Ordinance No. 2316

(Amending or Repealing Ordinances)

CFN=175 – Business Licensing
CFN=122 – Police/Fire Departments
Passed 10/19/1981
Animal Control, Licensing, Regulation of shelters & Repealing of Ords. 1850, 1951, & 2136

Amended by Ord. 3429;3837;3844
Repealed by Ord. 3979 (except Secs. 8.03.090;8.03.210(2);8.03.210(3); 8.03.210(4)
Ordinance No. 2316

An ordinance of the City of Kent, Washington relating to animal control, providing for licensing of dogs and cats, regulation of animal shelters, kennels and pet shops and the licensing thereof, providing for impoundment, redemption and disposal of animals, declaring certain cats to be nuisances, providing penalties for violations, and repealing Ordinances 1850, 1951, and 2136.

Section 1. Purpose.

It is declared the public policy of the city to secure and maintain such levels of animal control as will protect human health and safety, and to the greatest degree practicable, prevent injury to property and cruelty to animal life. To this end, it is the purpose of this ordinance to provide a means of licensing dogs, cats, animal shelters, hobby kennels, kennels and pet shops and controlling errant animal behavior so that it shall not become a public nuisance and to prevent cruelty to animals.

Section 2. Definitions.

In construing the provisions of this ordinance except where otherwise plainly declared or clearly apparent from the context, words used herein shall be given their common and ordinary meaning; in addition, the following definitions shall apply:

(a) "Abatement" means the termination of any violation by reasonable and lawful means determined by the director in order that an owner or a person presumed to be the owner shall comply with this chapter.

(b) "Animal" means any living creature except persons, insects and worms.

(c) "Animal control authority" means the King County Animal Control Division, Department of General Services, acting alone or in concert with other municipalities for enforcement of animal control laws and the shelter and welfare of animals.

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

(e) "Director" means the individual in charge of and responsible for the King County Animal Control Division of the Department of General Services.

(f) "Domesticated animal" means any dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, sheep or hog, bird, or other animal made to be domestic.

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

(h) "Grooming parlor" means any place or establishment, public or private, where animals are bathed, clipped or combed, whether or not for compensation, for the purpose of enhancing their aesthetic value.

(i) "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult animals are bred and/or kept for hunting, training and exhibition for organized shows, field, working and/or obedience trials or for enjoyment of the species.

(j) "Kennel" means a place where four or more adult dogs or cats or any combination thereof are kept whether by owners of the dogs and cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic or pet shop. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.

(k) "Leash" shall include a cord, thong or chain not more than eight (8) feet in length by which an animal is controlled by the person accompanying it.

(l) "Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules and fowl.

(m) "Owner" Any person having an interest in or right of possession to an animal or any person having control, custody or possession of any animal, or who, by reason of the animal being seen residing consistently in a location, may presume to be the owner.

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

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

(p) "Pet Shop" means a person or establishment that acquires for the purpose of sale live animals, including birds, reptiles, fowl and fish, bred by others whether as owner-agent, or on consignment, and sells, or offers to sell such live animals, including birds, reptiles, fowl and fish, to the public or to retail outlets.

(q) "Restraint" means an animal is considered to be under restraint if it is maintained and remains within the property limits of its owner or keeper.

(r) "Running at large" means to be off the premises of the owner or on the premises of another without the written permission of the owner thereof and not on a leash and not under the control of the owner or competent person authorized by the owner.

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

(t) "Under control" means the animal is under control 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 the premises of the owner.

(u) "Vicious" means the propensity to do any act that might endanger the safety of any person, animal or property of another, including, but not limited to, a disposition to mischief or fierceness as might occasionally lead to attack on human beings without provocation, whether in play or outbreak of untrained nature.

Section 3. Licensing.

(a) License Requirements - All dogs and cats harbored, kept or maintained in City of Kent over four months of age shall be licensed and registered annually; provided, however, that dogs kept in kennels need not be licensed; as provided in Section 4, provided further, that this section shall not apply to dogs used by the Police Department for police work.

