

ORDINANCE NO. _____

AN ORDINANCE regarding the licensing and control of pet animals, eliminating certain nuisance pet animal violations, clarifying the authority of the Board of County Commissioners over dangerous and potentially dangerous dogs, creating the offense of menacing animal and amending Sections 9.10.020, 9.10.030, 9.10.040, 9.10.050, 9.10.052, 9.10.054, 9.10.060, 9.10.070 & 9.10.080 and repealing Sections 9.10.510, 9.10.520, 9.10.530, 9.10.540, 9.10.550, 9.10.560, 9.10.570, 9.10.580, 9.10.590, 9.10.600, 9.10.605, 9.10.610, 9.10.615, 9.10.625, 9.10.630, 9.10.632, 9.10.635, 9.10.640, 9.10.645, 9.10.647, 9.10.650, 9.10.652, 9.10.655, 9.10.660, 9.10.665, 9.10.670, 9.10.675, 9.10.680, 69.10.685, 9.10.690, 9.10.692, 9.10.695, 9.10.700, 9.10.705, 9.10.710, 9.10.715, 9.10.720, 9.10.725, 9.10.730, 9.10.735, 9.10.740, 9.10.745, 9.10.750, & 9.10.755 of the Thurston County Code.

WHEREAS, the safety and protection of the citizens of Thurston County requires that animals be controlled in all unincorporated areas of Thurston County; and

WHEREAS, owners of animals owe a duty to other residents of Thurston County to assume responsibility for the behavior of their animals; and

WHEREAS, the Board of County Commissioners pursuant to Chapter 16.08 RCW has the authority to regulate and control dangerous and potentially dangerous dogs; and

WHEREAS, menacing animals pose a real threat to the safety and well being of the citizens of Thurston County; and

WHEREAS, the prevention of cruelty to animals is adequately addressed by Chapter 16.52 RCW; and

WHEREAS, limited County resources are best used to protect county residents from menacing animals and dangerous and potentially dangerous dogs;

Now therefore be it ordained by the Board of County Commissioners for Thurston County that the Thurston County Code is amended as follows:

Section 1.

Section 9.10.020 Thurston County Code is hereby amended as follows:

Section 9.10.020 Enforcement.

Officers as defined in Section 9.10.030 are authorized to enforce the laws set forth in this code and in Chapters 16.08, 16.52 and 16.54 RCW, including the issuance of misdemeanor citations and notices of infraction. (Ord. 11198 § 2 (part), 1996)

Section 2.

Section 9.10.030 Thurston County Code is hereby amended as follows:

Section 9.10.030 Definitions.

As used in this chapter:

"Abandon" means the act of leaving a pet animal without humane care in such a way that the health or safety of the animal is imperiled or the safety of passers-by is imperiled.

"Animal" means any nonhuman mammal, bird, reptile, or amphibian.

"Animal services" means the agency designated to operate a shelter facility (hereafter referred to as "the Animal Services shelter") designated or recognized by the cities of Lacey, Olympia and Tumwater and Thurston County for the purpose of impounding, caring for, placing through adoption, returning to owners and euthanizing pet animals.

"At large" means any pet animal that is not in the physical presence or control of an owner or keeper or is under the following circumstances:

1. When a dog, licensed or not, is found off the premises or outside the vehicle of the owner and not under control of a person by means of a leash, carrier or demonstrated voice command; or
2. For the purpose of this section, the dog is presumed not to have been under control and to be at large if the person purporting to exercise control is unable to immediately cause the dog to heel by giving the appropriate voice command; or
3. When an unleashed dog interferes with pedestrian or vehicular movement or causes affront or alarm to a person or if injury, damage has been caused by the dog or trespass has occurred; or
4. When a cat, licensed or not, is on property where the property owner or tenant objects to the presence of the cat and has humanely trapped or otherwise contained the cat.

"County Records" means records relating to animal protection and control.

