or pet shops - reporting required – licensing material.
6.20.030 Animal shelters, kennels, catteries, grooming services, and pet shops – Conditions.
6.20.040 Animal shelters, kennels, catteries, grooming services and pet shops – Indoor facilities.
6.20.050 Animal shelters, kennels, catteries and pet shops - Outdoor facilities.
6.20.060 Animal shelters, kennels, catteries, grooming service and pet shops – inspections - unsanitary conditions unlawful.
6.20.070 Grooming service – Additional conditions.
6.20.080 Hobby kennel or hobby cattery licenses - required - limitations – requirements - issuance and maintenance.
6.20.090 Special hobby kennel or hobby cattery license.
6.20.100 Hobby kennels or hobby catteries - reporting required – licensing material.
6.20.110 Hobby kennel or hobby cattery licenses, registration - revocation, suspension or refusal to renew.
6.20.120 Hobby kennel or hobby cattery licenses, registration - revocation or refusal waiting period.
6.20.130 Animal shelters, hobby kennels, kennels, hobby catteries, catteries, pet shops, grooming services - additional conditions.

6.20.010 Animal shelter, kennel, cattery, grooming service and pet shop license – licensing requirement.

Animal shelters, kennels, catteries, grooming services and pet shops shall comply with the licensing requirements of the Seattle-King County Department of Public Health. Subject to applicable restrictions in SMC 20.40.240, the facilities may board animals as authorized by their Seattle-King County Department of Public Health license.

6.20.020 Animal shelters, kennels, catteries, or pet shops - reporting required – licensing material.

A. Each animal shelter, kennel, cattery, or pet shop shall provide the animal care and control authority with a monthly list of all dogs and cats that it has given away or sold. The list shall include the origin, age, sex, color, breed, altered status and, if applicable, microchip number and license number of each dog or cat given away or sold and the new owner's name, address and, if available, email address and telephone number.

B. Each animal shelter, kennel, cattery or pet shop that sells or gives away dogs or cats without licenses shall make license application materials available to new pet owners.

6.20.030 Animal shelters, kennels, catteries, grooming services, and pet shops –

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Conditions.

Animal shelters, kennels, catteries, grooming services and pet shops shall meet the following conditions:

A. Housing facilities shall be provided to the animals; shall be structurally sound and maintained in good repair; shall be designed so as to protect the animals from injury; shall contain the animals; and shall restrict the entrance of other animals.

B. Electric power shall be supplied in conformance with City, county, and state electrical codes adequate to supply lighting and heating as may be required by this chapter. Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and primary enclosures of debris and excreta.

C. Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable foods.

D. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, and debris. Disposal facilities shall be maintained in a sanitary condition, free from the infestation or contamination of insects or rodents or disease, and from obnoxious or foul odors.

E. Washroom facilities, including sinks and toilets, with hot and cold water, must be conveniently available for cleaning purposes, and a large sink or tub provided for the purpose of washing utensils, equipment and facilities.

F. Sick animals shall be separated from those appearing healthy and normal and, if for sale, shall be removed from display and sale. Sick animals shall be kept in isolation quarters with adequate ventilation to keep from contaminating well animals.

G. There shall be an employee on duty at all times during hours any store is open whose responsibility shall be the care and welfare of the animals in that shop or department held for sale or display.

H. An employee or owner shall come in to feed, water and do the necessary cleaning of animals and birds on days the store or shop is closed.

I. No person, persons, association, firm or corporation shall knowingly sell a sick or injured animal or bird.

J. No person, persons, association, firm or corporation shall misrepresent an animal or bird to a consumer in any way.

6.20.040 Animal shelters, kennels, catteries, grooming services and pet shops – Indoor facilities.

Animal shelters, kennels and pet shops which have indoor housing facilities for animals and birds shall:

A. Be sufficiently heated or cooled to protect such animals from temperatures to which they are not normally acclimatized;

B. Be adequately ventilated to provide for the health of animals contained therein and to assist in the removal of foul and obnoxious odors. Provision shall be made so that the volume of air within any enclosed indoor facility shall be changed three times or more each hour. This may be accomplished through the location and periodic opening of doors and windows. If fans or ventilating equipment are used, they shall be constructed in conformance with current standards of good engineering practice with respect to noise and minimization of drafts;

C. Have sufficient natural or artificial lighting to permit routine inspection and cleaning at any time of day. In addition, sufficient natural or artificial lighting shall be supplied in the area of sinks and toilets to provide for the hygiene of animal caretakers;

