

Title 6

ANIMALS

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Chapter 6.04**DEFINITIONS**

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6.04.010 Definitions generally.

As used in this title unless the context otherwise indicates, the words and terms set out in this chapter shall have the meanings set out in this chapter. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.020 Allow.

“Allow” means to permit by neglecting to restrain or prevent. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.030 Animal.

“Animal” means any nonhuman, living creature, domestic or wild, male or female, natural or sterilized. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.040 Animal control officer.

“Animal control officer” means any person designated by the city appointing authority to carry out the provisions of this title under the laws of the state of Washington and the city of Asotin. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.050 Animal shelter.

“Animal shelter” means any premises designated by the city authority for the purpose of impounding and caring for animals held under authority of this title. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.060 At large.

“At large” means to be off the premises of the owner and not under the control of the owner or another. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.070 Chief of police.

“Chief of police” means the chief of police of the city and any other person acting under his orders or direction. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.080 Circus.

“Circus” means a nonresident variety show which features animal acts. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.090 Dog.

“Dog” means any member, male or female, of the family *Canis familiaris*. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.100 Harboring.

The occupant of any premises on which an animal remains or to which it customarily returns daily for food and care for three consecutive days or more is presumed to be “harboring” or keeping the animal within the meaning of this title. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.110 Kennel.

“Kennel” means a place where four or more adult dogs or four or more adult cats or any combination thereof are kept whether by owners of the dogs and cats or by persons providing facilities and

care whether or not for compensation, but not including a small animal hospital or clinic or pet shop. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months. (Ord. 02-605 § 1, 2002; Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.120 Leash.

“Leash” includes a cord, thong, leash or chain not more than eight feet in length by which an animal is controlled by the person accompanying it. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.130 Neutered animal.

“Neutered animal” includes both male and female dogs rendered incapable of reproducing any offspring. Proof of such sterilization must be evidenced by the certificate of a licensed veterinarian. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.140 Owner – Custodian – Keeper.

“Owner,” “custodian” or “keeper” means any person, firm, association, corporation or partnership, owning, keeping or harboring an animal, or their agents or persons acting with their permission. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.150 Premises.

“Premises” means all the real property under one’s ownership inside the inner line of a sidewalk or, if there is no sidewalk, inside the curb, ditch or shoulder marking the edge of the used public right-of-way. “Premises” also means the inside of a closed motor vehicle. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.160 Spayed female.

“Spayed female” includes a female dog which has been sterilized by a licensed veterinarian to avoid or prevent conception. Proof of such sterilization must be evidenced by the certificates of a licensed veterinarian. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.170 Theatrical exhibit.

“Theatrical exhibit” means any exhibition or act featuring performing animals. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.180 Under control.

“Under control” means that the owner, by means of a leash, restrains the dog to the owner’s immediate proximity preventing the dog from trespassing upon the property of others or annoying or

chasing other persons, animals or vehicles of any sort. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.190 Veterinary hospital.

“Veterinary hospital” means any establishment maintained and operated by a licensed veterinarian for the boarding of animals or the diagnosis, treatment and care of diseased or injured animals. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.200 Vicious animal.

“Vicious animal” means any animal which demonstrates the propensity to do any act that might endanger the safety of any person, animal or property of another, including, but not limited to, a disposition to mischief or fierceness as might occasionally lead to attack on human beings without provocation, whether in play or outbreak of untrained nature. (Ord. 02-605 § 1, 2002; Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.210 Wild animal – Exotic pet.

“Wild animal” or “exotic pet” means any non-domestic animal which is normally found in a wild state or is imported from the wild state of another country, including, without limitation, poisonous snakes or snakes capable of inflicting physical harm to a human, monkeys, bats, coyotes, kinkajous, deer, beavers, skunks, raccoons, alligators, crocodiles, falcons, eagles, hawks; but not including hamsters, gerbils, guinea pigs, parakeets, canaries, white mice, or white or parti-colored rats. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.220 Zoological garden.