(b) Fees - Dog and cat licenses shall be issued by the animal control authority upon application and payment of an annual license fee made payable to the county treasurer. Said license fees shall be as established by the Animal Control Division, Department of General Services, King County. Residents sixty-five years of age or older shall be entitled to purchase a special permanent license for the lifetime of cats or dogs for which they are the registered owners when said animals are maintained at said owner's registered address. Eligible residents may purchase the special permanent animal licenses at a cost as established by the Animal Control Division, Department of General Services, King County, and they shall not be required to annually purchase a new license for the lifetime of such licensed animals; provided that no person shall be granted more than three permanent animal licenses for any combination of three cats and dogs for which they are the registered owner; provided further, that the animal control authority is authorized to enact the necessary rules and procedures to efficiently implement the program. The annual license fee shall become due and payable on April 1 of each year. Applications for a dog or cat license shall be on forms provided by the animal control authority. No proration of a license fee for a portion of the calendar year shall be made. All license tags issued herein shall be securely affixed to a substantial collar, harness or other means which shall be worn by the dog at all times. As an alternative to a license tag, an animal 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 control authority.
(c) Penalty - In addition to paying the appropriate license fee, a late penalty as established by the Animal Control Division, Department of General Services, King County, shall be charged on all applications received after April 30 of each year; provided, however, that no late penalty shall be charged if:

1. The owner submits proof of purchase of the animal within the preceding thirty days; or
2. The owner has moved into the city within the preceding thirty days; or
3. The animal had been under the age which requires a license (four months); or
4. The owner purchases the license(s) voluntarily, prior to in person or field contact by animal control personnel; or
5. The owner submits other proof deemed acceptable in the department's rules and regulations.

(d) Fees Collected - All fees and fines collected under this chapter shall be deposited in the county current expense fund.

(e) Nonapplicability - The provisions of 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 for a period not exceeding thirty days.

Section 4.

A. Animal, Shelter, Kennel and Pet Shop License - Required.

It is unlawful for any person to keep or maintain any animal shelter, kennel or pet shop within the City of Kent without first obtaining a valid and subsisting license therefor. The fee for such license shall be as established by the Animal Control Division, Department of General Services, King County. Each license and certificate of inspection issued pursuant to this chapter shall be conspicuously displayed at the establishment to which such license was issued. The license shall be dated and numbered and shall bear the name of King County, Washington, and the name and address of the owner or keeper of the establishment, and the expiration date of the license. The license shall run for a period of one year from the date of purchase.

B. Animal Shelter and Kennel License - Compliance With Local Zone and Health Regulations.

1. Zoning Compliance. The applicant for an original animal shelter, kennel, or pet shop license shall, prior to issuance of the animal shelter, pet shop, or kennel license, present to the animal control authority a Zoning Permit from the City Planning Department.

2. Health Inspection. Before an animal shelter, kennel or pet shop license may be issued by the animal control authority, a certificate of inspection from the Seattle-King County Health Department or King
County Animal Control Division must be issued showing that the animal shelter, kennel, or pet shop is in compliance with hygienic standards of this ordinance or other applicable ordinances or regulations.

C. Hobby Kennel License - Required.

(1) License Required. It is unlawful for any person to keep and maintain any dog or cat within the city for the purposes of a hobby kennel without obtaining a valid and subsisting license therefor. The fee for such license shall be established by the Animal Control Division, Department of General Services, King County.

(2) Limitation of Number of Dogs and Cats Allowed. The total number of dogs and cats over four months of age kept by a hobby kennel shall not exceed the total number authorized by the King County Animal Control Division based on the following guidelines:

(a) The number of animals permitted shall be established by the King County Animal Control Division based on such factors as animal size, type and characteristics of the breed and the amount of lot area; provided, that the maximum number shall not exceed twenty-five where the lot area contains five acres or more; the maximum number shall not exceed ten where the lot area contains thirty-five thousand square feet but less than five acres and the maximum number shall not exceed five where the lot area is less than thirty-five thousand square feet.

(b) All open run areas shall be completely surrounded by a six-foot fence set back at least twenty feet from all property lines.

(c) No commercial signs or other appurtenances advertising the kennel are permitted on the property.

(d) The Director may require additional setback, fencing, screening, or soundproofing requirements as he/she deems necessary to insure the compatibility of the hobby kennel with surrounding development.

(e) The hobby kennel shall limit dog and cat reproduction to no more than twelve offspring per license year.

