

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



CO00000628

ORDINANCE 02-081

RELATING TO THE REGULATION OF KENNELS, GROOMING PARLORS, PET
SHOPS, ANIMAL SHELTERS AND BOARDING FACILITIES

AMENDING SNOHOMISH COUNTY CODE CHAPTER 6.06

NOW THEREFORE BE IT ORDAINED:

Section 1. Snohomish County Code Section 6.06.005 added by Ordinance 97-020 § 4, on May 7, 1997 is amended to read:

6.06.005 Definitions. The following words and phrases used in this chapter shall have the meanings set forth below or as defined in 6.01 SCC unless the context indicates otherwise:

- (1) "Adult dog" means any dog six months of age or older.
- (2) "Agricultural pursuits" means the use of land primarily for the production of crops and livestock or fur farming.
- (3) "Animal" means any member of the classes: amphibian, fish, reptile, bird, or mammal, except human.

(4) "Animal control agency" means the Snohomish County animal control agency created and perpetuated to enforce the provisions of the Snohomish County Code and laws of the state of Washington as they pertain to animal welfare.

(5) "Animal control officer" means any individual employed, contracted or appointed by the animal control agency for the purpose of enforcing this code or any other code, or the laws of the state of Washington.

((4)) (6) "Animal hospital" means a facility at which a licensed veterinarian provides medical treatment and consultation for animals which may stay temporarily at the facility for medical procedures or observation.

((5)) (7) "Animal shelter" means a facility that ~~((temporarily houses or controls))~~ accepts from the public impounded, stray, homeless, abandoned or unwanted animals for temporary housing.

((6)) (8) "Boarding facility" means a place where four or more animals are kept ~~((overnight or longer))~~ by contractual arrangement with the owner, whether for compensation or not, for any ~~((legal))~~ purpose other than medical treatment, breeding, or permanent disposal.

((7)) (9) "Commercial kennel" means a place where ~~((a) four or more adult dogs, cats or combination thereof are kept whether or not for compensation, including facilities known and operated as animal shelters and boarding facilities, or (b))~~ the owner or occupant of the property keeps ~~((and owns more than ten))~~ at least four and not more than 25 dogs and does not have a private kennel license as set forth herein. ~~((or (c) dogs are sold, but not including small animal hospitals where pets are kept for treatment only, pet shops, private kennels, or zoological parks.))~~

(10) "Foster care" means providing temporary care for dogs and cats from an animal shelter at a private residence.

((8)) (11) "Grooming parlor" means any establishment, public or private, where animals are bathed, clipped, or combed for compensation.

((9)) (12) "Pet shop" means any person or establishment that acquires, holds, or offers animals not bred and whelped from the facility for the purpose of sale or resale to the public.

((10)) (13) "Private kennel - breeding" means a place at or adjoining a private residence where at least four but not more than 10 ~~((adult))~~ dogs of which at least one has not been neutered or spayed, are owned, kept or maintained by the persons residing on said property, ~~((are bred or kept))~~ for the purpose of hunting, training, ~~((for))~~ field work, obedience trials, ~~((and))~~ other competition, breeding, ~~((or for))~~ the

enjoyment of the species or for any other purpose. Dogs under the age of 6 months shall not be included for purposes of determining the total number of dogs within the private kennel provided that they are bred and whelped from the adult dogs within the private kennel. Upon request, it shall be the duty of the kennel owner to provide to the licensing authority, evidence that dogs are under the age of 6 months and are bred and whelped from the adult dogs within the private kennel.

