

12th draft

BOARD OF COUNTY COMMISSIONERS - WALLA WALLA COUNTY

IN REGARD TO CONTROL OF DOGS)
AND OTHER ANIMALS IN) ORDINANCE NO. 240
WALLA WALLA COUNTY)
)
)
)

WHEREAS, the County of Walla Walla is authorized by RCW Chapter 16.10 to establish dog control zones in specified areas of a County outside the corporate limits of any city or organized township, and may establish licensing regulations and enforce the same, and

WHEREAS, the Board of County Commissioners for Walla Walla County finds that certain areas of the county proposed to be zoned are heavily populated, or that the purposes for which the land is being used therein require that dogs be controlled, and that the control standards and procedures and penalties set forth are essential to the protection of the public health, safety, and general welfare of the citizens of the County of Walla Walla, and the adoption thereof to be in the public interest, and

WHEREAS, under the provisions of RCW 36.32.120(7) the County of Walla Walla is authorized to publish a brief and succinct summary describing the main points of the ordinance in lieu of the actual text of said ordinance, and

WHEREAS, it is the desire and the intent of the Board of County Commissioners of Walla Walla County to approve notice and summary form of this ordinance as authorized by RCW 36.32.120(7), and the Board of County Commissioners has approved for publication a summary of this ordinance as set forth in the attached Exhibit "A",

NOW, THEREFORE, the Board of County Commissioners of the County of Walla Walla, State of Washington does ordain as follows:

1. Chapter 6.04 of the Walla Walla County Code and the underlying ordinance thereof as amended are hereby repealed.

2. Chapter 6.04 of the Walla Walla County Code and the underlying ordinance thereof is hereby amended and adopted to read as follows:

Chapter 6.04 Dogs and Other Animals

Sections

6.04.010	Definitions
6.04.020	License Required
6.04.030	License--Application
6.04.040	License--Nonresident Exemption
6.04.050	License--Falsifying, withholding information
6.04.060	License--Withheld for conviction of cruelty
6.04.070	License--Fee Schedule
6.04.080	License--Fees exemptions
6.04.090	License--Receipt and Tag
6.04.100	License Tags--Required
6.04.110	License--Improper Use
6.04.120	Identification Tags--Recordation
6.04.130	License--Term
6.04.140	License--Deadlines
6.04.150	License--Duplicate
6.04.160	License--Revocation--Cause
6.04.170	License--Revocation--Humane Disposal of Animal Required
6.04.180	Commercial Kennels--Licensing--Vaccinations
6.04.190	Walla Walla County Fairgrounds--Dogs Prohibited-- When
6.04.200	Confinement of female in heat
6.04.210	Responsibility of owner to prevent nuisance
6.04.220	Animal Shelter
6.04.230	Impoundment--Cause
6.04.240	Authority to Destroy
6.04.250	Running at Large--Restraint Requirement
6.04.260	Running at Large--Impoundment
6.04.270	Impoundment--Notification of Owner
6.04.280	Impoundment--Reclamation
6.04.290	Impoundment--Term
6.04.300	Impoundment--Disposition of Unclaimed Animal
6.04.310	Impoundment--Procedures Against Owner
6.04.320	Adoption of Animals
6.04.330	Excrement Removal
6.04.340	Vaccination Required
6.04.350	Potentially Dangerous Dogs--Penalty
6.04.360	Dangerous Dogs--Penalty
6.04.370	Wild or Vicious Animals--Permit Required
6.04.380	Animal Bite--Rabies Procedures--Penalties
6.04.390	Rabies Outbreak--Emergency Situation
6.04.400	Enforcement--Authority
6.04.410	Violation--Penalty
6.04.420	Severability

PART 1 - DEFINITIONS

6.04.010 Definitions. As used in this chapter, unless the context otherwise indicates, the following terms have the meanings ascribed to them in this section:

A. "Animal" means any live, vertebrae creature, domestic or wild, except homo sapiens.

B. "Animal Control Officer" means any persons designated by the County or any other organization through contract with the County to perform the duties as designated under this chapter covering the current license year.

C. "Animal establishment, commercial" means any pet shop, grooming shop, auction, riding school or stable, zoological park, circus, performing animal exhibition, or kennel.

D. "Animal exhibition, performing" means any spectacle, display, act or event other than circuses in which performing animals are used.

E. "Animal shelter" means any facility operated by a humane society, or municipal agency, or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

F. "Animal, dangerous" means any animal which has bitten, clawed or otherwise harmed a human being or another animal, or which demonstrates menacing behavior toward human beings or domestic animals, but does not include an animal that bites, attacks or menaces a person or another animal that tormented or hurt it.

G. "Animal, wild" means any live monkey (nonhuman primate), bear, badger, cougar, coyote, raccoon, skunk, fox, poisonous snake, poisonous reptile, leopard, panther, tiger, lion, lynx, mountain lion, wolf or any other warm-blooded animal which can normally be found in the wild state.

H. "Auction" means any place or facility where animals are regularly bought, sold or traded, except for those facilities otherwise defined in this chapter. This definition does not apply to individual sales of animals by owners.

I. "Circus" means a commercial variety show featuring animal acts for public entertainment.

J. "Dog control zone" means a specific area established by resolution of the Board of County Commissioners to provide for licensing and control of dogs pursuant to RCW Chapter

16.10, and shall include the following area described in Exhibit "A" attached hereto and incorporated by reference herein.

K. "Grooming shop" means a commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

L. "Kennel, commercial" means any lot, premises, building or structure where six or more dogs or six or more cats over six months of age are kept.