"Dangerous dog" means a dog that according to records of animal services or the County has committed serious offenses as more fully set forth in Section 9.10.070.

"Domestic animal" means an animal other than a pet animal that may or may not be used as a food source such as, but not limited to, a rabbit, chicken, goat, sheep, cow or horse.

"Euthanasia" means the humane killing of an animal.

"Exotic animal" means an animal, such as, but not limited to, venomous or constrictor type reptiles, or primates.

"Harbors, keeps, possesses, or maintains a pet animal" means providing care, shelter, protection, refuge, food, or nourishment in such manner as to influence the

behavior of the animal; or, treating the animal as living at one's property.

"Humane care" means care of an animal that includes providing necessary food, water, shelter, rest, sanitation, ventilation, space and medical attention in a way that the health and safety of the animal is not imperiled. See RCW 16.52.207 Animal Cruelty in the Second Degree.

"Impound" means to take control of any animal pursuant to the terms of this chapter.

"Injury" means any physical injury that causes physical pain or the impairment of the physical condition including, but not limited to, cuts, scraps, bruises or punctures.

Kennel.

1. "Commercial kennel" means a place where adult dogs are bred by a person providing facilities for breeding and the offspring are sold, where such dogs are received for care, training and boarding for compensation, not including a small animal hospital, clinic or pet shop. An adult dog is one that has reached the age of six months.

2. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where four or more adult dogs are bred and/or kept for hunting, training and exhibit for organized shows, field working and/or obedience trials or for enjoyment of the species.

"Leash" means a cord, thong or chain by which a dog is controlled by the person accompanying it.

"License" means the dog, cat or other pet animal license issued for registration and identification.

"Menacing" means threatening behavior that places a person in immediate fear of physical injury to himself or herself or to an animal owned by that person. Such behavior shall include but is not limited to growling, snarling, barking, baring of teeth, snapping, attempting to bite, pouncing, lunging, attacking or any other behavior that restricts or controls a person's or an animal's movements.

"Nuisance pet animal" means a pet animal that habitually or continually disturbs the peace and quiet of any individual or neighborhood by barking, whining, howling or making any other noise (domestic animals are exempted from this provision).

"Officer" means any Sheriff's Deputy Animal Services officer, police officer, or other person designated and commissioned by the Board of County Commissioners for Thurston County to issue citations, pick up, restrain, impound, place, or dispose of animals or give notice for any other acts, duties or functions prescribed by this chapter or other chapters relating to pet animals.

"Owner" means any person who harbors, keeps, possesses or maintains a pet animal, or who encourages a pet animal to remain about their property for a period of fourteen consecutive days or more, or the person named on the license/registration record

of any animal as the owner. The parent or guardian of an owner under eighteen years of age shall be deemed the owner for the purposes of this chapter.

"Pet animal" means any species of wild or domestic animal sold or retained for the purpose of being kept for pleasure, companionship or utilitarian purposes and not kept as a food source.

"Potentially dangerous dog" means a dog that according to the records of Animal Services or Thurston County has committed serious offenses as more fully set forth in Section 9.10.070.

"Quarantine" means to confine, within a secure structure, any pet animal that has bitten a human so that the animal has no contact with persons outside the immediate family or with any other animals not owned by the family for a period of 10 days from the date of the bite. These restrictions are described by Thurston County Environmental Health.

"Restrained" means secured by a leash or lead and under physical control of a person with the strength and judgment to handle the animal, or tethered to a stationary object which keeps the animal confined to the pet owner's property or premises.

"Severe injury" means any physical injury that results in broken bones or lacerations requiring sutures (or according to a licensed physician would have required sutures) or cosmetic surgery.

"Sterilized" means the animal is surgically rendered incapable of reproduction by means of castration or an ovariectomy. (Ord. 11198 § 2 (part), 1996)

Section 3.

Section 9.10.040 Thurston County Code is hereby amended as follows:

Section 9.10.040 Licensing and registration requirements.