~~((14))~~ (14) "Private kennel - non-breeding" means a place at or adjoining a private residence where at least four but not more than 10 adult dogs of which all have been neutered or spayed, are owned, kept or maintained by the ~~((natural))~~ persons residing on said property, ~~((are kept))~~ for the purpose of hunting, training, ~~((for))~~ field work, obedience trials, ~~((and))~~ other competition, ~~((or))~~ for the enjoyment of the species or for any other purpose. ~~((Dogs under the age of 6 months shall not be included for purposes of determining the total number of dogs within the private kennel)).~~

~~((12))~~ (15) "Quiet hours" means the hours of day during which a dog or dogs shall not be allowed to bark continuously for a duration that exceeds five minutes nor be allowed to engage in repetitive barking. For the purpose of this definition, ~~((13))~~ "Repetitive barking" means barking, whether by one or more dogs, which while not continuous constitutes 10 minutes or more of any half hour time span.

Section 2. A new section 6.06.007 is added to chapter 6.06 Snohomish County Code as follows:

6.06.007 License Required. It is unlawful for any person to own, keep or maintain on their premises 4 or more dogs unless a private kennel, commercial kennel, animal shelter, boarding facility, grooming parlor or pet shop license has been issued to the premises pursuant to this chapter.

Section 3. A new section 6.06.008 is added to chapter 6.06 Snohomish County Code as follows:

6.06.008 Limitation on Number of Dogs. It is unlawful for any person to own, keep or maintain on their premises more than 25 dogs. Licensed pet shops, boarding facilities or animal shelters shall not be subject to this limitation.

Section 4. A new section 6.06.009 is added to chapter 6.06 Snohomish County Code as follows:

6.06.009 Insurance Exemption. Private kennel- breeding/non-breeding facilities and commercial kennel facilities as defined in this chapter are exempt from the requirements set forth in section 6.01.190 SCC.

Section 5. Snohomish County Code Section 6.06.010 last amended by Ordinance 97-020 § 5, on May 7, 1997 is amended to read:

6.06.010 Private kennel -- Breeding/non-breeding license required. It is unlawful for any person to keep, operate or maintain ~~((four or more, but not more than 10 adult dogs))~~ a private kennel – breeding or non-breeding as defined in this chapter within Snohomish County without a valid private kennel license -- breeding or non-breeding .

Section 6. Snohomish County Code Section 6.06.012 added by Ordinance 97-020 § 6, on May 7, 1997 is amended to read:

6.06.012 Private kennel – Breeding/nonbreeding requirements for obtaining a license. The licensing authority may issue a license for a private kennel (breeding or non-breeding) upon application by the owner and only if the licensing authority is satisfied that all the following requirements are met:

(1) all open run areas shall be completely surrounded by fencing according to the size, type and characteristic of the breed set back at least thirty feet from all property lines. For purposes of this section "open run area" means that area, within the property lines of the premises on which the private kennel is to be maintained, where dogs are sheltered and maintained. If there is no open run area set aside for sheltering or maintaining the dogs within the property lines of the premises, the thirty-foot setback does not apply. If the premises does not contain an open run area, its property line must be completely surrounded by fencing according to the size, type and characteristic of the breed. Kennel applicants located on a corner lot must also meet fencing requirements identified in SCC 18.42.130;

(2) no commercial signs or other display advertising the private kennel are permitted on the property except for the signs advertising the sale of the allowable offspring set forth in this section and as prescribed in SCC 18.32.040(B)(11)(f);

(3) the licensing authority may require additional setbacks, fencing, screening or soundproofing as necessary to insure the compatibility of the private kennel with the surrounding neighborhood. In determining such compatibility, the licensing authority may consider the following:

(a) statements regarding approval/disapproval of surrounding neighbors relative to operation and maintenance of a private kennel by the applicant at the address listed on the private kennel application;

(b) past history of animal control complaints relating to dogs owned or kept by the applicant at the address listed on the private kennel application;

(c) facility specifications/dimensions in which the dogs are to be maintained; and

(d) size, type and characteristics of breed of dogs to be kept at proposed private kennel;

(4) food and water shall be provided in sufficient amounts to ensure normal growth in puppies and maintenance of normal body weight in adults;

(5) food and water receptacles shall be accessible to all dogs and shall be located so as to prevent contamination by dirt and excreta;

(6) adequate shelter shall be provided to protect the animal from excessive heat or cold, sunlight, rain, snow, wind and other elements. The determination of adequacy of shelter is made by the licensing authority and is based on the size of the animal;

~~((7) all dogs over the age of six months must receive rabies inoculations. Wolf hybrid animals maintained in a kennel licensed under the provisions of this chapter are exempt from the rabies inoculation requirement)).~~

(7) private kennels-breeding shall provide written instructions and educational material on care, feeding, and responsible pet ownership, as well as licensing forms, to each dog purchaser.

