



CO00041374

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 10-070

RELATING TO ANIMAL CONTROL, REVISING DOG LEASH LAWS,
AND AMENDING CHAPTERS 6.06, 9.01, 9.12 AND 9.14 SCC

BE IT ORDAINED:

Section 1. Snohomish County Code Section 9.01.030, last amended by Amended Ordinance No. 06-135 on February 28, 2007, is amended to read:

9.01.030 Definitions.

In ~~((construing the provisions as set out in))~~ this title and in chapter 6.06 SCC, ~~((all words not))~~ unless the context clearly requires 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))~~ the 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.

(4) "Animal control agency" means the agency designated in ~~((section))~~ SCC 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 Title 6 SCC ~~((any other code))~~, or the laws of the state of Washington pertaining to animals.

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

(7) "Certificate of registration for dangerous dog" means the document issued by the ~~((Snohomish county))~~ licensing authority ~~((pursuant to))~~ under chapter 16.08 ~~((16.10))~~ RCW and SCC 9.10.040.

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

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

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

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

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

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

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

23 (14) ~~((15))~~ "Licensing authority" means the Snohomish county auditor or the
24 Snohomish county auditor's ~~((his or her))~~ duly authorized representative.

25 (15) ~~((16))~~ "Owner" means any adult person, firm, corporation, organization, or
26 department possessing, harboring, keeping, having an interest in, or having control or
27 custody of an animal.

28 (16) ~~((17))~~ "Dogs running in packs" means a group of three or more dogs running at
29 large.

30 (17) ~~((18))~~ "Person" means any individual, partnership, corporation, trust, estate, or
31 other legal entity.

32 (18) ~~((19))~~ "Potentially dangerous dog" means any dog that (1) when unprovoked:
33 (a) bites a human or bites a domestic animal ~~((while the dog is off the property where~~
34 ~~the owner resides)),~~ or (b) chases or approaches a person in a menacing fashion or
35 apparent attitude of attack while the dog is off the property where the owner resides, or
36 (2) has a known propensity, tendency, or disposition to attack unprovoked, or to cause
37 injury, or otherwise threaten the safety of humans or domestic animals. If two or more
38 dogs jointly engage in any conduct described in this subsection, then regardless of the
39 degree of participation by the individual dog(s), all such dogs shall be deemed
40 potentially dangerous dogs. Dogs shall not be declared potentially dangerous if (a) or
41 (b) above happened to a person who was committing a willful trespass or other tort upon
42 the property where the owner resides, or was tormenting, abusing, or assaulting the dog,
43 or has, in the past, been observed or reported to have tormented, abused, or assaulted the
44 dog or was committing or attempting to commit a crime.

1 (19) "Premises" means where the dog is owned, kept and/or otherwise maintained and
2 includes the dwelling unit or residence ~~((premises of the entire complex when in regard~~
3 ~~to))~~ of multi-family dwellings. "Multi-family dwellings" includes duplexes, apartments
4 and ~~((condominium arrangements))~~ condominiums.

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

13 (21) "Running at large" means to be off the owner's premises ~~((property where the~~
14 ~~owner resides))~~ and not under control.

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

19 (23) "Service animal" means an animal that is trained ~~((for the purpose of assisting or~~
20 ~~accommodating))~~ to assist or accommodate a disabled ~~((persons))~~ person's sensory,
21 mental, or physical disability.

22 (24) "Severe injury" means ~~((any))~~ a physical injury ~~((that results))~~ resulting in broken
23 bones or lacerations requiring sutures or surgery.

24 (25) "Under control" means the ~~((animal))~~ dog is restrained by a secure leash or other
25 restraint not more than eight feet in length and under the physical control of a person
26 capable of restricting the animal's movement while off the owner's premises~~((when off~~
27 ~~the property where the owner resides))~~. The dog is presumed not to be under control if it
28 chases or approaches a human or domestic animal in a menacing fashion or apparent
29 attitude of attack, or injuries, damages, or trespass result.

30 (26) "Vicious" means any domesticated animal that ~~((chasing or approaching))~~ chases
31 or approaches or has a known propensity to chase or approach a human ~~((person))~~ or
32 domestic animal in a menacing fashion or apparent attitude of attack, or snaps, growls,
33 snarls, bares teeth, lunges, jumps at or upon, or otherwise threatens a human or domestic
34 animal. ~~((or the known propensity to do any act which might endanger the safety of any~~
35 ~~person, animal, or property of another.))~~

36
37
38 Section 2. A New Section is added to chapter 9.01 of the Snohomish County code to
39 read:

40
41 **9.01.050 – Financial Responsibility of Animal Owner.**

42
43 The owner of any animal confiscated or impounded under Title 9 SCC shall pay
44 the county assessed penalties and all fees and costs associated with apprehension,

1 transportation, and impoundment specified in SCC 9.12.110, and any veterinary costs
2 incurred as a result of the confiscation or impoundment whether or not the animal is
3 redeemed. Relinquishment of the animal by its owner does not constitute a waiver of the
4 fees or costs incurred under this section or fines otherwise imposed. The county may
5 collect the penalties, fees and expenses by use of appropriate legal remedies.
6
7