M. "Nuisance, public" means any animal which:

1. Molests passersby or passing vehicles;
2. Attacks other animals;
3. Trespasses on school grounds;
4. Is repeatedly at large in a dog control zone;
5. Damages private or public property;
6. Scatters refuse in a dog control zone;
7. Frequently, repeatedly or continuously barks for periods in excess of ten minutes between the hours of 10 p.m. and 5 a.m., or for periods in excess of twenty minutes between the hours of 5 a.m. and 10 p.m. in a dog control zone.

N. "Owner" means any person, partnership, or corporation owning, keeping or harboring one or more animals. An animal is deemed to be harbored if it is fed or sheltered for three consecutive days or more.

O. "Park, zoological" means any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of nondomesticated animals operated by a person, partnership, corporation, or government agency.

P. "Pet" means any animal kept for pleasure rather than utility.

Q. "Pet shop" means any person, partnership, or corporation, whether operated separately or in connection with any other business enterprise, except for a licensed kennel, that buys, sells, or boards any species of animal.

R. "Restraint" means: (1) secured by a chain, leash or lead not exceeding eight feet in length and held by a person competent to restrain and control the dog off the owner's premises; (2) contained within a motor vehicle or housed in a veterinary hospital; (3) accompanied by and "at heel" beside the owner or competent responsible person; or (4) confined or tied as to be unable to range beyond the the real property limits of its owner.

S. "Riding school, stable" means any place which has available for hire, boarding and/or riding instruction, any horse, pony, donkey, mule or burro.

T. "Veterinary hospital" means any establishment maintained and operated by a licensed veterinarian for surgery diagnosis and treatment of diseases and injuries of animals.

U. "Licensing authority" means the County or its designee.

V. "At heel" means the dog is positioned and controlled in such a manner so as to remain within a distance of two feet from its owner or other competent person having charge of such dog.

PART 2 - DOG LICENSES

6.04.020 License Required. Any person owning, keeping, harboring, or having custody of any dog over six months of age within a dog control zone must obtain a license as provided in this chapter; Provided, however, that this section shall not apply to any person not residing in a dog control zone transporting a dog in a dog control zone not otherwise in violation of this chapter. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.030 License--Application. Written application for license shall be made to the licensing authority, or its designee, which include the name, address, and telephone number of the applicant and owner, a description of the dog, proof of sterilization (if applicable), the appropriate fee, and a rabies certificate covering the current license year and issued by a licensed veterinarian or antirabies clinic.

6.04.040 License--Nonresident Exemption. Application for a license must be made within thirty days after obtaining a dog over six months of age, except that this requirement will not apply to a nonresident keeping a dog within a dog control zone for no longer than thirty days; provided further, that an owner moving to and establishing residency with the County dog control zone shall apply for a license for any dog owned by him or her over six months of age within thirty days following the establishment of such residency.

6.04.050 License--Falsifying, withholding information. It is unlawful for an applicant to withhold or falsify any information on the application; providing, further, that the licensing authority shall refuse to issue a permanent license upon discovery or notification that such information has been withheld or falsified. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.060 License--Withheld for conviction of cruelty. No person who has been convicted of cruelty to animals shall be issued a license for any dog or to operate a commercial kennel.

6.04.070 License--Fee Schedule. A license shall be issued after payment of the applicable fee as follows:

For each unneutered male dog	\$20.00
For each unspayed female dog	\$20.00
For each neutered male dog	\$10.00
For each spayed female dog	\$10.00

Provided, that the applicable fee for dogs attaining the age of six months or owned by owners establishing residency within a County dog control zone as set forth herein, following June 30th of each license year shall be one-half of the scheduled fee.

6.04.080 License--Fees exemptions. License fees shall not be required for guide dogs or governmental police dogs.

6.04.090 License--Receipt and Tag. Upon acceptance of the license application and fee, the licensing authority, or its designee shall give a numbered receipt to the applicant, and a corresponding numbered metallic tag indicating the year of issuance shall be issued to the applicant.

6.04.100 License Tags--Required. Dogs owned by persons residing in a County dog control zone must wear at all times a current license tag while within a County dog control zone in such a position that it may be easily seen by an animal control officer, or other law enforcement officer. Failure of the owner to place and keep a current license tag on the owner's dog while within a County dog control zone in such a position that it may be easily seen by an animal control officer or other law enforcement officer shall be an offense punishable under section 6.04.410.

6.04.110 License--Improper Use. No person may use any license for any dog other than the dog for which it was issued; provided, that following the death of his or her dog, an owner may transfer such license to another dog owned by him provided that he pays a transfer fee to the licensing authority in the amount of five dollars. It is unlawful to counterfeit or alter any license, license receipt or license tag provided in this chapter, or to take from any dog a license tag legally placed upon that dog with the intent to place it upon another dog. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.120 Identification Tags--Recordation. The licensing authority shall maintain a record of the identifying numbers of all tags issued and shall make this record available to the public.

6.04.130 License--Term. If not revoked, licenses for the keeping of dogs shall be for a period of up to one year.

6.04.140 License--Deadlines. The licensing period shall begin with the calendar year and shall run for one year. Application for license must be made within thirty days after the start of the calendar year; provided, that the licensing authority may begin to sell licenses for the next calendar year sixty days prior to the start of such calendar year.

6.04.150 License--Duplicate. A duplicate license may be obtained upon payment of a one dollar replacement fee.

6.04.160 License--Revocation--Cause. The licensing authority may revoke any license if the person holding the license refused or fails to comply with this chapter, the regulations promulgated by the licensing authority, any law governing the protection and keeping of dogs, or accumulates three or more violations in a twelve month period.

6.04.170 License--Revocation--Humane Disposal of Animal Required. Any person whose license is revoked shall, within ten days thereafter, humanely euthanize the licensed animal owned, kept or harbored by such person, or transfer such animal to a third party or animal shelter, and no part of the license fee shall be refunded.

