

Animal Ordinance
Spokane County,
Washington

SPOKANE COUNTY

SMALL ANIMAL CONTROL

Nancy Sattin
Director
458-2532

2521 NORTH FLORA ROAD
SPOKANE, WASHINGTON 99216

December 9, 1996

Ms. Peggy Beardslee, Research Assistant
440 First Street NW
Washington, DC 20001

Dear Ms. Beardslee:

Thank you for your help last spring in supplying me with several sample exotic animal ordinances.

Spokane County Animal Control now has its own ordinance (see enclosed). Our new ordinance was approved by the Board of County Commissioners and became law December 1, 1996.

Spokane County did not want to deprive people of their pets. Our goal was to protect animal welfare and insure public safety. This ordinance is both workable and fair in covering those objectives.

Thank you again for your input and interest.
Sincerely,

Signature
Nancy Sattin

ORDINANCE NO. 96 - 1007

AN ORDINANCE EFFECTIVE IN THE UNINCORPORATED AREA OF SPOKANE COUNTY REGULATING THE HARBORING/OWNING OF INHERENTLY DANGEROUS MAMMALS/REPTILES; PROVIDING FOR THE LICENSING AND INSPECTION OF INHERENTLY DANGEROUS MAMMALS/REPTILES; PROVIDING STANDARDS FOR THE HOUSING AND CARE OF INHERENTLY DANGEROUS MAMMALS/REPTILES; PROVIDING PENALTIES FOR VIOLATING THE ORDINANCE; AND PROVIDING FOR OTHER RELATING THERETO.

SECTION NO. I: PURPOSE

It is the public policy of Spokane County to secure and maintain such levels of control over inherently dangerous mammals and inherently dangerous reptiles harbored and/or owned within the unincorporated area of Spokane County as will protect the general human health, safety and welfare as well as provide for the humane housing, care and treatment of such animals. To this end, it is the purpose of this Ordinance to provide a means of licensing, housing and caring of inherently dangerous mammals and inherently dangerous reptiles so that such animals do not become public nuisances.

SECTION NO. II: DEFINITIONS

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Animal Control Department" means that department established by the Board of County Commissioners by Resolution to administer and enforce the provisions of this Ordinance. Its Director shall be referred to hereinafter as the "Animal Control Director" or "Director." An "Animal Control Officer" is any person employed or appointed by the Board of County Commissioners of Spokane County for the purpose of administering or aiding in the enforcement of this Ordinance.

"Inherently Dangerous Mammal" means any live member of the canidae, felidae, or ursidae families, including hybrids thereof, which, due to their inherent nature, may be considered dangerous to humans, and which includes:

(1) Canidae, including any member of the dog (canid) family not customarily domesticated by man, or any hybrids thereof, but not including domestic dogs (*Canis lupus familiaris*) or wolf hybrids which are a cross between a wolf and a domestic dog.

(2) Felidae, including any member of the cat family not customarily domesticated by man, or any hybrids thereof, but not including domestic cats (*Felis catus*).

(3) Ursidae, including any member of the bear family, or any hybrids thereof.

"Inherently Dangerous Reptile" means any live member of the class reptilia which:

(1) is venomous, including, but not necessarily limited to, all members of the following families: Helodermodidae; Viperidae; Crotalidae; Altractaspidae; Hydrophilidae; and Elapidae; or

(2) is a "rear flanged" snake of the family Colubridae that are known to be dangerous to humans, including, but not necessarily limited to, all members of the following families: *Dispholidus typus*; *Thebtonis kirtlandii*; and *Rhabdophis* spp.; or

(3) is a member of the order Crocodilia (crocodiles, alligators and caiman).

"Harboring of an inherently dangerous mammal and/or inherently dangerous reptile" means to allow an inherently dangerous mammal or inherently dangerous reptile to remain, lodge, be fed, or to be given shelter or refuge within the person's home, store, yard, enclosure, outbuilding, abandoned vehicle or building, place of business, or any other premises in which the person resides or over which the person has control.

SECTION NO. III: RUNNING AT LARGE

No person owning or harboring, having custody, control, or possession of an inherently dangerous mammal and/or any inherently dangerous reptile shall permit or allow the same to run at large upon any highway, street, lane, alley, court, or any other place, public or private, or within the premises of such person, in such manner as to endanger any person lawfully entering such premises.