“Zoological garden” means any park or zoo operated by a person or a private corporation. (Ord. 84-331 § 1, 1984; Ord. 263 § 1, 1978)

6.04.230 Barking dog.

“Barking dog” means any dog which, by habitual howling, yelping or barking, annoys, injures or endangers the comfort, repose, health or safety of others in a neighborhood or public place. (Ord. 02-605 § 2, 2002)

6.04.240 Domestic animal.

“Domestic animal” means, but is not limited to, any dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, sheep, hog, or other animal made to be domestic. (Ord. 02-605 § 2, 2002)

6.04.250 Euthanasia.

“Euthanasia” means the humane destruction of an animal, accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness. (Ord. 02-605 § 2, 2002)

6.04.260 Grooming parlor.

“Grooming parlor” means any place or establishment, public or private, where animals are bathed, clipped or combed for a consideration, for the purpose of enhancing their aesthetic value. (Ord. 02-605 § 2, 2002)

6.04.270 Officer or official.

“Officer” or “official” means any police officer or any officer, official person or persons designated by the city or by ordinance of this city to issue licenses, pick up, restrain, impound, sell, dispose or give notice of any other acts, duties or functions prescribed by ordinance of the city relating to the animals regulated in this chapter. (Ord. 02-605 § 2, 2002)

6.04.280 Restraint.

An animal is considered to be under “restraint” if it is confined within the property limits of its owner by a suitable fence or securely fixed object. (Ord. 02-605 § 2, 2002)

6.04.290 Shelter.

“Shelter” means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals and which is owned, operated or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organization devoted to the welfare, protection and humane treatment of animals. (Ord. 02-605 § 2, 2002)

6.04.300 Potentially dangerous dog.

“Potentially dangerous dog” means any dog that, when unprovoked, (a) bites a human or a domestic animal either on public property or private property, or (b) chases or approaches a person(s) on the streets, sidewalks or any public grounds in a menacing fashion or apparent attitude of attack, or (c) has a known propensity, tendency, or disposition to attack unprovoked, to cause injury or to otherwise threaten the safety of humans or domestic animals, or (d) is a Pitbull Terrier or any dog commonly recognized as a Bull Terrier, Amer-

ican Staffordshire Terrier or Staffordshire Bull Terrier. (Ord. 06-694 § 1, 2006; Ord. 02-605 § 2, 2002)

6.04.310 Dangerous dog.

“Dangerous dog” means any dog that according to the records of the city animal control authority, animal control officer, and municipal officers or officials, as defined: (a) has inflicted severe injury on a human being without provocation on public or private property, or (b) has killed a domestic animal without provocation while off the owner’s property, or (c) has been previously found to be potentially dangerous, the owner having received notice of such, and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals. (Ord. 02-605 § 2, 2002)

6.04.320 Vicious dog.

“Vicious dog” means any dog that is bred as a fighting dog, or has particularly vicious characteristics and has the propensity to attack human beings or which has the propensity to do any act which might endanger the safety of any human being, domestic animal or property of another, including, but not limited to, disposition to fierceness as might occasionally lead to attack on human beings without provocation, whether in play or outbreak of untrained nature, or a dog which has been declared a dangerous dog and the dog thereafter inflicts severe injury on a human being. (Ord. 02-605 § 2, 2002)

6.04.330 Severe injury.

“Severe injury” means any injury which breaks the skin, breaks a bone, or causes lacerations requiring multiple sutures or cosmetic surgery. (Ord. 02-605 § 2, 2002)

6.04.340 Proper enclosure.

“Proper enclosure” means, while on the owner’s property, a dangerous dog, potentially dangerous dog, or vicious dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides, bottom, and a secure top, and shall also provide protection from the elements for the dog. (Ord. 02-605 § 2, 2002)

Chapter 6.08**DOG REGULATIONS**

Sections:

- 6.08.010 Offenses generally.
- 6.08.020 Female dogs in heat.
- 6.08.022 Regulating control of animals.
- 6.08.025 Stray dogs and other animals – Nuisance – Impoundment.
- 6.08.028 Other acts prohibited.
- 6.08.030 Excessive noise – Nuisance.
- 6.08.040 Running at large.
- 6.08.050 Keeping in offensive manner – Nuisance.
- 6.08.060 Kennel operation – License required – Nuisance.

