ORDINANCE NO. 42

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ADOPTING BY REFERENCE TITLE 6 OF THE PIERCE COUNTY CODE AS THE INTERIM ANIMAL CONTROL REGULATIONS FOR THE CITY OF UNIVERSITY PLACE.

WHEREAS, the City Council has determined that regulation of animals within the City which are not regulated as to conduct by Federal statute or regulation is in the best interest of public health, safety, and welfare; and

WHEREAS, the City Council has determined that it is in the City's best interests to adopt animal control regulations set forth in Title 6 of the Pierce County Code as the Interim Animal Control Regulations for the City of University Place; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DO ORDAIN AS FOLLOWS:

- Section 1. <u>Pierce County Animal Control Regulations Adopted.</u> The City adopts by reference Title 6 of the Pierce County Code, as now in effect and as may be subsequently amended, as the Interim Animal Control Regulations for the City, except that any reference to unincorporated Pierce County shall refer to the City of University Place.
- Section 2. <u>Copy to be Available</u>. One copy of Title 6 of the Pierce County Code, shall be available in the office of the City Clerk for use and examination by the public.
- Section 3. <u>Severability</u>. If any section, sentence, clause or phrase of this ordinance shall 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 4. <u>Effective Date</u>. This ordinance shall take effect on the official date of incorporation.

K. Flemming, Mayo

PASSED BY THE CITY COUNCIL ON JULY 31, 1995.

ATTEST:

Susan Matthew, Interim City Clerk

APPROVED AS TO FORM:

Robert J. Backstein, Interim City Attorney

Date of Publication: August 2, 1995 Effective Date: August 31, 1995

ANIMAL CONTROL - GENERAL PROVISIONS

Sections:

3

- .6.02.010 Definitions.
- 6.02.020 Authorised Agents May Perform Duties.
- 6.02.030 Authority to Pursue.
- 6.02.040 Notice of Impounding Animal.
- 6.02.050 Hindering an Officer.
- 6.02.060 Interference With Impounding.
- -6.02.070 Redemption of Dogs.
- 6.02.080 Redemption of Cats or Other Animals.
- 6.02.085 Mandatory Spay/Neuter for Impounded Dogs and Cats Deposit Refund Exception.
- 6.02.090 Injured or Diseased Animals.
- 6.02.100 Duties Upon Injury or Death to an Animal.
- 6.02.110 Poisoning of Animals.
- 6.02.120 Abatement of Nuisances.
- 6.02.130 Penalty for Violation.
- 6.02.140 Severability.

6.02.010 Definitions.

As used in this Title, the following terms shall have the following meanings:

- A. "Adult" means any animal over the age of seven months.
- B. "Animal" means and includes female, spayed female, male and neutered male animals, excepting any goat, horse, mule, cattle, swine, ass, or other livestock, and excepting any dog or cat.
- C. "Animal Control Agency" means that animal control organization authorized by Pierce County to enforce its animal control provisions.
- D. "Animal Shelter" means that animal control facility authorized by Pierce County.
- E. "At large" means off the premises of the owner or keeper of the dog, cat, or animal, and not under restraint by leash or chain or not otherwise controlled by a competent person.
- F. "Cat" means and includes female, spayed female, male and neutered male cats.
- G. "Competent person" means a person who is able to sufficiently care for, control, and restrain his/her dog, cat, or other animal, and who has the capacity to exercise sound judgement regarding the rights and safety of others.
- H. "Court" means District Court or the Superior Court, which courts shall have concurrent jurisdiction hereunder.
- I. "Dog" means and incudes female, spayed female, male and neutered male dogs.
- J. "Humane trap" means a live animal box enclosure trap designed to capture and hold an animal without injury.

- K. "Impound" means to receive into the custody of the Animal Control Shelter, or into the custody of the Director or his/her authorized agent or deputy.
- L. "Juvenile" means any animal from weaning to seven months of age.
- M. "Misdemeanor" means a maximum penalty of 90 days in jail and/or a \$1,000.00 fine, pursuant to Section 1.12.010 of this Code.
- N. "Owner" means any person, firm, or corporation owning, having an interest in, or having control or custody or possession of any dog, cat, or animal.
- O. "Potentially Dangerous Dog" means any dog that when unprovoked: (a) Inflicts bites on a human or a domestic animal either on public or private property, or (b) chases or approaches a person upon the streets, sidewalks, or any public grounds or private property in a menacing fashion or apparent attitude of attack, or (c) 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 animal on any public or private property.
- animal on any public or private property.

 P. "Securely enclosed and locked" means a pen or structure which has secure sides and a secure top. If the pen or structure has no bottom secured to the sides, then the sides must be embedded in the ground no less than one foot.
- Q. "Unconfined" means not securely confined indoors or in a securely enclosed and locked pen or structure upon the premises of the person owning, harboring or having the care of the animal.

(Ord. 92-35 § 1 (part), 1992; Ord. 89-235 § 3, 1990; Ord. 87-40S § 1 (part), 1987)

6.02.020 Authorized Agents May Perform Duties.

Wherever a power is granted to or a duty imposed upon the Sheriff, the power may be exercised or the duty may be performed by a Deputy of the Sheriff or by an authorized agent of Pierce County, deputized by the Sheriff. (Ord. 87-40S § 1 (part), 1987)

6.02.030 Authority to Pursue.

Those employees or agents of the County charged with the duty of seizing dogs, cats, or other animals running at large may pursue such dogs, cats, or other animals onto County-owned property, vacant property, and unenclosed private property, and seize, remove, and impound the same. (Ord. 87-40S § 1 (part), 1987)