Allowing an inherently dangerous mammal and/or any inherently dangerous reptile to run at large is a misdemeanor.

SECTION NO. IV: HARBORING/OWNING INHERENTLY DANGEROUS MAMMALS AND/OR INHERENTLY DANGEROUS REPTILES

It shall be a violation of this Ordinance for any person to harbor and/or own an inherently dangerous mammal and/or any inherently dangerous reptile unless such person has achieved the age of eighteen (18) years and obtained and maintained an annual license allowing that person to harbor and own such inherently dangerous mammal and/or inherently dangerous reptile as provided for in this Ordinance. Provided, however, any person who has achieved the age of eighteen (18) years of age or over, and who is harboring and/or owning an inherently dangerous mammal and/or an inherently dangerous reptile on the effective date of this Ordinance shall have a sixty-day (60) time frame in which to obtain a license from the County.

Harboring and/or owning an inherently dangerous mammal and/or an inherently dangerous reptile by a person under the age of eighteen (18) years of age or without an annual license is a misdemeanor.

SECTION NO. V: EXEMPTIONS

The following are exempt from all provisions of this Ordinance:

- (1) Any facility accredited by the Association of Zoos and Aquariums (AZA);
- (2) Any Licensed or accredited research or medical institutions;
- (3) Licensed or accredited educational institutions;

(4) Veterinary clinics in possession of inherently dangerous mammals or inherently dangerous reptiles for treatment or rehabilitation purposes;

(5) Traveling circuses or carnivals;

(6) Persons temporarily transporting inherently dangerous mammals or inherently dangerous reptiles through the county provided that the transit time shall not be more than three (3) days;

(7) Any facility licensed by the United States Department of Agriculture (USDA) under the Animal Welfare Act; and

(8) Any person having a valid Wildlife Rehabilitation Permit from the Washington State Department of Fish and Wildlife as a Wildlife Rehabilitator.

Although the above are exempt from the provisions of this Ordinance, they must comply with all other applicable federal, state and local regulations, including but not necessarily limited to chapter 16.52 RCW, concerning the prevention of cruelty to animals.

SECTION NO. VI: LICENSING AND INSPECTION

(A) License application form. To obtain a license to harbor and/or own an inherently dangerous mammal and/or an inherently dangerous reptile within the unincorporated area of Spokane County, a person shall annually make a written and completed application which shall include the following:

(1) all information requested on the application form required by the Spokane County Animal Control Director as deemed necessary thereby to assist in determining whether the license should be issued, including but not necessarily limited to, front and profile photographs as well as any existing identification, such as tattooing and microchipping of the inherently dangerous mammal and/or inherently dangerous reptile;

(2) attach to the completed application form proof of liability insurance in the amount of fifty thousand dollars (\$50,000.00) per inherently dangerous mammal and/or inherently dangerous reptile up to a maximum of three hundred thousand dollars (\$300,000), which shall be written to cover any acts of the inherently dangerous mammal and/or inherently dangerous reptile, certificate of insurance shall be immediately submitted to the Spokane County Animal Control Director for approval or disapproval, and which proof of liability insurance shall provide that the Spokane County Animal Control Director as the person to be notified ten (10) days in advance of the cancellation of the liability insurance for any reason;

(3) attach and/or enclose a non-refundable license application fee of one hundred dollars (\$100.00) per inherently dangerous mammal per address, with a maximum of

three hundred dollars (\$300.00) per address, or fifty dollars (\$50.00) per inherently dangerous reptile per address with a maximum of one hundred and fifty dollars (\$150.00) per address; and

(4) submit to an initial inspection of the premises where the inherently dangerous mammal and/or inherently dangerous reptile proposed to be harbored, prior to the license being issued, and to additional inspections, announced or unannounced at the Director's discretion, at any other time deemed necessary by the Director between the hours of 7:00 a.m. and 9:00 p.m. daily during the life of the mammal and/or reptile; said inspection to be performed by the Director, any Animal Control Officer, or any person designated by the Director to assist in the performance of the inspection which is performed in accordance with of this Ordinance.