6.04.180 Commercial Kennels--Licensing--Vaccinations.

A. No person shall operate a commercial kennel within a dog control zone without having a valid license posted in plain view on the premises. The animal control authority shall issue a license for a commercial kennel within the dog control zone upon the payment of fifty dollars. No license shall be issued for a commercial kennel located in violation of any zoning regulation or operated in violation of any other law.

B. Any dog kept in a licensed kennel is not required to be individually licensed; provided, however, that at all times when not securely confined in a kennel, the dog is kept on a suitable leash.

C. Each commercial kennel operator shall cause all dogs over six months of age, kept in the operator's kennel, to be vaccinated against rabies. Any dog for which evidence of

vaccination cannot be produced may be impounded in the same manner as otherwise provided in this chapter.

PART 3 - ANIMAL CONTROL

6.04.190 Walla Walla County Fairgrounds--Dogs Prohibited--When. No dogs, except guide dogs, governmental police dogs, dogs exhibited by the Blue Mountain Humane Society, and dogs exhibited in an approved dog show, under restraint or otherwise, shall be permitted on the Walla Walla County Fairgrounds. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.200 Confinement of female in heat. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot come into contact with another dog except for planned breeding. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.210 Responsibility of owner to prevent nuisance. No owner shall fail to exercise proper care and control of his dog to prevent it from becoming a public nuisance; provided, that no dog under the control of an animal control officer or in the custody of a shelter following impoundment by an animal control officer shall be considered a public nuisance under the provisions of this chapter.

6.04.220 Animal Shelter. There shall be an animal shelter for detaining animals and facilities for humane disposal of animals. No animal impounded pursuant to this chapter at this animal shelter shall be used, sold, loaned, or given away for medical or research purposes, whether the animal is dead or alive.

6.04.230 Impoundment--Cause. Dangerous dogs as defined by Chapter 16.08 RCW, unlicensed dogs, nuisance dogs, or dogs affected with rabies, or suspected of being affected with rabies, whether such rabid dogs are restrained or unrestrained, licensed or unlicensed, may be taken by the sheriff's office, animal control officers, or humane officers and impounded in an animal shelter and there confined in a humane manner.

6.04.240 Authority to Destroy. Any dog or other animal which is suffering from serious injury or disease, or any dangerous dog found in violation of Chapter 16.08 RCW, may be seized by the sheriff's office, animal control officers or humane officers and, following notice to the owner as set forth in Section 6.04.270, the animal may be humanely euthanized. In the event of an emergency endangering the health or safety of any person where seizure and impoundment is deemed inadvisable, or for humane considerations, the sheriff's office, animal

control officers or humane officers in their discretion may summarily destroy the animals involved.

6.04.250 Running at Large--Restraint Requirement. All dogs in a dog control zone shall be kept under restraint. It is unlawful for any owner of a dog to permit a dog to run at large or otherwise not under restraint in a dog control zone. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.260 Running at Large--Impoundment. When an officer is able to apprehend an unrestrained dog, but the owner cannot be easily located, or the officer is not satisfied that the dog can or will properly be restrained by the owner, the officer may elect to impound the dog. In the event of such an impoundment, the owner shall pay all normally accrued impoundment fees set forth in Section 6.04.280 prior to the release of the impounded dog by the animal shelter.

6.04.270 Impoundment--Notification of Owner. If by a license tag or other means the owner of an impounded animal can be identified, the animal control officer shall immediately notify the owner by telephone or written notice of the impoundment and the procedure to reclaim.

6.04.280 Impoundment--Reclamation. An owner reclaiming an impounded animal shall pay a fee of ten dollars, plus five dollars for each day the animal has been impounded for the first impoundment in a one year period. For the second impoundment within a one year period, the fee shall be ten dollars, plus eight dollars for each day the animal has been impounded. For the third and subsequent impoundment within a one year period, the fee shall be twenty dollars, plus sixteen dollars for each day the animal has been impounded. Provided, that the impoundment fee for a dangerous animal impounded pursuant to Chapter 16.08 RCW and in which an animal requires a ten day observation, shall be ten dollars plus eight dollars for each day for the first and second impoundments within a one year period, and for the third and any subsequent impoundment within a one year period, the impound fee shall be twenty dollars plus sixteen dollars for each day the animal is impounded.

6.04.290 Impoundment--Term. Impounded animals shall be kept for not less than seventy-two hours unless earlier claimed by the owner; provided, that the impoundment of a dangerous animal which is under observation during quarantine pursuant to this code or state law shall be for a minimum period of ten days.

6.04.300 Impoundment--Disposition of Unclaimed Animal. Any animal not reclaimed by its owner within seventy-two hours shall become the property of the local government authority and the authorized animal shelter, and shall be placed for adoption in a suitable home or humanely euthanized. A fee of ten dollars shall be charged for euthanizing any animal at the written request of the owner. A file of the written requests shall be maintained at all times by the euthanizing agency.

6.04.310 Impoundment--Procedures Against Owner. The owner of an impounded animal may also be proceeded against for violation of this chapter for recovery of impoundment fees.

6.04.320 Adoption of Animals. All dogs, regardless of age, adopted by a resident of the County, must be licensed before leaving the shelter premises. Adoption fees shall be set by the shelter operator, at its discretion, and paid before the dog leaves the premises. All adopted puppies under six months age must be vaccinated for rabies within thirty days of turning six months of age and the shelter operator shall make necessary arrangements for same before releasing any puppy.