6.02.040 Notice of Impounding Animal.

Upon the impoundment of any dog, cat, or other animal under the provisions of this Title, the animal control agency shall immediately notify the owner, if the owner is known, of the impounding of such dog, cat, or other animal, and of the terms upon which said animal can be redeemed. The impounding authority shall retain said dog, cat, or other animal for forty-eight hours following actual notice to the owner. The notifying of any person over the age of eighteen who resides at the owner's domicile shall constitute actual notice to the owner. If the owner of said dog, cat, or other animal so impounded is unknown, then said animal control agency shall make a reasonable effort to locate and notify the owner of the impounding of said dog. (Ord. 87-40S § 1 (part), 1987)

6.02.050 Hindering an Officer.

It shall be unlawful for any person to interfere with, hinder, delay, or impede any officer who is enforcing the provisions of this Title as herein provided. (Ord. 87-40S § 1 (part), 1987)

6.02.060 Interference With Impounding.

It is unlawful for any person to willfully prevent or hinder the impounding of any dog, cat, or other animal, or to by force or otherwise remove any dog, cat, or other animal from the animal shelter without authority of the person in charge of the animal shelter, or without payment of all lawful charges against such dog, cat, or other animal, or to willfully resist or obstruct any officer in the performance of any official duty. (Ord. 87-40S § 1 (part), 1987)

6.02.070 Redemption of Dogs.

The owner of any dog impounded under this Chapter may redeem said dog within forty-eight hours from time of impounding by paying to the animal control agency a redemption fee of \$25.00. In addition to the redemption fee, the redeemer shall pay, as a boarding charge for the caring and keeping of such dog, the sum of \$5.00 per day for each day, including the first and last days, that the dog is retained by the impounding authority. If such dog is not redeemed by the owner within forty-eight hours, then any person may redeem it within the next forty-eight hours by complying with the above provision, and in case such dog is not redeemed at the end of such time, it may be humanely destroyed or otherwise disposed of within the discretion of the animal control agency. (Ord. 88-138 § 1, 1988; Ord. 87-40S § 1 (part), 1987)

6.02.080 Redemption of Cats or Other Animals.

The owner of any cat or other animal impounded under the provisions of this Chapter may redeem it within forty-eight hours from the time of impounding by paying to the animal control agency a redemption fee of \$15.00. In addition to the redemption fee, the redeemer shall pay, as a boarding charge for the caring and keeping of such cat or animal, the sum of \$4.00 per day for each day, including the first and last days, that the cat or other animal is retained by the impounding authority. cat or other animal is not redeemed by the owner within fortyeight hours, it may be humanely destroyed or otherwise disposed of at the discretion of the animal control agency; provided, however, that any cat or other animal so impounded less than two months of age, at the discretion of the animal control agency, may be humanely destroyed or otherwise disposed of at any time after impounding. (Ord. 88-138 § 2, 1988; Ord. 87-40S § 1 (part), 1987)

- 6.02.085 Mandatory Spay/Neuter for Impounded Dogs and Cats Deposit Refund Exception.
 - A. Mandatory Spay/Neuter Deposit. No unaltered dog or cat that is impounded more than once in any twelve month period may be redeemed by any person until the sum of \$35.00 is deposited with the Tacoma-Pierce County Humane Society to cover the cost of spaying or neutering the animal.
 - B. Refund. The alteration deposit shall be refunded upon a showing of proof of alteration from a licensed veterinarian.
 - C. Exception. The alteration deposit shall not be required if the owner or other person redeeming the animal provides a written statement from a licensed veterinarian that the spay or neuter procedure would be harmful to the animal.

(Ord. 92-35 § 1 (part), 1992)

6.02.090 Injured or Diseased Animals.

Any dog, cat, or other animal suffering from serious injury or disease may be humanely destroyed by the animal control agency; provided, that the animal control agency shall immediately notify the owner, if the owner is known, and if the owner is unknown, make a reasonable effort to locate and notify the owner. (Ord. 87-40S § 1 (part), 1987)

6.02.100 Duties Upon Injury or Death to an Animal.

The operator of a vehicle involved in an accident resulting in injury or death to a dog, cat, or other animal, shall immediately stop the vehicle at or as near to the scene of the accident as possible, and return thereto, and shall give to the owner or other competent person having custody of the animal, the name and address of the operator of the vehicle and the registration number of the vehicle involved in the accident. If the owner or other competent person is not the person at the scene of the accident, the operator shall take reasonable steps to locate the owner or custodian of the said animal and shall supply the information herein above required. If the animal is injured to the extent that it requires immediate medical attention and there is no owner or custodian present to look after it, the operator of said vehicle shall immediately report the situation to the Pierce County Sheriff's Office. (Ord. 87-40S § 1 (part), 1987)

6.02.110 Poisoning of Animals.

No person shall place or expose or cause to be placed or exposed in any yard or lot of vacant or enclosed land, or on any exposed place or public place, or on any street, alley, or highway, or other place where the same may be taken internally by a child, person, or by any dog, cat, domestic animal, or fowl, any poisonous substance which, if taken internally may cause death or serious sickness. The provisions of this Section shall not apply to the killing by poison of any dog, cat, domestic animal, or fowl in a lawful and humane manner by its owner or by a duly authorized agent of such owner or by a person acting pursuant to instructions from a duly constituted public authority. (Ord. 87-40S § 1 (part), 1987)

6.02.120 Abatement of Nuisances.

Any person convicted of a misdemeanor for violating any of the provisions of this Title in the keeping or maintenance of any nuisance as herein defined shall, in addition to any fine or imprisonment imposed by the Court in such action, be ordered to forthwith abate and remove the nuisance; and if the same is not done by the offender within twenty-four hours, the same shall be abated and removed under the direction the officer authorized by the order of said Court, which order of abatement shall be entered upon the docket of the Court and made a part of the judgement in the action.