No license shall be issued by the Director unless and until the applicant is in compliance with all of the provisions of this Ordinance, including, but not necessarily limited to the Standards for Housing and Care as set forth in section no. VII hereinafter. All licenses shall be effective from a one year time frame from date of issuance.

(B) License not transferable. Any license to harbor and/or own any inherently dangerous mammal and/or inherently dangerous reptile is not transferable to any other subsequent owner/harbinger or to any other location within the unincorporated area of Spokane County.

SECTION NO. VII: RENEWAL OF LICENSES

(A) The license to keep an inherently dangerous mammal and/or inherently dangerous reptile shall be renewed annually, on or before the date of issuance, upon the submission of an annual renewal fee of one hundred dollars (\$100.00) per inherently dangerous mammal per address, with a maximum of three hundred dollars (\$300.00) per address; or fifty dollars (\$50.00) per inherently dangerous reptile, per address, with a maximum of one hundred and fifty dollars (\$150.00) per address.

All renewals shall require a current inspection and submission of current information as provided for in Section No. VI, subparagraph(s) (A) 1 and 2.

(B) The Animal Control Department shall notify the licensee by mail not less than one month before the expiration of the license of its renewal fee and annual inspection are due.

(C) Any condition imposed on the approval or renewal of the license shall be strictly adhered to by the applicant/licensee and failure to do so constitutes cause for non-issuance, non-renewal, or immediate revocation of the license.

(D) The Animal Control Department shall maintain a record of the date of issuance of, the conditions imposed on, and the name and address of the person to whom a license has been issued pursuant to this section.

(E) It shall be a violation of this Ordinance for any person to fail to renew an annual license for an inherently dangerous mammal and/or inherently dangerous reptile. Failure to renew an annual license for an inherently dangerous mammal and/or an inherently dangerous reptile is a misdemeanor.

SECTION NO. VIII: STANDARDS FOR HOUSING AND CARE

(A) Housing and care of Canidae and hybrids thereof. A harbinger and/or owner of any inherently dangerous canidae and hybrids thereof shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this section.

(1) Enclosure dimensions. A single small canid, or hybrid thereof, weighing less than thirty-five (35) pounds shall have an enclosure measuring at least eight feet (8') by twelve feet (12') or ninety-six (96) square feet. For each additional small canid (or hybrid thereof), the enclosure shall be increased by fifty percent (50%). A single large canid, or hybrid thereof, weighing thirty-five (35) pounds or more shall have an enclosure measuring at least ten feet (10') by fifteen feet (15') or one hundred fifty (150) square feet. For each additional large canid, or hybrid thereof, the enclosure shall be increased by fifty percent (50%). Enclosures shall have a secondary barrier of at least eight feet (8') in height to prevent access to the area by the general public. The secondary barrier shall be a minimum of five feet (5') from the primary enclosure.

(2) Enclosure materials. Enclosures for canids and hybrids thereof shall be constructed of not less than 11-gauge chain link or its equivalent for mammals of an adult weight less than 35 pounds and 9-gauge chain link or its equivalent for animals of an adult weight of 35 pounds or more. Perimeter barriers shall be at least eight feet (8') high and include an inward-facing overhand of no less than eighteen inches (18") at an angle of forty-five (45) degrees. In addition to vertical barriers, all perimeters shall also have either a concrete footing or horizontal protective matting around the entire enclosure to prevent escape through digging. All enclosures shall have double doors between the animal and possible escape, one being a primary access door and the second being a safety door. All enclosure doors shall be securely locked and include safety chains.

(3) Indoor housing. Whenever any canidae or hybrid thereof is not within an enclosure as described herein, but is within the residence of a person having a license as provided for in Section No. VII, the residence shall comply with the following criteria:

(a) all windows, except those leading to an outside cage, shall be screened in material suitable for the canidae or hybrid thereof to contain the animal(s) from potential escape;

(b) all doors entering the room will be of construction, suitable for the canidae or hybrid thereof and be securely locked. If the door is solid in construction, a device shall be installed to visually locate the canidae or hybrid thereof before entering the room; and

(c) all construction must be of proper strength materials for the weight of the canidae or hybrid thereof they are to contain. Walls must be appropriately reinforced where necessary.