D. Have interior wall and ceiling surfaces constructed of materials which are resistant to the absorption of moisture and odors, or such surfaces shall be treated with a sealant or with paint,

when such materials are not originally resistant to moisture or odors. Floor surfaces shall not be made of unsealed wood. In addition, interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris; and

E. Contain a drainage system which shall be connected to a sanitary sewer or septic tank system which conforms to the standards of building codes in force within the City of Shoreline and shall be designed to rapidly remove water and excreta in the cleaning of such indoor housing facility under any condition of weather or temperature; provided, this requirement shall not apply to hobby kennels and pet shops. All indoor housing facilities for animals, fish, or birds shall be maintained in a clean and sanitary condition and a safe and effective disinfectant shall be used in the cleaning of such facilities.

6.20.050 Animal shelters, kennels, catteries and pet shops - Outdoor facilities.

Animal shelters, kennels, catteries and pet shops which have outdoor facilities for animals and birds shall:

A. Be constructed to provide shelter from excessive sunlight, rain, snow, wind, or other elements. In addition, such facilities shall be constructed to provide sufficient space for the proper exercise and movement of each animal contained therein;

B. Be constructed to provide drainage and to prevent the accumulation of water, mud, debris, excreta, or other materials and shall be designed to facilitate the removal of animal and food wastes; and

C. Be constructed with adequate walls or fences to contain the animals kept therein and to prevent entrance of other animals.

6.20.060 Animal shelters, kennels, catteries, grooming service and pet shops – inspections - unsanitary conditions unlawful.

A. It shall be the duty of the Director of the Seattle-King County Department of Public Health or the Director's agent or the Director of the animal care and control authority or the Director's agent to make or cause to be made such an inspection as may be necessary to ensure compliance with SMC 6.20.030, 6.20.040, and 6.20.050. The owner or keeper of an animal shelter, kennel, cattery, grooming service or pet shop shall admit to the premises, for the purpose of making an inspection, any officer, agent or employee of the Seattle-King County Department of Public Health or animal care and control authority at any reasonable time that admission is requested.

B. It is unlawful to keep, use or maintain within the City of Shoreline any animal shelter, kennel, cattery, grooming service or pet shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health or safety and not in compliance with SMC 6.20.020, 6.20.030, 6.20.040, and 6.20.050 .

6.20.070 Grooming service – Additional conditions.

Grooming services shall:

A. Not board animals but keep only dogs and cats for a reasonable time in order to perform the business of grooming;

B. Provide such restraining straps for the dog or cat while it is being groomed so that such animal shall neither fall nor be hanged;

C. Sterilize all equipment after each dog or cat has been groomed;

D. Not leave animals unattended before a dryer;

E. Not prescribe treatment or medicine that is the province of a licensed veterinarian as provided in RCW 18.92.010;

F. Not put more than one animal in each cage;

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G. All floors and walls in rooms, pens and cages used to retain animals or in areas where animals are clipped, groomed or treated must be constructed of water impervious material that can readily be cleaned, and must be maintained in good repair;

H. Hot and cold water must be conveniently available and a large sink or tub provided (minimum size twenty four (24) inches by eighteen (18) inches by twelve (12) inches);

I. Toilet and hand washing facilities with hot and cold running water must be conveniently available for personnel employed;

J. Only equipment necessary to the operation of the licensed establishment shall be kept or stored on the premises and shall only be stored in a sanitary or orderly manner; and

K. All cages, pens, or kennels used for holding animals shall be kept in a clean and sanitary condition and must be disinfected on a routine basis.

6.20.080 Hobby kennel or hobby cattery licenses - required - limitations – requirements - issuance and maintenance.

A. All hobby kennels and hobby catteries must be licensed by the animal care and control authority. Licenses shall be valid for one year from the date of application. The fee for the license shall be as provided in the city's official fee schedule, SMC 3.01.012. There is no proration of the license fee. Renewal licenses shall retain the original expiration date whether renewed on or after their respective renewal month. Issuance of a license under this section shall not excuse any requirement to obtain a private animal placement permit. In addition, each animal that is maintained at a hobby kennel or hobby cattery shall be licensed individually under SMC 6.10.010. Under no circumstances shall the number of dogs or cats in a hobby kennel or hobby cattery exceed twenty (20).

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

1. Animal size;
2. Type and characteristics of the breed;
3. The amount of lot area, though the maximum number shall not exceed:
   a. five (5) where the lot area is less than twenty thousand (20,000) square feet;
   b. seven (7) where the lot area is between twenty thousand (20,000) square feet and thirty-five thousand (35,000) square feet; and
   c. for lots over thirty-five thousand (35,000) square feet, seven (7) plus an additional three (3) per acre of site area, not to exceed twenty (20).
4. The facility specifications and dimensions in which the dogs and cats are to be maintained;
5. The zoning classification in which the hobby kennel or hobby cattery would be maintained.

