

ORDINANCE # 554

AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, ADOPTING BY REFERENCE TITLE 8 (ANIMALS) AND CHAPTER 6.150 (ANIMAL FEES) OF THE CLARK COUNTY CODE OF CLARK COUNTY, WASHINGTON; PROVIDING FOR CODIFICATION; ESTABLISHING EFFECTIVE DATES; REPEALING ORDINANCES #12, #20, #41, #53, #83, #86, #108, #155, #167, #171, #191, #202, #313, #377, #383, #404, #430, #465, #472 AND #490; REPEALING RESOLUTION #443; AND REPEALING ALL PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH

Whereas, the Town of Yacolt, (hereafter “Town” or “Yacolt”), is party to a 2009 and/or 2010 Interlocal Agreement with Clark County, Washington, by which Clark County provides animal licensing and animal control enforcement services for the Town’s animal control and pet regulations;

Whereas, the Yacolt Town Council desires to adopt animal control and pet licensing policies that are consistent with the policies of Clark County;

Whereas, the Town Clerk maintains at least one copy of the Clark County Code provisions described in Section 1 of this Ordinance for use and examination by the public pursuant to RCW 35.21.180;

Whereas, the Town Council has deemed it advisable and necessary to codify the Town’s Ordinances, and is therefore preparing to adopt a Yacolt Municipal Code;

Whereas, the Town of Yacolt has identified a number of Ordinances which are or will be obsolete following the adoption of this Ordinance, or which have been substantially repealed by the enactment of later ordinances;

Whereas, in preparing Yacolt’s Municipal Code, it is advisable and necessary to exclude those Ordinances which are not or should not any longer be considered effective; and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 19th day of December, 2016, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW THEREFORE, be it Ordained by the Town Council of the Town of Yacolt, Washington:

Section 1 – Provisions of the Clark County Code Relating to Animals and Animal Fees Adopted by Reference:

- (A). Title 8 of the Clark County Code of Clark County Washington, entitled “Animals”, together with amendments thereof or additions thereto, is adopted

by reference as the Animal Control Ordinance of the Town of Yacolt, Washington, as if set forth in full.

- (B). Chapter 6.150 of the Clark County Code of Clark County Washington, entitled “Animal Fees”, together with amendments thereof or additions thereto, is adopted by reference as the Animal Fee Ordinance of the Town of Yacolt, Washington, as if set forth in full.

Section 2 - Yacolt Municipal Code: Section 1 of this Ordinance shall become and be made a part of the Yacolt Municipal Code upon the codification of the Town's Ordinances.

Section 3 – Repealer: The following Ordinances are hereby repealed:

- (A). **Ordinance #12:** Ordinance #12 of the Town of Yacolt, adopted February 1, 1909, entitled “To License, Tax, Regulate and Restrain the Keeping of Dogs Within the Town Limits” is hereby repealed.
- (B). **Ordinance #20:** Ordinance #20 of the Town of Yacolt, adopted April 19, 1910, entitled “An Ordinance Amending Ordinance No 12, Entitled ‘To License Tax Regulate and Restrain the Keeping of Dogs Within the Town Limits’” is hereby repealed.
- (C). **Ordinance #41:** Ordinance #41 of the Town of Yacolt, adopted July 1, 1912, entitled “An Ordinance of the Town of Yacolt, Washington Prohibiting the Riding or Driving of Animals, Bicycles, Motorcycles or Other Motor Vehicles Upon any of the Board or Hard Surfaced Sidewalks or Upon any of the Board or Hard Surfaced Sidewalks to be Hereafter Constructed Within the Incorporated Limits of the Town of Yacolt” is hereby repealed.
- (D). **Ordinance #53:** Ordinance #53 of the Town of Yacolt, adopted April 20, 1914, and entitled “An Ordinance Prohibiting Certain Animals and Fowls from Running at Large Within the Limits of the Town of Yacolt, Washington, Providing for the Impounding and Sale of Such Animals or Fowls, and Providing a Penalty for the Violation Thereof” is hereby repealed.
- (E). **Ordinance #83:** Ordinance #83 of the Town of Yacolt, adopted April 1, 1935, entitled “An Ordinance Amending Ordinance #53, Entitled ‘An Ordinance Prohibiting Certain Animals and Fowls From Running at Large Within the Limits of the Town of Yacolt, Washington: Providing for the Impounding and Sale of Such Animals or Fowls, and Providing a Penalty for the Violation Thereof’” is hereby repealed.
- (F). **Ordinance #86:** Ordinance #86 of the Town of Yacolt, adopted March 2, 1936, entitled “An Ordinance to License, Tax, Regulate and Restrain the Keeping of Dogs Within the Town Limits of Yacolt and Providing for

