

## **Title 6**

### **ANIMALS**

#### **Chapters:**

- 6.04 Animal Control**
- 6.08 Hunting, Harassing, Trapping Animals**

#### **Chapter 6.04**

### **ANIMAL CONTROL**

#### **Sections:**

- 6.04.005 Animal Control**
- 6.04.010 License required.**
- 6.04.020 Licenses, fees, tag specifications, expiration.**
- 6.04.030 License record keeping.**
- 6.04.040 Unlicensed dogs--Penalty.**
- 6.04.050 Dogs limited.**
- 6.04.060 Dogs limited--Penalty.**
- 6.04.070 Running in packs--Nuisance.**
- 6.04.080 Roaming at large--Penalty.**
- 6.04.090 Abandonment--Penalty.**
- 6.04.100 Dangerous dogs.**
- 6.04.150 Kennels--Definitions.**
- 6.04.160 Kennels--License required.**
- 6.04.170 Kennels--General regulations.**
- 6.04.180 Kennels--Penalties.**
- 6.04.185 Impoundment--Contracted services.**
- 6.04.190 Impoundment--Holding and Disposal.**
- 6.04.200 Impoundment--Notice--Disposal.**
- 6.04.210 Impoundment--Redemption fees and charges.**
- 6.04.230 Impounded dogs--Hearing-- Effect of judgment.**
- 6.04.240 Impoundment--Interference.**
- 6.04.250 Right of self-help.**
- 6.04.255 Penalty clause.**
- 6.04.260 Savings clause.**

#### **6.04.005 Animal Control**

- Statutes of the State of Washington, Title 16, RCW herein defined are adopted by reference.
- RCW 16.52.011 Definitions – Principals of liability
- RCW 16.52.015 Enforcement – Law enforcement agencies and animal care and control agencies
- RCW 16.52.080 Transporting or confining in unsafe manner – Penalty
- RCW 16.52.085 Removal of animals for feeding – Examination – Notice – Euthanasia
- RCW 16.52.095 Cutting ears – Misdemeanor
- RCW 16.52.100 Confinement without food or water – Intervention by others
- RCW 16.52.110 Old or diseased animals at large
- RCW 16.52.165 Punishment – Conviction of misdemeanor
- RCW 16.52.190 Poisoning animals – Penalty

RCW 16.52.193 Poisoning animals

RCW 16.52.200 Sentences – Forfeiture of animals – Liability for costs – Civil penalty – Education, counseling

RCW 16.52.207 Animal cruelty in the second degree

RCW 16.52.210 Destruction of animal by law enforcement officer – Immunity from liability (Ord. 954, 2009)

**6.04.010 License required.**

From the time this chapter is adopted and thereafter until repealed or amended, it shall be unlawful for any person, firm or entity to own, keep or maintain any dog over the age of six (6) months in the incorporated areas of North Bonneville, unless such dog is licensed by the City of North Bonneville.

Owners shall provide evidence of current rabies shots and, for dogs under the age of five (5) years, evidence of current distemper shots before a license may be issued. (Ord. 774 (part), 1999; Ord. 593 § 1 (part), 1987)

**6.04.020 Licenses, fees, tag specifications, expiration.**

The dog license referred to in Section 6.04.010 shall be an annual license and shall expire at midnight on the thirty-first day of December of the year for which it was issued. The license shall be a metal tag, bearing an identification number, the words "North Bonneville" and a designation of the year the license was issued. The license tag shall be attached to a dog collar and the license shall be worn by the licensed dog at all times.