(f) Each animal in the hobby kennel shall have current and proper immunization from disease according to the animal's species and age. For dogs such shall consist, as a minimum, of DHL inoculation for dogs over three months of age and rabies inoculations for those over six months of age.

D. Animal Shelters, Kennels and Pet Shops - Reporting Required.

Each animal shelter, kennel or pet shop shall provide a list to the animal control authority, quarterly, based upon the calendar year, of all dogs and cats auctioned off, given away, sold or otherwise disposed of. The list shall include the origin, the age and type of dog or cat, and the name and address of the person to whom the dog or cat was
given or purveyed.

E. Animal Shelters, Kennels and Pet Shops - Inspection.

(1) Inspection. It shall be the duty of the director or his/her designee, of the Seattle-King County Department of Public Health or the animal control authority to make or cause to be made such inspections as may be necessary to insure compliance with other applicable sections of this ordinance. The owner or keeper of an animal shelter, kennel 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 control authority at any reasonable time that admission is requested.

(2) Unsanitary Conditions Unlawful. It is unlawful to keep, use or maintain within the city any animal shelter, kennel or pet shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health and/or safety and not in compliance herewith. Failure to comply with this section may be cause for revocation or denial of a license to use, keep or maintain such animal shelter, kennel or pet shop.

F. Animal Shelters, Kennels and Pet Shops - Conditions.

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

(1) Housing facilities shall be provided the animals and such shall be structurally sound and shall be 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.

(2) 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.

(3) 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.

(4) 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.

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

(6) 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 prevent contaminating well animals.

(7) There shall be an employee on duty at all times during hours any shelter, kennel or pet shop is open.

(8) An employee or owner shall come in to feed, water and do the necessary cleaning of animals and birds on days the shelter, kennel or pet shop is closed.

(9) No person shall knowingly sell a sick or injured animal or bird.

(10) No person shall misrepresent an animal or bird to a consumer in any way.


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

(1) Be sufficiently heated or cooled to protect such animals from temperatures to which they are not normally acclimatized;

(2) 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;

(3) 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.

(4) 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;

(5) 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 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) Shall conform with all applicable development standards of the Kent Zoning Code.


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

(1) 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;

(2) 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;

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

Grooming Parlors - License Required. It is unlawful for any person to keep or maintain any grooming parlor without first obtaining a valid and subsisting license therefor. The fee for such license shall be as established by the Animal Control Division, Department of General Services, King County. However, if the grooming parlor is operated as a part of the business of a kennel, or a pet shop, the fee shall be as established by the Animal Control Division, Department of General Services, King County. Such fee shall be in addition to the fee established for a kennel, or pet shop license.

(4) Shall conform with all applicable development standards of the Kent Zoning Code.

I. Grooming Parlors - Conditions.

Grooming parlors shall:

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

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

(3) Sterilize all equipment after each dog or cat has been groomed;

(4) Not leave animals unattended before a dryer;

(5) Not prescribe nor administer treatment or medicine that is the province of a licensed veterinarian as provided in RCW 18.92.010;

(6) Not put more than one animal in each cage;

(7) Have floors and walls in rooms, pens and cages used to retain animals or in areas where animals are clipped, groomed or treated constructed of water impervious material that can readily be cleaned, and which must be maintained in good repair;
(8) Have hot and cold water be conveniently available and a large sink or tub provided (minimum size twenty-four inches by eighteen inches by twelve inches);

(9) Have toilet and handwashing facilities with hot and cold running water conveniently available for personnel employed;

(10) Have only equipment necessary to the operation of the licensed establishment kept or stored on the premises which shall only be stored in a sanitary or orderly manner;

(11) Have all cages, pens, or kennels used for holding animals kept in a clean and sanitary condition and disinfected on a routine bases.

(12) Comply with all applicable development standards of the Kent Zoning Code.


The director 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, pet shops, and grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners. Such rules and regulations shall be enacted in accordance with county procedures for adopting such rules and regulations. Licenses, registration - Revocation, suspension or refusal to renew. The animal control authority may, in addition to other penalties provided in this title, revoke, suspend or refuse to renew any animal shelter, hobby kennel, kennel, grooming parlor, pet shop, guard dog purveyor, guard dog trainer license or guard dog registration upon good cause or for failure to comply with any provision of this title; provided, however, enforcement of such revocation, suspension or refusal shall be stayed during the pendency of an appeal filed pursuant to Section (appropriate).