A. Failure to License. Except as otherwise provided in this chapter, it is unlawful for any person to own, keep or have control of any dog in the unincorporated areas of Thurston County unless the person has procured a license. Failure to license is a Class 4 civil infraction.

B. Issuance of License Tag. The Board of County Commissioners shall designate agents to provide appropriate identification tags for each dog or cat licensed to persons applying, upon payment of the appropriate license fee. It shall be the responsibility of the owner of a dog to keep a collar or harness on the animal with the license tag attached if the animal is off the owner's property.

C. Supplemental Identification. Tattooing or microchip implantation are acceptable auxiliary means of identification but do not replace the license.

D. Lack of Authorized and Current Tag. A dog without an authorized and current license tag may be impounded, except as otherwise set forth in this chapter.

E. Annual License Fees.

Annual license for dogs which are not sterilized.....	\$20.00
Annual license for dogs which are sterilized or which are under six months of age	\$10.00
Annual license for dogs which are not Sterilized and whose owners are low Income senior citizens as identified in RCW 84.36.381(5)(b)(ii)	9.00
Annual license for dogs which are sterilized and whose owners are low income senior citizens as identified in RCW 84.36.381(5)(b)(ii)	6.00
Annual license for cats which are not sterilized.....	12.00
Annual license for cats which are sterilized or are under six months of age.....	6.00
Annual license for cats which are not sterilized and whose owners are low income senior citizens as identified in RCW 84.36.381(5)(b)(ii)	6.00
Annual license for cats which are Sterilized and whose owners are low Income senior citizens as identified in RCW 84.36.381(5)(b)(ii)	4.00
Duplicate license.....	3.00
Voluntary license, other pet animal	6.00
Annual hobby kennel permit.....	25.00
Plus each dog in hobby kennel shall be licensed for a fee of.....	1.00
Annual commercial kennel permit.....	25.00
Certified service dog and police dogs.....	-0-

F. Date Due. Effective January 1, 2000, all licenses granted under this chapter shall be valid for one year from the date of issuance.

G. Licenses Nontransferable. Licenses shall not be transferable from one pet animal to another.

H. Tag Removal Unlawful. It is unlawful for any person to remove a tag from any pet animal, or to obliterate any tattoo or microchip registered under this section without the permission of the owner or issuing authority other than in a medical emergency. A violation of this provision shall be a gross misdemeanor.

I. Kennel Permit. A kennel permit may be granted for those areas where such use is

not prohibited by local zoning. An annual fee in lieu of individual licensing for each animal may be granted for the following:

1. Private nonprofit animal welfare or protection organizations that have IRS 501(c)(3) status with operating standards and criteria and whose primary purpose is to provide temporary care, shelter and placement of animals; or

2. Hobby kennels (as defined in Section 9.10.030).

J. Exotic Animals. Owners of constrictor type reptiles over eight feet in length, venomous reptiles, and primates are required to annually register such animals with animal services by completing a form provided by animal services. Failure to register such animals shall be a misdemeanor. (Ord. 12378 § 2, 2000; Ord. 12058, 1999; Ord. 11198 § 2 (part), 1996)

Section 4.

Section 9.10.050 Thurston County Code is hereby amended as follows:

Section 9.10.050 Regulations and violations relating to pet animals.

Any person who harbors, keeps, possesses, maintains or has temporary custody of a pet animal shall be responsible for the behavior of such animal whether the owner knowingly permits the behavior or not. Such person shall violate the terms of this chapter if:

A. Pet Animal at Large. Such person's pet animal is at large as defined in Section 9.10.030 within the unincorporated areas of Thurston County; provided, however, this section shall not prohibit the owner and pet animal from participating in an organized show or training, exercise or hunting session in locations designated and authorized for that purpose. A first violation of Pet Animal at Large is a Class 4 infraction. A second and any subsequent violation shall be a Class 3 infraction.