(4) Temperatures and shelter. All canidae and hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(5) Water. Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; such devices or containers shall be cleaned and disinfected daily.

(6) Food. All canids and hybrids thereof shall have access to food which shall maintain the animal's proper weight, nutrition, and health.

(7) Sanitation. All enclosures shall be cleaned daily and kept free of debris and fecal material. Drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulation.

(8) Medical attention. Proper medical attention must be provided when and as necessary to maintain the canid(s) or hybrid(s) in a healthy condition.

(9) Transportation. At no time shall a canid or hybrid thereof be transported away from the Owner's premises by use only of a leash. Such animals must be transported in a manner that would not constitute a public threat or nuisance. When in or on a vehicle, said canid or hybrid thereof shall be appropriately and effectively contained in a secure, locked portable enclosure. When moving a canid or hybrid thereof away from the Owner's premises to a vehicle, a cable system shall be employed.

(10) Animal restricted to Owner's property. At no time shall a canid or hybrid thereof be located other than on the licensed Owner's premises, except during transportation as described in subsection (9) above.

(11) Signage. A sign or signs, including a symbol recognizable to children, shall be permanently affixed to the secondary barrier indicating that there is an inherently dangerous canid or hybrid thereof within such enclosure.

(B) Housing and care of Felidae and hybrids thereof. A harborer and/or owner of any inherently dangerous felidae and hybrids thereof shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this Ordinance.

(1) Enclosure dimensions and materials for very large pantherids. Very large pantherids, including lions (*P. leo*), tigers (*P. tigris*), and any hybrids thereof shall be maintained in

barred or heavily wired cages. A cage for a single animal shall measure at least twenty-four feet (24') wide by twenty feet (20') deep or four hundred and eighty (480) square feet. It should be either a minimum of eight feet (8') high with a secure covered top or a minimum of twelve feet (12') high with an inward-facing overhang of no less than eighteen inches (18") and at an angle of forty-five (45) degrees to prevent the animals from escaping. Cages shall be fifty percent (50%) larger for each additional animal. Enclosures shall have a secondary barrier of at least eight feet (8') in height to prevent access to the area by the general public. The secondary barrier shall be a minimum of five feet (5') from the primary enclosure.

(2) Enclosure dimensions for other large felids. Other large felids, including jaguars (*P. Onca*), leopards or panthers (*P. pardus*), pumas, cougars or mountain lions (*P. concolor*), snow leopards (*P. unica*), clouded leopards (*Neofelis nebulosa*), and any subspecies or hybrids thereof shall be maintained in a cage with minimum cage dimensions for a single large felid equal to at least twenty feet (20') wide by twelve feet deep (12') or two hundred and forty (240) square feet by eight (8') feet high and have secure covered tops. Cages shall be fifty percent (50%) larger for each additional animal. Enclosures shall have a secondary barrier of at least eight feet (8') in height to prevent access to the area by the general public. The secondary barrier shall be a minimum of five feet (5') feet from the primary enclosure.

(3) Enclosure dimensions for smaller felids. Small felids, those having an adult body weight of less than forty-four (44) pounds, including any hybrids but excluding the domestic cat (*Felis catus*) shall be maintained in a cage with minimum cage dimensions for a single small felid equal to twelve feet (12') wide by ten feet deep (10') or one hundred and twenty (120) square feet by eight feet (8') high and have secure covered tops. Floor space shall be increased by fifty percent (50%) for each additional animal. Enclosures shall have a secondary barrier of at least eight feet (8') in height to prevent access to the area by the general public. The secondary barrier shall be a minimum of five feet (5') from the primary enclosure.

(4) Barrier and enclosure materials; general. Enclosures for very large and large felids shall be constructed of bars or not less than 9-gauge chain link fencing or its equivalent. Enclosures for smaller felids shall be constructed of bars of not less than 11-gauge chain link fencing or its equivalent. In addition, all perimeters must have soil piping or other fencing material or tension wires along the ground, except those for digging felids which shall be either a concrete footing or horizontal protective matting around the entire enclosure. All enclosures shall have double doors between the animals and possible escape, one being the primary access door and the second being a safety door. All enclosures shall contain at least one above-ground platform large enough to allow the feed comfort and be located at least thirty inches (30") above ground. All enclosure doors shall be securely locked and include safety chains.