Any such person shall be liable for all costs and expenses of abating the same when the nuisance has been abated by any officer of Pierce County or the animal control agency of Pierce County, which costs and expenses shall be taxed as part of the costs of the prosecution against the party, liable to be recovered as other costs are recovered; and in all cases where the officer is authorized by the Court, shall abate any nuisance and he/she shall keep an account of all expenses attending the abatement; and in addition to other powers herein given to collect the costs and expenses, Pierce County may bring suit for the same in any Court of competent jurisdiction against the person keeping or maintaining the nuisance so abated. (Ord. 87-40S § 1 (part), 1987)

6.02.130 Penalty for Violation.

A person who violates any of the provisions of Sections 6.02.050, 6.02.060, 6.02.100, and 6.02.110 of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor. (Ord. 87-40S § 1 (part), 1987)

6.02.140 Severability.

If any provision of this Title or its application to any person or circumstances are held to be invalid, the remainder of this Title or the application of the provisions to other persons or circumstances shall not be affected. (Ord. 87-40S § 1 (part), 1987)

ANIMAL CONTROL

Sections:

- 6.03.010 Animals at Large on Public Grounds.
- Animals at Large on Private Property. 6.03.020
- 6.03.030 Confinement of Female Dogs and Cats in Heat. 6.03.040 Dogs Chasing Vehicles on Public Roads. 6.03.050 Dogs Jumping and/or Threatening Pedestrians. 6.03.060 Penalty For Violation.

- 6.03.070 Animals Injuring Humans or Domestic Animals.
- 6.03.080 Animals Injuring Private and Public Property. 6.03.090 Disturbing Noises.
- 6.03.095 Sale or Transfer of Animals in Public Places Prohibited.
- 6.03.100 Penalty For Violation Misdemeanor.

6.03.010 Animals at Large on Public Grounds.

It is unlawful for the owner or person having control or custody of any dog, cat, or other animal to allow such dog, cat, or other animal to be at large in any park, or to enter any public beach, pond, fountain, or stream therein, or upon any public playground or school ground or in any public building. Any dog, cat, or other animal, entering or trespassing upon such property may be seized and impounded. (Ord. 87-40S § 2 (part), 1987)

6.03.020 Animals at Large on Private Property.

It is unlawful for the owner or person having control or custody of any dog, cat, or other animal to allow such dog, cat, or other animal to enter or trespass upon private property without the express permission of the owner or caretaker of such property. Any such dog, cat, or other animal may be seized and impounded. (Ord. 87-40S § 2 (part), 1987)

6.03.030 Confinement of Female Dogs and Cats in Heat.

Every female dog and cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with a male of the species, except for planned breeding. Any dog or cat not so confined when in heat, whether or not such dog or cat is licensed, may be seized and impounded. (Ord. 87-40S § 2 (part), 1987)

6.03.040 Dogs Chasing Vehicles on Public Roads.

It is unlawful for the owner or other person having control of any dog to allow such dog to chase, run after, or jump at vehicles lawfully using the public road, street, avenues, alleys, and ways. Any such dog may be seized and impounded. (Ord. 87-40S **S** 2 (part), 1987)

6.03.050 Dogs Jumping and/or Threatening Pedestrians.

It is unlawful for the owner or other person having control of any dog to allow such dog to frequently or habitually snarl at, growl at, jump upon, or threaten persons upon the public

sidewalks, roads, streets, alleys, or public places. Any such dog may be seized and impounded. (Ord. 87-405 § 2 (part), 1987)

6.03.060 Penalty For Violation.

A person who violates any of the provisions of Sections 6.03.010, 6.03.020, 6.03.030, 6.03.040, or 6.03.050 of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor with a maximum penalty limited to a fine in an amount not to exceed \$250.00. (Ord. 87-40S § 2 (part), 1987)

6.03.070 Animals Injuring Humans or Domestic Animals.

It is unlawful for the owner or other person having control or custody of any dog, cat, or other animal to allow such dog, cat, or other animal to cause injury to a human or domestic animal which is acting in a lawful manner. Any such dog, cat, or other animal may be seized and impounded. (Ord. 87-40S § 2 (part), 1987)

6.03.080 Animals Injuring Private and Public Property.

It is unlawful for the owner or other person having control or custody of any dog, cat, or other animal to allow such dog, cat, or other animal to damage or destroy any property or thing of value upon the private property of another, or upon any public property. Any such dog, cat, or other animal may be seized and impounded. (Ord. 87-40S § 2 (part), 1987)

6.03.090 Disturbing Noises.

It is unlawful for the owner or other person having control or custody of any dog, cat, or other animal to allow such, dog, cat, or other animal to habitually howl, yelp, bark, or make other noises which unreasonably disturb another person. Any such dog, cat, or other animal may be seized and impounded. (Ord. 89-118 § 1, 1989; Ord. 87-40S § 2 (part), 1987)

6.03.095 Sale or Transfer of Animals in Public Places Prohibited.

It is unlawful to sell, barter or otherwise transfer for the purpose of changing ownership any animal in an area open to the public unless such activity is licensed pursuant to Chapter 5.24 of the Pierce County Code. (Ord. 92-35 § 2 (part), 1992)

6.03.100 Penalty For Violation - Misdemeanor.

A person who violates any of the provisions of Sections 6.03.070, 6.03.080, 6.03.090, or 6.03.095, shall, upon conviction thereof, be found guilty of a misdemeanor. For each act herein prohibited in Section 6.03.090, of a continuing nature, each day shall be considered a separate offense. (Ord. 92-35 § 2 (part), 1992; Ord. 87-40S § 2 (part), 1987)

LICENSING OF DOGS AND CATS

Sections:

License Required. 6.04.010

Purchase of License. 6.04.020

6.04.030 Fees.

6.04.040 Late Payment Penalty.

6.04.050 License Not Transferable.

6.04.060 Penalty For Violation. 6.04.070 Dogs at Large Deemed Nuisance.

6.04.080 Impounding Dogs at Large. 6.04.090 Conditions of Release.

6.04.100 Owner of Dog at Large - Penalty.

6.04.010 License Required.

It is unlawful for any person to own, keep, or have control of a juvenile or adult dog or cat, whether confined or not, in the unincorporated areas of Pierce County without having a current license tag attached to the collar or harness which is worn by the dog or cat. Any dog or cat which is off the premises of its owner must have a current license, regardless of its age. If any dog and/or cat which is required to be licensed is found without a current license, it may be seized and impounded by the animal control agency or the Pierce County Sheriff. Provided, such seizure and impoundment will not preclude the issuance of a criminal complaint. Hunting dogs, during a controlled hunt, need not wear a license tag. (Ord. 92-35 § 3 (part), 1992; Ord. 87-40S § 3 (part), 1987)

6.04.020 Purchase of License.

All dog or cat licenses shall be obtained by paying the required license fee in the amounts and within the time limits as provided in this Chapter to the Tacoma-Pierce County Humane Society. The license shall remain in force until December 31st of the year of issuance. The applicant shall be furnished with such license and a metal tag; or in the case of a kennel license, the year of issuance and the words "Pierce County". The tag shall be attached to a collar or harness which will be worn by the dog or cat at all times. The shape of the tag shall not be the same two consecutive years. (Ord. 87-405 § 3 (part), 1987)

6.04.030 Fees.

The license fees for the ownership, keeping, or having control of dogs and/or cats in unincorporated Pierce County shall be as follows:

A. Adult Dogs: altered -- \$ 7.00

unaltered -- \$13.00

unaltered after January 1, 1993 -- \$30.00

unaltered after January 1, 1994 -- \$50.00

Juvenile Dogs: \$2.00

C. Adult Cats: altered -- \$ 4.00

unaltered -- \$ 7.00

unaltered after January 1, 1993 -- \$30.00 unaltered after January 1, 1994 -- \$50.00

D. Juvenile Cats: \$2.00

E. Reduced rates for senior citizens, sixty-five years of age or older:

1. Dogs: altered -- \$ 4.00 unaltered -- \$ 7.00

unaltered after January 1, 1993 -- \$16.00 unaltered after January 1, 1994 -- \$28.00

2. Cats: altered -- \$ 2.00 unaltered -- \$ 4.00

unaltered after January 1, 1993 -- \$16.00 unaltered after January 1, 1994 -- \$28.00

In order to receive the fee advantage for altered dogs and cats, an individual must provide either proof of alteration from a licensed veterinarian or a written statement from a licensed veterinarian that the spay/neuter procedure would be harmful to the animal.

(Ord. 92-35 § 3 (part), 1992; Ord. 90-152 § 1, 1990; Ord. 89-235 § 1, 1990; Ord. 87-40S § 3 (part), 1987)

6.04.040 Late Payment Penalty.

2.1

- A. Any person who fails to obtain a license by March 31 of each year shall be charged a penalty fee in the sum of ten dollars.
- B. No late payment penalty shall be charged on new license applications if:
 - The owner submits proof of purchase or acquisition of the animal within the preceding thirty (30) days;
 - The owner has moved into the County within the preceding thirty (30) days; or
 - The animal is currently or has been within the preceding thirty (30) days, under the age which requires a license; 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 animal control authority's administrative policy.

(Ord. 92-35 § 3 (part), 1992; Ord. 87-40S § 3 (part), 1987)

6.04.050 License Not Transferable.

Dog or cat licenses as provided for in this Chapter shall be nontransferable. A person may use a license for another dog or cat that he/she owns, if the dog or cat for which it was issued is no longer owned by such person. It is unlawful for any person to give, sell, exchange, or otherwise transfer a dog or cat license to another person, even if it is to be used for the same dog or cat for which it was originally issued. (Ord. 87-40S § 3 (part), 1987)

6.04.060 Penalty For Violation.

A person who violates any of the provisions of Sections 6.04.010, 6.04.020, or 6.04.050 of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor with a maximum penalty limited to a fine in an amount not to exceed \$250.00. Provided, that if the person presents evidence of a valid license to the District Court, the fine will be reduced by the cost of the license excluding any late penalty fees. (Ord. 87-40S § 3 (part), 1987)

6.04.070 Dogs at Large Deemed Nuisance.

Whenever, at any place in the unincorporated areas of the County, four or more dogs are found to be roaming or running at large together, they constitute a public nuisance, which shall be terminated in the manner provided in this Chapter; provided, however, that this Section through Section 6.04.100 shall not apply to dogs belonging to one owner who are roaming or running at large on property of their owner. (Ord. 81-100 (part), 1981; prior Code § 36.10.120)

6.04.080 Impounding Dogs at Large.

The agency authorized by the County to enforce animal control laws shall impound dogs constituting the public nuisance described by Section 6.04.070. Upon impounding the dogs, the agency shall ascertain whether any of them are licensed, and if so, shall as soon as practicable notify the person to whom the licenses were issued that the dog or dogs have been impounded and can be redeemed. Any dog impounded pursuant to Sections 6.04.070 through 6.04.100 shall be held forty-eight hours. If not redeemed by its owner within that time, it shall be held an additional forty-eight hours, during which time any person may redeem In case any such dog is not redeemed within ninety-six hours, it shall be humanely destroyed or otherwise disposed of by the impounding agency. The fee for redeeming dogs and/or cats impounded pursuant to Sections 6.04.070 through 6.04.100 shall be ten dollars. In addition to the redemption fees, the redeemer shall pay three dollars for each day, including the first and last days, the dog and/or cat is retained by the impounding (Ord. 81-100 (part), 1981; prior Code \$ 36.10.130) agency.