B. Nuisance Pet Animal. Such person's pet animal constitutes a nuisance pet animal as defined in Section 9.10.030. A first violation of Nuisance Pet Animal is a Class 4 infraction. A second and any subsequent violation shall be a Class 3 infraction.

C. Unleashed Pet Animal on Public Property. Such person's pet animal is on public property such as a public park, beach or school ground and not on a leash held by a person who is able to maintain physical control of the animal, or is in violation of additional specific restrictions which have been posted. A first violation of Unleashed Pet Animals on Public Property is a Class 4 infraction. A second and any subsequent violation shall be a Class 3 infraction.

D. Injury to a Person or Animal. Such person's pet animal causes injury to a person or domestic or pet animal (see also potentially dangerous dog or dangerous dog, Section 9.10.070). Injury to a person or animal is a gross misdemeanor.

E. Failure to Sterilize an Adopted Pet Animal. Such person, when adopting a pet animal from the animal services shelter, fails to have the pet sterilized within the time

period specified in the written agreement, unless specifically recommended by a veterinarian in writing, or in cases of verifiable placement within a governmental law enforcement agency. Failure to sterilize an adopted pet animal is a Class 4 infraction.

F. Failure to Provide Humane Care. Such person fails to provide a pet animal with humane care as defined in Section 9.10.030. Failure to provide humane care is a misdemeanor.

G. Failure to Meet Terms of Quarantine. Such person fails to accept or to meet the terms of a quarantine notice served pursuant to Thurston County health department regulation after an animal has bitten a human. If the animal owner is unable to provide the required confinement, or if the animal is in violation of the quarantine restrictions, it may be impounded to serve the remainder of the quarantine at the Animal Services shelter at the owner's expense. Failure to meet terms of quarantine is a misdemeanor. (Ord. 11198 § 2 (part), 1996)

H. Menacing Animal. Such person's animal frequently or habitually behaves in a menacing manor as defined in Section 9.10.030 on any public property or private property that is not the premises of the animal's owner. Menacing Animal is a misdemeanor and a menacing animal may be seized and impounded at the Animal Services shelter at the owner's expense.

Section 5.

Section 9.10.052 Thurston County Code is hereby amended as follows:

Section 9.10.052 Cruelty to animals.

No person shall do the following to any animal: beat, cruelly ill-treat, torment, overwork, deliberately injure, deny humane care, abuse, inhumanely kill, cause or instigate any dogfight, cockfight, or other combat, including baiting by setting a dog on another animal that is chained or confined, or perform or omit other actions as set forth in Chapters 16.52 and 16.54 RCW. Killing of rodents, moles or shrews by traps specified for these species, slaughter of food source animals, or hunting of animals as set forth in RCW 77.32 is exempt from this provision. Humane euthanasia of animals by animal services or veterinarians shall not constitute a violation of this section. Cruelty to animals is a misdemeanor. (Ord. 11198 § 2 (part), 1996)

Section 6.

Section 9.10.054 Thurston County Code is hereby amended as follows:

Section 9.10.054 Confinement or restraint of a pet animal.

A pet animal shall not be trapped in any manner that subjects the animal to injury inherent in the mechanism of the trap. A humane box trap may be set on a complainant's property for the purpose of trapping nuisance pet animals. Animals which are caught in such a trap must be returned to their owners or taken to the Animal Services shelter. Injurious confinement or restraint of a pet animal is a misdemeanor. (Ord. 11198 § 2

(part), 1996)

Section 7.

Section 9.10.060 Thurston County Code is hereby amended as follows:

Section 9.10.060 Impoundment and redemption.

A. Impoundment. An officer may impound any pet animal in violation of Section 9.10.040 or 9.10.050.

B. Notification of Owner. Upon any pet animal being impounded, animal services shall, as soon as feasible, notify the owner, if the owner is known, of the impoundment of the pet animal, and the terms required for the pet animal's return to the owner. Notification may be by telephone, or by other means appropriate for the circumstances, and shall include a description of the pet animal, the reason for impoundment, the general location where the animal was found, and the date when the impounding occurred, and shall advise the owner that the pet animal may be placed for adoption or euthanized by animal services unless reclaimed within the time limits provided in this section.