6.08.010 Offenses generally.

No dog shall be permitted to commit the following offenses on any premises or property, public or private: bite or attempt to bite any person; destroy private property; scatter refuse; chase vehicles; or commit any nuisances defined by this or any other chapter of law; and no dog shall be permitted to deposit fecal matter on any property not that of his owner. (Ord. 263 § 11, 1978)

6.08.020 Female dogs in heat.

Every female dog in heat shall be confined in a building or secure enclosure in such manner that such female dog cannot come in contact with another animal except for the planned breeding. (Ord. 263 § 10, 1978)

6.08.022 Regulating control of animals.

The keeper of an animal, except a domestic cat, shall:

A. Remove for disposal any fecal matter deposited by his or her animal in the city on any public sidewalk, street, alley or any city park, playground or cemetery, any other public place, or on the premises of a person other than a keeper when such animal is on that premises without the express or implied permission of the owner or person in possession of such premises, before the keeper leaves the immediate area where the fecal matter was deposited;

B. Have in his or her possession the equipment necessary for removal of the fecal matter when accompanied by such animal on the property described in subsection (A) of this section. (Ord. 09-748 § 1(A), 2009)

6.08.025 Stray dogs and other animals – Nuisance – Impoundment.

Any dog or other animal which is not under control, or is running loose, roaming or running at large in the city on any street, alley, sidewalk, or in any city park, playground, cemetery, or in any other public place, or on the public or private premises of a person other than the keeper without the express or implied permission of the owner or person in possession of such public or private premises, is defined as a stray and is declared to be a nuisance. Any such stray dog or other animal may be seized while on such public or private property by the animal control officer or any city police officer and impounded. (Ord. 09-748 § 1(B), 2009)

6.08.028 Other acts prohibited.

A. No person shall willfully open any door or gate on any private premises or unleash or coax away any dog or animal for the purpose of enticing or enabling any dog or other animal to leave such private premises and be at large as defined in this chapter.

B. No person shall wilfully provoke, mistreat or abuse any dog or other animal while confined to its keeper's premises.

C. No person shall set up a "leg-hold type" or "noose type" trapping device to catch a dog or other animal.

D. No person shall abandon any dog or other animal, including a domestic cat, by dropping off or leaving such animal on any public street, alley or sidewalk, or in any city park, playground or other public place or building, or on the premises of another.

E. No owner shall fail to provide his or her animal with adequate food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering because of illness, injury, or advanced age, and with humane care and treatment. No person shall beat, cruelly ill-treat, torment, mutilate, overload, overwork or otherwise abuse any animal. No person shall cause or permit any dogfight, cockfight or bullfight, or other combat between animals or between animals and human beings, or train or permit to be trained for such combat. (Ord. 09-748 § 1(C), 2009)

6.08.030 Excessive noise – Nuisance.

No person shall cause or permit, or allow any dog or dogs owned, harbored, controlled or kept by them in the city to remain outside of the dwelling of such person while such animal is causing excessive or frequent noise which disturbs or is likely to

disturb the comfort and repose of any persons in the neighborhood. A violation of this section is declared a public nuisance and adverse to the public welfare. (Ord. 263 § 12, 1978)

may hereafter be amended. Violation of this section is declared to be a public nuisance. (Ord. 263 § 14, 1978)

6.08.040 Running at large.

A. It is unlawful for any person to cause, permit or allow a dog or dogs owned, harbored, controlled or kept by him in the city to roam, run or stray away from the premises where the same is or are owned, harbored, controlled or kept, except that while away from the premises, the dog or dogs shall at all times be controlled by means of a leash or chain not exceeding eight feet in length by the owner or some duly authorized and competent person; provided, however, that such leash or chain is not required for any dog when otherwise safely and securely confined or completely controlled while in or upon any vehicle. This section shall not apply to dogs which are in special areas of parks designated and posted by the superintendent of parks with respect to the use of such areas are complied with and the dogs are under the custody and control of a trainer. Every female dog in heat shall be confined in such a manner that such female dog cannot come in contact with another animal except for planned breeding.

B. Violation of this section shall be an infraction for which a civil penalty not to exceed \$500.00 may be levied. (Ord. 03-620 § 1, 2003; Ord. 84-331 § 2, 1984)

6.08.050 Keeping in offensive manner – Nuisance.

No person who owns, harbors, controls or keeps any dog in the city shall cause, permit or allow any such dog or dogs or any pen, yard, enclosure or building in which such animals are kept, in such a manner as to be nauseous, foul or offensive. Violation of this section is declared to be a public nuisance and adverse to the public health, safety and general welfare. (Ord. 263 § 13, 1978)

6.08.060 Kennel operation – License required – Nuisance.

No person shall operate or maintain a kennel within the city limits of the city without first obtaining a license as provided for in this section. Further, no license shall be issued unless the location of the proposed kennel is in accordance with the zoning rules and regulations as codified by the city, as currently exists or may be hereafter amended and the zoning map of the city as exists or

Chapter 6.12

DOG LICENSING

Sections:

- 6.12.010 Required.
- 6.12.020 Rabies inoculation required.
- 6.12.030 Tax.
- 6.12.040 Tag – Issuance.
- 6.12.050 Tag – Theft – Mutilation.
- 6.12.060 Tag – Transfer prohibited.
- 6.12.070 Revocation.

