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SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 06 - 135

RELATING TO ANIMAL CONTROL AGENCY
AMENDING CHAPTER 9.01 SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1. Snohomish County Code Section 9.01.030, last amended by Ordinance No. 02-042 on September 18, 2002, is amended to read:

9.01.030 Definitions.

In construing the provisions as set out in this title all words not otherwise given special definitions herein or in SCC 6.06 shall be given their common and ordinary meaning, in addition, the following definitions shall apply:

(1) "Abatement" means the termination of any violation of this title by lawful and reasonable means as determined by the authorized Snohomish County animal control agency personnel in order that a person or persons presumed to be the owner of an animal comply with this title.

(2) "Adult dog or cat" means any dog or cat six months of age or older.

(3) "Animal" means any member of the classes: reptile, amphibian, bird, marsupial or non-human 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)~~) agency designated in section 9.01.040 of this Chapter.

(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.

(6) "Cat" means a domesticated Felis catus.

~~((6))~~ (7) "Certificate of registration for dangerous dog" means ((any)) the document issued by the Snohomish county licensing authority pursuant to chapter 16.10 RCW and SCC 9.10.040.

~~((7))~~ (8) "Certification authority" means the Snohomish county licensing authority.

~~((8))~~ (~~("Service dog" means any dog, which is trained or being trained to aid a disabled person and is used for that purpose.)~~)

(9) "County" for purposes of this title, means the unincorporated areas of Snohomish county.

(10) "Dangerous dog" means any dog that, (a) inflicts severe injury on or kills a human being without provocation ~~((on public or private property))~~, (b) inflicts severe injury on or kills a domestic animal without provocation while the dog is off the ~~((owner's))~~ property where the owner resides, or (c) has been previously found to be potentially dangerous ~~((because of injury inflicted on a human))~~, the owner having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans ~~((; but, dogs;))~~ or other animals. If two or more dogs jointly engage in any conduct described in this subsection, then regardless of the degree of participation by the individual dog, all such dogs shall be deemed dangerous dogs. Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the ~~((premises occupied by))~~ property where the owner ~~((of the dog))~~ resides, or was tormenting, abusing, or assaulting the dog, or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

(11) "Dog" means a domesticated Canis familiaris, including wolf-hybrids.

~~((44))~~ (12) "Domesticated animal" means any animal including dogs, cats, rabbits, horses, mules, asses, cattle, ~~((lambs;))~~ sheep, swine, goats or other animals made to be domestic.

~~((42))~~ (13) "Euthanasia" means the humane destruction of an animal by a method that is painless to such animal either causing instant painless unconsciousness and subsequent death or immediate death.

~~((43))~~ (14) "Junior ~~((dog))~~ pet" means any dog or cat under the age of 6 months.

~~((44))~~ (15) "Licensing authority" means the Snohomish county auditor or his or her duly authorized representative.

~~((45))~~ (16) "Owner" means any adult person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal.

~~((46))~~ (17) ~~((("Pack of dogs")))~~ "Dogs running in packs" means a group of three or more dogs running ~~((upon land, either public or private, not that of their owner, when such dogs are not restrained or controlled))~~ at large.

~~((47))~~ (18) "Person" means any individual, partnership, corporation, trust, estate, or other legal entity.

~~((48))~~ (19) "Potentially dangerous dog" means any dog that (1) when unprovoked: (a) ~~((inflicts))~~ bites ~~((on))~~ a human ~~((or a domestic animal either on public or private property))~~ or bites a domestic animal while the dog is off the property where the owner resides, or (b) chases or approaches a person ~~((upon the streets, sidewalks, or any public grounds))~~ in a menacing fashion or apparent attitude of attack, or (2) has ~~((any dog with))~~ a known propensity, tendency, or disposition to attack unprovoked, or to cause injury, or otherwise threaten the safety of humans or domestic animals. If two or more dogs jointly engage in any conduct described in this subsection, then regardless of the degree of

participation by the individual dog(s), all such dogs shall be deemed potentially dangerous dogs. Dogs shall not be declared potentially dangerous if (a) or (b) above happened to a person who was committing a willful trespass or other tort upon the property where the owner resides, or was tormenting, abusing, or assaulting the dog, or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

~~((19))~~ (20) "Proper enclosure of a dangerous dog" means ~~((, while on the owner's property, a dangerous dog shall be confined indoors or in))~~ a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have a locking door with a padlock, secure sides, a concrete floor, and a secure top, and shall also provide protection from the elements for the dog and comply with all applicable provisions of the Snohomish county building and zoning code. The premises where the dangerous dog is located must be posted with a clearly visible warning sign/symbol that informs children as well as adults of the presence of a dangerous dog.

~~((20))~~ (21) "Running at large" means to be off the ~~((premises of the))~~ property where the owner resides and not under control. ~~((under control of either the owner or competent person authorized by the owner.))~~

(22) "Secure fence" means a board or wire fence that is adequate to contain the type of animal to be restrained. The fence shall be securely fastened to posts firmly set in the ground. The fence shall be properly maintained to keep the animal confined. Fences must conform to the Unified Development Code if applicable.

(23) "Service animal" means an animal that is trained for the purpose of assisting or accommodating a disabled person's sensory, mental, or physical disability.

~~((21))~~ (24) "Severe injury" means any physical injury that results in broken bones or ~~((disfiguring))~~ lacerations requiring ~~((multiple))~~ sutures or ~~((cosmetic))~~ surgery.

~~((22))~~ (25) "Under control" means the animal is ~~((under competent voice and/or signal control so as to be thereby))~~ restrained by a secure leash or other restraint and under the physical control of a person capable of restricting the animal's movement when off the property where the owner resides. ~~((from approaching any bystander person or other animal or from causing or being the cause of physical property damage when off of a leash or off the premises of the owner. Said animal is presumed not to be under control if injuries, damages, or trespass result.))~~

~~((23))~~ (26) "Vicious" means ~~((acting in an unruly manner))~~ chasing or approaching a person or domestic animal in a menacing fashion or apparent attitude of attack or the known propensity to do any act which might endanger the safety of any person, animal, or property of another.

Section 2. A new section 9.01.040 Snohomish County Code is added to Chapter 9.01 of the Snohomish County Code to read:

9.01.040 Authority and duties of the animal control agency.

(1) The animal control agency shall be a division of the Snohomish county auditor. The duly elected auditor of Snohomish county shall be the director of the animal control agency.

(2) The animal control agency is authorized to enforce the provisions of the Snohomish County Code and the laws of the State of Washington as they pertain to animals.

(3) All animal control officers must be special deputies commissioned by the Snohomish county sheriff.

PASSED this 28th day of February, 2007

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Dave Savett
Chairperson

ATTEST:


Sheila McCausland
Clerk of the Council *asst.*

APPROVED

VETOED

EMERGENCY

Date: 3/6/07

for 
County Executive

ATTEST:

Cora E. Palmer

MARK SOINE
Deputy Executive

Approved as to form only:

John R. Miller *10/16/06*
Deputy Prosecuting Attorney

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