C. Reclaim of Pet Animal. The owner may reclaim any pet animal impounded under this chapter within a forty-eight-hour holding period, excluding Sundays and holidays, by paying a service charge pursuant to a posted schedule of fees duly adopted by the joint animal services commission, and, if the pet animal is a pet animal which is not licensed, shall also pay the appropriate fee for a license. Service charges are in addition to any fine, penalty, or medical fee incurred.

1. Failure by Owner to Reclaim. If the owner of the pet animal can be identified and fails to reclaim the pet or sign a release of ownership of the pet animal within the forty-eight-hour holding period, the pet animal will be considered released to animal services. However, the owner will remain responsible for payment of the impound, medical and kennel fees.

2. Availability for Adoption. If the pet animal is not redeemed by the owner within forty-eight hours of impoundment, it will be made available for adoption during the next forty-eight hours, not including Sundays and holidays, unless, in the opinion of the animal services director or director's designee, the animal is unsuitable for adoption, in which case it may be humanely destroyed.

3. Late Reclaim. If a pet is adopted after the forty-eight-hour holding period, and an owner appears to reclaim the animal after that time, return of the animal to the original owner shall be at the discretion of the adopter.

D. Owner Unknown. If the owner of a pet animal is not known, a notice providing appropriate information as described in Section 9.10.060B above shall be recorded onto a telephone message device maintained by animal services. This notice shall continue to be recorded for a period of ninety-six hours from the date of impoundment, or less if said pet animal is reclaimed or adopted after the forty-eight-hour holding period required by Section 9.10.060C above.

E. Sick and Injured. All seriously sick or injured pet animals, licensed or not, may be impounded when not in the owner's possession and may be given emergency medical treatment or euthanized. Costs for any medical treatment provided in this manner will be the responsibility of the owner of the pet animal, if known, or, if unknown, by animal services. The Animal Services Director or designee shall immediately notify the owner, if the owner is known, or if the owner is unknown, make all reasonable efforts to locate and notify the owner.

F. Abandoned Pet Animals. Officers are empowered to impound any pet animal found abandoned within any building, establishment, or property, whether public or private. Upon such impoundment, Animal Services shall treat such pet animal in the same manner as other impoundments provided for in this chapter. Litters of puppies and kittens under three months of age brought to or left at the Animal Services shelter may be made available for adoption, placed in foster care or euthanized immediately at the discretion of the director or the director's designee.

G. Humane Destruction. If any pet animal is not redeemed or adopted at the end of the ninety-six-hour holding period from the time it entered the Animal Services shelter, it may be euthanized. (Ord. 11198 § 2 (part), 1996)

Section 8.

Section 9.10.070 Thurston County Code is hereby amended as follows:

Section 9.10.070 Potentially dangerous dog or dangerous dog.

A. Classification. The Board of County Commissioner or its designee shall have authority to classify potentially dangerous dogs and dangerous dogs. The Board or its designee may find and declare an animal potentially dangerous or dangerous if there is probable cause to believe that the animal's action falls within the descriptions which follow. The finding must be based upon the written complaint of a person who has pertinent information and who is willing to testify that the dog has acted in a manner which may cause it to be classified as a dangerous dog or a potentially dangerous dog; and one of the following:

1. Reports on file with animal services or the County about previous aggressive behavior by the dog; or

2. Actions of the dog witnessed by any officer as defined in Section 9.10.030; or

3. Other substantial evidence.

B. Actions Resulting in Designation. The following actions may result in the as a potentially dangerous dog or dangerous dog:

1. A dog shall be declared potentially dangerous if, unprovoked, it:

a. Inflicts bites on a human or a pet or domestic animal either on public or private property; 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

c. Has a known propensity to attack unprovoked, or to cause injury or otherwise to threaten the safety of humans or pet or domestic animals.