License fee schedule:

- A. The annual license fee for unneutered or unspayed dogs shall be ten dollars (\$10.00).
- B. For residents who obtain a dog on or after July 1st, or for new residents to the city on or after July 1st, the license fee shall be reduced to one-half of the annual fee.
- C. For dog owners aged sixty-five (65) or older, the annual license fee shall be one dollar (\$1.00).
- D. The annual fee for a neutered or spayed dog shall be three dollars (\$3.00), upon written proof provided by the owner that the dog is neutered or spayed.
- E. Licenses purchased for the redemption of a dog shall be ten dollars (\$10.00) regardless of the date, age of owner, or proof of neuter or spay.
- F. Licenses shall be required for all service dogs and service dogs in training. Upon receipt of official documentation, the fee for the license shall be waived. (Ord. 943, 2008; Ord. 774 (part), 1999; Ord. 593 § 1 (part), 1987)

**6.04.030 License record keeping.**

The North Bonneville City Clerk shall keep a record of all dog licenses, which record shall show the number of each license, the name, address and telephone number, if any, of the applicant or owner, and the sex and general description of each licensed dog. (Ord. 774 (part), 1999; Ord. 593 § 2, 1987)

**6.04.040 Unlicensed dogs--Penalty.**

Any person, firm or corporation failing to license a dog as required in Section 6.04.020 may receive a citation by any person authorized under Section 6.04.190 to issue such a citation, charging the person, firm or corporation with failure to license the dog. Thereafter, the person, firm or corporation shall have ten (10) days within which to license the dog. If the person, firm or corporation fails to license the dog within ten (10) days after initial citation, the person, firm or corporation will be subject to a civil fine of not less than twenty-five (\$25.00) dollars nor more than one hundred dollars (\$100.00). (Ord. 774 (part), 1999; Ord. 746 (part), 1998; Ord. 593 § 1, 1987)

**6.04.050 Dogs limited.**

A. No person, firm, family, household or entity will keep or maintain, within the city limits of North Bonneville, an excess of two (2) or more dogs four (4) months or older without a valid kennel license issued by the city.

B. Any person, firm, family, household or entity currently a resident of the City of North Bonneville having more than two (2) dogs licensed by the city at the passage of the ordinance codified in this chapter will be allowed to keep and maintain such dog(s) in excess of two (2) until the death of such dog(s) or until they are otherwise disposed of by the owner. (Ord. 774 (part), 1999: Ord. 593 § 6(a, b), 1987)

**6.04.060 Dogs limited--Penalty.**

Any person, firm, family, household or entity found guilty of violating this section shall be subject to a set fine of seventy-five dollars (\$75.00) and to a fine of twenty dollars (\$20.00) per day for each day the violation exists or continues after notification. (Ord. 774 (part), 1999: Ord. 746 (part), 1998: Ord. 593 § 6 (c), 1987)

**6.04.070 Running in packs--Nuisance.**

The City Council of the City of North Bonneville declares that dogs running in packs constitutes a public nuisance.

For the purpose of this chapter, the term "pack" shall mean three (3) or more dogs congregating, grouping or running together.

From and after the passage of the ordinance codified in this chapter, it shall be unlawful for any person, firm or entity being the owner or custodian of any dog to permit such dog, or dogs, to run with a pack in or upon any public street, highway or public place, or upon private property within the corporate limits of North Bonneville other than the private property of the owner or custodian of such dog or dogs. Any dog found running in a pack may be impounded. (Ord. 774 (part), 1999: Ord. 593 § 3, 1987)

**6.04.080 Roaming at large--Penalty.**

A. All dogs found to be roaming at large upon any public place as that term is defined in subsection B of this section, or private property other than the private property of the owner or custodian of such dog or dogs within the corporate limits of the City of North Bonneville shall be deemed to constitute a public nuisance within the meaning of this chapter unless such dogs are under control by means of a chain or leash or are in a closed vehicle and under the personal control of the owner or custodian of such vehicle. Any dog found roaming at large may be impounded.

B. Public Place. The term "public place," for the purposes of this chapter, shall mean any of the following places located within North Bonneville, in any building to which the public is invited to do business or conduct activities, including but not limited to streets and parking areas adjacent to said buildings and grounds. Such buildings, grounds, parking areas and streets shall be public places whether owned publicly or privately.

C. Any harm or disturbance caused by a dog roaming freely within the City of North Bonneville shall be the responsibility of the owner. Should an individual file a complaint regarding any dog roaming at large, the complaint may include, but not by way of limitation, that the dog has created a disturbance, such as noise, damage, coercing other dogs, defecating or urinating on another's property or threatening citizens. The owner of the dog shall be notified immediately of any such complaint filed. The complainant must be willing to testify in court if required to do so.