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

1. All open run areas shall be completely surrounded by a six (6) foot fence set back at least twenty (20) feet from all property lines, though this requirement may be modified for hobby catteries as long as the open run area contains the cats and prohibits the entrance of children. For purposes of this section, "open run area" means that area, within the property lines of the premises on which the hobby kennel or hobby cattery is to be maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs within the property lines of the premises the twenty foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six (6) foot fence;

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

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3. The Director of the animal care and control authority may require setback, additional setback, fencing, screening or soundproofing as the director deems necessary to ensure the compatibility of the hobby kennel or hobby cattery with the surrounding neighborhood. Factors to be considered in determining the compatibility are:

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

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

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

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

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

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

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

D. A hobby kennel or hobby cattery license may be issued only when the Director of the animal care and control authority is satisfied that the requirements of SMC 6.20.080(C)(1) through 6.20.080(C)(5) of this chapter have been met. The license may be terminated if the number of dogs and cats exceeds the number allowed by the animal care and control authority or if the facility fails to comply with any of the requirements of SMC 6.20.080(C)(1) through 6.20.080(C)(5) of this chapter.

6.20.090 Special hobby kennel or hobby cattery license.

A. Persons owning a total number of dogs and cats exceeding three, who do not meet the requirements for a hobby kennel or hobby cattery license, may be eligible for a special hobby kennel or special hobby cattery license to be issued at no cost by the animal care and control authority, which shall allow them to retain the specific animals then in their possession, but only if the following conditions are met:

1. the applicant must apply for the special hobby kennel or special hobby cattery license and individual licenses for each dog and cat by the time they are contacted by an animal care and control officer, license inspector or pet license canvasser; and

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

B. The special hobby kennel or special hobby cattery license shall only be valid for those specific dogs and cats in the possession of the applicant at the time of issuance, and is intended to allow pet owners to possess animals beyond the limits imposed by SMC 20.40.240 until such a time as the death or transfer of the animals reduces the number possessed to the legal limit set forth in SMC 20.40.240.

C. The Director of the animal care and control authority may deny any application for a special hobby kennel or special hobby cattery license:

1. based on past animal control regulation Code violations by the applicant's dogs and cats or verified complaints from neighbors regarding the applicant's dogs and cats; or

2. if the animal or animals are maintained in inhumane conditions.

6.20.100 Hobby kennels or hobby catteries - reporting required - licensing material.

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A. Each hobby kennel or hobby cattery shall provide the animal care and control authority with a monthly list of all dogs and cats that it has given away or sold. The list shall include the origin, age, sex, color, breed, altered status and, if applicable, microchip number and license number of each dog or cat given away or sold and the new owner's name, address and, if available, email address and telephone number.

B. Each hobby kennel or hobby cattery that sells or gives away dogs or cats without licenses shall make license application materials available to new pet owners.

6.20.110 Hobby kennel or hobby cattery licenses, registration - revocation, suspension or refusal to renew.

The animal care and control authority may, in addition to other penalties provided in this title, revoke, suspend or refuse to renew any hobby kennel or hobby cattery license upon good cause or for failure to comply with any provision of this chapter. Enforcement of such a revocation, suspension or refusal shall be stayed during the pendency of an appeal filed in accordance with SMC 6.40.070.

6.20.120 Hobby kennel or hobby cattery licenses, registration - revocation or refusal waiting period.

If an applicant has had a license revoked or a renewal refused, the applicant shall not be issued a hobby kennel license or hobby cattery license for one year after the revocation and refusal.

6.20.130 Animal shelters, hobby kennels, kennels, hobby catteries, catteries, pet shops, grooming services - additional conditions.

The Director of the animal care and control authority is authorized to promulgate rules and regulations not in conflict with this chapter as they pertain to the conditions and operations of animal shelters, hobby kennels, kennels, hobby catteries, catteries, pet shops and grooming services. Enforcement of these rules and regulations may be appealed to the animal care and control authority board of appeals in accordance with SMC 6.40.070.

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Chapter 6.25
FOSTERING OF DOGS AND CATS

Sections:

6.25.010 Individual private animal placement permit - required - qualifications – limitations - inspection, denial and revocation.

6.25.020 Organizational private animal placement permit - required - qualifications - limitations - inspection, denial and revocation.

