

ORDINANCE NO. 313_____

AN ORDINANCE relating to dog license requirements; 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.

WHEREAS, RCW 35.27.370(7) provides that the town has the power to impose and collect an annual license fee on every dog within the limits of the town, to prohibit dogs running at large, and to provide for the disposal of all dogs found at large and not duly licensed; and,

WHEREAS, RCW 35.27.370(9) provides that the town shall have the authority to license and to regulate, restrain, or prohibit the running at large of any and all domestic animals within the town limits, or any part or parts thereof, and to regulate a common pound for strays, and to appoint a pound keeper, who shall be paid out of the fines and fees imposed on and collected from the owners of any impounded animals.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Yacolt, Washington, as follows:

Section 1 Repealer: That the Town of Yacolt Ordinance No. 191 and any other Town of Yacolt ordinances in conflict herewith are hereby repealed.

Section 2 Dog License Requirements. No person shall, without first obtaining a license therefor in writing from the town clerk, own, keep, harbor, or have custody of any dog over three months of age.

Section 3 License Issuance. Each such license shall be issued by the town clerk in the name of the owner following payment of the applicable fee and completion of forms as provided by the town clerk, disclosing the owner's name, address, name and type of dog to be licensed, the age, its sex, and whether or not the dog has been spayed or neutered, together with any other information the town clerk deems advisable. It shall be the duty of the town clerk to keep and maintain a public list of all owners to whom licenses are issued, together with the number of the license tag issued to each owner, if any. No person in the process of securing such license shall falsely represent any fact.

Section 4 License fees. From the effective date of this ordinance through December 31, 1989 and for each calendar year thereafter, the annual license fee shall be as follows:

1. For each neutered male dog, or spayed female dog, \$7.50
2. For each unneutered male dog, or unspayed female dog, \$15.00

In the case of dogs previously licensed or required to be

licensed, there shall be an additional fee of \$2.00 for each license which is purchased more than 31 days after the first day of January of any year. Additionally, the owner claiming any animal to be spayed or neutered shall be required to file with the town clerk a statement to that effect. In the absence of such sworn statement, the unspayed or unneutered fee will be assessed.

Section 5 License period. A license, if not revoked, shall be valid from January 1 to December 31 of the calendar year of issue. Any person, firm, or corporation moving into the Town of Yacolt who shall have ownership, control or custody of any dog, shall have ten days within which to obtain a license for the dog as ordained by this ordinance.

Section 6 License revocation. The town clerk of the Town of Yacolt may revoke any license if the person holding the license refuses or fails to comply with this ordinance or any state or local law governing cruelty to animals or keeping of animals. Any person whose license is revoked shall within 10 days thereafter, humanely dispose of all dogs being owned, kept, or harbored by such person and no part of the license fee shall be refunded.

Section 7 Dog license tags. Upon issuing a license to keep any dog, the town clerk shall issue a durable metal or plastic tag, stamped with an identifying number so designed that it may be conveniently fastened to a dog collar or harness. Such tag shall be fastened to the dogs collar or harness and shall be worn at all times when the dog is off the premises of the owner. The town clerk shall maintain a record of the identifying numbers and shall make this record available to the public. A replacement tag for lost tags shall be provided by the town clerk for a fee of \$2.00.

Section 8 Dog restraint. All dogs shall be deemed to be under restraint if on the premises of the dog's owner or on a leash.

Section 9 Impoundment. Unrestrained dogs may be taken by the county sheriff, humane officer, or the Humane Society and impounded in a animal shelter and there confined in a humane manner. Impounded dogs shall be kept for not less than 3 days unless reclaimed by their owners. If by a license tag or by other means the owner can be identified, the town clerk or humane officer shall immediately upon impoundment notify the owner by telephone or mail of the impoundment of the animal. Dogs not claimed by their owners within 3 days shall be humanely disposed of by the humane officer or an agency delegated by him to exercise that authority.

Section 10 Impoundment care and fee. An owner reclaiming an impounded dog shall pay a fee of \$10.00 for the impoundment of any animal. In addition, the care fee of any impounded animal

shall be paid by the owner. A destruction fee of \$5.00 plus the veterinary fee for each unclaimed dog shall be charged to the owner by the town.

Section 11 Notice of impounding. Upon the impounding of any animal, the humane officer shall give notice of such impounding in substantially the following manner:

1. If the dog is licensed and is wearing a license tag, or if the identity is known or can be readily determined by the humane officer, then as soon as reasonably practicable after the dog has been impounded, the humane officer may notify the owner by telephone or by otherwise that the dog has been impounded and may be redeemed as provided by this ordinance.
2. If the owner is known by the humane officer but cannot be notified, or if the owner is so notified and does not appear to redeem his dog within 24 hours of the time of impounding, then the humane officer shall send by certified mail a notice of impoundment.
3. If the owner is unknown to the humane officer and cannot be readily determined by him, he shall post at town hall a notice of impoundment.

The notice of impoundment shall contain information as to where the dog is impounded, sex, color, breed, approximate age, other identifying features as well as the name of the owner if known.

Section 12 Impounded Animals. All sick or injured dogs shall be impounded when not in the owner's possession and may be humanely destroyed at any time after impounding at the discretion of the humane officer. All other impounded animals shall be kept for not less than 72 hours. Dogs not claimed by their owners within 72 hours shall be humanely disposed of or sold by the Humane Society.

Section 13 Returning animal to owner. Notwithstanding any other provision of this ordinance, if an animal is found at large and its owner can be identified and located, such animal need not be impounded but may, instead, be taken to the owner. In such case, the county sheriff or other officer shall notify the humane officer of the violation of this ordinance and may proceed against the owner for violation of this ordinance.

Section 14 Obstructing an officer. Any town employee, humane officer, or county sheriff shall have police powers in the enforcement of this ordinance and no person shall interfere with, hinder, molest, or abuse any town employee, humane officer, or county sheriff in the exercise of such powers.

Section 15 Penalties . Any person violating any provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 nor more than \$500.00 for offenses within this ordinance. If any violation be continuing, each day's violation shall be deemed a separate violation. If any person, firm, or corporation is found guilty by a court of violating the provisions of this ordinance, the

court may abate his right to own, keep, harbor, or have custody of dogs temporarily or permanently. No minimum fine, or continuing violation fine, may be suspended or reduced by the court.

EFFECTIVE DATE: This ordinance shall be in force and take effect this 21 day of March, 1989.

AYES Councilmembers Jolma, Kaski, Messer, Grooms, Alexander

NAYES None

ABSENT None

MAYOR: Jim Worthington ATTEST Irene Christiansen

I hereby certify that this is a true and correct copy of ordinance number 313 as read before the Yacolt Town Council and passed on the date herein mentioned and passed according to law.

Irene Christiansen
Irene Christiansen

Town Clerk/Treasurer