D. Upon notification that a complaint has been filed, the owner shall be required to bring, and thereafter maintain, the dog under his or her control. Immediate action must be taken by the owner to bring the dog under full control of the owner or another individual willing and able to assume responsibility for the dog.

E. Upon issuance of an infraction, the dog may be subject to impoundment. Upon prosecution of an initial infraction, the owner shall be subject to a one hundred dollar (\$100.00) fine plus costs, including attorney fees. Upon prosecution of any subsequent infraction against the same owner, the owner shall be

subject to a two hundred dollar (\$200.00) fine plus costs, including attorney fees. (Ord. 774 (part), 1999: Ord. 746 (part), 1998: Ord. 593 § 4, 1987)

**6.04.090 Abandonment--Penalty.**

It is unlawful for any person, firm or entity to leave or abandon any dog or domesticated animal within the incorporated city limits of North Bonneville. Any person found guilty of leaving or abandoning any dog or domesticated animal shall be subject to a fine of not less than three hundred dollars (\$300.00) per dog or domesticated animal, plus redemption fees and charges. (Ord. 774 (part), 1999: Ord. 746 (part), 1998: Ord. 593 § 7, 1987)

**6.04.100 Dangerous dogs.**

RCW Chapter 16.08 entitled "Dogs" is adopted in total by reference. Any revisions or amendments to Chapter 16.08 adopted by the State of Washington shall be likewise adopted by the City of North Bonneville without further City Council action. (Ord. 774 (part), 1998: Ord. 666 § 1, 1990)

**6.04.150 Kennels--Definitions.**

As used in this chapter:

"Commercial kennel" means any establishment or premises, other than veterinary hospitals or pet shops, where three (3) or more dogs are kept for commercial purposes, including but not limited to boarding, propagation and treatment.

"Hobby kennel" means any establishment or premises where three (3) or more dogs over four (4) months of age are kept for noncommercial purposes or for any purpose other than those distinguishing a "commercial kennel" as defined herein. (Ord. 774 (part), 1999: Ord. 593 § 8 (a), 1987)

**6.04.160 Kennels--License required.**

It is unlawful to keep or maintain a commercial or hobby kennel within the city limits without having first obtained a valid license. Fees for kennel licenses shall be:

Commercial kennel license -- \$25.00/year

Hobby kennel license -- \$10.00/year

The kennel license fee shall be assessed upon the owner or keeper of such dogs and shall expire on the thirty-first day of December of the year in which it is issued. The fee shall not be prorated except that if the original application for license is made on or after July 1st, a fee equal to one-half of the specified license fee shall be accepted.

In addition, each animal shall be licensed individually as provided in this chapter. (Ord. 774 (part), 1999: Ord. 593 § 8 (b), 1987)

**6.04.170 Kennels--General regulations.**

A. No kennel license shall be issued if the location of the kennel is within five hundred (500) feet of a residence other than that of the owner/operator.

B. Housing facilities for animals shall be structurally sound, maintained in good repair, and shall be designed so as to protect the animals from injury, to contain the animals and to restrict the entrance of other animals.

C. Provision shall be made for the removal and disposal of animal and food waste, bedding, dead animals and debris. Disposal facilities shall be maintained in a sanitary condition, and shall be free of the infestation or contamination of insects, rodents or disease, and from obnoxious or foul odors.