6.12.010 Required.

The keeping of dogs within the limits of the city is forbidden unless the owners, custodians or keepers or those harboring thereof shall procure a license for each dog if over four months of age as provided in this chapter, except this requirement will not apply to a nonresident keeping a dog within the municipality for no longer than 60 days. In any prosecution for violation of this section, the absence of a tag to be appended to a dog as provided for in AMC 6.12.020 shall be prima facie evidence that the dog has not been legally licensed. (Ord. 263 § 2, 1978)

6.12.020 Rabies inoculation required.

No license shall be issued to any dog until the applicant thereof shall cause to be presented to the issuing officer a veterinarian certificate as proof of prior inoculation for rabies indicating a remaining immunity of at least one year and containing the date and duration of such inoculations and the age, breed, sex, color and other identifying characteristics of the dog for which the license is sought. (Ord. 263 § 3, 1978)

6.12.030 Tax.

A. The license tax on dogs for each year, or part thereof, shall be as follows:

1. Neutered dog or spayed female, \$30.00 lifetime license;
2. Unspayed female, \$15.00 per year;
3. Unneutered dog, \$15.00 per year;
4. Replacement tag, \$5.00;
5. Kennel, \$50.00 per year.

B. If paid prior to the effective date of this chapter and prior to March 31st of each year thereafter or within 30 days of acquisition of ownership and the sum of \$30.00 for licensing and \$50.00 for kennel if paid after the effective date of this chapter, or after the first day of March of each year thereafter, or if paid after 30 days of acquisition of ownership.

The license for a dog shall be available during the month of December each year, which shall be valid from January 1st of the next year through December 31st of the year. All licenses shall expire on the 31st day of December of the year for which they are issued. There shall be no refund of a dog license fee or any part thereof. (Ord. 09-745 § 1, 2009; Ord. 263 § 4, 1978)

6.12.040 Tag – Issuance.

On payment to the clerk-treasurer of the amount of any such license tax, it shall be the duty of the clerk-treasurer to issue a license to the person applying therefor, which license shall remain and be in force from its date through the 31st day of December next ensuing, and the clerk-treasurer shall furnish with such license a metal tag upon which shall be stamped a number corresponding with the number of such license and the year for which it is issued and the word “Asotin” and such tag shall be appended to a collar to be constantly worn by the dog. In case a dog tag is lost or destroyed, a duplicate will be issued by the clerk-treasurer upon receipt showing the payment of the license fee for the current year and the payment of \$1.00 for such duplicate. (Ord. 263 § 6, 1978)

6.12.050 Tag – Theft – Mutilation.

It is unlawful for any person to remove, steal, mutilate or destroy the license identification tag of any dog. It is unlawful for anyone to refuse to show or exhibit at any reasonable time to any license inspector, animal control officer or police officer any dog in his possession or custody and/or any license or identification tag issued therefor. (Ord. 263 § 7, 1978)

6.12.060 Tag – Transfer prohibited.

It is unlawful for any owner to use any license tag for any dog other than the one for which it has been issued. If there is a change of ownership of a licensed dog, the new owner must apply for and obtain a new license from the clerk-treasurer. (Ord. 263 § 8, 1978)

6.12.070 Revocation.

A. The clerk-treasurer may revoke any license if the person holding the license refuses or fails to comply with this title on any law governing the protection and keeping of dogs.

B. Any person whose license is revoked shall, within 10 days thereafter, humanely dispose of all dogs owned, kept or harbored by such person and no part of the license fee shall be refunded.

C. It shall be a condition of the issuance of any license that the animal control officer shall be permitted to inspect all dogs and the premises where dogs are kept at any time and shall, if permission for such inspection is refused, revoke the license of the refusing owner.

D. If applicant has withheld or falsified any information on the application, the clerk-treasurer shall refuse to issue a license.

