

ORDINANCE NO. 980

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
REPEALING TITLE 6 ANIMAL CONTROL REGULATIONS OF THE
SHORELINE MUNICIPAL CODE AND REPLACING IT WITH A NEW
TITLE 6 ANIMAL CARE AND CONTROL OF THE SHORELINE
MUNICIPAL CODE.**

WHEREAS, upon incorporation in 1995, the City of Shoreline entered into an interlocal agreement with King County for the performance of Animal Control Services and this agreement required the City to enact an ordinance substantially similar to Title 11 Animal Control of the King County Code (KCC); and

WHEREAS, on July 10, 1995, as authorized by RCW 35A.12.140, the City Council passed Ordinance No. 25, which adopted by reference the King County Animal Control Code as the City's Animal Control Regulations, establishing Shoreline Municipal Code (SMC) Title 6; and

WHEREAS, in 2010, the Regional Animal Services of King County was formed as a partnership between King County and several King County cities to improve animal welfare in the region; and

WHEREAS, in 2011, with the adoption of Ordinance No. 545, the City repealed SMC Title 6 and replaced it with a new SMC Title 6, establishing the City's own animal control regulations as opposed to adopting by reference the KCC; and

WHEREAS, the City and King County have continued their relationship for animal services pursuant to King County Ordinance No. 18548, which authorizes the County Executive to enter into interlocal agreements with local municipalities, with the City and King County last entering into an interlocal agreement in 2017 which contains language requiring enactment of an ordinance that is substantially similar to KCC Title 11; and

WHEREAS, on June 27, 2023, the King County Council passed King County Ordinance No. 19638 updating KCC Title 11, changing the title to Animal Care and Control with amendments to provide clarity, establish provisions related to leaving animals in unattended vehicles, dog tethering, and feces removal, to align with Washington State law, and to establish new or increased penalties for violations; and

WHEREAS, given that the City's interlocal agreement with King County requires SMC Title 6 to be substantially similar with KCC Title 11, City staff determined adopting KCC Title 11 by reference with amendments to address local circumstances being included in SMC Title 6 will provide for ease of administration not only for the City but for King County and ensure that SMC Title 6 is automatically updated as KCC Title 11 is amended by the County Council; and

WHEREAS, while KCC Title 11 addresses most situations pertaining to animal care and control, the City has previously adopted a leash law which it wishes to maintain as a component of its Animal Care and Control Regulations; and

WHEREAS, the City Council discussed the proposed repeal and replacement of SMC Title 6 at its April 29, 2024, regular meeting, and determined that the proposed amendments were in the interests of the public's health, safety, and welfare;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Repeal. Shoreline Municipal Code Title 6 Animal Control Regulations is repealed in its entirety.

Section 2. Adoption of new Shoreline Municipal Code Title 6 Animal Care and Control Regulations.

A new Title 6, Chapter 6.05 Animal Care and Control is adopted and shall read as follows:

SMC 6.05.010 Purpose.

It is declared the public policy of the city of Shoreline to secure and maintain such levels of animal care and control as will protect animal and human health and safety, and to the greatest degree practicable to prevent injury to property and cruelty to animal life. To this end, it is the purpose of this chapter to provide a means of caring for animals, licensing of dogs, cats, hobby catteries, hobby kennels, and related facilities and controlling errant animal behavior so that it shall not become a public nuisance and to prevent cruelty to animals.

SMC 6.05.020 Animal Care and Control Enforcement Authority.

The city of Shoreline has entered into an interlocal agreement with the Regional Animal Services of King County (RASKC) to provide animal control, sheltering, and licensing services. Therefore, RASKC is designated as the agency authorized to provide animal care services and enforce animal care and control laws within the city of Shoreline. This designation does not preclude any law enforcement officer or any code enforcement officer of the city from enforcing provisions of this chapter as necessary to protect the public health, safety, and welfare. A copy of the interlocal agreement between the city of Shoreline and King County is available for public examination in the City Clerk's Office.

SMC 6.05.030 Incorporation by Reference King County Code Title 11 Animal Care and Control Regulations.

A. Pursuant to RCW 35.21.180, 35A.11.020, and 35A.21.160, except as provided in this section, the city of Shoreline adopts by reference Chapter 11.01 and Chapter 11.04 of the King County Code Title 11, as it now exists or hereafter amended by King County, as the animal care and control regulations of the city of Shoreline.

1. King County Code (KCC) Chapter 11.01 Definitions, except the following provisions of KCC Chapter 11.01 are amended as follows:

a. All references made in KCC Chapter 11.01 to the "county" shall mean the "city" unless the context expressly requires otherwise.

2. KCC Chapter 11.04 Animal Care and Control Regulations, except the following provisions of KCC 11.04 are amended as follows:
 - a. All references made in KCC Chapter 11.04 to the “county” shall mean the “city” unless the context expressly requires otherwise.
 - b. All reference made in KCC Chapter 11.04 to Title 21A of the King County Code, which established King County’s zoning provisions and limits the number of animals that may be kept in a dwelling unit without the application of certain licensing requirements, shall be replaced with reference to SMC 20.40.240.
- B. If a conflict arises between the King County Code chapters adopted herein and the Shoreline Municipal Code, the Shoreline Municipal Code shall control except in relationship to fees where those established by King County shall control.
- C. Upon request, the city clerk will make a copy of Chapters 11.01 and 11.04 of King County Code Title 11 available for examination by the public.

SMC 6.05.040 Leash Law.

- A. It is unlawful for any person having charge, care, custody, or control of a domesticated animal, with the exception of cats or birds, to cause, permit, or allow such animal to be at large during any hours of the day or night, whether on public or private land, unless such animal is controlled by a leash, cord, or chain held or otherwise secured by the owner, custodian, or person in possession and of a length sufficient to restrain the dog from approaching any bystander or other animal, or from causing or being the cause of physical property damage. A leash of eight feet in length or smaller is presumed to be a leash of sufficient length for the purpose of this section
- B. Compliance with this section is not required if the domesticated animal is:
 1. Within an area of public or private property designated as an off-leash area;
 2. Upon the premises of another who has given permission for the dog to be off-leash;
 3. Under control and engaged in lawful obedience training, hunting, a competition sanctioned by a nationally recognized body or a local chapter thereof, or training in preparation for such hunting or competition.
 4. Contained within a vehicle under circumstances that does not amount to violation of any law or regulation limiting or prohibiting such confinement;
 5. Engaged in herding of livestock;
 6. Engaged in sanctioned search and rescue activities
 7. A law enforcement dog in the performance of the dog’s duty or training under the control of the training or handler;
 8. A dog guide or service animal, as those terms are defined in RCW 49.60.040, in performance of the dog guide’s or service animal’s trained purpose.
- C. The city’s designated enforcement authority, any law enforcement officer, or code enforcement officers for the city are authorized to enforce this section.

D. Violation. A civil penalty shall be imposed on the owner of the domesticated animal for violation of this section as follows:


1. First violation: \$25.00
2. Each additional violation within one year: \$50.00

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.


Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

Section 5. Publication and Effective Dates. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.


PASSED BY THE CITY COUNCIL ON MAY 13, 2024.


Christopher Roberts, Mayor

ATTEST:


Jessica Simulcik Smith
City Clerk

APPROVED AS TO FORM:


Margaret King
City Attorney

Date of Publication: May 16, 2024
Effective Date: May 21, 2024