Penalties for the Violation Thereof” is hereby repealed.

- (G). **Ordinance #108:** Ordinance #108 of the Town of Yacolt, adopted in 1950, entitled “An Ordinance to Ammend [*sic*] Section 2 of Ordinance No. 86, “entitled,” [*sic*] An Ordinance to License, Tax, Regulate ad Restrain the Keeping of Dogs Within the Town Limits of Yacolt and Providing Penalties for the Violation Thereof [*sic*] is hereby repealed.
- (H). **Ordinance #155:** Ordinance #155 is missing from the Town’s records. The Town has some information that Ordinance #155 related to Dogs. Ordinance 155 of the Town of Yacolt is hereby repealed.
- (I). **Ordinance #167:** Ordinance #167 is missing from the Town’s records. The Town has some information that Ordinance #167 related to Dogs. Ordinance #167 of the Town of Yacolt is hereby repealed.
- (J). **Ordinance #171:** Ordinance #171 is missing from the Town’s records. The Town has some information that Ordinance #171 related to Dogs. Ordinance #171 of the Town of Yacolt is hereby repealed.
- (K). **Ordinance #191:** Town Records of Ordinance #191 appear incomplete. The Town has some information that Ordinance #191 related to Dogs, and specifically that the Ordinance include a provision establishing impoundment fees for Dogs. Ordinance #191 of the Town of Yacolt is hereby repealed.
- (L). **Ordinance #202:** Town Records of Ordinance #202 appear incomplete. The Ordinance included a provision amending the impoundment fee for dogs established by Ordinance #191. Ordinance #202 of the Town of Yacolt is hereby repealed.
- (M). **Ordinance #313:** Ordinance #313 of the Town of Yacolt, adopted March 21, 1989, entitled “Ordinance No. 313”, “An Ordinance relating to dog license requiremnts; license issuance; license fees; license period; license revocation; dog license tags; dog restraint; impoundment; impoundment and care fee; notice of impounding; returning dog to owner; dog behavior as a nuisance; quarantine on disposal of dogs; obstructing an officer; penalties for violations” is hereby repealed.
- (N). **Ordinance #377:** Ordinance #377 of the Town of Yacolt, adopted January 20, 1998, entitled “Town of Yacolt Dog Ordinance No. #377” is hereby repealed.
- (O). **Ordinance #383:** Ordinance #383 of the Town of Yacolt, adopted February 16, 1999, entitled “Town of Yacolt Dog Ordinance No. 383” is hereby repealed.

- (P). **Ordinance #404:** Ordinance #404 of the Town of Yacolt, adopted December 4, 2000, entitled “An Ordinance Amending Ordinance No. 383, Relating to the Control of Dogs” is hereby repealed.
- (Q). **Ordinance #430:** Ordinance #430 of the Town of Yacolt, adopted April 5, 2004, entitled “An Ordinance Relating to Cat License Requirements” is hereby repealed.
- (R). **Ordinance #465:** Ordinance #465 of the Town of Yacolt, entitled “An Ordinance Relating to the Control of Dogs, Cats, and Other Pets”, as adopted June 21, 2010, and as readopted and given retroactive effect by Ordinance #474, is hereby repealed.
- (S). **Ordinance #472:** Ordinance #472 of the Town of Yacolt, entitled “An Ordinance Amending Section 6, Item A, of Ordinance #465 Relating to the Control of Dogs, Cats and Other Pets”, as adopted December 20, 2010, and as readopted and given retroactive effect by Ordinance #474, is hereby repealed.
- (T). **Ordinance #490:** Ordinance #490 of the Town of Yacolt, adopted February 6, 2012 entitled “An Ordinance of the Town Council of the Town of Yacolt Amending Ordinance #465 to Define and Provide Penalties for Acts of Animal Cruelty” is hereby repealed.
- (U). **Resolution #443:** Resolution #443 of the Town of Yacolt, adopted December 20, 2010 and regarding the updating of license fees and other existing fees and charges related to the control of dogs, cats and other pets and establishing an effective date of January 1, 2011, is hereby repealed.