K. Licenses, Registration - Revocation or Refusal Waiting Period.

No applicant shall be issued an animal shelter, hobby kennel, kennel, grooming parlor, pet shop, guard dog purveyor, guard dog trainer license or guard dog registration who has previously had such license or registration revoked or a renewal refused, for a period of one year after the date of revocation or refusal and until such applicant meets the requirements contained herein to the satisfaction of the animal control authority.

Section 5. Enforcement Power Enforcement Penalties and Procedures

A. Enforcement power.

(1) The director and his/her authorized animal control officers are authorized to take such lawful action as may be required to enforce the provisions of this ordinance and the laws of the State of Washington as they pertain to animal cruelty, shelter, welfare and enforcement of control.

(2) The director or his authorized animal control officer
shall not enter a building designated for and used for private purposes, unless a proper warrant has first been issued upon a showing that the officer has reasonable cause to believe an animal is being maintained in the building in violation of this chapter. Provided, however, that the director of the animal control authority and his/her authorized animal control officers, while pursuing or observing any animal in violation of this chapter, may enter upon any public or private property, except any building designated for and used for private purposes, for the purpose of abating the animal violation being pursued or observed.

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

B. Violations:

(1) Violations Deemed Nuisance - Abatement. All violations of this chapter are detrimental to the public health, safety, and welfare and are public nuisances. All conditions which are determined after review by the director to be in violation of this chapter shall be abated.

(2) Violations - Misdemeanor - Penalty. Any person who allows an animal to be maintained in violation of this chapter is guilty of a misdemeanor punishable by fine of not more than two hundred fifty dollars and/or imprisonment for a term not to exceed ninety days.

(3) Violations - Civil Penalty. In addition to or as an alternate to any other penalty provided in this chapter or by law, any person whose animal is maintained in violation of this chapter shall incur a civil penalty plus billable costs of the animal control authority. The penalty for the first notice of violation shall be twenty-five dollars; fifty dollars for the second notice of violation in any one-year period; and one hundred dollars for each successive violation in any one-year period.

C. Impounding.

(1) The director and his/her authorized representative may apprehend any animals found doing any of the acts defined as a public nuisance and/or being subjected to cruel treatment as defined by law. After such animals are apprehended, the animal control authority shall ascertain whether they are licensed or otherwise identifiable and if reasonably possible, return the animal to the owner together with a notice of violation of this chapter, and if it is not reasonably possible to immediately return the animal to its owner, the animal control authority shall notify the owner within a reasonable time by certified mail or telephone that the animal has been impounded and may be redeemed. Any animal impounded pursuant to this chapter shall be held for the owner at least seventy-two hours, after his receipt of notification
by certified mail or by telephone from the impounding agency; provided that any animal sold to a research institute pursuant to this chapter shall be held for an additional one hundred twenty hours over and above the required seventy-two hours specified; provided further, that any animal sold to a licensed dealer, pursuant to this chapter, may be released to the licensed dealer following custody of the animal by the Animal Control Division for a period of seventy-two hours; provided further, that it is the responsibility of the Animal Control Division to monitor and insure that the licensed dealer will hold the animal for an additional one hundred twenty hours prior to the sale of the animal to a research institute; provided further, that any owner may redeem an animal in the custody of a licensed dealer by complying with the fees and redemption procedure of the Animal Control Division, and Animal Control Division shall return all fees paid by the licensed dealer, and the sale of the animal shall be declared null and void; provided further, that the advisory board may make recommendations to the Animal Control Division which shall, by administrative rule, set the sales price of animals to be sold to licensed dealers and research institutes; provided further, that the Animal Control Division shall, by administrative rule, through required contract provisions, insure that licensed dealers do not sell county purchased animals to research institutes at a rate in excess of that paid by research institutes purchasing animals directly from the Animal Control Division. Any animal suffering from serious injury or disease may be humanely destroyed, or, in the discretion of the impounding authority, may be held for a longer period and redeemed by any person on payment of charges not exceeding those prescribed herein.

(2) Any animal not redeemed shall be treated in one of the following ways:

(a) Humanely destroyed by euthanasia.

