

TOWN OF GRANITE FALLS

ORDINANCE NO. 381

AN ORDINANCE AMENDING ORDINANCE NO. 369, SECTION 5, AND ADDING SECTION 12B, relating to the licensing, regulation and welfare of animals, and establishing a leash law; and decriminalizing offenses against, unless specifically so provided, and setting penalties for violation of this Ordinance.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GRANITE FALLS,
WASHINGTON:

SECTION 1. Policy

It is hereby declared the public policy of the TOWN OF GRANITE FALLS to encourage, secure and enforce those animal control measures deemed desirable and necessary, for the protection of human health and safety, and to the degree practicable to prevent injury to property and cruelty to animal life. To this end, it is the purpose of this Ordinance herein, to establish and implement a program for the licensing and regulation of dogs, facilities which house them, to provide animals with legal protection, to protect the property rights of owners and non-owners of animals, and to provide for the health, safety and welfare of the people residing in the TOWN OF GRANITE FALLS.

SECTION 2. Title

This Ordinance may be cited as "THE ANIMAL CONTROL ORDINANCE".

SECTION 3. Penalties

Failure to perform any act required or the performance of any act prohibited by this Ordinance is designated as an animal control violation, and shall not constitute a criminal offense, the penalties for which are established in this Ordinance, unless specifically so provided.

SECTION 4. Licenses

It shall be unlawful for any resident, firm or corporation to own, possess or harbor any dog over the age of three months within the TOWN OF GRANITE FALLS Unless said resident, firm or corporation shall have first procured a license therefor as hereinafter provided.

The Town Treasurer or his appointee shall issue licenses to persons applying therefor, upon payment of the license fee as herein provided. Upon the issuance of a license, a metal tag, with number corresponding to the number of the application, shall be furnished the applicant, who shall cause the same to be attached or affixed to the dog licensed. Dog tags shall not be transferable from one dog to another.

SECTION 5. License Fees

That the following fees shall be paid for licenses hereunder:

Dogs - neutered males + spayed females	\$10.00 per annum
Dogs - unneutered males	\$15.00 per annum
Dogs - unspayed females	\$15.00 per annum
Dogs - neutered males and spayed females - tags to be issued to Senior Citizens (62 or over) only	10.00 lifetime
Kennel fee (plus appropriate license fee)	10.00 per annum
Replacement of metal tags	1.00

Any lifetime tags issued prior to adoption of this Ordinance are recognized as existing lifetime tags.

SECTION 6. Renewal

All licenses granted herein shall be due and renewable the first day of June, 1985, and each succeeding June 1st thereafter. If the license fees above provided for are not paid on or before forty-five (45) days after June 1st of each year, the applicant shall pay a penalty fee of \$5.00 for each license in addition to the regular fee as stated above, provided that the fee for an original license application shall be due and payable within thirty days after any dog within the TOWN OF GRANITE FALLS comes into the charge, care or control of any person within said Town.

SECTION 7. Impound

Any dogs not currently licensed hereunder, or who shall not exhibit the metal identification tag hereinabove provided, may be impounded by the TOWN OF GRANITE FALLS, or such person as may be appointed.

The Town or its appointee shall take reasonable steps to notify the owner of any unlicensed dog impounded as herein provided within two days after distraint. The owner thereof may redeem distrainted animals before the expiration of three (3) city business working day period by payment to the TOWN OF GRANITE FALLS the sum of Ten Dollars (\$10.00), plus Two Dollars (\$2.00) per day for room and board during the period of impoundment, plus the appropriate fees for current licensing.

SECTION 8. Kennel License

Any person that owns, harbors or maintains any pack of dogs exceeding three (3) in number for the purposes of breeding, training or boarding shall be required to procure a kennel license and appropriate dog licenses and comply with the provisions hereof.

The poundmaster is authorized to examine and inspect the premises upon which are kept dogs by the holder of a kennel license, and to determine whether adequate provisions exist for the care, health and safety of the animals, as well, as the protection and safety of the general public. Should such not be found to exist, the poundmaster may declare the kennel license revoked, unless within three days notice to the holder. of the licenses of any deficiencies, said deficiencies are not corrected.

SECTION 9. Rabies Inoculation

In the event the Town Council or its appointee deems it necessary for the health, safety and welfare of the residents of the Town, no license here-

under shall be granted or renewed unless the applicant shall have presented to the TOWN OF GRANITE FALLS or its appointee a valid certificate from a licensed veterinarian to the effect that said animal has been inoculated against rabies.

SECTION 10. Rabies Examination

It shall be unlawful for the owner or owners of any dog known to have bitten or scratched any person or persons or other animal or animals to harbor or keep such dog without permitting an examination of inspection of such dog after due demand therefor by the Chief of Police or his deputy. If, after such inspection or examination, good cause appears to be that such animal is suffering from or has been exposed to rabies, such animal may be impounded and quarantined apart from other animals for a ten-day period from and after the date of the seizure.

Any dog impounded under this section may be redeemed at the expiration of such period or prior thereto, upon determination of the County Health Department that it is free from such disease and upon payment to the impounding authority of the maintenance charge for each day of confinement, and any examination or treatment charge, as hereinbefore set forth.

SECTION 11. Schools, Playfields and Public Places

It shall be unlawful for any person to allow any unattended animal to stray or enter upon any school ground, playfield or other public grounds and places within the TOWN OF GRANITE FALLS, and any unattended animal so straying, entering or trespassing upon such property is hereby declared to be a nuisance and may be impounded as such.

SECTION 12. Vicious Dogs

A. It shall be unlawful for any resident, firm or corporation which owns, possesses, harbors, had control or charge of any dog which is known or, in the exercise of reasonable care, should be known to be vicious, to allow the same to run at large and not under restraint.