E. Any person having been denied a license may not reapply for a period of 30 days. Each reapplication shall be accompanied by a \$10.00 fee. (Ord. 263 § 9, 1978)

Chapter 6.14

DANGEROUS DOGS

Sections:

- 6.14.010 Registration.
- 6.14.020 Unlawful conduct – Penalty.
- 6.14.030 Impound.
- 6.14.040 Complaints – Adjudication of classification of animal.

6.14.010 Registration.

A. It is unlawful for an owner to have a potentially dangerous dog, dangerous dog, or vicious dog in the city without first having obtained a certificate of registration therefor.

B. A certificate of registration shall be issued by the city upon a showing of compliance with the following:

1. Located on the property a proper enclosure to confine the dog and the posting on the premises where the dog is harbored of a clearly visible warning sign that there is a potentially dangerous dog, dangerous dog or vicious dog on the property; and

2. A conspicuously displayed sign on the premises where the dog is harbored with a warning symbol that informs children or adults who cannot read of the presence of a potentially dangerous dog, dangerous dog, or vicious dog; and

3. A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW in a sum of not less than \$50,000 payable to a person injured by the dog(s), or a policy of liability insurance issued by an insurer qualified under RCW Title 48 in an amount not less than \$50,000, insuring the owner for any personal injuries inflicted by the dog(s). (Ord. 02-605 § 3, 2002)

6.14.020 Unlawful conduct – Penalty.

A. The failure of an owner or person in control of a potentially dangerous dog, dangerous dog, or vicious dog to comply with the requirements of AMC 6.14.010 shall be guilty of a gross misdemeanor.

B. It is unlawful for an owner or person in control of a potentially dangerous dog, dangerous dog or vicious dog to permit the dog to be outside the proper enclosure, unless the dog is muzzled and restrained by a chain or leash and under physical control of a person 18 years of age or older. The muzzle shall be made of the type that will not cause injury to the dog or interfere with its vision or respiration, but shall be of a type that will prevent the

dog from biting any person or animal. The failure to comply with this section shall be a gross misdemeanor.

C. If a potentially dangerous dog, dangerous dog or vicious dog of an owner with a prior conviction under this chapter attacks or bites a person or another domestic animal, the dog's owner is guilty of a Class C felony. In addition the potentially dangerous dog, dangerous dog, or vicious dog shall be immediately confiscated by the animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

D. The owner of any dog that aggressively attacks and causes severe injury or death of any human, whether the dog has previously been declared potentially dangerous, dangerous, or vicious, shall be guilty of a Class C felony. In addition, the dog shall be immediately confiscated by the animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

E. Any person entering a dog in a dog fight is guilty of a Class C felony. (Ord. 02-605 § 3, 2002)

6.14.030 Impound.

A. Any potentially dangerous dog, dangerous dog or vicious dog shall be immediately impounded by the animal control authority, or official of the city, if:

1. The dog is not validly registered under AMC 6.14.010;

2. The dog is not under the control of the owner or person as required under AMC 6.14.020(B).

B. Dogs impounded under this section shall be released to the owner upon satisfaction of impound release procedures of the animal control authority and upon compliance with the registration requirements of this chapter; provided, however, any dog impounded pursuant to AMC 6.14.020(C) or (D) shall be handled in accordance with said sections. (Ord. 02-605 § 3, 2002)

6.14.040 Complaints – Adjudication of classification of animal.

A. Any person who has reasonable cause to be apprehensive over the safety of his/her person, family or property because of a potentially dangerous dog, dangerous dog, vicious dog, or vicious animal may file a written complaint with the city or animal control authority setting forth such information as may be required by the animal control authority or city to show by clear and convincing

evidence that the dog or animal complained of is a potentially dangerous dog, dangerous dog, vicious dog, or vicious animal.

B. When a written complaint is received by the city or animal control authority, a hearing shall be held within 30 days before the judge or judge pro tem in the district court to adjudicate the complaint of the potentially dangerous dog, dangerous dog, vicious dog, or vicious animal. In the event the court finds by clear and convincing evidence that the complaint is valid, the dog or animal complained of shall be, by order of the court, classified as a potentially dangerous dog, dangerous dog, vicious dog, or vicious animal and the court shall order the owner of the dog or animal to comply with this chapter.