(b) Sold to a dealer licensed pursuant to 7 U.S.C. 2131 et seq., as now or hereafter amended; provided, however, that said dealer shall comply with the following requirements:

(1) Animals purchased from the county shall be sold only to research laboratories located in the state of Washington licensed pursuant to 7 U.S.C. 2131 et seq., accredited under the American Association for Accreditation of Laboratory Animal Care, or to state or federal research laboratories exempted from the provisions of 7 U.S.C. 2131 et seq.

(2) All animals purchased from the county shall be identified by breed, color, age, and any other information deemed necessary for a reliable identification of the animal.

(3) Provide evidence to the county that each animal purchased from the county was sold to a research laboratory fully licensed, accredited or exempted in the manner described in subsection 1 of this section.

(4) No animal bearing a tattoo identification,
affixed in a manner as prescribed in Section 3 (b), shall be sold to a licensed dealer or research medical institute, without the written permission of the registered owner provided such owner can be located.

(c) Sold to a research laboratory licensed pursuant to 7 U.S.C. 2131 et seq., accredited under the American Association for Accreditation of Laboratory Animal Care, or exempted from the provisions of 7 U.S.C. 2131 et seq., provided, however, that said research laboratory shall comply with the following requirements:

1. All animals purchased from the county by said research laboratory shall be identified by breed, color, age, and any other information deemed necessary for a reliable identification of the animal.

2. Provide evidence to the county as to each animal's disposition or use by the research laboratory.

3. Be available, at all reasonable times, for inspection by the King County Animal Control Division. Such inspections shall be performed in the same manner as inspections performed under Sections (appropriate).

4. Shall be physically located within the state of Washington.

5. No animal bearing a tattoo identification, affixed in a manner as prescribed in Section 2 (b) shall be sold to a licensed dealer or research medical institute, as defined in this chapter, without the written permission of the registered owner.

(d) Made available for adoption. The owner of any animal impounded pursuant to the provisions contained in this chapter may recover said animal or animals when all billable costs, redemption fees, penalties, and boarding costs incurred in such impoundment have been paid to the county comptroller, which payment may be accepted by the animal control authority acting as agent for the county.

3. The advisory board for the sale of animals, previously authorized by King County Ordinance, is hereby recognized to the same extent and for the same purpose for which it was authorized. The advisory board shall be empowered to conduct such inspections of facilities receiving animals under this section, as are necessary to insure that animals are treated humanely. The board shall have the authority to prohibit the sale of any animal to any dealer or research center when it has found that any such dealer or research center is not treating animals purchased from the Animal Control Division humanely.

4. A copy of all reports and records required to be filed by dealers or research laboratories pursuant to any state or federal law shall be filed with the director of animal control and all such records shall be public and available for inspection at any reasonable time.
during normal county working hours.

All records required to be filed pursuant to this chapter shall also be public and shall be available for inspection by any interested person at any reasonable time during normal county working hours.

5. No licensed animal shall be made available for research unless written permission is received from said animal's owners. Further, no animal conveyed to the division by its owner shall be made available for research without written permission unless and until all reasonable efforts to locate the owner have failed.

D. Additional Enforcement. Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin acts or practices and abate any conditions which constitute a violation of this chapter or other regulations herein adopted.

Section 6. Nuisances Defined.

For purposes of this chapter, violations of this chapter are nuisances and shall include but not be limited to the following:

(a) Any public nuisance relating to animal control known at common law or in equity jurisprudence;

(b) Animals, (excluding household pets, such as dogs and cats) particularly horses, mules, rabbits, bovine animals, lambs, goats, sheep, birds, hogs, chickens or other animals made to be domestic, being kept in residential districts on lots of less than twenty thousand (20,000) square feet.

(c) A dog running at large within the city.