Section 7. Snohomish County Code Section 6.06.015 added by Ordinance 97-020 § 8, on May 7, 1997 is amended to read:

~~6.06.015 ((Commercial kennel, grooming parlor, or pet shop))~~ – License required – Facilities other than a private kennel. It is unlawful for any person to keep, operate or maintain a commercial kennel, boarding facility, animal shelter, grooming parlor, or pet shop as defined in this chapter within Snohomish county without a valid license as required by this chapter. ~~((The))~~ Any license issued under the provisions of this chapter shall be conspicuously displayed at the establishment to which such license was issued

Section 8. Snohomish County Code Section 6.06.016 added by Ordinance 97- 020 § 9, on May 7, 1997 is amended to read:

~~6.06.016 ((Commercial kennel, grooming parlor, or pet shops))~~ -- Requirements for obtaining a license – Animal Facilities other than a private kennel.

The licensing authority may issue a license for a commercial kennel, boarding facility, animal shelter, grooming parlor or pet shop upon application by the owner and only if the licensing authority is satisfied that in addition to any other requirements applicable under this title, all of the following requirements are met:

(1) shelter shall be provided for all animals and shall be structurally sound, maintained in good repair, constructed to protect the animals from injury, contain the animals and restrict the entry of other animals;

(2) each animal shall be provided with adequate floor space to allow the animal to turn about freely and to stand, sit and lie down in a comfortable, normal position;

(3) electrical power shall be supplied in conformance with applicable electrical codes adequate to supply sufficient heating and lighting for the animals according to the species;

(4) animals which are caged, closely confined or restrained shall be permitted daily to exercise in a yard or area suitable for that purpose and for an appropriate length of time depending on their size, age and species;

(5) food and bedding shall be placed and stored in facilities which provide adequate protection against infestation or contamination by insects or rodents. Any perishable foods shall be refrigerated;

(6) food and water shall be provided in sufficient amounts to ensure normal growth in immature animals and maintenance of normal weight in adults;

(7) food and water receptacles shall be accessible to all animals and shall be located to prevent contamination by dirt and excreta;

(8) provisions shall be made on a daily basis for the removal and disposal of animal and food wastes, contaminated bedding, dead animals, and debris. Disposal facilities shall be maintained in a sanitary condition, free from the infestation or contamination of insects, rodents or disease, and shall be free from obnoxious or foul odors;

~~((9) washroom facilities shall include sinks with hot and cold running water and toilets, and shall be convenient to encourage frequent washing of utensils and equipment and general cleanliness;))~~

~~((10))~~ (9) dirtied or soiled utensils and equipment and open containers of animal food shall be stored in an area of the facility not accessible to the public;

~~((11))~~ (10) sick, diseased or injured animals shall not be sold. ~~((in an unhealthy condition,))~~ They shall be separated from healthy, normal animals, and shall be removed from display and kept in isolation quarters with adequate ventilation to prevent contamination of healthy animals and humans;

~~((12) during business hours, there shall be an employee or keeper on duty at all times whose responsibility shall be the care and supervision of any animals on the premises;~~

~~((13) employees, keepers or owners shall make provisions to feed, water and do the necessary cleaning of animals on a daily basis on days the establishment is closed;))~~

~~((14))~~ (11) no employee, keeper or owner shall misrepresent any information pertaining to any animal to a consumer;

~~((15))~~ (12) no employee, keeper or owner shall knowingly sell a sick or injured animal;

~~((16))~~ (13) adequate care and feeding instructions, responsible pet ownership education material and licensing ~~((forms))~~ information must be provided, in writing, to each animal purchaser; ~~((Responsible pet ownership educational material and licensing forms will be provided at no cost by the licensing authority as necessary; and))~~

~~((17))~~ (14) any other requirements applicable under this chapter.