2. A dog shall be declared a dangerous dog when, according to the records of animal services or the County, the dog has:

a. Inflicted severe injury on a human being without provocation on public or private property;

b. Killed a pet or domestic animal without provocation while off the owner's or keeper's property; or

c. Aggressively bitten, attacked or endangered the safety of humans or pet or domestic animals after previously having been found to be potentially dangerous, and the owner or keeper has received written warning.

3. A dog shall not be declared potentially dangerous or dangerous if:

a. 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 the owner or keeper of the dog; or

b. The person 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

c. The person was committing or attempting to commit a crime; or

d. Another pet animal or domestic animal has entered the property of the owner of the dog without invitation; or

e. The dog, when on a leash, is responding to attack by another pet or domestic animal whether on or off the owner's premises.

C. Declaration as Potentially Dangerous or Dangerous Dog.

1. The declaration of potentially dangerous or dangerous shall be in writing and shall be served on the owner or keeper in one of the following methods:

a. Certified mail to the owner or keeper's last known address; or

b. Personally; or

c. If the owner or keeper cannot be located by one of the first two methods, by publication in a newspaper of general circulation.

2. The declaration shall state at least:

a. The description of the dog;

- b. The name and address of the owner or keeper of the dog;
- c. The whereabouts of the dog if it is not in the custody of the owner or keeper;
- d. The facts upon which the declaration of potentially dangerous or dangerous is based;
- e. The availability of a hearing in case the person objects to the declaration, if a written request is made within ten days;
- f. The restrictions placed on the dog as a result of the declaration of potentially dangerous or dangerous;
- g. The penalties for violation of the restriction, including the possibility of destruction of the dog, and imprisonment or fining of the owner or keeper.

3. If the owner or keeper of the dog wishes to object to the declaration of potentially dangerous or dangerous, the owner or keeper may, within ten days of receipt of the declaration, or within ten days of publication of the declaration pursuant to Section 9.10.070C1c, request a hearing before the Board or its designee.

a. If the Board or its designee finds that there is insufficient evidence to support the declaration, it shall be rescinded, and the restrictions imposed thereby annulled.

b. If the Board or its designee finds sufficient evidence to support the declaration the Board or its designee may impose the same or different restrictions on the dog.

c. While the appeal is pending before the Board or its designee, the potentially dangerous or dangerous dog must be confined to the owner's or keeper's property in such a way to prevent approach of the public or other pet or domestic animals. When in a vehicle, the dog must be securely restrained to prevent escape and prevent accidental contact by the public. The owner or keeper of a dog declared to be dangerous or the complaining citizen may appeal the findings of the Board or its designee to the Joint Animal Services Commission.

4. The owner or keeper of a dog declared to be dangerous or potentially dangerous or the complaining citizen may appeal the findings of the Board or its designee to the Joint Animal Services Commission.

a. The owner or keeper of a dog declared to be dangerous or potentially dangerous or the complaining citizen must submit a written request to Joint Animal Services Commission for a review of the Board or its designee's finding within ten days of receipt of the written findings.

b. The owner or keeper and the complaining citizen shall be notified of the time and place for the review hearing.

c. The Joint Animal Services Commission may affirm, reverse or modify the findings of the Board or its designee.

d. The decision of the Joint Animal Services Commission shall be mailed by certified mail to the owner/keeper and complaining citizen.

D. Control and confinement of potentially dangerous or dangerous dogs includes:

1. Potentially Dangerous Dogs.

a. Must be securely leashed and under the control of a person physically able to control the animal when away from the premises of the owner or keeper; or

b. While on the premises of the owner or keeper must be securely restrained by means of a physical device or structure such as a tether, trolley system, or other physical control device or any structure made of materials strong enough to adequately and humanely confine the dog in a manner which prevents it from escaping the premises; and

c. Must be kept in conformance with other restrictions which may be set forth in the notice classifying the dog as potentially dangerous.