6.25.030 Private Animal Placement Permit - Citizen Complaint Process.

6.25.010 Individual private animal placement permit - required - qualifications – limitations - inspection, denial and revocation.

A. Any person independently engaged in the fostering of dogs and cats that routinely possesses more dogs and cats than are otherwise allowed in SMC 20.40.240 must obtain an individual private animal placement permit from the animal care and control authority. Permits shall be valid for one year from issuance and may not be transferred.

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

1. Maintain and care for dogs and cats in a humane and sanitary fashion, in compliance with SMC 6.20.030.

2. Foster the dogs and cats at a location that is compatible with the surrounding neighborhood.

3. Agree to return stray or lost animals to their owners in accordance with SMC 6.40.020 before placing the animals in an adoptive home.

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

5. Agree to coordinate their adoption process with the animal care and control authority, including reporting on the disposition of each animal, and only adopting to owners who would qualify to adopt an animal from the animal care and control authority's animal shelter based on the adoption procedures and guidelines used by the animal care and control authority's animal shelter.

C. Individuals or organizations holding a private animal placement permit shall be allowed to possess five foster animals above the limit that would normally apply to their property under SMC 20.40.240.

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

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

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

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

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1. A failure to meet the qualifications listed in subsections A. through C. of this section;
2. Verified animal care and control complaints; and
3. Verified complaints by neighbors regarding the failure to comply with private animal placement permit requirements.

6.25.020 Organizational private animal placement permit - required - qualifications - limitations - inspection, denial and revocation.

A. Any organization engaged in the fostering of dogs and cats whose members routinely or from time to time have in their possession up to five more dogs and cats than are otherwise allowed in SMC 20.40.240 must obtain private animal placement permits from the animal care and control authority for each of those members. Organizations may purchase up to five (5) permits, or up to twenty (20) permits per year. However, the Director of the animal care and control authority may issue more than twenty (20) permits to an organization when to do so would further the goals of the animal care and control authority and be in the public interest. Permits shall be valid for one year from issuance and may be transferred between members of the organization.

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

1. Be of a reputable nature and engaged in the fostering of animals solely for the benefit of the animals involved, and not as a commercial enterprise;
2. Agree to furnish the animal care and control authority with the names, addresses and phone numbers of each of the holders of its permits, including immediately furnishing this information when a transfer takes place; and
3. Agree that, to the best of their ability, they shall only distribute permits to individuals who shall comply with the requirements of SMC 6.25.010.

6.25.030 Private Animal Placement Permit - Citizen Complaint Process.

A. Upon receiving a citizen complaint involving the maintenance of an Individual or Organizational Private Animal Placement Permit, the Director of the animal care and control authority shall cause the following to be performed:

1. Issue a Notice of Complaint to the holder of the permit, and the organization which issued the permit, if applicable, advising such person of the allegation(s) made in the complaint.
2. Require the permit holder, and organization if applicable, to respond, in writing, to the allegation(s) in the Notice of Complaint within ten days of receipt of the Notice of Complaint.
3. Investigate the allegation(s) in the written complaint and the response submitted by the permit holder, and organization, if applicable.
4. Make a finding as to the validity of the allegation(s) in the complaint. If it is found to be a valid complaint, the Director shall revoke the permit pursuant to the qualifications described in SMC 6.10.010 and 6.25.010.

B. Failure to respond, in writing, to a Notice of Complaint within ten days shall constitute a waiver of the permit holder's or organization's, if applicable, right to contest the allegation(s) in the complaint and shall be prima facie evidence that the allegation(s) are valid, and the permit shall be revoked.

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Chapter 6.30

PROHIBITED ACTS

Sections:

6.30.010 Nuisances prohibited.
6.30.020 Cruelty to animals prohibited.
6.30.030 Acts against police department dogs prohibited.
6.30.040 Unauthorized release of animals from confinement.
6.30.050 Leash law.
6.30.060 Offenses relating to sanitation.
6.30.070 Disposition of fowl and rabbit.
6.30.080 Possession of exotic animals.

6.30.010 Nuisances prohibited.

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

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

2. Any dog at large not accompanied by its owner, whether licensed or not, within the City of Shoreline;

3. Any domesticated animal that enters any place where food is stored, prepared, served or sold to the public, or any other public building or hall. However, this subsection shall not apply to any person using a service animal or an animal in the process of being trained for service, to veterinary offices or hospitals or to animal shows, exhibitions or organized dog-training classes;

4. Any female domesticated animal, whether licensed or not, while in heat and accessible to other animals for purposes other than controlled and planned breeding;

5. Any domesticated animal that chases, runs after or jumps at vehicles using the public streets and alleys;

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

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

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

9. Any domesticated animal that enters upon a person's property without the permission of that person;

10. Animals staked, tethered or kept on public property without prior written consent of the animal care and control authority;

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

12. Animals running in packs.

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6.30.020 Cruelty to animals prohibited.