B. "Vicious dog" means:

1. Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury to, or to otherwise endanger the safety of humans or other domestic animals; or
2. Any dog which attacks a human being or other domestic animal without provocation.

SECTION 13. Dogs In Heat

It shall be unlawful for the owner or custodian of any female dog to allow said dog to be at large during the regular heat period. Any such dog running at large during such period is declared to be a nuisance and may be impounded as such.

SECTION 14. Entrapment

It shall be unlawful for any poundmaster to use a female dog in heat as bait to entice other dogs for entrapment.

It shall be unlawful for any poundmaster to take any action to cause or entice a dog to leave private property, if such dog is not otherwise in violation of the terms of this Ordinance.

SECTION 15. Nuisance or Trespassing

It shall be unlawful to keep or harbor any dog which be habitual howling, yelping, barking or other noise disturbs or annoys any considerable number of persons or neighborhood, and the same is hereby declared to be a public nuisance, and the animal may be impounded.

It shall be unlawful to suffer or permit any dog to go on public or private property of another, so as to damage or destroy any property or thing of value, and the same is hereby declared to be a nuisance and trespass, and the trespassing animal may be impounded.

Whenever it shall be affirmed in writing by three or more persons having separate residences, or regularly employed in the neighborhood, that any dog is a habitual nuisance by reason of trespassing, howling, barking or other noise, or damage to property, being vicious, or by its actions potentially vicious or in any manner causing undue annoyance, the Town or its appointee, shall serve notice upon the owner or custodian of the dog that such nuisance must be abated or the offending animal will be impounded.

SECTION 16. Leash Law

It shall be unlawful for the owner or custodian of any dog to cause, permit or allow such dog to roam, run, stray or be away from the premises of such owner or custodian and to be on any public place, or on any private property, or the private property of another in the TOWN OF GRANITE FALLS unless such dog, while away from such premises, is controlled by a leash not more than eight feet in length, such control to be exercised by such owner or custodian or other competent and authorized person. Any dog found roaming, running, straying or being away from such premises and not on a leash as provided in this section may be impounded subject to redemption in the manner provided.

SECTION 17. Injury, Torment or Neglect of Animals

It shall be unlawful for any person, including said poundmaster, willfully and cruelly to injure or kill any animal or by any mode or means causing it unnecessary fright or pain, and it shall further be unlawful for any person otherwise causing pain, suffering or injury to any animal to fail or neglect to aid or attempt alleviation of any pain, suffering or injury so caused to any animal.

It shall be unlawful for any person to lay out or expose any kind of poison, or leave exposed any poisoned food or drink, for man, animal and fowl, or any substance or fluid whatever whereon or wherein there is or shall be deposited or mingled any kind of poison or poisonous or deadly substance or fluid whatsoever, on the premises of another, or in any unenclosed place, or to aid or abet any person in so doing. Any violation of this Section shall be a misdemeanor and be punishable by a fine of \$500.00.

SECTION 18. Poundmaster-Office Established

There is created the office of poundmaster in the TOWN OF GRANITE FALLS, who shall be appointed by the Mayor to serve at his/her pleasure, and it shall be his duty to carry out the provisions of this Ordinance, and to perform such other duties as the Mayor may, from time to time, designate.

SECTION 19. Violations

Any violation of this Ordinance shall be punished by the imposition of a monetary penalty as follow following one (1) written warning:

1. <u>Violation of Leash Law Provisions</u>	
Violation Notice	\$ 25.00
First Citation	35.00
Second Citation	50.00
Third & Subsequent	150.00 each
2. <u>Violation of License Provisions</u>	
Violation Notice	\$ 25.00
First Citation	35.00
Second Citation	50.00
Third & Subsequent	150.00 each
3. <u>Violation of Stray Provisions</u>	
Violation Notice	\$ 25.00
First Citation	35.00
Second Citation	50.00
Third & Subsequent	150.00 each
4. <u>Violation of Dog in Heat or Vicious Dog Provisions</u>	
Violation Notice	\$ 50.00
All Citations	150.00 each
5. <u>Violation of Nuisance Provision</u>	
Violation Notice	\$ 50.00
All Citations	150.00 each
6. <u>Violation of Section 11/Rabies Exam</u>	
All Citations	\$300.00 each
7. <u>Violation of Section 17 Injury, Torment, Poison, or Neglect of Animals</u>	
All Citations	\$500.00 each

A person who receives a Violation Notice may respond by depositing with the Town Treasurer, within ten (10) days of the issuance of the Notice, the amount listed in the penalty schedule. If the person cited fails or refuses to deposit the violation penalty with the Treasurer within ten (10) days, the Town shall issue a citation, which shall be filed in the appropriate municipal court.

SECTION 20. Validity

That if any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 21. Effect

This Ordinance shall take effect from and after its passage, approval, posting and publication, according to law.

THIS ORDINANCE IS HEREBY ADOPTED by the COUNCIL of the TOWN OF GRANITE FALLS this 23 day of July, 1986.

Approved by the Mayor this 23 day of July, 1986.

Kimberly Apper
MAYOR

Attest:

Gerry James
Town Clerk

CERTIFICATE

I, Gerry James, being first duly appointed, qualified and acting Clerk of the Town of Granite Falls, Washington, a municipal corporation, do hereby certify that the foregoing Ordinance No. 381 is a full, true and correct copy of the original Ordinance passed on the 23 day of July, 1986, as said Ordinance appears in the Ordinance Book of the Town and said Ordinance became effective on the 13 day of August, 1986, and the same is duly posted and published on the 13 day of August, 1986, at the following three public places of said Town:

1. U.S. Post Office
2. Town Hall
3. Konnerups