8 Section 3. Snohomish County Code Section 9.12.060, last amended by Amended
9 Ordinance No. 06-133 on February 28, 2007, is amended to read:
10

11 **9.12.060 Enforcement -- Nuisance -- Abatement.**

12 It ~~((shall be))~~ is unlawful for ~~((any person, firm or corporation))~~ an owner ~~((to own, keep, harbor and/or maintain any animal or))~~ to cause, allow, permit or participate
13 in any of the following, which are, singly or together, ~~((hereby))~~ declared to be a public
14 nuisance:
15

16 (1) Frequent or repetitive sounds, including ~~((the frequent or repetitive sounds emanating))~~ those from ~~((a private kennel, commercial kennel, animal shelter, grooming parlor or pet shop either unlicensed or duly))~~ facilities licensed under chapter 6.06 SCC,
17 made by ~~((any animal or))~~ one or more animals, whether or not continuous, occurring at
18 least ten (10) minutes or more during any half hour period, which unreasonably disturb or
19 interfere with the peace, comfort, and repose of any person within hearing distance of the
20 sounds; provided however, that such sounds made by pigs, cattle, sheep, horses, goats
21 and poultry, and from dogs while used to control or protect ~~((the aforesaid listed animals or other))~~
22 domesticated animals or livestock ~~((, and from dogs while))~~ or used to guard
23 farm premises where the owner or caretaker resides ~~((and bark only in response to stimuli which a human would reasonably regard as a threat to the farm premises, whether from commercial or noncommercial activities))~~ in unincorporated areas outside of the area
24 bounded by Puget Sound on the west, the Snohomish county/King county line on the
25 south, 164th Street SE on the north and the Bothell Highway (SR 527) on the east shall
26 be exempt under this subsection.
27

28 (2) Any domesticated animal that while off the owner's property ~~((which (((/)) enters upon private or public property, so as to damage or destroy))~~ damages or destroys
29 ~~((any))~~ real ~~((property))~~ or personal property ~~((thereon))~~.
30

31 (3) Any domesticated animal which chases, runs after, or jumps at ~~((;))~~ vehicles
32 using the public streets and alleys.
33

34 (4) Any domesticated animal which engages in vicious behavior ~~((; snaps, growls, snarls, jumps at or upon,))~~ or otherwise threatens a human ~~((persons))~~ lawfully
35 using public sidewalks, streets, alleys or other public ways.
36

37 (5) Any non-domesticated animal, either predatory or nonpredatory, in the
38 custody, possession or control of any person within the county, which due to its size,
39 habits, natural propensities or instincts represents a danger or potential danger to people
40 or property, if such animal is not securely confined, restricted or restrained or under
41 control.
42

43 (6) Dogs running in packs.
44

1 (7) A female domesticated animal, ~~((whether licensed or not,))~~ while in heat,
2 running at large or not confined and accessible to other animals ~~((for purposes other~~
3 ~~than))~~ except for controlled and planned breeding.

4 (8) Any domesticated animal, ~~((whether licensed or not,))~~ which runs at large;
5 PROVIDED, HOWEVER, ~~((That))~~ that this section ~~((shall))~~ does not apply to: ~~((service~~
6 ~~animals; to))~~ animals participating in animal shows or exhibitions in areas specifically
7 designated for such events; dogs directly supervised by their owners while using
8 designated off leash areas on county park property; or to dogs participating in organized
9 dog training classes on county park property where written approval is obtained in
10 advance from the Snohomish county department of parks and recreation.

11 (9) Any animal ~~((which enters))~~ entering any place where food is prepared,
12 served, stored or sold to the public; PROVIDED, HOWEVER, ~~((That))~~ that this section
13 ~~((shall))~~ does not apply to any person using a service animal or duly authorized law
14 enforcement officers using dogs in performance of their duties.

15 (10) Animals confined, staked, tethered or kept on public property without prior
16 consent of the public entity having custody, control, or ownership of the property.

17 (11) Animals kept, harbored or maintained and known to have a contagious
18 disease, unless under the treatment of a licensed veterinarian or being kept for medical
19 research by a licensed facility as lawfully authorized.

20 (12) Animals on public property not under control, PROVIDED, HOWEVER,
21 that this section does not apply to dogs directly supervised by their owners while using
22 designated off leash areas on county park property or otherwise exempted in SCC
23 9.14.020.

24 (13) Any species of animal designated by the state board of health pursuant to
25 WAC 248-100-450, together with amendments thereto, as dangerous to the public
26 including any skunk, fox or raccoon, except as lawfully authorized for fur farming by a
27 licensed facility.

28 (14) Any vicious animal which runs at large.

29 (15) The taking from the wild, or the holding in captivity, or the having in one's
30 possession, or the exportation from or importation into the county of any species
31 designated in WAC 232-12-015, 232-12-030 and 232-12-040 together with amendments
32 thereto, as protected wildlife, as furbearing animals, or as game fish, birds, or animals,
33 except as lawfully authorized.