D. All applications for a kennel license shall be approved by the City Council and may be revoked by the council if the kennel is found to be nauseous, foul or offensive, or a public or private nuisance. (Ord. 774 (part), 1999: Ord. 593 § 8 (C-1--C-4), 1987)

**6.04.180 Kennels--Penalties.**

Any person, firm, family, household or entity found guilty of violating any provision of Sections 6.04.150 through 6.04.170 shall be subject to a set fine of twenty-five dollars (\$25.00) and to a fine of five dollars (\$5.00) per day for each day the violation exists or continues after notification. (Ord. 774 (part), 1999; Ord. 593 § 8 (d), 1987)

**6.04.185 Impoundment--Contracted services.**

The Skamania County animal control officer is authorized to enter into contract from year to year with any other person, firm, or corporation, who shall provide a place for the care of impounded dogs, and the person, firm or corporation shall be designated as the "poundmaster." The poundmaster and/or his agents are authorized to impound the dogs in the name of the city and to retain or dispose of the same until all fees and expenses as provided in Section 6.04.210 have been paid in full. (Ord. 774 (part), 1999)

**6.04.190 Impoundment--Holding and Disposal.**

All impounded dogs that are not claimed pursuant to the provisions of this chapter shall become subject to the regulations of the particular jurisdiction wherein the pound is located and shall be held, claimed, disposed of or otherwise managed in accordance with the regulations of that pound as they exist as of the effective date of the ordinance codified in this chapter or are thereafter amended. (Ord. 774 (part), 1999; Ord. 593 § 9 ¶ 1, 1987)

**6.04.200 Impoundment--Notice--Disposal.**

A. Whenever any dog is impounded under the authority of this chapter, a written notice shall be sent to the owner or custodian of such dog if such owner or custodian is known. Such owner or custodian shall have three (3) days after the mailing of such notice to reclaim the dog, and, if he fails to do so within such time and/or fails to pay the fees provided herein, such dog shall be sold or humanely disposed of at the expiration of such period. If the dog owner is unable to reclaim the dog within three (3) days, he may notify the animal control office to retain that dog for up two (2) additional days, provided the owner pays all impounding fees in advance, at which time the officer will then instruct the pound to hold the dog up to a total of five (5) days.

B. Any dog impounded for having bitten any person shall not be released until the expiration of a ten (10) day period to allow an appropriate check for rabies. Provided, however, if a dog is picked up, and the dog has a valid current license tag indicating the owner of the dog, prior to taking the dog to any holding facility outside the county, a reasonable opportunity shall be afforded to the owner to pick up the dog by paying whatever impoundment costs, fees or penalties impose by this chapter; and provided further, that this provision shall not apply to second or repeated offenses in any one year.

C. Whenever a dog is impounded and the owner or custodian thereof is unknown, a notice shall forthwith be posted in a conspicuous place on bulletin boards at the North Bonneville City Hall. The notice shall contain a general description of the impounded dog, showing the probable breed, sex, color and markings, and shall designate the date and place where the dog was picked up and the date and place where the described dog shall be sold or otherwise disposed of unless sooner claimed and redeemed. Such date shall be not less than three (3) days after impounding of the dog.

D. If no claim or redemption by the owner or custodian of the described dog is made within the time fixed by notice, the dog shall be sold or humanely disposed of at the expiration of such period. (Ord. 774 (part), 1999; Ord. 593 § 9(A), 1987)

**6.04.210 Impoundment--Redemption fees and charges.**

Any dog impounded under the authority of this chapter may be released to the owner or custodian thereof upon payment of the following fees and charges:

A. A basic redemption fee of forty-five dollars (\$45.00) per animal per impounding;

B. The dog's board bill for the time he has been impounded at the rate authorized by resolution of the city council from time to time, based on an analysis of actual costs;

C. For a second and/or subsequent impounding of the same dog, belonging to the same person, in addition to the basic redemption fee of one hundred (\$100.00) dollars, an additional fee of twenty dollars (\$20.00) shall be added, so that on a second impounding, the redemption fee shall be one hundred twenty dollars (\$120.00), on a third impounding, the redemption fee shall be one hundred forty dollars (\$140.00), and so on;

D. The license fee as fixed in this chapter if the dog has not theretofore been licensed for the current year. (Ord. 774 (part), 1999; Ord. 746 (part), 1998; Ord. 593 § 9(B), 1987)

