Ordinance No. 3156

(Amending or Repealing Ordinances)

CFN=175 – Business Licenses
Passed 2/15/1994
Animal Control

Amended by Ord. 3429;3837;3844
Repealed by Ord. 3979 (except Secs. 8.03.020;8.03.090;8.03.210(2); 8.03.210(3);8.03.210(4)
ORDINANCE NO. 3156

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 8.03 of the Kent City Code to reflect changes in licensing, late penalties, impound, redemption, and sheltering fees as required by Interlocal Agreement with King County, and repealing Section 8.03.310(C) and (D) regarding impound procedures and repealing Section 8.03.320(2)(a)-(e) prohibiting the sale of animals to research facilities.

WHEREAS, the City of Kent contracts with King County's Licensing and Regulatory Services Division for animal control services pursuant to the Interlocal Cooperation Act, RCW 39.34; and

WHEREAS, the County is authorized by Section 120 of the King County Charter and King County Code 11.02.030 to render such services and is agreeable to rendering such services on the terms and conditions set forth by Interlocal Agreement and in consideration of payment, mutual covenants and agreements set forth therein; and

WHEREAS, the parties wish to renew their agreement for animal control services through December 31, 1996; and

WHEREAS, the City has agreed to adopt regulations consistent with the licensing, late penalties, impound redemption
and sheltering fees as set forth in King County's licensing regulations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 8.03 of the Kent City Code is hereby amended as follows:

CHAPTER 8.03. ANIMAL CONTROL

Sec. 8.03.010. 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 chapter 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.

Sec. 8.03.020. Intent.

It is the city council's intent that the regulation and control of potentially dangerous or dangerous dogs as defined in RCW 16.08.070 should apply in the city through enforcement by the city's interlocal agreement with King County. It is the city council's further intent that the enforcement standards as provided for in RCW 16.08.070 et seq. should control over any other local standard of enforcement for such dangerous or potentially dangerous dogs as provided for in this chapter.
Sec. 8.03.030. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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.

Animal means any living creature except persons, insects and worms.

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.

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 chapter 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.

Animal Rescuer means any individual who routinely obtains an unwanted dog or cat or who locates within 90 days an adoptive home for that spayed or neutered dog or cat provided, however, an interim, administrative extension may be granted by the animal control authority for a maximum of six months if a dog or cat is pregnant, nursing, or injured and that condition is verified by a veterinarian.
Cattery means a place where four or more adult cats are kept, whether by owners of the cats or by persons providing facilities and care, whether or not for compensation, but not including small animal hospital, clinic or pet shop. An adult cat is one of either sex, altered or unaltered, that has reached an age of six months.

Dangerous dog means that term as defined by RCW 16.08.070, and sections 8.03.220 through 8.03.250.

Director means the individual in charge of and responsible for the King County animal control division of the department of general services.

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.

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.

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.

Harboring, keeping, or maintaining a dog or cat means performing any of the acts of providing care, shelter, protection, refuge, food, or nourishment in such manner as to control the animals actions, or, that the animal(s) is treated as living at one's house by the homeowner.

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 provided, however, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed under Title 15 of the Kent City Code.

Hobby kennel means a noncommercial kennel at or adjoining a private residence where four (4) 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.

Juvenile means any dog or cat, altered or unaltered, that is under the age of six months.

Kennel means a place where four (4) 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 (4) six (6) months.

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.

Livestock means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules and fowl.

Owner means 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, and includes the definition as provided in RCW 16.08.070.

Pack of dogs means a group of three (3) 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.

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

**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.

**Potentially dangerous dog** means that term as defined in RCW 16.08.070 and sections 8.03.220 through 8.03.250 of this Code.

**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.

**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.

**Service Animal** means any animal which is trained or being trained to aid a person who is blind, hearing impaired, or otherwise disabled and is used for that purpose and is registered with a recognized service animal organization.

**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.

*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.

*Vicious* means actions of animals, other than a dangerous dog or potentially dangerous dog, with the propensity to do any act that might endanger the safety of any person, animal, 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.

**Sec. 8.03.040. License--Required.**

A. **Requirements.** All dogs and cats harbored, kept or maintained in city over four (4) months weeks of age shall be licensed and registered annually; provided, that an altered two year license may be purchased; provided, further, that dogs kept in kennels need not be licensed, except as provided in section 8.03.080. This section shall not apply to dogs used by the police department for police work.

B. **Identification tags, tattoos.** All license tags issued as provided in section 8.03.050 shall be securely fixed 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.
Sec. 8.03.050. Same--License--Fees.