6.04.330 Excrement Removal. The owner of every dog in a dog control zone shall be responsible for the removal of any excreta deposited by his animal(s) on public areas or private property, and shall carry a bag or device to facilitate the removal of excreta. It shall be unlawful for the owner to permit such excreta or food supplies, on the property of the owner or elsewhere, to be or become a breeding place for insects or flies, or to become unsanitary or odoriferously offensive. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.340 Vaccination Required. All dogs in a dog control zone over the age of six months shall have the current rabies vaccination administered by a licensed veterinarian. An owner or custodian in a dog control zone acquiring a dog under six months old shall have the dog inoculated against rabies within 30 days after the dog reaches six months of age. Any person moving in a dog control zone from a location outside of a dog control zone, shall comply with this section 30 days after having established residency therein. Violation of this section shall be an offense punishable under section 6.04.410.

6.04.350 Potentially Dangerous Dogs--Penalty. It is unlawful for any owner of a dog to permit his or her dog, in or out of a dog control zone, when unprovoked, to: (a) inflict a bite on a human or a domestic animal either on public or private property, or (b) chase or approach a person upon the public streets, public sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack. Violation of

this section shall be an offense punishable under section 6.04.410. Upon conviction, the dog shall be found to be a "potentially dangerous dog" for purposes of Chapter 16.08 RCW.

6.04.360 Dangerous Dogs--Penalty. It is unlawful for an owner of a dog to permit his or her dog, in or out of a dog control zone: (a) to inflict severe injury on a human being without provocation on public or private property; (b) to kill a domestic animal without provocation while off the owner's property; or (c) having been previously found to be potentially dangerous pursuant to Chapter 16.08 RCW, and the owner having received notice of such, to again aggressively bite, attack, or endanger the safety of humans or domestic animals. Violation of this section shall be an offense punishable under section 6.04.410. Upon conviction, the dog shall be found to be a "dangerous dog" for purposes of Chapter 16.08 RCW.

6.04.370 Wild or Vicious Animals--Permit Required.

A. No person shall have, keep, or maintain, or have in his or her possession or under his or her control, within any area of the county, any wild animal as defined in this chapter; Provided, however, that in those areas zoned other than residential such animals may be allowed by permit approved by the Board of County Commissioners or its duly appointed representative. Permits shall be granted only upon showing by the applicant that adequate safeguards exist and will be maintained to contain and control said animal, prevent any danger to persons or property, and prevent the keeping of said animal from being a public or private nuisance. Violation of this section shall be an offense punishable under section 6.04.410.

B. No person owning or having charge, custody, control, or possession of a wild animal as defined in this chapter shall permit or allow the same to run at large in any public or private place, nor within the premises of such person in such a manner as to endanger any person lawfully entering such premises. Violation of this section shall be an offense punishable under section 6.04.410.

C. This section shall not apply to any person keeping, maintaining, possessing, or having under his or her control any animal when transporting said animal through the county, provided adequate safeguards have been provided to protect the public, has notified the animal control authority of the proposed time and route of transportation; nor shall this section apply to any person who has custody of animals in connection with the operation of any zoo or circus, or in connection with any program of medical, veterinary, or

scientific research or humane education, provided adequate safeguards are made to protect persons or property.

PART 4 - ANIMAL BITES - RABIES - QUARANTINE PROCEDURES

6.04.380 Animal Bite--Rabies Procedures--Penalties.

A. Every animal bite shall be reported to the County Health Officer and he or his designee shall investigate the case and may order the confinement of the animal for rabies observation. In the case of a domestic dog or cat the confinement period shall be ten days. The County Health Officer may also order testing and destruction of the animal, or require examination and recommendation by a veterinarian related to signs of rabies, or specify other appropriate actions for animals considered low risk for rabies. It shall be unlawful for the owner or custodian of any dog, cat, or any other animal, within or without the dog control zone, that has been reported as having inflicted a bite upon any person, to destroy such animal or remove it from the County before it can be properly confined by the County Health Officer or his designee, punishable under Section 6.04.410. The location of such confinement shall be determined by the County Health Officer or his designee and shall be at the expense of the owner or custodian. The owner or custodian of any animal that has been reported as having inflicted a bite upon any person, shall upon demand of the County Health Officer or his designee, Animal Control Officer, Sheriff or his Deputy, produce such animal for examination and confinement as prescribed in this section. If the owner or custodian of any such animal refuses to produce such animal, the owner or custodian shall be subject to immediate arrest by the Sheriff or his duly appointed Deputy if there shall be probable cause to believe that the animal has inflicted a bite upon a person and the owner or custodian is keeping or harboring the animal and willfully refuses to produce the animal upon such demand. Such person shall be taken before the judge of the District Court who may order immediate production of the animal. It is unlawful for the owner to willfully or knowingly conceal, secrete or refuse to produce the animal, punishable under Section 6.04.410, and each day of concealment, secretion or refusal to produce the animal shall constitute a separate and individual violation of these provisions.

B. At the discretion of the County Health Officer or his designee, domestic dogs and cats may be confined upon the premises of the owner or custodian provided that provisions of confinement are strictly kept and a home confinement agreement is signed. If the owner of the animal violates any condition of the home confinement agreement, the County Health Officer or his designee may order that the animal be placed in a kennel or

veterinary clinic for the remainder of the confinement period at the owner's expense.

C. When an animal under confinement becomes ill or dies, the party responsible for observation during confinement shall contact the County Health Officer, Animal Control Officer, or the County Sheriff's Office immediately for instructions regarding what to do with the animal.

D. When a cat or dog has been bitten by a rabid or suspected rabid animal, the County Health Officer or his designee shall require: (1) Destruction of the exposed animal; or (2) Revaccination, if currently vaccinated, and observation by the owner for ninety days; or (3) If unvaccinated, vaccination and strict isolation for six months with revaccination one month prior to release from isolation; or (4) Any other action deemed appropriate by the County Health Officer or his designee.