(5) Indoor housing. Whenever any felidae or hybrid thereof is not within an enclosure as described herein, but is within the residence of a person having a license as provided for in Section No. VII, the residence shall comply with the following criteria:

(a) all windows, except those leading to an outside cage, shall be screened in material suitable for the felidae or hybrid thereof to contain the animal(s) from potential escape;

(b) all doors entering the room will be of construction, suitable for the felidae or hybrid thereof and be securely locked. If the door is solid in construction, a device shall be installed to visually locate the felidae or hybrid thereof before entering the room; and

(c) all construction must be of proper strength materials for the weight of the felidae or hybrid thereof they are to contain. Walls must be appropriately reinforced where necessary.

(6) Temperatures and shelter. All felidae and hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(7) Water. Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; such devices or containers shall be cleaned and disinfected daily.

(8) Food. All felids and hybrids thereof shall have access to food which shall maintain the animal's proper weight, nutrition, and health.

(9) Sanitation. All enclosures shall be cleaned daily and kept free of debris and fecal material. Drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(10) Medical attention. Proper medical attention must be provided when and as necessary to maintain the felid(s) or hybrid(s) in a healthy condition.

(11) Transportation. At no time shall a felid or hybrid thereof be transported away from the Owner's premises by use only of a leash. Such animals must be transported in a manner that would not constitute a public threat or nuisance. When in or on a vehicle, said felid or hybrid thereof shall be appropriately and effectively contained in a secure, locked portable enclosure. When moving a felid or hybrid thereof away from the owner's premises to a vehicle, a cable system shall be employed.

(12) Animal restricted to Owner's property. At no time shall a felid or hybrid thereof be located other than on the licensed Owner's premises, except during transportation as described in subsection (11) above.

(13) Signage. A sign or signs, including a symbol recognizable to children, shall be permanently affixed to the secondary barrier indicating that there is an inherently dangerous felid or hybrid thereof within such enclosure.

(C) Housing and care of Ursidae and hybrids thereof. A harbinger and/or owner of any inherently dangerous ursidae and hybrids thereof shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this Ordinance.

(1) Enclosure dimensions. All enclosures for a solitary adult bear or hybrid thereof shall measure at least twenty-four feet (24') by twenty (20') feet or four hundred and eighty (480) square feet with a ten foot (10') high secure covered top. Cages shall be increased fifty percent (50%) per each additional bear. Enclosures shall have a secondary barrier of at least eight feet (8') in height to prevent access to the area by the general public. The secondary barrier shall be a minimum of five feet (5') from the primary enclosure.

(2) Enclosure materials. Enclosure material shall be constructed of welded bars or not less than 6 gauge chain link appropriately secured, or its equivalent. In addition, all perimeters shall have either concrete footing or horizontal protective matting around the entire perimeter to prevent escape by digging. All enclosures shall have two doors between the animal and possible escape, one being the primary access door and the second being safety door. All enclosure doors shall be securely locked and include safety chains.

(3) Water. Fresh clean water for drinking shall be available at all times. Built-in watering devices may be used for larger bears or hybrids thereof; sturdy containers may be suitable for smaller animals. All watering devices and containers shall be cleaned and disinfected daily.

(4) Temperatures and shelter. All bear or hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(5) Food. Bears and hybrids thereof shall have access to food which shall maintain the animal's proper weight, nutrition, and health.

(6) Sanitation. All enclosures shall be cleaned daily and kept free of debris and fecal material. Drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(7) Medical Attention. Proper medical attention must be provided when and as necessary to maintain the bear(s) or hybrid(s) in healthy condition.

(8) Transportation. At no time shall a bear or hybrid thereof be transported away from the Owner's premises by use only of a leash. Such animals must be transported in a manner that would not constitute a public threat or nuisance. When in or on a vehicle for

said purpose said bear or hybrid thereof shall be appropriately and effectively contained in a secure, locked portable enclosure. When moving a bear or hybrid thereof away from the Owner's premises to a vehicle, a cable system shall be employed.

(9) Animal restricted to Owner's property. At no time shall a bear or hybrid thereof be located other than on the licensed Owner's premises, except during transportation as described in subsection (8), above.