6.04.090 Conditions of Release.

The impounding agency is authorized to refuse to release any dog and/or cat to its owner unless satisfied that the animal is licensed and that the owner has taken steps to assure that the dog and/or cat will not again roam or run at large in the manner described in Section 6.04.070. In exercising the authority granted by Sections 6.04.070 through 6.04.100, the agency may impose reasonable conditions which must be satisfied by an owner as conditions precedent to the release of any dog and/or cat, including conditions assuring that dogs and/or cats will be confined and that female dogs and/or cats which have run at large while in heat will be spayed. (Ord. 81-100 (part), 1981; prior Code § 36.10.140)

```
6.04.100 Owner of Dog at Large - Penalty.
                 Any person who owns or is charged with the custody of any
dog which roams or runs at large in the manner described in
Section 6.04.070, whether or not the dog is impounded, is guilty
of a misdemeanor. (Ord. 81-100 (part), 1981; prior Code
。 英语运用 电电话电阻
                                                                                                                                    CONTRACT SEA ARESET FOR
                                                                                                                                                                                                       1. 23 3 3 3 6
                                             confidences of Potential Palgrand Doga
         Rectricetion of seems of foreity bungarous boy.
                                                                                                                                                                                                       30.5
                                                                                                                   · 连续发现来是在17 176% 电影图像性影響。
                                                                                                                                                                                                      044.77.
                                          sucrepaid villeffenced an eyes to sold wallers at
                  vilkingsog og kassit filde gemge og er i . Det e. .
                     na emained fine tail year milera mi
                                                                                                                                                    The Mark Time of the grating of
                          fortaco lacina na til singajasi se electrica.
               Lexing out this will be a second
                            malicula to decide the manufactor of
                                              المستنبي والمراكب المناؤة والمراكبة
     or pailies all on regions a
        Adian Tuning of the beat of
           and some an area with a constant to
                           LEGISLAND TERMINATE COLOR CONTRACTOR
   College of the college of decided of the sign and secured of the college of the c
            interes lemina que qui basama la joi e
the state of the summer is the second additional sections and the second
        . Parelà deli fin ene ya Lennovi, ed centuri incopi . Li
                             to presente. It receives the a source of
                                                                                                                       precipality and analytical
                                                                       remain the armin library melines from
                                                                                   المراجع في المراجع الم
المراجع المراجع
        to clarify and the the the women of the amounts of
               est at the an etcal lacing sure in advancements son
                                                                                                                  LINGTO WILL IN ADDRESS
        Chianners of andreasing and third new arrest out
                 idiopendia ciej le leuro.
Tie acelleilliug el c'heartry lu mare mis peneur
                  affacts of the Audinostics of a regular to appear
                                                                                                                     an alumen e an lamana and proposition erologisticale e ego
                  and the living the factor of the living of the description of the course parts. The factor of the course course of the course course of the co
                    onar odga<del>ni linarin 1946. Ka</del> også låktiganet og flagger bladdere
```

and the last to gain the not because they are seen in the

POTENTIALLY DANGEROUS DOGS

Sections:

- 6.07.010 Declaration of Dogs as Potentially Dangerous Procedure.
- 6.07.020 Permits and Fees. 6.07.030 Confinement of Po Confinement of Potentially Dangerous Dogs.
- 6.07.035 Notification of Status of Potentially Dangerous Dog.
- 6.07.040 Penalty For Violation.

6.07.010 Declaration of Dogs as Potentially Dangerous - 🕆 Procedure.

- The animal control agency shall classify potentially dangerous dogs. The agency may find and declare an animal potentially dangerous if an animal control officer has probable cause to believe that the animal falls within the definitions set forth in Section 6.02.010 O. The finding must be based upon:
 - The written complaint of a citizen who is willing to testify that the animal has acted in a manner which causes it to fall within the definition of Section 6.02.010 O.; or
 - Dog bite reports filed with the animal control agency; or
 - Actions of the dog witnessed by any animal control officer or law enforcement officer; or
 - Other substantial evidence.
- B. The declaration of potentially dangerous dog shall be in writing and shall be served on the owner in one of the following methods:
 - Certified mail to the owner's last known address; or 1.
 - Personally; or
 - If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.
- The declaration shall state at least:
 - The description of the animal. 1.
 - The name and address of the owner of the animal, if 2. known.
 - The whereabouts of the animal if it is not in the custody of the owner.
 - The facts upon which the declaration of potentially dangerous dog is based.
 - The availability of a hearing in case the person 5. objects to the declaration, if a request is made within ten days.
 - The restrictions placed on the animal as a result of the declaration of potentially dangerous dog.
 - The penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner.

- D. If the owner of the animal wishes to object to the declaration of potentially dangerous dog:
 - 1. The owner may request a hearing before the director of the animal control agency or the director's designee by submitting a written request and payment of a \$25.00 administrative review fee to said director or the director's designee within ten days of receipt of the declaration, or within ten days of the publication of the declaration pursuant to Section 6.07.010 B.
- 2. If the director or the director's designee finds that there is insufficient evidence to support the declaration, it shall be rescinded, and the restrictions imposed thereby annualled.
 - 3. If the director or the director's designee finds sufficient evidence to support declaration, the owner may appeal such decision pursuant to Pierce County Hearing Examiner Code; provided that the appeal and the payment of an appeal fee of \$75.00 must be submitted to the Animal Control Agency within ten (10) working days after the director or the director's designee finds sufficient evidence to support the declaration.
 - 4. An appeal of the Hearing Examiner's decision must be filed in Superior Court within thirty (30) days of the date of the Hearing Examiner's written decision.
 - During the entire appeal process, it shall be unlawful for the owner appealing the declaration of potentially dangerous dogs to allow or permit such dog to:
 - a. Be unconfined on the premises of the owner; or b. Go beyond the premises of the owner unless such dog is securely leashed and humanely muzzled or otherwise securely restrained.