Section 4 - Conflicting Ordinances and Resolutions Repealed: All previous Ordinances or parts of Ordinances in conflict with Section 1 of this Ordinance are hereby repealed. All previous Resolutions or parts of Resolutions in conflict with Section 1 of this Ordinance are hereby repealed.

Section 5 – Effect of Repeal: The repeal of an ordinance shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

Section 6 – Severability: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any Person or circumstances is held invalid, the remaining portion of this Ordinance shall remain in full force and effect, and the application of the provision to other Persons or circumstances shall not be affected.

Section 7 - Effective Date: The Town Clerk shall certify the adoption of this Ordinance and cause it, or the following summary of it, to be published once prior to January 1, 2017, in the Town's legal newspaper of record. This Ordinance shall take effect on January 1, 2017, following adoption and publication of the following summary, according to law.

Town of Yacolt - Summary of Ordinance # 554

The Town Council of the Town of Yacolt adopted Ordinance #554 at its regularly scheduled Town Council meeting held on December 19, 2016. The content of the Ordinance is summarized in its title as follows:

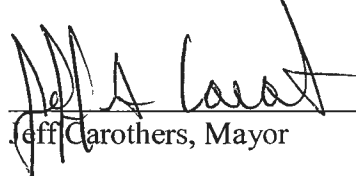
AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, ADOPTING BY REFERENCE TITLE 8 (ANIMALS) AND CHAPTER 6.150 (ANIMAL FEES) OF THE CLARK COUNTY CODE OF CLARK COUNTY, WASHINGTON; PROVIDING FOR CODIFICATION; ESTABLISHING EFFECTIVE DATES; REPEALING ORDINANCES #12, #20, #41, #53, #83, #86, #108, #155, #167, #171, #191, #202, #313, #377, #383, #404, #430, #465, #472 AND #490; REPEALING RESOLUTION #443; AND REPEALING ALL PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH. The effective date of the Ordinance is January 1, 2017.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 28th day of December, 2016
Cindy Marbut, Town Clerk/Treasurer

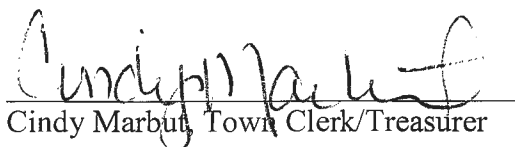
PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 19th day of December, 2016.

TOWN OF YACOLT



Jeff Carothers, Mayor

Attest:



Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

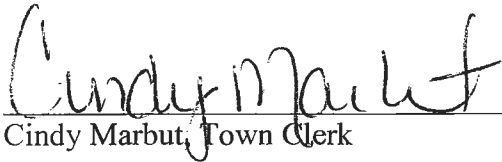
David W. Ridenour, Town Attorney

Ayes: Listek, Wallway + Myers
Nays: _____
Absent: Hancock, Tester
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #554 of the Town of Yacolt, Washington, entitled "AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, ADOPTING BY REFERENCE TITLE 8 (ANIMALS) AND CHAPTER 6.150 (ANIMAL FEES) OF THE CLARK COUNTY CODE OF CLARK COUNTY, WASHINGTON; PROVIDING FOR CODIFICATION; ESTABLISHING EFFECTIVE DATES; REPEALING ORDINANCES #12, #20, #41, #53, #83, #86, #108, #155, #167, #171, #191, #202, #313, #377, #383, #404, #430, #465, #472 AND #490; REPEALING RESOLUTION #443; AND REPEALING ALL PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH", as approved according to law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:



Cindy Marbut, Town Clerk

Published: 12-28-16
Effective Date: January 1, 2017
Ordinance Number: 554