A. Dog and cat licenses shall be issued by the animal control authority upon application and payment of an annual license fee to the county treasurer. Such license fees shall be as established by the animal control division, department of general services, King County.

B. Residents sixty-five (65) years of age or older shall be entitled to purchase a special permanent license for the lifetime of cats or dogs which are neutered or spayed for which they are the registered owners when the animals are maintained at their 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 purchase a new license annually for the lifetime of such licensed animals.

C. No person shall be granted more than three (3) special permanent animal licenses for any combination of three (3) cats and dogs for which such person is the registered owner.

D. 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 first of each year. Pet licenses for unaltered dogs and cats will be valid for a term of one year from the date of issuance, expiring on the last day of the twelfth month. Pet licenses for altered dogs and cats will be valid for two years. Applications for dog or cat licenses 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. Renewal licenses will retain the original expiration period whether renewed prior to, on, or after their respective renewal month.
E. An annual fee shall be paid by owners of dangerous or potentially dangerous dogs as provided in section 8.03.230.

F. All fees and fines collected under this chapter shall be deposited in the county current expense fund.

G. Juvenile licenses must be obtained for pets from four weeks to six months of age.

H. Owners of dogs and/or cats which hold valid licenses from other jurisdictions and who move into King County may transfer the license by paying a transfer fee. Such license shall maintain the original expiration date.

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

Sec. 8.03.060. Same—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 thirty days after the date of renewal April thirtieth 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 (30) days;
2. The owner has moved into the city within the preceding thirty (30) days;
3. The animal had been under the age which requires a license (four (4) months weeks);
4. The owner purchases the license 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.

Sec. 8.03.070. Same—Nonapplicability.

The provisions of sections 8.03.040—8.03.060 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 (30) days.

Sec. 8.03.080. Animal shelter, kennel, grooming parlor, cattery, hobby kennel, and pet shop license—Required.

It is unlawful for any person to keep or maintain any animal shelter, kennel, grooming parlor, cattery, hobby kennel, or pet shop within the city without first obtaining a license. 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, 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 (1) year from the date of purchase.

Sec. 8.03.090. Same—Compliance with local zone and health regulations.

A. Zoning compliance. The applicant for an original animal shelter, kennel, grooming parlor, cattery, hobby kennel, or pet shop license shall, prior to issuance of such license the animal shelter, pet shop, or kennel license, present to the
animal control authority a any required zoning permit from the city planning department.

B. Health inspection. Before an animal shelter, kennel, grooming parlor, cattery, hobby 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, grooming parlor, cattery, hobby kennel, or pet shop is in compliance with hygienic standards of this chapter or other applicable ordinances or regulations.

Sec. 8.03.100. Same--Reporting required.

Each animal shelter, kennel, grooming parlor, cattery, hobby 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, 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.

Sec. 8.03.110. Same--Inspection.

It shall be the duty of the director, or his 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 chapter. The owner or keeper of an animal shelter, kennel, grooming parlor, cattery, hobby 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.

Sec. 8.03.120. Same—Unsanitary conditions unlawful.

It is unlawful to keep, use or maintain within the city any animal shelter, kennel, grooming parlor, cattery, hobby 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 section 8.03.110 and this section may be cause for revocation or denial of a license to use, keep or maintain such animal shelter, kennel, grooming parlor, cattery, hobby kennel, or pet shop.

Sec. 8.03.130. Same—Conditions.

Animal shelters, kennels, grooming parlor, cattery, hobby kennel, and pet shops shall meet the following conditions:

1. Housing facilities shall be provided the animals and such shall be structurally sound and shall:
   a. Be maintained in good repair;
   b. Be designed so as to protect the animals from injury;
   c. Contain the animals; and
   d. 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, 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 healthy animals.

7. There shall be an employee on duty at all times during hours any shelter, kennel, grooming parlor, cattery, hobby 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, grooming parlor, cattery, hobby 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.
Sec. 8.03.140. Same—Indoor facilities.

Animal shelters, kennels, grooming parlor, cattery, hobby kennel, 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 (3) 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. 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. Conform with all applicable development standards of title 15, zoning.

Sec. 8.03.150. Same—Outdoor facilities.

Animal shelters, kennels, grooming parlor, cattery, hobby kennel, 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 the entrance of other animals.

4. Shall conform with all applicable development standards of title 15, zoning.
Sec. 8.03.160. Hobby kennel license--Required.