Section 9. A new section 6.06.018 is added to chapter 6.06 Snohomish County Code as follows:

6.06.018 Additional requirements for boarding facilities, animal shelters, grooming parlors and pet shops. The following additional requirements apply to any boarding facility, animal shelter, grooming parlor or pet shop owner/ operator licensed pursuant to SCC 6.06.015 :

(1) washroom facilities shall include sinks with hot and cold running water and toilets, and shall be convenient to encourage frequent washing of utensils and equipment and general cleanliness;

(2) during business hours, there shall be an employee or keeper on duty at all times whose responsibility shall be the care and supervision of any animals on the premises;

(3) employees, keepers or owners shall make provisions to feed, water and do the necessary cleaning of animals on a daily basis on days the establishment is closed.

Section 10. A new section 6.06.019 is added to chapter 6.06 Snohomish County Code as follows:

6.06.019. Additional requirements for commercial kennels. Prior to the issuance of a license for a commercial kennel, all open run areas shall be completely surrounded by fencing according to the size, type and characteristic of the breed, set back at least thirty feet from all property lines. For purposes of this section "open run area" means that area, within the property lines of the premises on which the commercial kennel is to be maintained, where dogs are sheltered and maintained. If there is no open run area set aside for sheltering or maintaining the dogs within the property lines of the premises, the thirty-foot setback does not apply. If the premises does not contain an open run area, its property line must be completely surrounded by fencing according to the size, type and characteristic of the breed. Kennel applicants located on a corner lot must also meet fencing requirements identified in SCC 18.42.130;

Section 11. A new section 6.06.020 is added to chapter 6.06 Snohomish County Code as follows:

6.06.020. Additional requirements for a boarding facility, animal shelter or pet shop.

Any boarding facility, animal shelter, or pet shop licensed pursuant to SCC 6.06.015 shall meet the following requirements:

- (a) the surface of all primary kennel runs shall be made of concrete or a similar, non-absorbent material except that outside areas used strictly as exercise yards need not be surfaced in concrete or a similar non-absorbent material;
- (b) kennel runs sharing a common wall or fence shall have a moisture resistant barrier separating the two runs which the top shall be a minimum of 24 inches in height from the ground;
- (c) adequate fencing shall be provided to keep animals within and to prevent the entrance of other animals;

Section 12. Snohomish County Code Section 6.06.021 added by Ordinance 97-020 § 11, on May 7, 1997 is amended to read:

6.06.021 ((Commercial kennels and pet shops)) -- Indoor facility requirements. The following additional requirements apply to any commercial kennel, boarding facility, animal shelter, grooming parlor or pet shop owner/operator ((required to obtain a)) licensed pursuant to SCC 6.06.015 ((and who operates)) with an indoor housing facility:

(1) the facility shall provide sufficient ~~((heating and cooling))~~ lighting and temperature controls to protect the animals from ~~((temperatures))~~ conditions to which they are not normally acclimatized;

(2) the facility shall be adequately ventilated to provide for the health of the animals and assist in the removal of foul and obnoxious odors and provisions shall be made so that the volume of air within the enclosed indoor facility shall be changed three or more times an hour. This may be accomplished through the periodic opening of doors and windows. If fans or ventilating equipment are used, they shall be constructed in conformance with current standards of good engineering practice with respect to noise and minimization of drafts;

(3) the housing facilities shall be constructed to provide natural or artificial light as may be necessary to provide sufficient illumination to inspect and clean the facility. Such lighting shall be of good quality, well distributed within the facility and in an amount and location which will protect the animals from excessive illumination;