(Ord. 92-35 § 4, 1992; Ord. 89-235 § 2 (part), 1990; Ord. 89-192 § 1, 1989; Ord. 87-40S § 4 (part), 1987)

6.07.020 Permits and Fees.

Following a declaration of potentially dangerous dog and the exhaustion of the appeal therefrom, the owner of a potentially dangerous dog shall obtain a permit for such dog from the animal control agency, and shall be required to pay the fee for such permit in the amount of \$250.00. In addition, the owner of a potentially dangerous dog shall pay an annual renewal fee for such permit in the amount of \$50.00.

Should the owner of a potentially dangerous dog fail to obtain a permit for such dog from the animal control agency or to appeal the declaration of potentially dangerous dog, the animal control agency is authorized to seize and impound such dog and, after notification to the owner, hold the dog for a period of no more than five (5) days before destruction of such dog by the animal control agency.

(Ord. 89-235 § 2 (part), 1990; Ord. 87-40S § 4 (part), 1987)

6.07.030 Confinement of Potentially Dangerous Dogs.

Following a declaration of potentially dangerous dog and the exhaustion of the appeal therefrom, it shall be unlawful for the person owning or harboring or having care of such potentially dangerous dog to allow and/or permit such dog to:

A. Be unconfined on the premises of such person; or

B. Go beyond the premises of such person unless such dog is securely leashed and humanely muzzled or otherwise securely restrained.

(Ord. 89-235 § 2 (part), 1990; Ord. 87-40S § 4 (part), 1987)

6.07.035 Notification of Status of Potentially Dangerous Dog.

The owner of a dog that has been classified as a potentially dangerous dog shall immediately notify the animal control agency when such dog:

A. Is loose or unconfined; or

- B. Has bitten or otherwise injured a human being or attacked another animal; or
- C. Is sold or given away or dies; or
- D. Is moved to another address.

Prior to a potentially dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control agency. The new owner shall comply with all of the requirements of this Chapter. (Ord. 89-235 § 2 (part), 1990)

6.07.040 Penalty For Violation.

Any person who violates a provision of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor. addition, any person found guilty of violating this Chapter shall pay all expenses, including shelter, food, veterinary expenses for identification or certification of the breed of the animal or boarding and veterinary expenses necessitated by the seizure of any dog for the protection of the public, and such other expenses as may be required for the destruction of any such dog. Provided, that any potentially dangerous dog which is in violation of the restrictions contained in Section 6.07.020 of this Code or restrictions imposed as part of a declaration as a potentially dangerous dog, shall be seized and impounded. Furthermore, any potentially dangerous dog which attacks a human being or domestic animal may be ordered destroyed when, in the court's judgement, such potentially dangerous dog represents a continuing threat of serious harm to human beings or domestic animals. threat of serious harm to human beings or domestic animals. (Ord. 89-235 § 2 (part), 1990; Ord. 87-405 § 4 (part), 1987)

. - 14

RABIES CONTROL

Sections:

- 6.08.010 Definitions.
- 6.08.020 Duty of Owner, Custodian and Health Officer.
- 6.08.030 Quarantine Notice to Owner.
- 6.08.040 Quarantine Duties of Owner.
- 6.08.050 Handling of an Animal Bitten by Rabid Animal. 6.08.060 Publication of Notice of Outbreak of Rabies.
- 6.08.070 Procedures.
- 6.08.080 Violation Penalty.
- 6.08.090 Severability.

6.08.010 Definitions.

Unless specifically indicated otherwise, the following definitions shall apply throughout this Chapter:

- "Animal shelter" means the facilities for the temporary containment of animals, operated by the Tacoma-Pierce County Humane Society.
- "Health Officer" means the Director of the Tacoma-Pierce В. County Health Department and/or his authorized representatives.
- "Quarantine" means the detention or isolation of an c. animal on account of suspected exposure or affliction with rabies.
- "Unvaccinated animal", means an animal which has either D. never been vaccinated against rabies or whose vaccination has expired according to the current Compendium of Animal Rabies Vaccines published by the National Association of State Public Health Veterinarians, Inc., and which has been bitten by a known rabid animal.
- "Vaccinated animal" means an animal which has been vaccinated in accordance with the Compendium of Animal Rabies Vaccines published by the National Association of State Public Health Veterinarians, Inc., and which has been bitten by a known rabid animal.

(Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.010)

6.08.020 Duty of Owner, Custodian and Health Officer.

- It shall be the duty of the owner and/or custodian of A. any dog or cat within the County to quarantine any dog or cat within the County which he has grounds to suspect of being infected with the disease of rabies or hydro-
- If the Health Officer: в.
 - Has grounds to suspect that any dog or cat running at large in the County is infected with rabies or hydrophobia; and
 - Has notice that said dog or cat's owner or custodian 2. cannot be determined; and
 - Is able to locate and confine said animal; the 3. Health Officer shall quarantine the animal as provided in this Chapter.

C. The biting of a human being by a dog or cat causing penetration of the skin by the animal's teeth is specifically declared a ground for suspecting that such animal is so infected.

(Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.020)

6.08.030 Quarantine - Notice to Owner.

The Health Officer may initiate a quarantine by delivering to the owner or custodian of such suspected animal, by either certified mail or by hand delivering to a responsible person present on the premises, a written notice of such quarantine which shall prescribe the duration of the quarantine period; provided, that the period of the quarantine shall not exceed ten days, unless it is determined that the animal is infected with rabies. The delivery of the notice of quarantine to a responsible person present upon the premises where such animal is kept shall be considered service of a notice upon the owner or custodian. Any such animals so quarantined shall be impounded in the Pierce County Animal Shelter or a local veterinary clinic's kennel. In the discretion of the Health Officer, the animal may be quarantined upon the premises of the owner or any other person so long as the requirements of the quarantine are strictly fulfilled. (Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.030)