C. Dogs or other animals shall not be declared potentially dangerous, dangerous, or vicious if 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 of the dog or other animal or was tormenting, abusing, or assaulting the dog or other animal or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or other animal or was committing or attempting to commit a crime. Nor shall a dog or other animal be declared potentially dangerous, dangerous, or vicious if said dog or animal injures and/or kills another animal while it is on the property of its owner; provided, however, a dog may be declared a vicious dog by clear and convincing evidence that the dog is a vicious dog under the provision of AMC 6.04.320. (Ord. 02-605 § 3, 2002)

Chapter 6.16

IMPOUNDMENT

Sections:

- 6.16.010 Dog – Without license – Citation.
- 6.16.020 Interference prohibited.
- 6.16.030 Dangerous animal – Destruction authorized when.
- 6.16.040 Bite – Quarantine requirements.
- 6.16.050 Notice to owner.
- 6.16.060 Redemption.
- 6.16.070 Adoption – Fee.
- 6.16.080 Unclaimed dogs – Disposition.
- 6.16.090 Unclaimed animals – Release.
- 6.16.100 Vicious animal – Destruction.
- 6.16.110 Veterinary hospital costs.

6.16.010 Dog – Without license – Citation.

Any dog or dogs found without a license or in violation in any manner of the provisions of this title shall, at the discretion of the animal control officer or police officer, be:

A. Impounded and placed in the city animal shelter, or, if deemed necessary, in a private animal shelter, and such officer upon taking this action shall make a complete registry, entering the breed, color and sex of such dog and any available license information. If the dog is licensed, an entry shall be made showing the name and address of the owner and the number of the license tag; or

B. If the owner is known or may be determined, the animal control officer or police officer may issue to the owner or persons responsible a citation and notice to appear before the municipal court. Such citation shall not be issued for any offense or violation unless the offense or violation is committed in the presence of the animal control officer or police officer. (Ord. 263 § 15, 1978)

6.16.020 Interference prohibited.

It is unlawful for any person to interfere with, hinder, delay or impede the animal control officer in the enforcement of the provisions of this chapter. It is unlawful for any person to falsely represent to the animal control officer or his authorized agent, nonownership of any impounded dogs. It is unlawful for any person to falsify any information such as address or information concerning the animal. (Ord. 263 § 20, 1978)

6.16.030 Dangerous animal – Destruction authorized when.

Whenever it appears to a person attempting to impound a dog under the provisions of this chapter that such a dog is dangerous to the public if capture cannot be effected safely and promptly, such person is authorized to destroy the dog. (Ord. 263 § 21, 1978)

6.16.040 Bite – Quarantine requirements.

Any animal that bites a person shall be quarantined for 10 days if ordered by the animal control officer. At the discretion of the animal control officer, the quarantine may be on the premises of the owner. If the animal control officer requires other confinement, the owner shall, at his own expense, surrender the animal for the quarantine period to the animal shelter or shall place the animal in a veterinary hospital. Any animal that bites a person without provocation shall be securely confined thereafter in a fenced enclosure from which the animal cannot escape and which is not accessible to the public, except that the animal may be taken off the owner's premises if securely controlled according to the provisions of this title. The animal control officer shall maintain a record of every animal that bites a person without provocation. (Ord. 263 § 22, 1978)

6.16.050 Notice to owner.

Not later than 24 hours after the impounding of any dog, the owner, if known, shall be notified, either in person or in writing by certified mail, addressed to the owner at his last known address, of said impoundment, describing the animal and the place and time of taking and the place and time the animal may be redeemed. If the owner or custodian is unknown, written notice shall be posted for not less than five calendar days at two conspicuous places in the city one of which shall be the City Hall and one at the animal shelter. (Ord. 263 § 23, 1978)

6.16.060 Redemption.

A. The owner or lawful custodian of any dog impounded under the provisions of this chapter may reclaim such dog within three days after receiving personal notice or within five days after the mailing of notice of date of posting notices in two public places; provided, such dog shall be released to the owner or custodian only upon payment of the dog license fee if unpaid and all costs and charges incurred by the city for impounding and maintenance of such animal and maintaining

its own facility. The following charges will be paid to the clerk-treasurer for impounding of any dog:

1. First impound, \$250.00;
2. Second impound in any 12-month period, \$500.00;
3. Third impound in any 12-month period, \$1,000.