2. Dangerous Dogs.

a. Must be securely muzzled and leashed and under the control of a person physically able to control the dog if the dog is away from the premises of the owner or keeper; or

b. While on the premises of the owner or keeper, the dog must be securely confined inside a locked building, kennel, pen, or other structure having secure sides, bottom, and top, suitable to prevent the entry of young children and designed to prevent the animal from escaping; and

c. Must be kept in conformance with other restrictions which may be set forth in the notice classifying the dog as dangerous.

E. Certificate of Registration as Dangerous Dog. The Board or its designee shall issue a certificate of registration to the owner or keeper of a dangerous dog if the owner or keeper presents sufficient evidence of:

1. A proper enclosure to confine the dog, which meets the requirements of Section 9.10.070D and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property; and

2. A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW, in a form acceptable to the Board or its designee in the sum of at least two hundred and fifty thousand dollars, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurer qualified under RCW Title 48 in the amount of at least two hundred and fifty thousand dollars, insuring the owner or keeper

for any injuries inflicted by the dangerous dog; and

3. Such other identifying information as may be required by the Board or its designee; and

4. Certification that the owner or keeper is aware of and understands the provisions of the law which apply to it; and

5. Payment of an annual registration fee for a dangerous dog in the sum of seventy-five dollars, which shall be in addition to the annual license fee.

F. Violations Relating to Potentially Dangerous or Dangerous Dog Regulations.

1. Any potentially dangerous or dangerous dog that is in violation of the restrictions contained within this section or of restrictions imposed as part of declaration of potentially dangerous or dangerous dog, may be seized and impounded at the expense of the dog owner.

2. Any person violating the provisions of this section relating to keeping, securing or confining of potentially dangerous dogs shall be deemed guilty of a misdemeanor and shall be subject to those penalties set forth in RCW 9A.20.021(3).

3. Any person violating the provisions of this section relating to keeping, securing or confining of dangerous dogs shall be deemed guilty of a gross misdemeanor and shall be subject to those penalties set forth in RCW 9A.20.021(2).

4. The Board or its designee may petition Thurston County District Court to determine disposition of a dangerous dog. If the owner of the dangerous dog is unable to meet restrictions as set forth in the declaration within 10 days, they may be cited for failure to comply and the case referred to the district court for disposition. The owner or keeper of such dog shall be given notice of such hearing and attendance shall be mandatory. After the hearing, the court may rule that:

a. There is insufficient evidence to support the allegations made, whereupon the dog will be released to its owner subject to any restrictions imposed upon it previously; or

b. The dog shall be euthanized by animal services; or

c. Under special circumstances and subject to the restrictions of Chapter 16.08 RCW, the owner or keeper may be allowed to permanently remove the dog from the county; provided that adequate security or assurance against its return is given, and the court is convinced that the dog will be kept in such a manner that it is no longer a danger to persons, property or other animals.

G. Other Dangerous Pet Animals.

The Board or its designee shall have authority to classify other pet animals as dangerous under the same criteria as used in Section 9.10.070A for dogs. Such designation will be based on specific actions by the animal such as those noted in Section

9.10.070B and the Board or its designee shall have authority to require the owner or keeper of such pet animal to take certain actions to control or confine the pet animal. Once a pet animal has been declared potentially dangerous or dangerous, any violations of the provisions of this section will be handled in the same manner as violations under Section 9.10.070F. (Ord. 11198 § 2 (part), 1996)

Section 9.

Section 9.10.080 Thurston County Code is hereby amended as follows:

Section 9.10.080 Penalties.