(10) Signage. A sign or signs, including a symbol recognizable to children, shall be permanently affixed to the secondary barrier indicating that there is an inherently dangerous ursidae or hybrid thereof within such enclosure.

(D) Housing and care of inherently dangerous reptiles. A harbinger and/or owner of any inherently dangerous reptile shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this section.

(1) Enclosure dimensions and other requirements for venomous snakes. For up to two specimens, a cage having a perimeter one and one-half times ($1\frac{1}{2}x$) the length of the longest confined snake. For each additional snake over two, the cage floor area shall be increased by twenty-five percent (25%).

(2) Enclosure materials for venomous snakes. Cages shall be fronted with three-sixteenths inch ($\frac{3}{16}$ ") thick Plexiglas or tempered glass. Ventilation openings shall be covered with one-eighth inch ($\frac{1}{8}$ ") mesh. For venomous snakes, double walls of mesh sufficient to prevent penetration of fangs to outside of enclosure shall be installed. Cages must be structurally sound and may be constructed of waterproofed plywood at least one-quarter inch ($\frac{1}{4}$) thick concrete plastered over wire, sheet metal, fiberglass, or a minimum of one-quarter inch ($\frac{1}{4}$ ") thick molded plastic. Construction shall be sturdy and escape proof. All doors must close securely and be key-locked.

(3) Enclosure dimensions and other requirements for gila monsters and beaded lizards. For each lizard, minimum cage length shall be one and one-half times ($1\frac{1}{2}x$) the length of the longest confined lizard and minimum cage width shall be four times (4x) the width of the largest confined lizard. Cages must have adequate ventilation, fresh water, and access to sunlight or full spectrum fluorescent lighting with appropriate shade also available. For each additional lizard, the cage floor area shall be increased one hundred percent (100%). Doors are to close securely and be key-locked.

(4) Enclosure dimensions and other requirements for crocodylians. For one crocodylian, minimum cage size must permit moving and turning both on land and in a pool. For additional crocodylians, the combined area covered by their bodies shall not exceed fifty percent (50%) of cage area. Pool must be of sufficient depth to permit entire body submersion and must be readily accessible to caretakers either by securing ramps into and out of the water or by building a sunken pool with a sloped interior. Enclosures for crocodylians greater than five feet (5') in length must have shift facilities to permit safe

cleaning, cage repair, or other separations. Shift cages shall measure at least eight feet (8') by five feet (5').

(a) In addition, indoor facilities shall be equipped with full spectrum fluorescent lighting and heat lamps for basking. Cages must be secure and escape proof. Doors to cages must be key-locked.

(b) In addition, the floors of outdoor cages shall be of concrete or masonry construction. Walls shall be a minimum height of four feet (4') and constructed of wire mesh no smaller than 11.5 gauge. The cage is to be completely roofed by mesh wire. Crocodilians shall have access to shade and heated indoor facilities during cold weather. Entrance doors accessible to the public shall be kept key-locked.

(5) Temperatures and shelter. Species appropriate temperature, lighting, and shelter shall be provided at all times.

(6) Food and water. Reptiles are to be fed and watered at a rate at which proper weight, nutrition, and health are maintained.

(7) Sanitation. All cages and enclosures are to be kept sanitary and in good repair. Feces and uneaten food shall be removed daily. Crocodilian pools are to be full at all times and the water replaced weekly or continuously filtered.

(8) Medical attention. Proper medical attention must be provided when and as necessary to maintain the reptile(s) in a healthy condition.

(9) Transportation.

(a) Venomous reptiles. At no time shall a venomous reptile be transported away from the owner's premises, except for transportation to and from said veterinarian's office or for transfer of ownership of said animal. Reptile shall be appropriately and effectively contained in a secure, locked, portable container. The container shall be appropriately marked to advise of its contents.

(b) Reptiles other than venomous reptile. At no time shall an inherently dangerous reptile be transported away from the Owner's premises, except for transportation to and from said veterinarian's office, approved educational program or exhibit, or for transfer of ownership of said animal. When in or on the Owner's vehicle, said reptile shall be appropriately and effectively contained in a secure, locked portable container.