A. 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.

B. Limitation of number of dogs and cats allowed. The total number of dogs and cats over four (4) 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:

1. 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 whether the amount of lot area contains five (5) acres or more; the maximum number of animals shall not exceed ten (10) where the lot area contains thirty-five thousand (35,000) square feet but less than five (5) acres and the maximum number shall not exceed five (5) where the lot area is less than thirty-five thousand (35,000) square feet.

2. All open run areas shall be completely surrounded by a six-foot fence set back at least twenty (20) feet from all property lines.

3. No commercial signs or other appurtenances advertising the kennel are permitted on the property.

4. The director may require additional setback, fencing, screening, or soundproofing requirements as deemed necessary to insure the compatibility of the hobby kennel with surrounding development.
5. The hobby kennel shall limit dog and cat reproduction to no more than twelve (12) offspring per license year.

6. 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 (3) months of age and rabies inoculations for those over six (6) months of age.

Sec. 8.03.170. 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.

Sec. 8.03.180. Same--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. Neither 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 (1) 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 conveniently available and a large sink or tub provided (minimum size twenty-four (24) inches by eighteen (18) inches by twelve (12) inches).

9. Have toilet and hand washing 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 basis.

12. Comply with all applicable development standards of title 15, zoning.

Sec. 8.03.190. Animal shelters, catteries, hobby kennels, kennels, pet shops, grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners--Additional conditions.

A. 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, catteries, 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.

B. The animal control authority may, in addition to other penalties provided in this chapter, revoke, suspend or refuse to renew any animal shelter, cattery, 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 chapter, provided, however, enforcement of such revocation, suspension or refusal shall be stayed during the pendency of an appeal filed pursuant to section 8.03.370.

Sec. 8.03.200. Same--Licenses, registration--Revocation, suspension, refusal to renew, or refusal--Waiting period.

A. The animal control authority may, in addition to other penalties provided in this title, revoke, suspend, or refuse to renew any animal shelter, cattery, 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.

B. No applicant shall be issued an animal shelter, cattery, 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 (1) year after the date of revocation or refusal and until such applicant meets the requirements contained in this chapter to the satisfaction of the animal control authority.
Sec. 8.03.210. Animal nuisances defined.

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

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

2. Animals, excluding household pets, such as dogs and cats, but 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.

3. A dog, whether or not dangerous or potentially dangerous as defined by RCW 16.08.070, running at large within the city.

4. 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 (8) feet in length. 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 (24) 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. In the case of potentially dangerous dogs as defined and regulated in section 8.03.030 and sections 8.03.220 through 8.03.250, the provisions of sections 8.03.220 through 8.03.250 shall apply to the leashing, muzzling, and restraint of such animals in public.
5. Any animal which enters any place where food is stored, prepared, served or sold to the public or any other public building or hall. However, 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 (24) hours' advance notice has been given to the animal control authority, but such persons requesting to hold such animal shows, exhibitions or dog-training classes.

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

7. Any domesticated animal which chases, runs after, or jumps at vehicles using the public streets and alleys.

8. 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.

9. Any animal, other than a dangerous dog or potentially dangerous dog as defined by RCW 16.08.070 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.

10. A vicious animal or animal with vicious propensities, other than a dangerous dog or potentially dangerous dog as defined by RCW 16.08.070, 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.
11. 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.

12. Any domesticated animal which enters upon another person's property without the permission of that person.

13. Animals staked, tethered, or kept on public property without prior written consent of the county animal control authority.

14. Animals on any public property not under control by the owner or other competent person.

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


Sec. 8.03.220. Dangerous and potentially dangerous dogs--Defined; ownership requirements.

A. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal control authority means an entity acting alone or in concert with other local governmental units for enforcement of the animal control laws of the city, county, and state and the shelter and welfare of animals.

Animal control officer means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals, and includes any state or local law enforcement officer.
or other employee who duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

**Dangerous dog** means any dog that according to the records of the appropriate authority:

1. Has inflicted severe injury on a human being without provocation on public or private property;
2. Has killed a domestic animal without provocation while off the owner's property; or
3. Has been previously found to be potentially dangerous, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

**Owner** means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal.

**Potentially dangerous dog** means any dog that when unprovoked:

1. Inflicts bites on a human or a domestic animal either on public or private property; or
2. Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, or to cause injury or otherwise to threaten the safety of humans or domestic animals.

**Proper enclosure of a dangerous dog** means, while on the owner's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or
structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.