B. For feed and care, such an amount as is necessary to meet the actual expenses of such feed and shelter. (Ord. 03-619 § 1, 2003; Ord. 263 § 24, 1978)

6.16.070 Adoption – Fee.

Any person desiring to adopt an animal from the animal shelter shall pay an adoption fee of \$15.00 and shall in addition, purchase an appropriate license if required by this title. Upon proof in the form of a letter, memo or bill from a doctor of veterinary medicine that such animal has been neutered, the person adopting the animal may apply on appropriate form provided by the city for a refund of \$10.00 of the adoption fee. (Ord. 263 § 25, 1978)

6.16.080 Unclaimed dogs – Disposition.

It shall be the duty of the city to keep all dogs impounded, if unclaimed, for a period of 124 hours. If at the expiration of the period from the date of notice to the owner or the first date of posting of notice, such animal has not been reclaimed, it may be placed in a suitable new home or humanely euthanized by the city or by the agency chosen by it. Except in the case of vicious animals, animals not having been reclaimed after the expiration period may be released to persons upon obtaining a license as provided for in this title and payment of the fees and charges incurred by the city for impoundment and maintenance for such animal. (Ord. 263 § 26, 1978)

6.16.090 Unclaimed animals – Release.

In the event any dog is released to any person other than the owner or lawful custodian pursuant to and in accordance with AMC 6.16.080, such person to whom such a dog is so released shall be deemed a purchaser of such dog from the city. Such purchaser shall receive from the clerk-treasurer a certificate of purchase, and such certificate shall be sufficient evidence of the vesting of complete title to such animal in the purchaser and termination of interest and rights of the former owner in and to such animal. (Ord. 263 § 27, 1978)

6.16.100 Vicious animal – Destruction.

Any vicious animal impounded under the provisions of this chapter and remaining unclaimed after notice has been given, or any animal which has bitten any person and after examination by a veterinarian found to have rabies or other disease rendering such animal dangerous to persons may be destroyed by the chief of police. Any dog which without provocation bites, attacks or attempts to bite one or more persons two or more times within a five-year period is declared to be a nuisance and shall not be kept within the city. (Ord. 263 § 28, 1978)

6.16.110 Veterinary hospital costs.

All costs of maintaining any animal at a veterinary hospital shall be paid by the owner. (Ord. 263 § 29, 1978)

Chapter 6.20**CRUELTY TO ANIMALS**

Sections:

6.20.010 Prohibited acts.

6.20.010 Prohibited acts.

No owner shall fail to provide his animal with adequate food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering because of illness, injury or advanced age, and with humane care and treatment. No person shall beat, cruelly ill-treat, torment, mutilate, overload, overwork or otherwise abuse any animal. No person shall cause or permit any dog fight, cock fight, or bull fight, or other combat between animals or between animals and human beings, or train or permit to be trained animals for such combat. No owner of an animal shall abandon such animal. (Ord. 263 § 30, 1978)

Chapter 6.24**ENFORCEMENT POWER**

Sections:

6.24.010 Enforcement power.

6.24.020 Violation – Penalty.

6.24.010 Enforcement power.

A. The county animal control authority, as agent of the city, or any other duly authorized agent of the city acting alone or in concert with other municipalities, is authorized to take such lawful action as may be required to enforce the provisions of this chapter and the laws of the state as they pertain to animal cruelty, shelter, welfare and enforcement of control.

B. The officer or official shall not enter a building designated for use for private purposes unless a proper warrant has first been issued upon a showing that the officer or official has reasonable cause to believe an animal is being maintained in the building in violation of this chapter.

C. The officer or official, while pursuing or observing any animal in violation of this title, may enter upon any public or private property, except any building designated for and used for private purposes, for the purpose of abating the animal violation being pursued or observed.

D. No person shall deny, prevent, obstruct, or attempt to deny or prevent or obstruct an officer from pursuing any animal observed to be in violation of this title. Further, no person shall fail or neglect, after a proper warrant has been presented, to promptly permit the officer or official to enter private property to perform any duty imposed by this chapter. (Ord. 02-605 § 4, 2002)

6.24.020 Violation – Penalty.

Any person who violates, or whose animal violates, any provision of this chapter is guilty of a misdemeanor unless otherwise classified as a gross misdemeanor or felony herein. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as provided in this section. (Ord. 02-605 § 4, 2002)

Chapter 6.28

LIVESTOCK

Sections:

- 6.28.010 Running at large – Prohibited.
- 6.28.020 Running at large – Notification – Sale.
- 6.28.030 Redemption.
- 6.28.040 Grazing in street – Prohibited.
- 6.28.050 Grazing in street – Taking up – Disposition.
- 6.28.060 Marshal – Fees.
- 6.28.070 Marshal – Poundkeeper.