6.08.040 Quarantine - Duties of Owner.

- A. During the period of any quarantine, the owner or custodian of a quarantined animal shall not allow the animal to come in contact with any other animal or person or permit such animal to run at large outside of the premises where quarantined or upon the premises itself, unless the premises is enclosed by a secure fence from which the animal cannot escape. When the fence encloses the access to the premises, the animal must be restricted to leave free access to those persons lawfully entering the premises.
- B. The owner or custodian shall not remove or cause the animal to be removed from the premises without the prior consent of the Health Officer. These restrictions shall continue until the animal is released from quarantine. If any animal is found running at large after the commencement of the quarantine period or is removed from the premises where quarantined, it shall be impounded and unless claimed and redeemed by its owner or custodian within two days after the expiration of the quarantine period, may be destroyed by the proper authorities.
- C. Upon redemption of a dog, cat or other animal released from quarantine from the Pierce County Animal Shelter the owner or custodian shall pay the same impound fee and board fee for any dog, cat or other animal quarantined in the Animal Shelter, as provided for in Section 6.02.070 of the Pierce County Code; provided, however, if the animal is brought to the Animal Shelter by the owner or custodian, the service fee shall be waived.

(Ord. 91-52 § 1, 1991; Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.040)

6.08.050 Handling of an Animal Bitten by Rabid Animal.
When an animal is known to have been bitten by a rabid animal, the following procedures shall be followed:

A. Unvaccinated Animal. An unvaccinated animal shall be immediately destroyed; provided, that upon the election of the owner, the animal may be kept, at its owner's expense, in strict isolation in a kennel under veterinary supervision for a minimum period of six months following the bite.

B. Vaccinated Animal. A vaccinated animal shall be handled as follows:

1. The animal shall be immediately revaccinated with an approved rabies vaccine and confined under the supervision of a veterinarian for a period of thirty days following revaccination; or
2. If the animal is not immediately revaccinated, it shall be confined in strict isolation in a kennel for six months under the supervision of a veterinarian; or 3. The animal shall be destroyed if the owner or custodian does not comply with Subsections 1 or 2 above.

(Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.050)

6.08.060 Publication of Notice of Outbreak of Rabies.

Upon any outbreak of rabies or when rabies has been diagnosed within the County, and when in the judgment of the Health Officer there is imminent danger of the spread of the disease, the Health Officer shall publish a notice to that effect in the official newspaper of the County for three successive days. For a period of six weeks following the final publication of the notice, the owner or custodian of a dog shall keep the dog securely confined at all times by leash or in a tight enclosure from which the dog: cannot escape. During said period any dog found running at large in the County shall be impounded and unless claimed and redeemed by its owner within two days following such impounding, may be destroyed by the proper authorities. Any person charged with the enforcement of this Chapter may destroy any dog found running at large within the County when, after reasonable effort, he is unable to impound the dog or after reasonable investigation, is unable to locate the owner or custodian thereof. The Health Officer shall have authority to extend the six-week time period for additional six-week periods by notice given in the manner provided above until, in his judgment, the imminent danger of the spread of the disease is no longer present. (Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.060)

6.08.070 Procedures.

The Health Officer is authorized and directed to develop a quarantine program for dogs, cats, and other household pets and otherwise to develop procedures for the enforcement of this Chapter. (Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.090)

6.08.080 Violation - Penalty.

Any person, firm or corporation violating any of the provisions of this Chapter shall be guilty of a misdemeanor and shall be penalized by a fine. (Ord. 84-24 § 1 (part), 1984; prior Code § 36.09.070)

6.08.090 Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances shall not be affected. (Ord. 89-155 \$ 9, 1989)

> THE CONTRAL SOME BUTCHESTAGE Days CEC PERMISON. Relation Tot Tiletes

> > 网络拉拉 路线

. Drink e Created and . Early early grow artisted Pietos Celuty Terresti natebl. estal elegius a pag rica (Ord) Pi-105 Te (bast) talgy

the confidence of the property of the contract of المحقولة الإسانية العراضية والراز والعداد الراز والأفراد والمجاهدة والأراق معهوري والواد

6 - 17

DOG CONTROL ZONES

Sections:

6.10.010 Dog Control Zone Established. 6.10.020 Dogs Off Premises.

6.10.030 Penalty For Violation.

6.10.010 Dog Control Zone Established.

Unincorporated Pierce County is hereby established as a Dog Control Zone. (Ord. 87-405 § 5 (part), 1987)

6.10.020 Dogs Off Premises.

Within a Dog Control Zone, any person owning or having charge, care, custody, or control of any dog shall keep such dog exclusively upon his own premises, except that the dog may be off the premises if it is under control of its owner or a competent person by a leash. (Ord. 87-40S § 5 (part), 1987)

6.10.030 Penalty For Violation.

A person who violates any of the provisions of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor with a maximum penalty limited to a fine in an amount not to exceed \$250.00. (Ord. 87-40S § 5 (part), 1987)

BABY CHICKS, RABBITS, AND DUCKLINGS

Sections:

- 6.14.010 Unlawful to Sell or Give Away in Quantity Under Six.
- 6.14.015 Exception Sale or Gift for Educational Purposes. 6.14.020 Artificial Coloring Unlawful.
- 6.14.030 Commercial Sale Not Affected.
- 6.14.040 Penalty for Violations.
- 6.14.010 Unlawful to Sell or Give Away in Quantity Under Six. It shall be unlawful for any person, firm or corporation to

sell or offer for sale, barter or give away living baby chicks, rabbits, ducklings or other fowl under two months of age in any quantity less than six. (Ord. 89-141 § 5 (part), 1989; Res. 7256 \$1, 1959; prior Code \$ 36.04.010).