6.04.390 Rabies Outbreak--Emergency Situation. In case of an outbreak of rabies constituting an emergency situation, the sheriff's office and/or County Health Officer shall be authorized to impose strict regulations pertaining to animals within the county.

PART 5 - ENFORCEMENT AND PENALTIES

6.04.400 Enforcement--Authority.

A. The provisions of this chapter shall be enforced by those persons or agencies designated by the County. Any deputy of the Walla Walla County Sheriff's Office is authorized to aid the animal control officer, the humane officer, or a county health officer in the enforcement of this chapter. Nothing in this chapter prevents any deputy of the Walla Walla County Sheriff's Office from seizing any animal violating this chapter, or from enforcing any provision of this chapter, or from enforcing the provisions of Chapter 16.08 RCW. It is a violation of this chapter to interfere with a deputy sheriff, animal control officer, a humane officer, or a county health officer in the performance of his or her duties.

B. No citation shall be issued for any offense or violation under this chapter, other than the failure to license, unless the offense or violation is committed in the presence of a deputy sheriff, animal control officer, humane officer, county health officer, or as requested by complaint sworn to and signed by any other person.

6.04.410 Violation--Penalty. Any person who is convicted of violating or failing to comply with any of the

provisions of this chapter shall be guilty of a misdemeanor and shall be punished as provided in RCW 9A.20.021, except that the following offenses shall be deemed infractions which shall be punished only by a fine not to exceed the maximum amount hereinafter set forth:

<u>Section</u>	<u>Title</u>	<u>Penalty</u>
6.04.020	License Required First Offense	\$25.00
	Second Offense and subsequent offenses within 12 months, each	50.00
6.04.050	License--Falsifying, withholding information	50.00
6.04.100	License Tags--Required	50.00
6.04.110	License--Improper Use	50.00
6.04.190	Walla Walla County Fairgrounds-- Dogs Prohibited--When	50.00
6.04.200	Confinement of female in heat First Offense	50.00
	Each subsequent offense	100.00
6.04.250	Restraint Requirement--Running at Large First offense	25.00
	Second Offense	50.00
	Each Subsequent Offense	100.00
6.04.330	Excrement Removal	25.00
6.04.340	Vaccination Required	25.00
6.04.350	Potentially Dangerous Dog First offense	25.00
	Second Offense	50.00
	Each Subsequent Offense	100.00

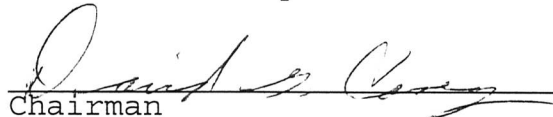
Any person found having within one license year been convicted of violating section 6.04.350 (Potentially Dangerous Dogs--Penalty) shall in addition to the penalty provided in RCW 9A.20.021 be punished by a minimum fine of not less than twenty-five dollars on the first conviction, by a minimum fine of not less than fifty dollars on the second conviction, and by a minimum fine of not less than one hundred dollars on the

third or further conviction. The minimum fines herein shall not be reduced, deferred or suspended. Upon failure to respond to a criminal complaint or citation or a notice of infraction, or failure to appear at any court hearing, the court may order that the fine for the violation be imposed and that the amount due be immediately assigned to a collection agency for collection.

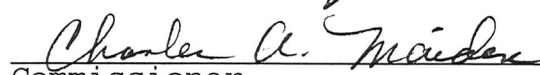
6.04.420 Severability. If any section, subsection, clause, phrase, or word in this ordinance or any provision adopted by reference herein is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or any provisions adopted by reference herein.

Dated this 2nd day of December, 19 97.

Board of County Commissioners


Chairman


Commissioner


Commissioner

Attest:



Clerk of the Board

Appendix "A" - Walla Walla County Code
Chapter 6.04 - Dogs and Other Animals

DOG CONTROL ZONE BOUNDARY
Walla Walla/College Place

Beginning at the intersection of the east right-of-way line of State Route 12 and the east-west centerline of S 12, T7N, R36 EWM; thence southwest along the east right-of-way line of said State Route 12 to the east line S14, T7N, R36 EWM; thence south along said east line to the south right-of-way line of the Mill Creek Flood Control Zone District boundary, according to the maps on file in the office of the County Engineer; thence southwesterly along said south right-of-way line to the centerline of Yellowhawk Creek; thence southwest along said centerline to the east line of the west half of the west half of S23, T7N, R36 EWM; thence south along said east line to the southeast corner of the southwest quarter of the southwest quarter of S23, T7N, R36 EWM; thence west along the south line of S23, T7N, R36 EWM to the southwest corner thereof; thence south along the east line of S27, T7N, R36 EWM to the south right-of-way line of Russell Creek Road; thence west along said south right-of-way line to the east right-of-way line of Depping Road; thence south along the east right-of-way line of Depping Road to the south right-of-way line of Reser Road; thence west along said south right-of-way line of Reser Road to the east line of the west half of the west half of the southwest quarter of S34, T7N, R36 EWM; thence south along the east line of the west half of the west half of the southwest quarter of S34, T7N, R36 EWM to the south line of said S34, T7N, R36 EWM; thence south along the east line of the west half of the west half of S3, T6N, R36 EWM to the south right-of-way line of Cottonwood Road; thence northwest along the south right-of-way line of Cottonwood Road to the east line of the west half of the east half of S4, T6N, R36 EWM; thence south along said east line to the center of Cottonwood Creek; thence west along said centerline to the east line of S8, T6N, R36 EWM; thence north along said east line to the northeast corner of said section; thence west along the north line of Sections 8 and 7, T6N, R36 EWM to the west right-of-way line of Pranger Road; thence north along said west right-of-way line to the south right-of-way line of the Lower Milton Road; thence west along said south right-of-way line to the east right-of-way line of Washington State Highway SR 125; thence south along said right-of-way line to the Washington-Oregon State Line; thence west along said state line to the extension of the west right-of-way line of Beet Road; thence north and northwest along said right-of-way line to the south right-of-way line of Frog Hollow Road; thence west along said right-of-way line to the east right-of-way line of Valley Chapel Road; thence north