Severe injury means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

B. Ownership requirements.

1. It is unlawful for an owner to have a dangerous dog in the city without a certificate of registration issued under this section. Sections 8.03.220 through 8.03.250 shall not apply to dogs used by law enforcement official for police work.

2. The animal control authority of the city shall issue a certificate of registration to the owner of a dangerous dog if the owner presents to the animal control unit sufficient evidence of:

   a. A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog;

   b. A surety bond issued by a surety insurer qualified under RCW ch. 48.28 in a form acceptable to the animal control authority in the sum of at least fifty thousand dollars ($50,000.00), payable to any person injured by the vicious dog; or

   c. A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under RCW Title 48 in the amount of at least fifty thousand dollars ($50,000.00), insuring the owner for any personal injuries inflicted by the dangerous dog.
Sec. 8.03.230. Same—Registration, fee.

A. The owner of a dangerous dog or potentially dangerous dog shall obtain a certificate of registration from the city's animal control authority.

B. An annual fee in the amount of one hundred dollars ($100.00) shall be paid by an owner of a dangerous or potentially dangerous dog to the animal control authority upon application to register dangerous dogs. The payment of this annual license fee to the county treasurer is in addition to regular dog licensing fees.

Sec. 8.03.240. Same—Unlawful activities.

A. It is unlawful for an owner of a dangerous or potentially dangerous dog to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

B. Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

Sec. 8.03.250. Same—Confiscation and penalties.

A. Any dangerous dog shall be immediately confiscated by the animal control authority if:
1. The dog is not validly registered under section 8.03.220.

2. The owner does not secure the liability insurance coverage required under section 8.03.220.

3. The dog is not maintained in the proper enclosure.

4. The dog is outside of the dwelling of the owner, or outside of the proper enclosure and not under physical restraint of the responsible person.

B. In addition to the above, the owner shall be guilty of a gross misdemeanor punishable in accordance with RCW 9A.20.021.

C. If a dangerous dog of an owner with a prior conviction under this chapter attacks or bites a person or another domestic animal, the dangerous dog shall be immediately confiscated by the animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

Sec. 8.03.260. Unlawful acts against police department dogs—Penalty for violation.

A. No person shall wilfully 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 such 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 (90) days in jail or not more than a fine of two hundred fifty dollars ($250.00), or both.
Sec. 8.03.270. Cruelty to animals--Unlawful acts designated.

It is unlawful for any person to:

1. Wilfully 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 he has so caused to any animal.

3. Lay out or expose any kind of poison, or to leave exposed any poison food or drink for 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 unenclosed place or to aid or abet any person in so doing, unless in accordance with the provisions of RCW 16.52.190.

4. 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.

Sec. 8.03.280. Poisonous reptiles, poisonous snakes and constrictor snakes.

A. It shall be unlawful to keep or harbor any poisonous reptile, poisonous snake or constrictor snake, other than constrictor snakes under ten (10) feet in length, within the city.

B. All constrictor snakes legally allowed within the city must be kept or harbored in a secure, locked cage when left unattended.

C. This section shall not apply to zoological parks, performing animal exhibitions, circuses or pet shops licensed by the city. Pet shops within the city choosing to sell constrictor
snakes allowed under this section must plainly post in a conspicuous place the following notice:

"It is illegal to keep or harbor constrictor snakes over ten (10) feet in length within the City of Kent. Any person who legally keeps or harbors constrictor snakes within the City of Kent MUST keep the snake(s) in a secure, locked cage when left unattended."

D. In addition to or as an alternate to any other penalty provided in this chapter or by law, any person violating this section shall incur a civil penalty. The penalty for the first notice of violation shall be one hundred dollars ($100.00). The penalty for the second notice of violation in any one-year period is three hundred dollars ($300.00). The penalty for each successive violation in any one-year period is five hundred dollars ($500.00).

Sec. 8.03.290. Enforcement power.
A. The animal control authority is authorized to take such lawful action as may be required to enforce the provisions of this chapter and the laws of the state as they pertain to animal cruelty, shelter, welfare and enforcement of control, including regulation of dangerous and potentially dangerous dogs.

B. The animal control authority shall not enter property or a building or residence 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 animal control authority, 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.

C. 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 animal control authority to enter private property to perform any duty imposed by this chapter. Any person violating this subsection is guilty of a misdemeanor.

D. The foregoing provisions of this section are in addition to authorities and penalties relating to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250.

Sec. 8.03.300. Violations.

A. 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.

B. Violations, misdemeanor, penalty. Except as to the regulation of dangerous and potentially dangerous dogs under sections 8.03.220 through 8.03.250, 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 ($250.00) and/or imprisonment for a term not to exceed ninety (90) days.