6.14.015 Exception - Sale or Gift for Educational Purposes.

Section 6.14.010 shall not apply to the sale, offer for sale, barter or gift of living baby chicks, rabbits, ducklings, or other fowl when such transaction is for organized institutional and/or educational purposes. (Ord. 89-220 § 1, 1990)

6.14.020 Artificial Coloring Unlawful.

It shall be unlawful for any person, firm or corporation to sell, offer for sale, barter, give away, or display living baby chicks, rabbits, ducklings or other fowl, which have been dyed, colored or otherwise treated so as to impart to them an artificial color. (Ord. 89-141 § 5 (part), 1989; Res. 7256 § 2, 1959; prior Code § 36.04.020).

6.14.030 Commercial Sale Not Affected.

This Chapter shall not be construed to prohibit the sale or display of natural baby chicks, rabbits, ducklings or other fowl in proper brooder facilities by hatcheries or stores engaged in the business of selling them for commercial purposes. (Ord. 89-141 § 5 (part), 1989; Res. 7256 § 3, 1959; prior Code § 36.04.030).

6.14.040 Penalty for Violations.

Any person, firm, or corporation violating any of the provisions of this Chapter shall, upon conviction thereof, be . subjected to a fine not exceeding the sum of \$250.00 or imprisonment for a period not exceeding ninety days, or both such fine and imprisonment at the discretion of the Court. (Ord. 89-141 § 5 (part), 1989; Res. 7256 § 4, 1959; prior Code § 36.04.040).

WILD ANIMALS AND REPTILES

Sections:

- 6.16.010 Animal Defined.
- 6.16.025 Duty to Advise Purchaser/Recipient.
- 6.16.030 Allowing Wild or Vicious Animals to Run at Large Prohibited.
- 6.16.040 Exceptions for Circuses, Zoos, and Transportation of Wild Animals.
- 6.16.050 Violations-Penalty-Continuing Offenses.

Cross-reference: RCW 9.08.010

6.16.010 Animal Defined.

For purposes of this Chapter, "animal" means all reptiles, birds, invertebrates, mammals, amphibians, and fishes. (Ord. 89-141 § 6 (part), 1989)

6.16.020 Vicious, Venomous/Poisonous or Dangerous Wild Animals.

No person shall have, keep, maintain, or have in his/her
possession or under his/her control, within the unincorporated
area of Pierce County, any lion, tiger, bear, chimpanzee,
gorilla, cougar, mountain lion, badger, wolf, coyote, fox, lynx,
or any other vicious or venomous/poisonous wild animal; provided,
persons residing in the unincorporated area of Pierce County may
keep potentially dangerous wild animals other than a lion, tiger,
bear, chimpanzee, gorilla, cougar, mountain lion, badger, wolf,
coyote, fox, lynx, or other vicious or venomous/poisonous wild
animal, if they obtain a permit from the Tacoma-Pierce County
Humane Society.

Such permits shall be granted only upon a showing by the applicant that adequate safeguards have been instituted and will be maintained which effectively control any dangerous or vicious propensities of such animal, and eliminate any danger to individuals and property, and that the keeping and maintaining of such animal will be in the best interests of the animal and will in no way constitute a nuisance to the occupant of any surrounding property.

Nothing in this Section shall be construed to exonerate anyone from liability that may occur from the keeping of such wild animal whether under permit or not.

(Ord. 89-141 § 6 (part), 1989; prior Code § 36.06.010)

6.16.025 Duty to Advise Purchaser/Recipient.

Any person offering for sale or gift any animal in unincorporated Pierce County which falls within Section 6.16.020 shall have the duty to advise the purchaser or recipient of the wild nature of the animal and its vicious, venomous/poisonous, or dangerous propensities and of the fact that possession of such animal is regulated or prohibited by the Pierce County Code. (Ord. 89-141 § 6 (part), 1989; prior Code § 36.06.015)

5.16.030 Allowing Wild or Vicious Animals to Run at Large Prohibited.

No person owning or having charge, custody, control, or possession of any animal specified in Section 6.16.020 shall permit or allow the same to run at large upon any highway, street, lane, alley, court, or any other place, public or private, or within the premises of such person in such a manner as to endanger any person lawfully entering such premises. (Ord. 89-141 § 6 (part), 1989; prior Code § 36.06.020)

6.16.040 Exception for Circuses, Zoos, and Transportation of Wild Animals.

A. Section 6.16.020 shall not apply to any person who has custody of any animal described in that Section in connection with the operation of any zoo or circus or any program of medical or scientific research, provided, such person has taken adequate measures to safeguard persons and property.

B. Section 6.16.020 shall not apply to any person keeping, maintaining or having in his possession or under his control any animal defined in that Section when such person is transporting such animal through Pierce County, provided, he has taken adequate safeguards to protect the public, and has notified the Sheriff of his proposed route of transportation and of the time that such trip is to take place.

(Ord. 89-141 § 6 (part), 1989; prior Code § 36.06.030)

6.16.050 Violation-Penalty.

Any person, firm, or corporation violating any of the provisions of this Chapter shall, upon conviction thereof, be subjected to a fine not exceeding the sum of \$250.00 or imprisonment for a period not exceeding ninety days, or both such fine and imprisonment at the discretion of the Court. (Ord. 89-141 § 6 (part), 1989; prior Code § 36.02.010)

LIVESTOCK DISTRICTS

6.18.010 Stock Restricted Area. Violations. 6.18.020

6.18.010 Stock Restricted Area.

All areas of unincorporated Pierce County are restricted areas where livestock may not run at large. (Ord. 91-69 § 1 (part), 1991; Ord. 89-141 \$ 7 (part), 1989; prior Code \$ 36.14.020)

6.18.020 Violations.

Any person, firm, or corporation violating any of the provisions of this Chapter shall, upon conviction thereof, be subjected to a fine not exceeding the sum of \$250.00 or imprisonment for a period not exceeding ninety days, or both such fine and imprisonment at the discretion of the Court. (Ord. 91-69 S 1 (part), 1991; Ord. 89-141 S 7 (part), 1989; prior Code \$ 36.14.030)

Effective date: September 1, 1991