34 (16) Any dog ~~((found))~~ in violation of the provisions of chapter 9.14 SCC.

35
36
37 Section 4. Snohomish County Code Section 9.12.080, last amended by § ~~((11))~~ 2 of Res.
38 adopted on ~~((December 17, 1973))~~ July 10, 1978, is amended to read:
39

40 The following, singly or together, are deemed to constitute cruel treatment to
41 animals. Therefore, it shall be unlawful for any person, firm, or corporation to:

42 (1) Wilfully and cruelly kill, injure, torture or torment any animal;
43

- 1 (2) Intentionally or negligently cause or allow any animal to endure pain,
2 suffering, injury or to fail or neglect to aid or attempt to alleviate pain,
3 suffering or injury he has so caused to any animal;
4
5 (3) Neglect to provide adequate daily rations of food or water to any animal
6 within his care, custody or control;
7
8 (4) Tether, stake, tie, restrain or otherwise confine (~~(or restrain)~~) any animal in
9 such a (~~(way as to permit said animal to become)~~) manner in which it
10 becomes frequently entangled (~~(in such tether,)~~) or (~~(render said animal)~~)
11 incapable of consuming food or water provided for it(;) or accessing
12 shelter for protection from inclement weather; or
13
14 (5) Abandon any animal by dropping off or leaving said animal on the street,
15 road, or highway, or in a public place, or the private property of another
16 person.
17
18

19 Section 5. Snohomish County Code Section 9.14.020, last amended by Amended
20 Ordinance No. 96-052 on July 10, 1996, is amended to read:
21

22 **9.14.020 Definitions.**

23 In (~~(enstraining the provisions of)~~) this chapter, (~~(except where)~~) unless the
24 context clearly requires otherwise, (~~(plainly declared or clearly apparent from the context,~~
25 ~~words used herein shall be given their common and ordinary meaning; in addition,)~~) the
26 following definitions shall apply:

27 (1) "Lawful", in regard to herding, hunting, competition, or training, means to
28 be engaged in this (~~(said)~~) activity on the property of another by permission or(;) on
29 public land that is set aside and/or open for (~~(said)~~) such use or (~~(. "Lawful", in regard to~~
30 ~~herding, also means to be engaged in said activity)~~) on a public right-of-way where
31 (~~(such is)~~) authorized (~~(, necessary,)~~) and is conducted in a reasonably safe and prudent
32 manner.

33 (~~((2) "Premises" includes the premises of the entire complex when in regard to~~
34 ~~multi-family dwellings. "Multi-family dwellings" includes duplexes and condominium~~
35 ~~arrangements.)~~)

36 (~~((3) "Under control" means the animal is under competent voice and/or signal~~
37 ~~control so as to be thereby restrained from approaching any bystander or other animal and~~
38 ~~from causing or being the cause of physical property damage when off of a leash or off~~
39 ~~the premises of the owner.)~~)
40
41


42 Section 6. Snohomish County Code Section 9.14.030, last amended by Ordinance No.
43 96-052 on July 10, 1996, is amended to read:
44

1 **9.14.030 Dogs off premises to be on leash.**


2 It ~~((shall be))~~ is unlawful for the owner or custodian of any dog to cause, permit,
3 or allow such dog to roam, run, stray or be away from the premises of ~~((such))~~ its owner
4 or custodian ~~((and))~~ or to be on any public place or any public property ~~((or the private~~
5 ~~property of another))~~ unless ~~((such))~~ the dog is ~~((controlled by an automatic retractable~~
6 ~~leash or by a leash not more than eight feet in length))~~ under control, PROVIDED,
7 HOWEVER, that this section does not apply to dogs directly supervised by their owners
8 while using designated off leash areas on county park property. Any dog found roaming,
9 running, straying or being away from such premises and not under control ~~((on a leash as~~
10 ~~herein provided,))~~ is ~~((hereby))~~ declared to be a public nuisance and ~~((such dog))~~ may be
11 seized and impounded subject to redemption in the manner provided by chapter 9.12
12 SCC.

13
14 PASSED this 8th day of September, 2010.

15
16
17 SNOHOMISH COUNTY COUNCIL
18 Snohomish County, Washington

19 
20 _____
21 Chairperson

22
23 ATTEST:

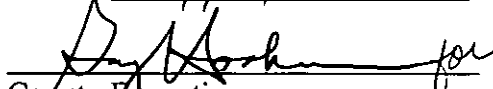
24 
25 _____
26 Asst. Clerk of the Council

27
28 APPROVED

29
30 EMERGENCY

31
32 VETOED

33 DATE: 9/9/10

34
35 
36 _____
37 County Executive

38 **GARY HAAKENSON**
39 **Deputy County Executive**

40
41 ATTEST:

42 
43 _____

44 Approved as to form only:

Deputy Prosecuting Attorney