Appendix "A" - Walla Walla County Code
Chapter 6.04 - Dogs and Other Animals

to the north right-of-way line of State Route 12 in S29, T7N, R35 EWM; thence northeast along the north right-of-way line of State Route 12 to the east section line of S22, T7N, R35 EWM; thence north to the northeast corner of S22, T7N, R35 EWM; thence east to the northeast corner of S19, T7N, R36 EWM; thence north to the northeast corner of S18, T7N, R36 EWM; thence east to the northeast corner of S16, T7N, R36 EWM; thence north to the northeast corner of the south half of S9, T7N, R36 EWM; thence east along the north-south centerline of Sections 10, 11, and 12, T7N, R36 EWM to the true point of beginning.

DOG CONTROL ZONE BOUNDARY
Burbank

Beginning at a point at the intersection of Section 7, 8, 17 and 18, Township 8 North, Range 31 EWM; thence running north along the east line of Sections 7 and 8, Township 8 North, Range 31 EWM, and Section 31, Township 9 North, Range 31 EWM to a point intersecting the south line of the U.S. Bureau of Reclamation's Main Canal BP#1 easement, said point being approximately 100 feet due north of the intersection of Sections 6 and 5, Township 8 North, Range 31 EWM and Sections 31 and 32, Township 9 North, Range 31 EWM; thence running northwest along the south easement line of said U.S. Bureau of Reclamation Canal to the intersection with the south high water line of the Snake River; thence running in a southwest direction along said high water line to its intersection with the west line of the Union Pacific Railroad right-of-way; thence south along said U.P.R.R. right-of-way line to a point on the extended south boundary line of Farm Unit 20, Block 3, Columbia Basin Project, Walla Walla County, Washington; thence in a northeast direction along said boundary line to its intersection with a point on the west right-of-way line of U.S. Highway 12, said point being approximately 3,900 feet south of the intersection of U.S. Highway 12 and Hanson Loop Road; thence running northwest to the intersection of said U.S. Highway 12 right-of-way line and the east line of Section 18, Township 8 North, Range 31 EWM; thence running due north along said east line to the point of beginning.

Appendix "A" - Walla Walla County Code
Chapter 6.04 - Dogs and Other Animals

**DOG CONTROL ZONE BOUNDARY
Wallula Townsite**

Beginning at the Southwest Corner of Section 14, Township 7 North, Range 31 East of the Willamette Meridian and running thence easterly along the South line of said Section 14 which bears N 89°04'20"E a distance of 469.4 feet to a point in the easterly right-of-way line of Washington State Highway No. 3 (also known as State Route 12); thence N 11°46'40"W along the easterly right-of-way line of said highway a distance of 49.7 feet to the true point of beginning; thence N 78°13'20"E a distance of 200.0 feet; thence N 11°46'40"W a distance of 250.0 feet; thence N 78°13'20"E a distance of 1,440.0 feet; thence N 11°46'40"W a distance of 2,125.0 feet; thence S 78°13'20"W a distance of 1,640.0 feet; thence S 11°46'40"E along the easterly right-of-way line of State Highway No. 3 (also known as State Route 12) a distance of 2,375.0 feet more or less to the true point of beginning; AND

Beginning at a point in the extension of Second Street which bears N 78°13'20"E a distance of 300.0 feet from the intersection of said Second Street and Burdett Way in Wallula Townsite as shown on the plat thereof recorded with the Walla Walla County Auditor and running thence N 11°46'40"W a distance of 100.0 feet; thence N 78°13'20"E a distance of 225.0 feet; thence S 11°46'40"E a distance of 275.0 feet; thence S 78°13'20"W a distance of 225.0 feet; thence N 11°46'40"W a distance of 175.0 feet more or less to the true point of beginning; and including the said Second Street extended to the true point of beginning.

COUNTY CODE 6-04

Summary of Walla Walla County Dog Control Requirements

Please refer to the actual ordinance for additional details.

ANY WHERE IN THE COUNTY:

- * Prevent your dog from biting or menacing any person or animal.
- * Prevent your dog from becoming a public nuisance.
- * Confine female dogs in heat.
- * A permit is required to keep any wild animal.

WITHIN DOG CONTROL ZONES, IN ADDITION TO ABOVE:

- * Obtain a dog license for each dog, each year, unless a kennel license is required.
- * Properly restrain your dog at all times.
- * Obtain a kennel license if you have 6 or more dogs.
- * Remove your dog's excrement(droppings) from any public or private property.

YOU MAY EXPECT HELP FROM THE HUMANE SOCIETY OR SHERIFF'S OFFICE IF
A DANGEROUS ANIMAL THREATENS OR ATTACKS YOU WHEN IT IS OFF IT'S
OWNER'S PROPERTY.

WALLA WALLA COUNTY DOG CONTROL ZONES

MEMORANDUM

13.34.11 1/19/98 Page 1

To: Connie
From: Jim Nagle
Subject: Request for Copy of Dog Ordinance

May I please obtain a copy of the Dog Ordinance as recorded for distribution to the Sheriff's Office and the Humane Society? Thanks.