(4) ~~the housing facility shall ((contain a drainage system which is connected to a sanitary sewer or septic system conforming to the standards of applicable building codes and)) use disposal methods and drainage systems ((designed to)) that rapidly remove water and excreta during cleaning of the facility. ((under any weather or temperature condition.))~~ All indoor housing facilities for animals shall be maintained in a clean and sanitary condition and an effective disinfectant safe to humans and animals shall be used in the cleaning of the facility;

(5) the housing facility shall contain interior wall, ceiling and floor surfaces made of materials which are resistant to the absorption of moisture and odors, if surfaces are not originally resistant to moisture or odors they shall be treated with sealant or paint which make them resistant. In addition, interior walls shall be constructed so that the interface with floor surfaces is sealed to prevent the accumulation of moisture or debris.

~~(((6) any commercial kennel which boards animals or pet shop((c)) shall also meet the following requirements in addition to those contained in this section;~~

~~(a) the surface of all primary kennel runs shall be made of concrete or a similar, non-absorbent material except that outside areas used strictly as exercise yards need not be surfaced in concrete or a similar non-absorbent material;~~

~~(b) kennel runs sharing a common wall or fence shall have a moisture resistant barrier separating the two runs which shall be a minimum of 24 inches in height from the ground;~~

~~(c) a perimeter fence, six feet in height, surrounding the kennel facility and outside runs.))~~

Section 13. Snohomish County Code Section 6.06.025 added by Ordinance 97-020 § 12, on May 7, 1997 is amended to read:

6.06.025 ((Commercial kennels and pet shops)) -- Outdoor facility requirements. The following additional requirements apply to any commercial kennel, boarding facility, animal shelter or pet shop owner/operator

~~((required to obtain a))~~ licensed pursuant to SCC 6.06.015 ~~((and who operates))~~ with an outdoor housing facility:

(1) the facility shall maintain quiet hours between 10:00 pm and 6:00 am Monday through Friday and 10:00 pm and 8:00 am Saturday and Sunday;

(2) the facility shall use disposal methods and drainage systems that rapidly remove water and excreta during cleaning of the facility under any weather or temperature condition.

Section 14. Snohomish County Code Section 6.06.030 added by Ordinance 97-020 § 13, on May 7, 1997 is amended to read:

6.06.030 Grooming parlor -- Additional licensing requirements. The following additional requirements apply to any grooming parlor owner/operator required to obtain a license pursuant to SCC 6.06.015;

(1) the grooming parlor shall not board animals but keep them only for the period of time necessary to perform the business of grooming;

(2) restraints shall be provided for the animal while it is being groomed so that it shall not be harmed;

(3) the owner/operator shall sterilize all equipment after each animal has been groomed;

(4) the owner/operator shall not leave animals unattended during the drying process;

(5) the owner/operator shall not prescribe treatment or medicine that is the province of a licensed veterinarian as provided in RCW 18.92.010;

(6) the owner/operator shall not put more than one animal in each cage;

(7) the grooming parlor shall be constructed so that all floors and walls in rooms, pens and cages used to retain animals or in areas where animals are bathed, clipped, combed, groomed or treated be impervious to water and can readily be cleaned, ((and maintained));

(8) hot and cold water shall be conveniently available and a large sink or tub provided (minimum size twenty-four inches by eighteen inches by twelve inches). All plumbing fixtures and pipes shall be in compliance with current plumbing code as adopted by the county;

(9) all cages, pens, ~~((or))~~ kennels used for holding animals, grooming tables and washing basins shall be kept clean and disinfected between use of each animal.

Section 15. Snohomish County Code Section 6.06.040 last amended by Ordinance 97-020 § 15, on May 7, 1997 is amended to read:

6.06.040 Reproduction limitations. A private kennel-breeding shall limit total dog ~~((and cat))~~ reproduction to no more than five litters per license year.

