AN ORDINANCE of the City Council of the City of Kent, Washington, repealing Chapter 8.03 of the Kent City Code, Animal Control, with the exception of sections dealing with the zoning code, and adopting by reference portions of Chapter 11.04, and Chapters 11.12, 11.20, 11.24, 11.28, and 11.32 in their entirety of the King County code relating to the regional provision of animal care and control services and related fees.

RECITALS

A. Providing animal control, sheltering and licensing services protects the public health and safety and promotes animal welfare. Providing these services on a regional basis allows for enhanced coordination and tracking of public and animal health issues, consistency of regulatory approach across jurisdictional boundaries, economies of scale, and ease of system access for the public.

B. The City of Kent and other cities in the region have entered into interlocal agreements with King County for the performance of these animal services and have agreed to adopt provisions for license, fee, penalty, enforcement, impound, redemption, and sheltering substantially the same as Title 11 of the King County Code.
C. The City now intends to adopt such an ordinance to comply with the terms of the interlocal agreement and to participate in the regional model for animal services.

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

ORDINANCE

SECTION 1. – Repeal. Chapter 8.03, Animal Control, of the Kent City Code is repealed, with the exception of the following sections:

1. 8.03.020’s definitions for Domesticated Fowl, Large Domesticated Animal, and Small Domesticated Animal;
2. 8.03.090, compliance with local zoning and health regulations;
3. 8.03.210(2), size of lot a large domestic animal can be maintained on;
4. 8.03.210(3), number of small domestic animals that may be maintained on a lot based on lot size; and
5. 8.03.210(4), number of domesticated fowl that may be maintained on a lot based on lot size.

SECTION 2. – Adoption. A new section 8.03.005 is adopted as follows:

8.03.005 King County Chapters Adopted by Reference
A. The Chapters of the King County Code listed below are adopted by reference, as the same have been amended by King County Ordinance No. 16861, and as they may be amended hereafter. Unless the context indicates otherwise, “King County”, “county”, and “unincorporated King County” mean the city.

Animal Control Services
1. Chapter 11.04 *Animal Care and Control Regulations*, with the exception of section 11.04.240 regarding police department dogs, which is not adopted because the City has a similar provision in the Kent City Code, and with the exception of the items in subsection B though D below;

2. Chapter 11.12, *Rabies Control*;
3. Chapter 11.20, *Disposition of Fowl and Rabbits*
4. Chapter 11.24, *Stock Restricted Area*;
5. Chapter 11.28, *Exotic Animals*;

B. King County Code section 11.04.010(B) shall provide that if there is a conflict between a provision of this Chapter and a provision of the Kent City Code, the provision of the Kent City Code shall control.

C. King County Code section 11.04.510 shall provide that no person within the city shall publish or advertise to King County residents the availability of any unaltered cat or dog unless the publication or advertisement includes the unaltered animal’s license number, provided, however, that nothing in this chapter shall prohibit licensed breeders from advertising in national publications for sale of a planned litter or litters.

D. All references in Chapter 11.04 to Title 21A, which utilize Title 21.A’s limits for the number of animals that may be kept in dwelling units as threshold for certain licensing requirements, shall be replaced with a reference to Kent City Code section 15.08.070.

E. The City shall maintain at all times available for review by the general public in the City Clerk’s office one copy of the King County code sections adopted by reference in this Chapter.
SECTION 3. - Savings. The existing Chapter 8.03 of the Kent City Code, which is amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION 4. - Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 5. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 6. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

ATTEST:

SUZETTE COOKE, MAYOR

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TQM BRUBAKER, CITY ATTORNEY
PASSED: 19 day of October, 2010.

APPROVED: 19 day of October, 2010.

PUBLISHED: 23 day of October, 2010.

I hereby certify that this is a true copy of Ordinance No. 3979 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
BRENDA JACOBER, CITY CLERK

(SEAL)