

10/23/2007
Date

ORDINANCE NO. 2007-47

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON RELATING TO ANIMALS; ADDING CHAPTER 6.06 IMPOUNDS AND QUARANTINE; AND ADDING SECTION 6.06.010 ANIMAL CONTROL AUTHORITY – DUTIES, 6.06.020 PROBABLE CAUSE TO IMPOUND ANIMAL, 6.06.030 IMPOUNDMENT – NOTICE TO OWNER, 6.06.040 IMPOUNDING PETS AND/OR LIVESTOCK, 6.06.050 PLACE AND MANNER OF IMPOUNDMENT, 6.06.060 REDEMPTION OF IMPOUNDED ANIMALS, 6.06.070 DISPOSITION OF IMPOUNDED ANIMALS, 6.06.080 CONDITIONS OF RELEASE, 6.06.090 ANIMAL BITE QUARANTINE, 6.06.100 PENALTY FOR VIOLATION; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Poulsbo is concerned about the safety and welfare of its citizens and its animals; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO DO ORDAIN AS FOLLOWS:

Section 1. Adding Chapter 6.06 to the Poulsbo Municipal Code to be known as: Chapter 6.06 IMPOUNDS AND QUARANTINE.

Section 2. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.010 Animal control authority - duties

A. The animal control authority shall impound all animals subject to impounding pursuant to city ordinance. Impounded animals shall be provided with proper care, feed and water while so confined. The animal control authority shall collect and dispose of all dead animals found in the city, and if the owner is known a fee may be collected for such services. Sick or injured animals shall be impounded when not in the owner's possession and may be euthanized at the discretion of the animal control authority; provided, that the animal control authority shall immediately notify the owner, if the owner is known, and if the owner is unknown, make all reasonable effort to locate and notify the owner.

Section 3. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.020 Probable cause to impound animal

Any law enforcement or animal control officer having probable cause to believe that any person has violated any provision of this title by reason of his or her animal's misconduct may impound or cause to be impounded any such animal. Such impoundment shall be subject to all other sections of this title and all other municipal laws.

Section 4. A new section is added to Chapter 7.06 of the Poulsbo Municipal Code to read as follows:

6.06.030 Impoundment – notice to owner

Upon the impoundment of an animal pursuant to this Chapter, the impounding animal control authority shall as soon as possible notify the animal's owner, if the owner is known, of the animal's impoundment, and the terms upon which the animal can be redeemed. If the owner of the impounded animal is unknown, the animal control authority shall make reasonable efforts to locate and notify the impounded animal's owner. The impounding authority shall retain said animal for 48 hours following actual notice to the owner. The notifying of any person over the age of 18 who resides at the owner's domicile shall constitute actual notice to the owner.

Section 5. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.040 Impounding pets and/or livestock

Pets and/or livestock may be impounded in the following situations:

1. When the animal is at large;
2. When the animal has been subjected to cruel treatment as defined by RCW Chapter 16.52;
3. When the animal has injured or bitten a person or other animal, and/or where the animal poses a threat to people or other animals;
4. When the animal is found in violation of any restrictions imposed by the animal control authority, hearing examiner, or municipal court pursuant to Chapter 6.05 relating to potentially dangerous/dangerous animals; and/or
5. When the animal is found in violation of Section 6.02.030 pertinent to animal noise, after two written warnings to the owner within a calendar year;
6. Any other violation of Title 6 where the violations indicate the animal may be seized and impounded.

Section 6. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.050 Place and manner of impoundment

Pets and livestock shall be impounded in the place and manner designated by the animal control authority.

Section 7. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.060 Redemption of impounded animals

A. Pets, Animals and Livestock may be redeemed upon payment of an impound fee, a boarding fee, and any appropriate license fees. Livestock may be charged a special transportation fee if impounding required special transportation. All fees shall be charged

per animal handled by the animal control authority. The animal control authority is granted authority to establish reasonable fees for the impound services.

B. In addition to the redemption fee, the redeemer shall pay any unpaid applicable license fee. .

Section 8. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.070 Disposition of impounded animals

A. Pets: If such animal is not redeemed, no sooner than ninety-six hours following the impoundment, the animal control authority may give or adopt the animal to an animal welfare organization or qualified person, or euthanize the animal

B. Feral cats: If such animal is not redeemed, no sooner than twenty-four hours following the impoundment the animal control authority may be give or adopt the animal to an animal welfare organization or qualified person, or euthanize the animal.

C. Livestock: If such animal is not redeemed, no sooner than seventy-two hours following the impoundment, the animal control authority may give or adopt the animal to an animal welfare organization or qualified person, or may commence to auction the animal, or humanely euthanize the animal.

D. Sick or injured impounded animals: Sick or injured impounded animals may be euthanized in accordance with RCW 16.52.210.