Section 16. A new section 6.06.050 Snohomish County Code is added to SCC 6.06 as follows:

6.06.050 Foster Care. Any animal shelter licensed under the provisions of this chapter providing a foster care program for dogs and cats shall provide those individuals providing the foster care with documentation identifying the individual as a bona fide foster care provider and a description of the animal in their care. A shelter placing an adult dog or cat in foster care shall provide a collar with an identification tag establishing the animal as a foster animal from their shelter. No dog or cat shall remain in foster care for more than six months. Any dog or cat remaining in foster care over six months shall lose its identity as a foster care animal and is subject to the licensing requirements set forth in SCC 9.04

Any individual providing foster care on behalf of a licensed shelter may not shelter more than 3 foster care adult dogs at any given time. In addition, if a foster care facility houses at least 4 adult dogs for more than 6 continuous months, the individuals must obtain a private kennel licenses pursuant to SCC 6.06.007.

Section 17. Snohomish County Code Section 6.06.070 last amended by Ordinance 87-038 § 27, on June 3, 1987 is amended to read:

6.06.070 Kennels, boarding facilities, animal shelters, grooming parlors, and pet shops -- Inspection.

In addition to the right of entry for inspection purposes established under SCC 6.01.120, it shall be the right of the licensing authority, county health authority or the county animal control agency to make or cause to

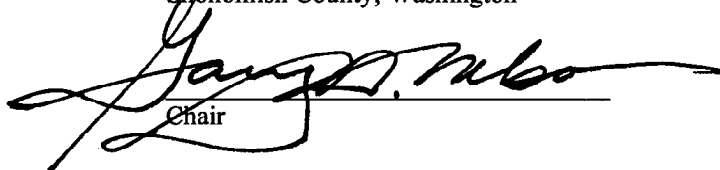
be made such inspections as may be necessary to ~~((insure))~~ ensure compliance with provisions of this chapter. The owner or keeper of a kennel, boarding facility, animal shelter, grooming parlor, or pet shop shall admit to the premises for the purpose of making inspection, any officer, agent or employee of the licensing authority, county health authority, or animal control agency at any reasonable time when admission is requested.

Section 18. Snohomish County Code Section 6.06.090 added by Ordinance 86-099 § 45, on November 12, 1986 is amended to read:

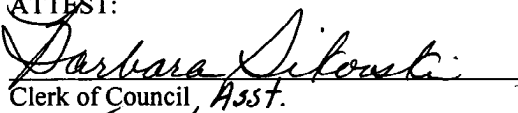
6.06.090 Relation to other laws. The classification of a ~~((kennel as commercial, exhibitor/breeding, or private for the purposes))~~ facility defined in this chapter of Title 6 SCC shall not affect the classification of that ~~((kennel))~~ facility under categories and definitions used in other titles of the Snohomish County Code.

PASSED this 4th day of December 2002.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

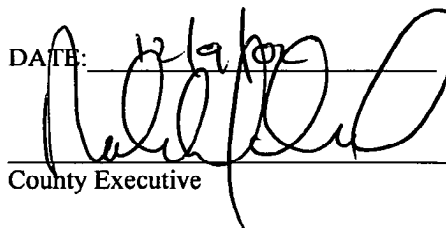

Chair

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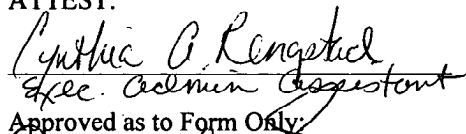

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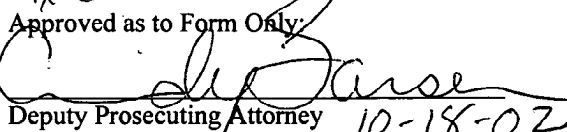
- () APPROVED
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() EMERGENCY

DATE: 12/9/02


County Executive

ATTEST:


Spec. Admin. Assistant
Approved as to Form Only:


Deputy Prosecuting Attorney 10-18-02