**6.04.230 Impounded dogs--Hearing-- Effect of judgment.**

In all cases where the owner or custodian of any impounded dog shall file with the Skamania County animal control office, a written notice or demand for hearing before the expiration of the time herein provided for disposing of a dog, the owner or custodian shall be entitled to a hearing before the municipal court judge upon the question of the rightful impounding of such dog. Upon receipt of such notice, the Skamania County animal control officer shall forward the demand or notice forthwith to the municipal court judge, who shall proceed to a trial of the question of the right to impound the dog under the terms of this chapter and, upon the completion of the hearing, shall enter judgment sustaining an impounding or directing the release of the impounded dog, as the evidence submitted warrants. Upon entry of judgment sustaining an impounding, the dog shall be sold or disposed of in the manner herein provided unless the owner or custodian shall redeem the dog. (Ord. 774 (part), 1999; Ord. 593 § 9(d), 1987)

**6.04.240 Impoundment--Interference.**

It shall be unlawful for any person to interfere in any way with any police officer, deputy sheriff or other person employed to act as a dog catcher who is engaged in seizing or impounding any dog under authority of this chapter. Any person found guilty of interfering with the lawful seizure or impoundment of any dog under authority of this chapter shall be subject to a fine not exceeding one hundred dollars (\$100.00) and imprisonment for not more than ten (10) days. (Ord. 774 (part), 1999; Ord. 593 § 10, 1987)

**6.04.250 Right of self-help.**

This chapter shall not effect the rights of property owners or others to use self-help for the protection of their property, domestic animals or persons, which they now have by virtue of state law; it being the intent of the City Council of the City of North Bonneville that this chapter be cumulative rather than in limitation of said rights. (Ord. 774 (part), 1999; Ord. 593 § 12, 1987)

**6.04.255 Penalty clause.**

In addition to any other penalties provided by any other provisions contained in this chapter, the violation of any section of this chapter shall be a misdemeanor and punishable by a civil fine of up to one hundred dollars (\$100.00). This penalty shall be in addition to all other penalties and shall apply to the violation of any provisions in this chapter for which no other penalty is specifically provided. (Ord. 774 (part), 1999)

**6.04.260 Savings clause.**

In the event that any section of this chapter is found by any court of competent jurisdiction to have been illegally adopted, or illegal in its application by any individual, it shall be disregarded by the court and the balance of this chapter shall remain in full force and effect. Nothing herein is intended to affect state laws with regard to dangerous animals, including dangerous dogs. (Ord. 774 (part), 1999)

## Chapter 6.08

### HUNTING, HARASSING, TRAPPING ANIMALS

#### Sections:

- 6.08.010**      **Definitions.**
- 6.08.020**      **Hunting, harassing, trapping animals prohibited.**
- 6.08.030**      **Violations--Penalties.**

#### **6.08.010**      **Definitions.**

A. The act of hunting and trapping shall include the entrapment or injury to any animal by the use of firearm, bow and arrow, snare, steel trap, or other projectile or entrapping device.

B. The act of harassment shall be defined as the willful disturbance of any wild animal in its natural habitat, open space, or water bodies. (Ord. 712 § 2, 1994)

#### **6.08.020**      **Hunting, harassing, trapping animals prohibited.**

In the best interest and safety of the general public, all hunting, harassing or trapping of wildlife within the City limits of North Bonneville shall be prohibited; however, there may be special circumstances when trapping may become a necessity. Therefore, the exception to the law is made when the appropriate authority, either city, state or federal, deems such trapping to be necessary. Exceptions are as follows:

A. When it becomes necessary to trap animals, wild or domestic, infected with diseases which are communicable and life threatening either to humans or other animals;

B. When the balance of nature is threatened by overpopulation of any one species as determined by Department of Wildlife;

C. When any problem animal, wild or domestic, becomes dangerous and life threatening to humans;

D. When attacks are made on domestic pets, livestock, etc. These would have to be dealt with on a case by case basis. Owners should provide protection for their animals and not put them into positions where their life could be endangered. (Ord. 712 § 3, 1994)

#### **6.08.030**      **Violations--Penalties.**

Any person found guilty of violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine in accordance with Section 7.01.020(D) and imprisonment of up to thirty (30) days or both. (Ord. 900, 2006; Ord. 712 § 4, 1994)