A. Civil infractions shall be heard and determined according to Chapter 7.80 RCW, as amended, and any applicable court rules. (Ord. 11198 § 2 (part), 1996)

B. Violations of this Chapter designated as misdemeanors are punishable in accordance with RCW 9A.20.021(3).

C. Violations of this Chapter designated as gross misdemeanors are punishable in accordance with RCW 9A.20.021(2).

Section 10.

Section 9.10.510 Thurston County Code is hereby repealed:

Section 11.

Section 9.10.520 Thurston County Code is hereby repealed:

Section 12.

Section 9.10.530 Thurston County Code is hereby repealed:

Section 13.

Section 9.10.530 Thurston County Code is hereby repealed:

Section 14.

Section 9.10.550 Thurston County Code is hereby repealed:

Section 15.

Section 9.10.560 Thurston County Code is hereby repealed:

Section 16.

Section 9.10.570 Thurston County Code is hereby repealed:

Section 17.

Section 9.10.580 Thurston County Code is hereby repealed:

Section 18.

Section 9.10.590 Thurston County Code is hereby repealed:

Section 19.

Section 9.10.600 Thurston County Code is hereby repealed:

Section 20.

Section 9.10.605 Thurston County Code is hereby repealed:

Section 21.

Section 9.10.610 Thurston County Code is hereby repealed:

Section 22.

Section 9.10.615 Thurston County Code is hereby repealed:

Section 23.

Section 9.10.625 Thurston County Code is hereby repealed:

Section 24.

Section 9.10.630 Thurston County Code is hereby repealed:

Section 25.

Section 9.10.632 Thurston County Code is hereby repealed:-

Section 26.

Section 9.10.635 Thurston County Code is hereby repealed:

Section 27.

Section 9.10.640 Thurston County Code is hereby repealed:

Section 28.

Section 9.10.645 Thurston County Code is hereby repealed:

Section 29.

Section 9.10.647 Thurston County Code is hereby repealed:

Section 30.

Section 9.10.650 Thurston County Code is hereby repealed:

Section 31:

Section 9.10.652 Thurston County Code is hereby repealed:

Section 32.

Section 9.10.655 Thurston County Code is hereby repealed:

Section 33.

Section 9.10.660 Thurston County Code is hereby repealed:

Section 34.

Section 9.10.665 Thurston County Code is hereby repealed:

Section 35.

Section 9.10.670 Thurston County Code is hereby repealed:-

Section 36.

Section 9.10.675 Thurston County Code is hereby repealed:

Section 37.

Section 9.10.680 Thurston County Code is hereby repealed:

Section 38.

Section 9.10.685 Thurston County Code is hereby repealed:

Section 39.

Section 9.10.690 Thurston County Code is hereby repealed:

Section 40.

Section 9.10.692 Thurston County Code is hereby repealed:

Section 41.

Section 9.10.695 Thurston County Code is hereby repealed:

Section 42.

Section 9.10.700 Thurston County Code is hereby repealed:

Section 43.

Section 9.10.705 Thurston County Code is hereby repealed:

Section 44.

Section 9.10.710 Thurston County Code is hereby repealed:-

Section 45.

Section 9.10.715 Thurston County Code is hereby repealed:

Section 46.

Section 9.10.720 Thurston County Code is hereby repealed:

Section 47.

Section 9.10.725 Thurston County Code is hereby repealed:

Section 48.

Section 9.10.730 Thurston County Code is hereby repealed:

Section 49.

Section 9.10.735 Thurston County Code is hereby repealed:

Section 50.

Section 9.10.740 Thurston County Code is hereby repealed:

Section 51.

Section 9.10.745 Thurston County Code is hereby repealed:

Section 52.

Section 9.10.750 Thurston County Code is hereby repealed:

Section 53.

Section 9.10.755 Thurston County Code is hereby repealed:

ADOPTED: _____

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

ATTEST:

Clerk of the Board

Chairman

APPROVED AS TO FORM:

EDWARD G. HOLM
PROSECUTING ATTORNEY

Commissioner

By: _____
David Klumpp
Chief Civil Deputy

Commissioner