Section 9. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.080 Conditions of release

The animal control authority is authorized to refuse to release to its owner any animal that has been impounded more than twice in a 12-month period unless the owner demonstrates that he or she has taken steps to reasonably ensure that the violation will not occur again. The animal control authority may impose reasonable conditions that must be satisfied by the owner before release of the animal, including conditions assuring that the animal will be confined. Failure to comply with the conditions of release is a violation.

Section 10. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.090 Animal bite quarantine

A. Any animal that bites or otherwise breaks the skin of a person shall be quarantined for at least ten days from the date of bite, or a longer period of time designated by the animal control authority or county health department, to determine whether the animal is infected with any disease that may have been transmitted to the victim. The place of quarantine shall be established by the animal control authority. After an investigation by the animal control authority, the animal control authority may in its discretion allow the owner of the animal to maintain quarantine.

B. During the period of any quarantine, the owner or custodian of a quarantined animal shall not allow the animal to come in contact with any other animal or person or permit such animal to run at large outside of the premises where quarantined or upon the premises itself, unless the premises is enclosed by a secure fence from which the animal cannot escape. When the fence encloses access to the premises, the animal must be restricted to leave free access to those persons lawfully entering the premises.

C. The owner or custodian shall not remove or cause the animal to be removed from the premises without the prior consent of the animal control authority. These restrictions shall continue until the animal is released from quarantine. If any animal is found running at large after the commencement of the quarantine period or is removed from the premises where quarantined, it shall be impounded

D. Boarding fees, if any, for the quarantine period shall be paid by the animal's owner and the release of the animal shall be conditioned upon payment of the boarding fees.

E. In the event the owner shall fail to redeem the animal within two days after it shall be entitled to be released from quarantine, it shall be humanely destroyed or otherwise disposed of within the discretion of the animal control authority.

Section 11. A new section is added to Chapter 6.06 of the Poulsbo Municipal Code to read as follows:

6.06.100 Penalty for violation

A. Unless specifically designated otherwise, or is specified to be enforced pursuant to other law, including, but not limited to, other chapters or titles of this Code, any violation of this chapter is a misdemeanor.

B. Such penalty is in addition to any other remedies or penalties specifically provided by law. For each act herein prohibited of a continuing nature, each day shall be considered a separate offense.

C Any person who fails to respond or appear on any violation of any provision of the Poulsbo Municipal Code set forth in this title shall be assessed a failure to respond or appear fee in the amount set forth in RCW 46.63.110(3), as the same now exists or as may be hereafter amended, which statute is incorporated herein by this reference as if fully set forth.

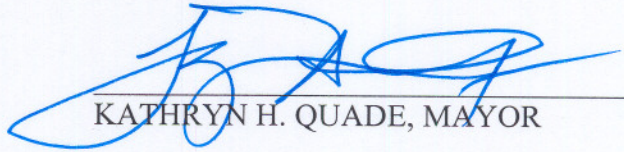
D. If a time pay agreement is requested a fee of not to exceed \$10 per charge or \$25 per payment plan may be imposed.

Section 12. Severability

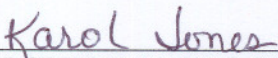
If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 13. Effective Date: This ordinance shall take effect and be in full force five (5) days after the publication of the attached summary, which is hereby approved.

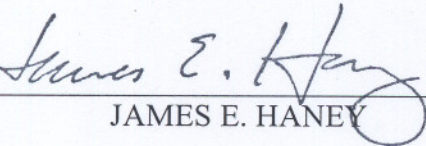
APPROVED:


KATHRYN H. QUADE, MAYOR

ATTEST/AUTHENTICATED:


CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

FILED WITH THE CITY CLERK: 9/24/2007
PASSED BY THE CITY COUNCIL: 10/3/2007
PUBLISHED: 10/20/2007
EFFECTIVE DATE: 10/25/2007
ORDINANCE NO. 2007-47

SUMMARY OF ORDINANCE NO. 2007-47

of the City of Poulsbo, Washington

On the 3rd day of October, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-47. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON RELATING TO ANIMALS; ADDING CHAPTER 6.06 IMPOUNDS AND QUARANTINE; AND ADDING SECTION 6.06.010 ANIMAL CONTROL AUTHORITY – DUTIES, 6.06.020 PROBABLE CAUSE TO IMPOUND ANIMAL, 6.06.030 IMPOUNDMENT – NOTICE TO OWNER, 6.06.040 IMPOUNDING PETS AND/OR LIVESTOCK, 6.06.050 PLACE AND MANNER OF IMPOUNDMENT, 6.06.060 REDEMPTION OF IMPOUNDED ANIMALS, 6.06.070 DISPOSITION OF IMPOUNDED ANIMALS, 6.06.080 CONDITIONS OF RELEASE, 6.06.090 ANIMAL BITE QUARANTINE, 6.06.100 PENALTY FOR VIOLATION; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 5th day of October, 2007.

Karol Jones
CITY CLERK KAROL JONES, CMC