(10) Animal restricted to Owner's property. At no time shall a reptile be located other than on the licensed Owner's premises, except during transportation as described hereinabove.

(11) Signage. A sign or signs, including a symbol recognizable to children, shall be permanently affixed to the secondary barrier indicating that there is an inherently dangerous reptile within such enclosure.

(E) The Animal Control Director in conjunction with the issuance of any license as required under Section No. VI hereinabove, may grant a variance from the enclosure dimensions, and/or enclosure materials provisions within this section for any enclosures used to house inherently dangerous mammals and/or inherently dangerous reptiles which were in existence on the effective date of this Ordinance, so long as such variance does not, in the sole discretion of the Director, jeopardize the animal's welfare or public safety.

(F) Harboring and/or owning an inherently dangerous mammal and/or reptile in violation of the provisions of this section is a misdemeanor.

SECTION NO. IX: IMPOUND/HOUSING FEES, VIOLATIONS, PENALTIES

(A) Impound fees for services provided by the Animal Control Department shall include all costs actually incurred in conjunction with an impound, not less than one hundred dollars (\$100.00) minimum per animal for the impound of each inherently dangerous mammal or inherently dangerous reptile, to be paid by the animal's owner to Spokane County Animal Control Department. The Animal Control Department shall maintain a detailed account of all expenses incurred in conjunction with impounding any animal. This fee shall be paid regardless of whether the animal is returned to the owner and shall be paid prior to the animal's release to the owner subject to the Spokane County Animal Control Department Director's decision to release the animal.

The Director shall have the authority to determine the size of animals which the county will impound based upon the capabilities, equipment and facilities available for use.

(B) Housing fees for services provided by the Animal Control Department shall be established by the Animal Control Director for each inherently dangerous mammal and/or inherently dangerous reptile. Such fees shall include all costs of housing such animals regardless of whether such costs are incurred at a County owned or operated facility or a contract facility.

(C) Failure to pay impound fees or housing fees as required in this section is a misdemeanor.

SECTION NO. X: ENFORCEMENT PROVISIONS

(A) Revocation of license. A license issued pursuant to this Ordinance may be revoked by the Director after a hearing, for failure of the Licensee to comply with any license conditions or any other provisions of this Ordinance. The Director shall in writing, advise the Licensee of the specific license condition(s) and/or provisions of the Ordinance violated. The Licensee shall have seven (7) calendar days from receipt of the

correspondence to cure any violation(s). If such violation(s) is not cured to the satisfaction of the Director within such time frame, the Director shall schedule a hearing before the Spokane County Hearing Examiner to consider revocation of the license. The Licensee shall be given at least ten (10) calendar days notice of the hearing date before the Hearing Examiner. The decision of the Hearing Examiner shall be final and binding, unless within fourteen (14) calendar days of the Hearing Examiner's written decision, the Licensee appeals the Hearing Examiner's said decision to the Board of County Commissioners. If the Hearing Examiner's Decision is appealed, the Board of County Commissioners shall consider the appeal on the record of the Hearing Examiner. The decision of the Board of County Commissioners shall be in writing and may be appealed to the Spokane County Superior Court within thirty (30) days in the manner provided under the general laws of the State.

If a license is revoked, the owner of the animal(s) which is/are the subject of the license shall transfer ownership of the animal(s) by sale or gift to another person who already is in compliance with this Ordinance, with the written approval of the Director, and provided the other person has or can obtain the license required by this Ordinance. In the alternative and with the written approval of the Director, the animal(s) can be permanently removed from the unincorporated area of Spokane County, or upon approval of the owner and payment of fees, the animal will be euthanized.

(B) Impoundment; disposition of impounded animals. Any inherently dangerous mammal and/or inherently dangerous reptile which is kept by any person in violation of this Ordinance may be taken up and impounded by a code enforcement officer, an animal control officer, or a law enforcement officer for the protection and health of the animal and/or for the protection of the health, safety and welfare of the public. Cost of take-up, impoundment, care and boarding of the animal will be charged to its owner or harbinger regardless of whether the animal is claimed by or returned to said owner or harbinger.

The owner or harbinger of the animal can reclaim the animal only if the person is in compliance with this Ordinance and only after all fines and costs have been paid by the owner or harbinger. Any other intended disposition of the animal requires the approval of the Director.