C. Violations, civil penalty. Except as to the regulation of dangerous and potentially dangerous dogs under sections 8.03.220 through 8.03.250, any person whose animal is maintained in violation of this chapter shall incur a civil
penalty plus costs of the animal control authority. The penalty for the first notice of violation shall be twenty-five dollars ($25.00); fifty dollars ($50.00) for the second notice of violation in any one-year period; and one hundred dollars ($100.00) for each successive violation in any one-year period.

Sec. 8.03.310. Impounding.

A. Authorization. In addition to authorized actions under sections 8.03.220 through 8.03.250 relating to dangerous and potentially dangerous dogs, the director and his 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.

B. Notification of owners. Except as to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250, after any 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 violations of this chapter. If it is not reasonably possible to immediately return the animals to their owners, the animal control authority shall notify the owners within a reasonable time by certified regular mail or telephone that the animal has been impounded and may be redeemed. Except as to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250, any currently licensed animal impounded pursuant to this chapter shall be held for the owner at least one hundred twenty hours (120), after telephone contact by the impounding agency or for at least two weeks after posting of the notification of impoundment by regular mail; any other animal impounded pursuant to this chapter shall be held for the owner at least seventy-two (72) hours, after his
receipt of notification by certified mail or by telephone from the impounding agency, from the time of impoundment. The animal control authority shall not sell any animals to research institutes or licensed dealers for research purposes.

C. Sale to licensed dealers, research institute. Any animal sold to a research institute pursuant to this chapter shall be held for an additional one hundred twenty (120) hours over and above the required seventy-two (72) hours specified, provided 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 (72) hours. 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 (120) hours prior to the sale of the animal to a research institute. Any owner may redeem an animal in the study of a licensed dealer by complying with the fees and redemption procedure of the animal control division. The animal control division shall return all fees paid by the licensed dealer, and the sale of the animal shall be declared null and void.

D. Animal control division to set sales price. 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. 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.
E. Injured or diseased animals. Except as to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250, 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.

Sec. 8.03.320. Euthanasia, sale, or adoption of animals not redeemed; prohibitions.

A. Except as to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250, any animal not redeemed shall be treated in one (1) of the following ways as follows:

1. Humanely destroyed by euthanasia.

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

   a. Animals purchased from the county shall be sold only to research laboratories located in this state 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.

   b. 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.

   c. 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 2.a. of this section.

d. No animal bearing a tattoo identification, affixed in a manner as prescribed in section 8.03.040 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.

3. 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 research laboratory shall comply with the following requirements:

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

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

c. 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 section 8.03.290.

d. Shall be physically located within the state.

e. No animal bearing a tattoo identification, affixed in a manner as prescribed in section 8.03.040 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.

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4. 2. Made available for adoption. Except as to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250, the owner of any animal impounded pursuant to the provisions contained in this chapter may recover such 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.

   a. All dogs and cats over the age of six months adopted from the King County animal shelter shall be spayed and neutered prior to adoption. A spay/neuter deposit shall be charged for dogs and cats under the age of six months which are too young to be spayed/neutered prior to adoption. Failure to spay/neuter such dog or cat is a violation of this chapter and a breach of the adoption contract and will result in the forfeiture of the adoption and return of the dog or cat to King County animal control for the required spay/neutering.

   B. No licensed animal shall be made available for research unless written permission is received from the 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.

Sec. 8.03.330. Dealers and research facilities--Inspection authorized.

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.

Sec. 8.03.340. Same--Reports and records available for public inspection.

A. 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.

B. 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.

Sec. 8.03.350. 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.

Sec. 8.03.360. Violations; notice and order.

Subject to the provisions of sections 8.03.220 through 8.03.250 relating to dangerous or potentially dangerous dogs:

1. 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.

2. 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:

   a. The name and address, if known, of the owner or person presumed to be the owner of the animal in violation of this chapter.

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

   c. 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.

   d. A statement of the action required to be taken if the director of the animal control authority has determined the following:

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

      (2) That a civil penalty should be assessed, the order shall require that the penalty shall be paid within fourteen (14) days from the date of the order.

   e. 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.

   f. Statements advising:
(1) 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 (14) days from the date of service of such notice and order; and

(2) That failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

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

4. 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.

5. 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.

6. 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. The provisions of this section, do not apply to actions by the authority or proceedings before the director relating to dangerous dogs or potentially dangerous dogs. Sections 8.03.220 through 8.03.250 shall apply to all actions and procedures for dealing with dangerous dogs or
potentially dangerous dogs, including regulations promulgated thereunder by the director.