A. It is unlawful for any person to:

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

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

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

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

6.30.030 Acts against police department dogs prohibited.

No person shall willfully torment, torture, beat, kick, strike or harass any dog used by a police department for police work, or otherwise interfere with the use of any such dog for police work by said department or its officers or members.

6.30.040 Unauthorized release of animals from confinement.

No person other than the owner or person authorized by the owner of the animal shall release any animal from any confinement, vehicle or restraint unless the release is necessary for the immediate health and safety of the animal, though this section shall not apply to peace officers and animal care and control or humane officers.

6.30.050 Leash law.

It is unlawful for any person to allow any animal under his or her custody or control to be at large, provided that this section shall not apply to spayed/neutered cats, police dogs while being used in the performance of any lawful duty, dogs engaged in obedience training, lawful dog competition sanctioned by a nationally recognized body or a local chapter thereof, lawful training in preparation for such dog competition, working dogs engaged in sanctioned search and rescue activities, and dogs within a City designated off leash area.

6.30.060 Offenses relating to sanitation.

A. It is unlawful to fail to remove fecal waste deposited by an animal on public property or private property without the permission of the property owner before leaving the immediate area where the fecal waste was deposited.

B. It is unlawful for an animal's owner or caretaker to fail to have possession of a means of conveyance, such as a plastic bag, to remove fecal waste deposited by an animal on public property or private property without the permission of the property owner.

6.30.070 Disposition of Fowl and Rabbit.

Age restriction for disposition or coloration. It is unlawful for any person, firm or corporation to sell, offer for sale, barter or give away any fowl under three weeks of age or any rabbit under two months of age as a pet, toy, premium or novelty, or to color, dye, stain or otherwise change the natural color of any such fowl or rabbit.

6.30.080 Possession of exotic animals.

It is unlawful to possess an exotic animal within the City of Shoreline.

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Chapter 6.35

RABIES CONTROL

Sections:

6.35.010 Quarantine order.
6.35.020 Notice of rabies hazard - quarantine period.
6.35.030 Violation of quarantine.
6.35.040 Euthanizing of infected animals.
6.35.050 Vaccination order.
6.35.060 Enforcement.

6.35.010 Quarantine order.

Whenever the Director of the Seattle-King County Department of Public Health has cause to suspect that an animal capable of transmitting rabies is infected with the disease, the Director shall order a period of quarantine of not less than ten days. The Director shall notify in writing the owner or keeper of the infected animal of the quarantine order. The infected animal shall be quarantined by the animal care and control authority in its animal shelter or upon the premises of the owner or licensed veterinarian where conditions of quarantine are strictly kept. The place of quarantine shall be at the discretion of the Director, unless the animal had been exposed to rabies by contact, in which case SMC 6.35.040 shall apply. Delivery of a copy of the quarantine order to some person of suitable age and discretion residing upon the premises where the animal is found shall be notice of the quarantine. Good cause for such an order of quarantine shall include, but is not limited to, evidence that the animal has bitten, or that there is reasonable certainty that the animal has bitten, a human being. During the period of quarantine, the officers, agents and employees of the animal care and control section, and other police officers, are authorized to enter any premises for the purpose of apprehending any such an animal and impounding the animal, except where the animal is kept upon the premises of the owner or licensed veterinarian as provided in this section.

6.35.020 Notice of rabies hazard - quarantine period.

Whenever the Director of the Seattle-King County Department of Public Health determines that rabies is currently a hazard to the public health in the City of Shoreline by reason of the fact that a case of rabies has been diagnosed in any canine or feline animal, the director shall cause a notice of the hazard to be published in a newspaper of general circulation in the area for three successive days, which determination and notice shall declare the quarantine period and area. The quarantine period shall be thirty days after the last publication of notice; and it is a misdemeanor and is unlawful for any owner, or person entitled to custody of such an animal, to keep or harbor any animal capable of transmitting rabies unless securely confined by a leash or tight enclosure from which it cannot escape. Any animal capable of transmitting rabies found running at large during such a period shall be impounded and euthanized by order of the Director of the Seattle-King County Department of Public Health or the Director's agent. If apprehension and impounding by safe means is not possible, the animal may euthanized summarily by the agent. The Director of the Seattle-King County Department of Public Health may extend any such a quarantine period if deemed necessary by like additional determinations and notices.