(d) Any domesticated animal, whether licensed or not, which runs at large in any park, or enters any public beach, pond, fountain, or stream therein, or upon any public playground or school ground; provided, however, that this section shall not prohibit a person from walking or exercising an animal in a public park or on any public beach when such animal is on a leash, tether or chain not to exceed eight feet in length. Provided, however, that this section shall not apply to any blind person using a trained seeing-eye dog; to animal shows, exhibitions or organized dog training classes where at least twenty-four hours advance notice has been given to the animal control authority, by such persons requesting to hold such animal shows, exhibitions or dog training classes;

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

(f) A female domesticated animal whether licensed or not, while in heat, accessible to other animals for purposes other than controlled and planned breeding;
(g) Any domesticated animal which chases, runs after, or jumps at vehicles using the public streets and alleys;

(h) Any domesticated animal which habitually snaps, growls, snarls, jumps upon or otherwise threatens persons lawfully using the public sidewalks, streets, alleys, or other public ways;

(i) Any animal which has exhibited vicious propensities and which constitutes a danger to the safety of persons or property off his premises or lawfully on his premises;

(j) A vicious animal or animal with vicious propensities which runs at large at any time, or which is off the owner's premises not securely leashed and in the control of a person of suitable age and discretion to control or restrain such animal;

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

(l) Any domesticated animal which enters upon another person's property without the permission of that person;

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

(n) Animals on any public property not under control by the owner or other competent person;

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

(p) Animals running in packs.

Section 7. Unlawful Acts against police department dogs - Penalty for Violation.

(a) 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.

(b) Any person who violates subsection (a) of this section shall be deemed guilty of a misdemeanor, punishable by not more than ninety days in jail or not more than two hundred fifty dollar fine, or both.


It is unlawful for any person to:

(a) Willfully and cruelly injure or kill any animal by any means causing it fright or pain;

(b) By reason of neglect or intent to cause or allow any animal to endure pain, suffering or injury or to fail or neglect to aid or attempt alleviation of pain, suffering or injury he has so caused to any animal;
(c) Lay out or expose any kind of poison, or to leave exposed any poison food or drink for man, animal or fowl, or any substance or fluid whatever whereon or wherein there is or shall be deposited or mingled, any kind of poison or poisonous or deadly substance or fluid whatever, on any premises, or in any uninclosed place or to aid or abet any person in so doing, unless in accordance with the provisions of RCW 16.52.190;

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

Section 9. Violations - Notice and Order.

(a) Whenever the director or authorized animal control officer has found an animal maintained in violation of this chapter, the director of the animal control authority shall commence proceedings to cause the abatement of each violation.

(b) The director or authorized animal control officer shall issue a notice and order directed to the owner or the person presumed to be the owner of the animal maintained in violation of this chapter. The notice and order shall contain:

(1) The name and address, if known, of the owner or person presumed to be the owner of the animal in violation of this chapter;

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

(3) A statement that the director or authorized animal control officer has found the animal maintained illegally together with a brief and concise description of the conditions found to render the animal in violation of this chapter;

(4) A statement of the action required to be taken as determined by the director of the animal control authority.

(a) If the director has determined that abatement is necessary, an order shall require the abatement shall be completed within a certain time from the date of the order, as determined by the director to be reasonable,

(b) If the director of the animal control authority has determined to assess a civil penalty, the order shall require that the penalty shall be paid within fourteen days from the date of the order;

(5) Statements advising that if any required abatement is not commenced within the time specified, the director of the animal control authority will 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 and order or any action of the director of the animal control authority to the board of appeals, provided the appeal is made in writing as provided by this chapter, and filed with the director of the animal control authority within fourteen days from the date of service of such notice and order, and

(b) That failure to appeal will constitute 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 and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to the person at his address as it appears on the last equalized assessment roll of the county.

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

f. The standards of this chapter shall be followed by the director of the animal control authority in determining the existence of an animal control violation and in determining the abatement action required.

Section 10. Appeals.

(a) Appeals. The King County Board of Appeals as established by Article 7 of the King County Chapter is designated to hear appeals by parties aggrieved by actions of the director of the animal control authority pursuant to this chapter. The board may adopt reasonable rules or regulations for conducting its business. Copies of all rules and regulations adopted by the board shall be delivered to the director of the animal control authority who shall make them freely accessible to the public. All decisions and findings of the board shall be rendered to the appellant in writing with a copy to the director of the animal control authority.

(b) Form of Appeal. Any person entitled to service under Section 9 may appeal from any notice and order or any action of the director of the animal control authority under this chapter by filing at the office of the director of the animal control authority within fourteen days from the date of the service of such order, a written appeal containing:

(1) A heading in the words: "Before the Board of Appeals of the County of King";

(2) A caption reading: "Appeal of.........giving the names of all appellants participating in the appeal.