MEMORANDUM

13.34.21 12/24/97 Page 1

To: Connie/Commissioners
From: Jim Nagle
Subject: Blue Mountain Humane Society - Contract

Please replace the SCOPE OF WORK provision with the attached. "Sheriff's Office" is spelled out, "Intermittent Patrol" is restricted to chronic cases of complaints.

✓
COMMISSIONER 1
COMMISSIONER 2 DC,
COMMISSIONER 3 cin

EXHIBIT A - SCOPE OF WORK

1. Authorization

The County agrees to authorize the Contractor to exercise certain animal control powers as defined by Chapter 16.52 RCW, and authorized to be performed by animal control officers as follows:

- (a) The power to issue citations based on probable cause to offenders for misdemeanor and gross misdemeanor violations of this chapter of RCW 9.08.070 or 81.56.120;
- (b) The power to cause a law enforcement officer to arrest and take into custody any person the animal control officer has probable cause to believe has committed or is committing a violation of this chapter or RCW 9.08.070 or 81.56.120. Animal control officers may make an oral complaint to a prosecuting attorney or a law enforcement officer to initiate arrest. The animal enforcement officer causing the arrest shall file with the arresting agency a written complaint within twenty-four hours of the arrest, excluding Sundays and legal holidays, stating the alleged act or acts constituting a violation;
- (c) The power to carry nonfirearm protective devices for personal protection.
- (d) The power to prepare affidavits in support of search warrants and to execute search warrants when accompanied by law enforcement officers to investigate violations of this chapter of RCW 9.08.070 or 81.56.120, and to seize evidence of those violations.

2. Animal Regulations and Enforcement

The Contractor shall be responsible for support of enforcement of animal regulatory ordinances, including zoning and noise control. It should be understood that situations will require either Immediate (as soon as possible), Urgent (same day), or Preventive action by the contractor.

Those situations which will receive Immediate action:

- (a) Apprehension and impoundment of stray dogs which represent an immediate danger to traffic, livestock, or citizens.
- (b) Pick up and transportation of injured domestic animals excluding livestock.

Blue Mountain Humane Society Contract 1998

The Contractor will make every effort to provide immediate response, but does not guarantee availability of qualified personnel 24 hours per day, 365 days per year.

Those situations which will receive Urgent action:

- (c) Apprehension and impoundment of dogs that are a chronic public nuisance, either by Sheriff's Office request, or during intermittent patrols of areas within the control zones where dogs at large are the source of chronic complaints. (See (f) below.)
- (d) Issue citations for the violation of animal regulatory ordinances and testify in court when so required.

Additional activities which should be considered Preventive:

- (e) Provide licenses to county residents who apply for same. Require licenses for impounded strays as a condition of reclaim. The Contractor may engage in other programs to encourage the purchase of licenses by dog owners. Purchase of a supply of tags is the responsibility of the Contractor.
- (f) Intermittent patrol of areas within the control zones where dogs at large are the source of chronic complaints. Inspection and licensing of kennels.

Administrative and support activities:

- (g) Secure evidence of suspected violators, including management of files adequate to identify "potentially dangerous dogs", and "dangerous dogs" as defined in the ordinance and RCW. To recommend filing of charges in a consistent manner for all situations involving such dogs.
- (h) Execute and return lawful orders or warrants relating to animal regulation.
- (i) Act as keeper of the impoundment facility and provide sufficient personnel to support staff who respond per (a), (b) and (c) above.
- (j) Manage notification of owners when possible, and collection of reclaim charges, license fees and veterinary charges from owners.
- (k) Hold dogs pending resolution of charges in court when so requested by the Court, the Prosecuting Attorney's Office, or the Sheriff's Office. (See compensation

Blue Mountain Humane Society Contract 1998

section.)

- (l) Quarantine animals under the direction of the Health Department.
- (m) Arrange destruction and disposal of animals as required.
- (n) Provide reports on activities as needed, including a report of license numbers and associated owner information to be provided to dispatch personnel.
- (o) Veterinary care for injured animals will be arranged by the Contractor. When no owner is available to authorize care, stabilization and pain relief will be provided initially. If the animal can be transported safely to the shelter, that will occur as soon as possible after initial treatment. The County will be responsible for the cost of initial treatment on the first day only, if no owner is located. The Contractor will be responsible for authorizing and paying for veterinary charges after initial treatment.

3. Compensation and Payment

The Contractor will retain all impoundment charges and all license fees collected. The County will retain its percentage of fines levied by the Court for violations of animal regulations.

The Contractor will bill the County when no owner is located for:

- (a) Actual amount of charges for emergency initial (first day only) veterinary treatment of injured animals, not to exceed \$1,000.00 annually;
- (b) Mileage on Immediate Response calls to locations outside the Walla Walla area Control Zone, not to exceed \$1,000.00 annually.

In those situations where the Court's order eventually relieves the owner of responsibility for impoundment charges, the Contractor will bill the County for impoundment charges at the rate of \$10.00 first day and \$5.00 per day thereafter, and veterinary charges, if any, for dogs held at the request of the County pending court hearings.