6.35.030 Violation of quarantine.

It is a misdemeanor and is unlawful for any owner or person charged with the custody of any animal subject to a quarantine defined in SMC 6.35.010 and 6.35.020 to permit any such animal to

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come in contact with any other animal or person or to run at large or to be removed from any quarantine premises without the consent of the Director of Public Health.

6.35.040 Euthanizing of infected animals.
Any animal bitten by an animal found to be rabid by appropriate laboratory tests shall be euthanized by order of the Director of the Seattle-King County Department of Public Health.

6.35.050 Vaccination order.
Whenever the Director of the Seattle-King County Department of Public Health by order published in a newspaper of general circulation in the area for three successive days determines that conditions exist as indicated in SMC 6.35.020 in a specified area wherein it is necessary for the protection of the public health that animals capable of transmitting rabies be vaccinated within thirty days with anti-rabies vaccine, the Director shall order that all such animals four months old or older be so vaccinated or euthanized at the option of the owner or keeper, and it is a misdemeanor and is unlawful for any owner, or person charged with the custody of such an animal, to fail or refuse to procure the vaccination within the specified time.

6.35.060 Enforcement.
The Director of the Seattle-King County Department of Public Health is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder.

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Chapter 6.40

ENFORCEMENT, PENALTIES, AND APPEALS

Sections:

6.40.010 Enforcement power.
6.40.020 Impoundment.
6.40.030 Notice and order.
6.40.040 Additional enforcement - cruelty to animals.
6.40.050 Vicious animals - corrective action.
6.40.060 Penalties.
6.40.070 Appeals – licensing denial, revocation or suspension.
6.40.080 Appeals – notice of violations.

6.40.010 Enforcement power.

A. The Director of the animal care and control authority and the animal care and control officers are authorized to take such lawful action as may be required to enforce this title as they pertain to the keeping of animals, and the laws of the state of Washington as the laws pertain to animal cruelty, shelter, welfare and enforcement of control.

B. The Director of the animal care and control authority or animal care and control officers shall not enter a building designated for and used for private purposes unless a proper warrant has first been issued upon a showing that the officer has reasonable cause to believe an animal is being maintained in the building in violation of this title.

C. The Director of the animal care and control authority and animal care and control officers, while pursuing or observing any animal in violation of this title, may enter upon any public or private property, except any building designated for and used for private purposes, for the purpose of abating the animal violation being pursued or observed.

D. No person shall deny, prevent, obstruct or attempt to deny, prevent or obstruct the Director of the animal care and control authority or an animal care and control officer from pursuing any animal observed to be in violation of this title. Further, no person shall fail or neglect, after a proper warrant has been presented, to promptly permit the Director of the animal care and control authority or an animal care and control officer to enter private property to perform any duty imposed by this title. Any person violating this subsection is guilty of a misdemeanor.

E. Notwithstanding the existence or use of any other remedy, the Director of the animal care and control authority may seek legal or equitable relief to enjoin acts or practices and abate any conditions that constitute a violation of this title or other regulations adopted under this title.

F. The animal care and control authority is authorized to make and enforce rules and regulations, not inconsistent with the provisions of this title, and it is unlawful to violate or fail to comply with any of such rules and regulations.

6.40.020 Impoundment.

A. The Director of the animal care and control authority and the Director's authorized representatives may apprehend any animals found doing any of the acts defined as a public nuisance or being subjected to cruel treatment as defined by law. After the animal is apprehended, the animal care and control authority shall ascertain whether they are licensed or otherwise identifiable. If reasonably possible, the animal care and control authority shall return the animal to the owner together with a notice of violation of this title.

B. If it is not reasonably possible to immediately return a currently licensed animal to its owner, the animal care and control authority shall notify the owner within a reasonable time by

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regular mail or telephone that the animal has been impounded and may be redeemed. Animals shall be impounded at the animal care and control authority's animal shelter or an animal shelter that the animal care and control authority contracts with.

C. Any animal impounded pursuant to the provisions of this title may be redeemed in accordance with the animal shelter's rules and regulations.

6.40.030 Notice and order.

A. Whenever the Director of the animal care and control authority or animal care and control officers have found an animal maintained in violation of this title, the Director of the animal care and control authority shall commence proceedings to cause the abatement of each violation.