If no owner or harbinger can be located or will claim the animal within five (5) calendar days after impoundment, the director may cause the sale, adoption, donation, or euthanasia of the animal. Prior to any sale, adoption, donation or euthanasia of any animal, the Director shall mail written notice to the last known address, if any, of the owner or harbinger. If the Director is unaware of any last known owner or harbinger, the Director shall cause to be published once in the County legal newspaper his/her intention to cause the sale, adoption, donation, or euthanasia of such animal unless the same is reclaimed within five (5) days of the first day of publication.

In addition to any other provisions of this Ordinance regulating the euthanasia of inherently dangerous mammals and/or inherently dangerous reptiles, inherently

dangerous mammals and/or inherently dangerous reptiles harbored or owned in violation of this Ordinance may be subject to euthanasia if any one of the following exigent circumstances is deemed to exist by the Director:

(1) the animal presents an imminent likelihood of serious physical harm to the public and there is no other reasonably available means of abatement; or

(2) there is no reasonable basis to believe that a violation can be or in good faith will be corrected and after reasonable search or inquiry by the Director no facility as authorized by local, state or federal law is available to house the animal; or

(3) the animal suffers from a communicable disease injurious to other animals or human beings, as determined by the Spokane County Health Officer; provided, that this section shall not apply if the animal is under treatment by a licensed veterinarian and may reasonably be expected to recover without infecting other animals or human beings.

SECTION NO. XI: SALE AND TRANSFER OF INHERENTLY DANGEROUS MAMMALS AND/OR INHERENTLY DANGEROUS REPTILES

Any person who sells, gives, or in any way transfers possession or ownership of an inherently dangerous mammal and/or inherently dangerous reptile to another person within the unincorporated area of Spokane County shall maintain records reflecting the name, address, and telephone number of the receiver of the animal; a complete and accurate description of the animal transferred. This information shall be communicated to the Animal Control Department prior to or at the same time as the transfer occurs.

SECTION NO. XII: RUNNING AT LARGE/DUTY TO NOTIFY ANIMAL CONTROL DEPARTMENT

Any person owning or harboring, having custody, control, or possession of an inherently dangerous mammal and/or any inherently dangerous reptile shall have the duty when they know or should reasonably know said inherently dangerous mammal and/or inherently dangerous reptile shall be running at large as defined in Section No. III hereinabove to notify the Animal Control Department of such fact.

Failure to notify the Animal Control Department that an inherently dangerous mammal and/or inherently dangerous reptile is be running at large as defined in Section No. III hereinabove, is a misdemeanor.

SECTION NO. XIII: RABIES VIRUS TESTING/DUTY TO REIMBURSE FOR COSTS

It shall be the responsibility of any person owning or harboring, having custody, control, or possession of an inherently dangerous mammal to reimburse the Spokane County Health District, or its successor, for all costs, including but not limited to, the capture, holding, testing, transporting, reporting, and notification connected with the destruction of an inherently dangerous mammal for submission to the Spokane County Health

District, or its successor, for routing to the Washington State Department of Health for rabies virus testing, which testing is a direct result of an order issued by the Health Officer. Such costs shall be paid within 30 days of date of mailing.

Failure to pay the Spokane County Health District, or its successor, all costs as provided for herein within 30 days of date of mailing is a misdemeanor.

SECTION NO. XIV: AGREEMENTS

The Board of County Commissioners of Spokane County, Washington may enter into agreements with any veterinarian, governmental agency, city, corporation or individual it deems necessary to carry out the provisions of this Ordinance.

SECTION NO. XV: SEVERABILITY

If any section sentence, subdivision or clause of this Ordinance shall for any reason be held invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION NO. XVI: COMPLIANCE WITH OTHER LAWS

In addition to complying with all provisions of this Ordinance, no person shall harbor and/or own an inherently dangerous mammal and/or inherently dangerous reptile within the unincorporated area of Spokane County without complying with all other applicable federal, state and local laws, ordinances and regulations.

SECTION NO. XVII: EFFECTIVE DATE

This Ordinance shall become effective as of 12:01 a.m. on the 1st day of December, 1996.