EXHIBIT A - SCOPE OF WORK

1. Authorization

The County agrees to authorize the Contractor to exercise certain animal control powers as defined by Chapter 16.52 RCW, and authorized to be performed by animal control officers as follows:

- (a) The power to issue citations based on probable cause to offenders for misdemeanor and gross misdemeanor violations of this chapter of RCW 9.08.070 or 81.56.120;
- (b) The power to cause a law enforcement officer to arrest and take into custody any person the animal control officer has probable cause to believe has committed or is committing a violation of this chapter or RCW 9.08.070 or 81.56.120. Animal control officers may make an oral complaint to a prosecuting attorney or a law enforcement officer to initiate arrest. The animal enforcement officer causing the arrest shall file with the arresting agency a written complaint within twenty-four hours of the arrest, excluding Sundays and legal holidays, stating the alleged act or acts constituting a violation;
- (c) The power to carry nonfirearm protective devices for personal protection.
- (d) The power to prepare affidavits in support of search warrants and to execute search warrants when accompanied by law enforcement officers to investigate violations of this chapter of RCW 9.08.070 or 81.56.120, and to seize evidence of those violations.

2. Animal Regulations and Enforcement

The Contractor shall be responsible for support of enforcement of animal regulatory ordinances, including zoning and noise control. It should be understood that situations will require either **Immediate** (as soon as possible), **Urgent** (same day), or **Preventive** action by the contractor.

Those situations which will receive **Immediate** action:

- (a) Apprehension and impoundment of stray dogs which represent an immediate danger to traffic, livestock, or citizens.
- (b) Pick up and transportation of injured domestic animals excluding livestock.

Blue Mountain Humane Society Contract 1998

The Contractor will make every effort to provide immediate response, but does not guarantee availability of qualified personnel 24 hours per day, 365 days per year.

Those situations which will receive Urgent action:

- (c) Apprehension and impoundment of dogs that are a chronic public nuisance, either by Sheriff's Office request, or during intermittent patrols of areas within the control zones where dogs at large are the source of chronic complaints. (See (f) below.)
- (d) Issue citations for the violation of animal regulatory ordinances and testify in court when so required.

Additional activities which should be considered Preventive:

- (e) Provide licenses to county residents who apply for same. Require licenses for impounded strays as a condition of reclaim. The Contractor may engage in other programs to encourage the purchase of licenses by dog owners. Purchase of a supply of tags is the responsibility of the Contractor.
- (f) Intermittent patrol of areas within the control zones where dogs at large are the source of chronic complaints. Inspection and licensing of kennels.

Administrative and support activities:

- (g) Secure evidence of suspected violators, including management of files adequate to identify "potentially dangerous dogs", and "dangerous dogs" as defined in the ordinance and RCW. To recommend filing of charges in a consistent manner for all situations involving such dogs.
- (h) Execute and return lawful orders or warrants relating to animal regulation.
- (i) Act as keeper of the impoundment facility and provide sufficient personnel to support staff who respond per (a), (b) and (c) above.
- (j) Manage notification of owners when possible, and collection of reclaim charges, license fees and veterinary charges from owners.
- (k) Hold dogs pending resolution of charges in court when so requested by the Court, the Prosecuting Attorney's Office, or the Sheriff's Office. (See compensation

Blue Mountain Humane Society Contract 1998

section.)

- (l) Quarantine animals under the direction of the Health Department.
- (m) Arrange destruction and disposal of animals as required.
- (n) Provide reports on activities as needed, including a report of license numbers and associated owner information to be provided to dispatch personnel.
- (o) Veterinary care for injured animals will be arranged by the Contractor. When no owner is available to authorize care, stabilization and pain relief will be provided initially. If the animal can be transported safely to the shelter, that will occur as soon as possible after initial treatment. The County will be responsible for the cost of initial treatment on the first day only, if no owner is located. The Contractor will be responsible for authorizing and paying for veterinary charges after initial treatment.

3. Compensation and Payment

The Contractor will retain all impoundment charges and all license fees collected. The County will retain its percentage of fines levied by the Court for violations of animal regulations.

The Contractor will bill the County when no owner is located for:

- (a) Actual amount of charges for emergency initial (first day only) veterinary treatment of injured animals, not to exceed \$1,000.00 annually;
- (b) Mileage on Immediate Response calls to locations outside the Walla Walla area Control Zone, not to exceed \$1,000.00 annually.

In those situations where the Court's order eventually relieves the owner of responsibility for impoundment charges, the Contractor will bill the County for impoundment charges at the rate of \$10.00 first day and \$5.00 per day thereafter, and veterinary charges, if any, for dogs held at the request of the County pending court hearings.

draft summary

Notice of Hearing

Notice is hereby given that a public hearing will be held on _____, the _____ day of _____, 19____, in the public meeting room of the of the Walla Walla County Extension Office, 317 West Rose, Walla Walla, for thge purpose of taking testimony in favor of or in opposition to the adoption of an Ordinance repealing the current Walla Walla County Ordinance Chapter 6.04, and adopting a new Ordinance for the control of Dogs and Other Animals, summarized as follows: (1) reestablishing dog control zones in specified areas of Walla Walla County outside the corporate limits of cities or organized townships; (2) establishing licensing regulations for dogs and provisions for the enforcement of the same; (3) establishing regulations for kennels, rules for dogs on the Southeast Washington Fairgrounds, responsibilities of owners of dogs, penalties for dogs running at large, procedures for the impoundment of dogs, and rules for adoption of animals; (4) establishing regulations and penalties for potentially dangerous dogs and dangerous dogs; (5) regulations for wild or vicious animals; and (6) regulations and procedures for animals with rabies.

This summary is provided under the provisions of RCW 36.32.120(7) whereby the County of Walla Walla is authorized to publish a brief and succinct summary describing the main points of the proposed ordinance in lieu of the actual text of said proposed ordinance. A copy of the full text of the proposed ordinance, in its entirety, is available at the office of the Walla Walla County Commissioners, Courthouse, 315 West Main, Walla Walla, Washington, or will be mailed upon reuest.

Dated this _____ day of _____, 1997.

Board of County Commissioners
Walla Walla County, Washington

By Connie R. Vinti, Clerk of the Board