B. Whenever the Director of the animal care and control authority or animal care and control officers has reason to believe that a violation of this title exists or has occurred, the Director is authorized to issue a notice of violation and an order directed to the owner or the person presumed to be the owner of the animal maintained in violation of this title. The notice and order shall contain:

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

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

3. A statement to the effect that the Director of the animal care and control authority or animal care and control officers have found the animal maintained illegally with a brief and concise description of the conditions, which caused the animal to be in violation of this title, including reference to the specific sections of code or statute violated and, where relevant, reference to the specific sections of code or statute authorizing removal of the animal;

4. A statement of the action required to be taken to abate the violation, as determined by the Director of the animal care and control authority.

a. If the Director or officer determined the animal in violation must be disposed with, the order shall require that the abatement be completed within a specified time from the order as determined by the Director to be reasonable;

b. If the Director of the animal care and control authority determined to assess a civil penalty, the order shall require that the penalty shall be paid within fourteen days (14) from the order.

5. Statements advising that if any required abatement is not commenced within the time specified, the Director of the animal care and control authority shall proceed to cause abatement and charge the costs thereof against the owner;

6. Statements advising:

a. that a person having a legal interest in the animal may appeal from the notice of violation and order, but only if the appeal is made in writing and filed with the Director of the animal care and control authority within fourteen (14) days from the service of the notice of violation and order; and

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

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

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

1. Personally;

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

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

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

6.40.040 Additional enforcement - cruelty to animals.

A. The Director of the animal care and control authority may prohibit a person who is issued a notice and order for violation of SMC 6.30.020 or who is either charged or convicted of animal cruelty under either RCW 16.52.205 or 16.52.207 from owning, harboring, keeping or maintaining any animal if the Director determines that the enforcement furthers the purposes of this title, in accordance with the following: a person may be prohibited from owning, harboring, keeping or maintaining any animal:

1. For up to four (4) years, if the person is found in violation of the animal cruelty provisions of SMC 6.30.020 or convicted of a misdemeanor under RCW 16.52.207;

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

3. Pending the final adjudication of either a notice and order issued under SMC 6.30.020 or a charge under RCW 16.52.205 or 16.52.207.

B. The Director of the animal care and control authority or authorized animal care and control officer may enforce this section through the notice and order process as described in SMC 6.40.030. A notice and order issued to enforce this section is subject to appeal, in accordance with SMC 6.40.080.

6.40.050 Vicious animals - corrective action.

A. An animal, declared by the Director of the animal care and control authority to be vicious, may be harbored, kept or maintained in the City of Shoreline only upon compliance with those requirements prescribed by the Director. In prescribing the requirements, the Director of the animal care and control authority must take into consideration the following factors:

1. the breed of the animal and its characteristics;

2. the physical size of the animal;

3. the number of animals in the owner's home;

4. the zoning involved; size of the lot where the animal resides and the number and proximity of neighbors;

5. the existing control factors, including, but not limited to, fencing, caging, runs and staking locations; and

6. the nature of the behavior giving rise to the Director's determination that the animal is vicious, including:

a. extent of injury or injuries;

b. circumstance, such as time of day, if it was on or off the property and provocation instinct; and

c. circumstances surrounding the result and complaint, such as neighborhood disputes, identification, credibility of complainants and witnesses.

B. Requirements that may be prescribed include, but are not limited to, the following:

1. Erection of additional or new fencing adequate to keep the animal within the confines of its property;

2. Construction of a run within which the animal is to be kept. Dimensions of the run shall be consistent with the size of the animal;

3. Keeping the animal on a leash adequate to control the animal, the length and location to be determined by the Director of the animal care and control authority. When unattended the leash must be securely fastened to a secure object;

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

5. Removal of the animal from the City within forty-eight hours from receipt of such a notice.

C. Failure to comply with any requirement prescribed by the Director of the animal care and control authority in accordance with this section constitutes a misdemeanor. Such an animal shall not be kept in the City of Shoreline after forty-eight (48) hours after receiving written notice from the Director. Such an animal or animals found in violation of this section shall be impounded and disposed of as an unredeemed animal and the owner or keeper of the animal or animals has no right to redeem the animal or animals.

D. Any animal constituting a public nuisance as provided in this title shall be abated and removed from the City of Shoreline by the owner or by the animal care and control authority, upon the receipt of three notices and orders of violation by the owner in any one-year period, though this removal procedure shall not apply to the vicious animal removal procedure set out in this section of the chapter. Where it is established by record in accordance with this chapter and no finding was entered showing that the owner will be able to provide reasonable restraints to protect the public from repetitions of violations, the animal care and control authority shall notify and direct the owner of the animal to abate or remove the same from the City within ninety-six (96) hours from the notice. If the animal is found to be within the confines of the City of Shoreline after ninety-six (96) hours have elapsed from the notice, the same shall be abated and removed by the animal care and control authority. Animals removed in accordance with this section shall be removed from the City of Shoreline or be subjected to euthanasia by the animal care and control authority.