Sec. 8.03.370. Appeals.

Subject to the procedures and requirements of sections 8.03.220 through 8.03.250 relating to dangerous or potentially dangerous dogs:

1. Appeals. The King County board of appeals, as established by article 7 of the King County Code, 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 applicant in writing with a copy to the director of the animal control authority.

2. Form of appeal. Any person entitled to service under section 8.03.360 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 (14) days from the date of the service of such order, a written appeal containing:
   a. A heading containing the words: "Before the board of appeals of the County of King."
   b. A caption reading: "Appeal of ________" giving the names of all appellants participating in the appeal.
   c. A brief statement setting forth the legal interest of each of the appellants of the animal involved in the notice and order.
d. 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.

e. 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.

f. The signatures of all parties named as appellants, and their official mailing addresses.

g. The verification (by declaration under penalty of perjury) of at least one (1) appellant as to the truth of the matters stated in the appeal.

3. Scheduling and notice of appeal. The board of appeals shall set a time and place, not more than thirty (30) days from such notice of appeal for hearing thereon. Written notice of the time and place of hearing shall be given at least ten (10) days prior to the date of the hearing to each appellant by the manager-clerk of the board.

4. Procedures of appeal hearing. 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.

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

6. Stay of enforcement during appeal. 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 dangerous or cruelly treated.

7. **Conflicting, differing provisions.** In the event that procedures for appeals adopted by the board of appeals are different than those set forth in this section, the procedures of the board of appeals shall control. If in the further event any procedures for appeals adopted by the board of appeals conflict with the provisions in this section relating to dangerous or potentially dangerous dogs, the procedures of sections 8.03.220 through 8.03.250 and the implementing regulations of the board of appeals shall control.

**Sec. 8.03.380. Redemption procedures.**

A. Any animal impounded pursuant to the provisions of section 8.03.310 may be redeemed upon payment of the redemption fee as provided in this section. The redemption fee for dogs and cats shall be payable to the county comptroller and 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.

B. 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 the county and the given stockyard used for holding such animal.
C. The provisions relating to redemption do not apply to dangerous or potentially dangerous dogs as provided in sections 8.03.220 through 8.03.250.

Sec. 8.03.390. Nuisances, removal.

A. Any animal constituting a public nuisance as provided in this chapter shall be abated and removed from the city by the owner or by the director of the animal control authority, upon receipt of three (3) 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 the nuisance or remove the animal from the city within ninety-six (96) hours from the date of notice. If such animal is found to be within the confines of the city after ninety-six (96) hours have elapsed from the date of notice, the nuisance shall be abated and the animal removed by the director of the animal control authority. Animals removed pursuant to the provisions of this section shall be removed from the city or be subjected to euthanasia by the animal control authority.

B. Any dog or other animal which bites, attacks, or attempts to bite one (1) or more persons two (2) or more times within a two-year period is declared to be a public nuisance and shall not be kept within the city forty-eight (48) hours after receiving written notice from the director. Such animal found in violation of this section will be impounded and disposed of as an unredeemed animal, and the owner or keeper of such animal has no right to redeem such dog or animal.
Sec. 8.03.400. Civil penalty and abatement costs.

A. 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.

B. 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.

Sec. 8.03.410. Supplemental provisions.

The provisions of sections 8.03.390 through 8.03.400, are in addition to other remedies in sections 8.03.220 through 8.03.250 for purposes of regulating dangerous or potentially dangerous dogs.

Sec. 8.03.420. Waiver of fees and penalties.

A. The animal control director has the authority to waive licensing fees, late licensing penalty fees, and redemption and sheltering fees, in whole or in part, when to do so would further the goals of the animal control section and be in the public interest.

B. In determining whether a waiver should apply, the animal control director must take into consideration the following elements:

1. The reason the animal was impounded;
2. The reason of the basis for the violation, and the likelihood the violation will not recur;

3. The total amount of the fees charged as compared with the gravity of the violation;

4. The effect on the owner, the animal's welfare and the animal control section if the fee(s) or penalties are not waived and no payment is received.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK
APPROVED AS TO FORM:

ROGER A. LIOBOVICH, CITY ATTORNEY

PASSED 15th day of February, 1994.
APPROVED 22nd day of Feb., 1994.
PUBLISHED 18th day of February, 1994.

I, hereby certify that this is a true copy of Ordinance No. 3156, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBÉR, CITY CLERK