6.28.010 Running at large – Prohibited.

It is unlawful for any cow, calf, ox, steer, bull, horse, mare, stallion, colt, jack, jenny, mule, hog, pig, goat, kid, sheep or lamb to run at large in any of the streets, alleys, roads, public grounds or public places in the city. (Ord. 23 § 1, 1903)

6.28.020 Running at large – Notification – Sale.

A. It is made the duty of the marshal of the city at all times when any of the animals mentioned in AMC 6.28.010 are found running at large in any of the streets, alleys, roads or public places of the city to immediately take up the same and give notice of such taking up, by posting notices of such taking up in three of the most public places in the city, one of such notices to be posted at the courthouse door, the same being the place of meeting of the city council. Such notices shall give a full description of the animal or animals so taken up, with their marks and brands if any, which notices shall contain a provision that such animal or animals will be sold to pay costs, care and charges if not redeemed giving the time and place of sale, such notices to be posed not less than five days prior to date of sale. If the marshal knows the owner of any animal taken up by him he shall notify such owner of such taking up upon the same day as such notices of sale are posted. Such notices are to be given in the following manner: If such owner resides in the city by delivering to him personally if found within the city a copy of notice of sale, if owner is not found within the city by leaving a copy of the notice at his place of residence with some member of his family of lawful age, if any such person is found by the marshal after diligent search and in all other cases by depositing a copy of such notice in the post office at Asotin, Washington addressed to such owner at this last known place of residence with the postage thereon fully prepaid and it is made the

duty of the marshal to examine the brand records of Asotin County to learn the owners of estrays taken up by him and serve notice on all owners of stock with recorded brands as provided in this subsection.

B. The marshal is authorized to sell all unredeemed animals described in this section at the date set in the notices for cast at public auction to the highest bidder to pay costs and expenses and the money derived from such sale (less costs and expenses) shall be paid to the clerk-treasurer and shall remain in the hands of the clerk-treasurer for one year and may within that time be claimed by the owner of the animal or animals sold which such owner shall establish his claim to such money by such evidence as would be required in a court to justice in support of such a claim, if not called for within one year to be credited to the general fund of the city. If there are no bidders at such sale the city shall become the purchaser of such animals for the amount of costs and expenses accrued at date of sale. (Ord. 23 § 2, 1903)

6.28.030 Redemption.

A. The owner of any animal taken up by the marshal may redeem the same at any time before sale by paying all costs and fees to date.

B. The owner of any animal sold under the provisions of this chapter may redeem the same within 60 days from the date of sale by paying to the purchaser of such animal the purchase price of the animal with 10 percent in addition and by paying such sum as may be just for the keeping of such animal so redeemed and the marshal at the time of sale shall give notice that the property is sold subject to redemption. (Ord. 23 §§ 3, 4, 1903)

6.28.040 Grazing in street – Prohibited.

It is unlawful for any person to herd, picket or tie any cow, calf, ox, steer, bull, horse, mare, stallion, colt, jack, jenny, mule, hog, pig, goat, sheep or lamb in any street, road or alley within the corporate limits of the city for the purpose of pasture or for the purpose of allowing any such animal to graze in any such street, road or alley. (Ord. 31 § 1, 1905)

6.28.050 Grazing in street – Taking up – Disposition.

It is made the duty of the marshal of the city when any of the animals enumerated in AMC 6.28.040 are found picketed out in any of the streets, roads or alleys of the city to immediately take up the same and give notice of such taking up

in the same manner as provided in AMC 6.28.020 relating to stock running at large and shall also dispose of all stock in manner as provided by AMC 6.28.020. (Ord. 31 § 2, 1905)

6.28.060 Marshal – Fees.

For performing the duties required by this chapter the marshal shall be entitled to the following fees: for taking up and giving notice, \$0.50 per head for each animal for first offense and \$1.00 for each succeeding offense; for keeping the same \$0.35 per head per day, for selling \$1.00 per head. (Ord. 23 § 5, 1903)

6.28.070 Marshal – Poundkeeper.

For the purposes of enforcing the provisions of this chapter the marshal shall be appointed the poundkeeper of the city. (Ord. 23 § 6, 1903)