E. Any animal that bites, attacks or attempts to bite one or more persons two or more times within a two-year period is declared to be a public nuisance and shall not be kept within the City of Shoreline forty-eight (48) hours after receiving written notice from the animal care and control authority. Such an animal or animals found in violation of this section shall be impounded and disposed of as an unredeemed animal, and the owner or keeper of the animal or animals has no right to redeem the animal.

6.40.060 Penalties.

A. Civil Penalty. Violations of this title shall incur the civil penalties set forth below, in addition to or as an alternative to any other penalty provided in this chapter. The civil penalty and the cost of abatement are also personal obligations of the animal owner.

1. Vicious Animal or Animal Cruelty Violations:
   a. First violation: $500.00;
   b. Subsequent violations within one year: $1,000.00 each.
2. Dog Leash Law Violations:
   a. First violation: $25.00;
   b. Additional violations within one year: $50.00 each.
3. Animal Waste Violations:
   a. First violation: $25.00;
   b. Additional violations within one year: $50.00 each.
4. Animal Abandonment: $500.00.
5. Unlicensed Cat or Dog:
   a. Altered cat or dog: $125.00;
   b. Unaltered cat or dog: $250.00.
6. All Other Violations:
   a. First violation: $50.00;
   b. Second violation within one year: $100.00;

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c. Each subsequent violation within one year is double the rate of the previous penalty up to a maximum of $1,000.00.

B. Misdemeanor.

1. Generally. Any person who allows an animal to be maintained in violation of this title is guilty of a misdemeanor punishable by fine of not more than two hundred fifty dollars ($250) and/or imprisonment for a term not to exceed ninety (90) days.

2. Violations of Section 6.30.070 SMC, Disposition of Fowl and Rabbits. Any person, firm or corporation violating this chapter is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars ($300) and/or by imprisonment for a period not to exceed thirty (30) days.

C. Costs of enforcement action. In addition to costs and disbursements provided for by statute, the prevailing party in a collection action under this chapter may, in the court's discretion, be allowed interest and a reasonable attorney's fee.

6.40.070 Appeals – licensing denial, revocation or suspension.

Any person who has been denied licensing or has had their license revoked or suspended by the animal care and control authority may appeal under this section by filing an appeal consistent with the process outlined on the licensing denial, revocation or suspension notice.

6.40.080 Appeals – notice of violations.

Appeals of notice of violations must be made consistent with the process outlined on the notice of violation.

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ATTACHMENT B

SMC 3.01.012 Animal licensing and service fees.

Annual License	**2011 Fee**
Pet - Dog or Cat	
Unaltered	$60.00
Altered	$30.00
Juvenile pet	$15.00
Discounted pet	$15.00
Replacement tag	$5.00
Transfer fee	$3.00
License renewal late fee - received 45 to 90 days following license expiration	$15.00
License renewal late fee - received 90 to 135 days following license expiration	$20.00
License renewal late fee - received more than 135 days following license expiration	$30.00
License renewal late fee - received more than 365 days following license expiration	$30.00 plus license fee(s) for any year(s) that the pet was unlicensed
Service Animal Dogs and Cats and K-9 Police Dogs: *Service Animal Dogs and Cats and K-9 Police Dogs must be licensed, but there is no charge for the license.*	
Guard Dog	
Guard dog registration	$100.00
Animal Related Business	
Hobby kennel and hobby cattery	$50.00
Guard dog trainer	$50.00
Guard dog purveyor	$250.00
Guard Dog Purveyor: If the guard dog purveyor is in possession of a valid animal shelter, kennel or pet shop license, the fee for the guard dog purveyor license shall be reduced by the amount of the animal shelter, kennel or pet shop license.	
Fee Waiver: The Director of the animal care and control authority may waive or provide periods of amnesty for payment of outstanding licensing fees and late licensing penalty fees, in whole or in part, when to do so would further the goals of the animal care and control authority and be in the public interest. In determining whether a waiver should apply, the Director of the animal care and control authority must take into consideration the total amount of the fees charged as compared with the gravity of the violation and the effect on the owner, the animal's welfare and the animal care and control authority if the fee or fees or penalties are not waived and no payment is received.	