(3) A brief statement setting forth the legal interest of each of the appellants in the animal
involved in the notice and order;

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

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

(6) The signatures of all parties names as appellants, and their official mailing addresses;

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

C. Scheduling and Noticing Appeal. The board of appeals shall set a time and place, not more than thirty days from such notice of appeal for hearing thereon. Written notice of the time and place of hearing shall be given at least ten days prior to the date of the hearing to each appellant by the manager-clerk of the board.

D. At the hearing, the appellant shall be entitled to appear in person and be represented by counsel and offer such evidence pertinent and material to the action of the director. Only those matters or issues specifically raised by the appellant in the written notice of appeal shall be considered.

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

F. Enforcement of any notice and order of the director of the animal control authority issued under this chapter shall be stayed during the pending of an appeal, except impoundment of an animal which is vicious or cruelly treated.

G. In the event that procedures for appeals adopted by the Board of Appeals are different than those set forth herein, the procedures of the Board of Appeals shall control.

Redemption Procedures.

Any animal impounded pursuant to the provisions of Section (appropriate) may be redeemed upon payment of the redemption fee as provided herein. The redemption fee for dogs and cats shall be an amount as established by the Animal Control Division, Department of General Services, King County for each such dog or cat, plus an additional fee of an amount as established by the Animal Control Division, Department of General Services, King County for each twenty-four-hour period, or portion thereof, during which such dog or cat is retained by the impounding agency and shall be made payable to the county comptroller. The redemption fee for livestock shall be an amount as established by the Animal Control Division, Department of General Services, King County per animal. Livestock not redeemed may be sold at public auction by the impounding agency. The boarding cost for livestock impounded shall be in accordance with the rate established by contract between county and the given stock yard used for holding such.
animal.

Nuisances - Removal.

(1) Any animal constituting a public nuisance as provided herein shall be abated and removed from the city by the owner or by the director of the animal control authority, upon receipt of three notices and orders of violation by the owner in any one-year period. Where it is established by record pursuant to 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 director of the animal control authority shall notify and direct the owner of the animal to abate or remove the same from the city within ninety-six hours from the date of notice. If such animal is found to be within the confines of the City of Kent after ninety-six hours have elapsed from the date of notice, the same shall be abated and removed by the director of the animal control authority. Animals removed pursuant to the provisions of this section shall be removed from the City of Kent or be subjected to euthanasia by the animal control authority.

(2) Any dog or other animal which 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 Kent forty-eight hours after receiving written notice from the director. Such animal or animals found in violation of this section will be impounded and disposed of as an unredeemed animal, and the owner or keeper of such animal(s) has no right to redeem such dog or animal.

Civil penalty and abatement costs - Liability of owner. The civil penalty and the cost of abatement are also personal obligations of the animal owner. The prosecuting attorney on behalf of King County may collect the civil penalty and the abatement work costs by use of all appropriate legal remedies.

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. The prosecuting attorney shall seek such costs, interest, and reasonable attorney's fees on behalf of King County when the county is the prevailing party.

Section 11. Poisonous Snakes and Reptiles.

It shall be unlawful to keep or harbor any poisonous or constrictor snake and/or any poisonous reptiles within the City of Kent. This section shall not apply to zoological parks, performing animal exhibitions, circuses, or pet shops licensed by the City of Kent.

Section 12.

This Ordinance shall constitute a new Section of the Kent Municipal Code and may be coded as Section 9.02 of said Code.

Section 13. Conflict with Other Ordinances or Codes

In the event that the provisions of this ordinance conflict with the provisions of any other ordinances or codes of the City, then in that event the provisions of this ordinance shall
supercede any such provisions in conflict herewith.

Section 14.

Ordinance 1850, 1951 and 2136 of the City of Kent be and the same are hereby repealed.

Section 15.

This Ordinance shall take effect and be in force five days after its passage, approval and publication, as provided by law.

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 19 day of October, 1981.

APPROVED the 23 day of October, 1981.

PUBLISHED the 28 day of October, 1981.

I hereby certify that this is a true copy of Ordinance No. 2316, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK