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ORDINANCE NO. 28

CITY OF LYNNWOOD

AN ORDINANCE providing for the licensing, keeping, harboring and treatment of dogs within the City of Lynnwood, providing for impounding and disposal of dogs, and providing penalties for violation of its provisions.

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Sec. 1. That it shall be unlawful for any person, firm or corporation to own, possess or harbor any dog over the age of three months within the City of Lynnwood unless said person, firm or corporation shall have first procured a license therefor as hereinafter provided.

Sec. 2. Licenses. That it shall be the duty of the City Clerk or his appointee to issue licenses to persons applying therefor, upon payment of the license fee as herein provided. Upon the issuance of a license a metal tag, with number corresponding to the number of the application, shall be furnished the applicant who shall cause the same to be attached or affixed to the dog licensed. Dog tags shall not be transferable from one dog to another.

Sec. 3. License Fees. That the following fees shall be paid for licenses hereunder:

Dogs - males and spayed females	\$1.00
Dogs - unspayed females	\$2.00
Replacement of metal tags	\$.50

Sec. 4. That all licenses granted hereunder shall be due and payable the first day of July, 1959, and each succeeding July 1st thereafter. If the license fee above provided for is not paid on or before September 1, 1959, and each succeeding September 1st, the applicant shall pay a penalty fee of \$3.00 for each license in addition to the regular fee as stated above. Provided that the fee for an original license application shall be due and payable within thirty days after any dog comes into the charge, care or control of any person within the City of Lynnwood.

Sec. 5. That all dogs not licensed hereunder, or who do not exhibit the metal identification tag hereinabove provided, or any vicious dogs, are declared to be a public nuisance, it shall be the duty of the City of Lynnwood, or such person as may be appointed, to impound and distraint said animals for a period of seven (7) days, and if not sooner redeemed, to sell or destroy said animals upon the expiration of said period.

It shall be the duty of the City, or its appointee, to notify the owner of any licensed dog distrainted and impounded as herein provided within two (2) days after said distraint. The owner thereof may redeem said distrainted animals before the expiration of the aforesaid seven (7) day period by payment to the City of Lynnwood of the sum of \$3.50, plus cost of maintenance for the period that said animal is in the City's custody.

Sec. 6. That in the event that the City Clerk or appointee, as aforesaid, deems it necessary for the health, safety and welfare of the residents of the City, then in that event no license hereunder shall be granted unless the applicant shall have presented to the City of Lynnwood or its appointee a certificate from a licensed veterinarian to the effect that said animal has been inoculated against rabies within the year preceding application for license.

Sec. 7. That any person who owns, harbors or maintains any pack of dogs exceeding three (3) in number for purposes of breeding, training or boarding shall not be required to comply with the provisions hereof requiring purchase of licenses, as long as said animals are restricted and segregated and not permitted to be at large.

Sec. 8. It shall be unlawful for any person to allow any animal to stray or enter upon any school ground, playfield or any other public grounds within the City of Lynnwood, ~~other than inside incorporated towns and cities herein established~~, and any animal so straying, entering or trespassing upon such property is hereby declared to be a nuisance and may be impounded as such.

Sec. 9. It shall be unlawful for the owner or owners of any dog known to have bitten or scratched any person or persons or other animal or animals, to harbor or keep such dog without permitting an examination or inspection of such dog after due demand therefor by the City Clerk or his deputy. If, after such inspection or examination, good cause appears to be that such animal is suffering or has been exposed to rabies, such animal may be impounded and quarantined apart from other animals for a ten-day period from and after the date of the seizure.

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

Sec. 10. It shall be unlawful for any person, firm or corporation which owns, possesses, harbors, has control or charge of any dog, which is known or at the exercise of reasonable care, should be known, to be vicious, to allow the same to run at large and not under restraint.

Sec. 11. It shall be unlawful for the owner or custodian of any female dog to allow said dog to be at large during the regular heat period and any such dog running at large during such period is declared to be a nuisance and may be impounded as such.

Sec. 12. That it shall be unlawful to keep or harbor any dog which by habitual howling, yelping, barking or other noise disturbs or annoys any considerable number of persons or neighborhood, and the same is hereby declared to be a public nuisance and may be impounded as such.

It shall be unlawful to suffer or permit any dog to trespass on private or public property so as to damage or destroy any property or thing of value and the same is hereby declared to be a nuisance and may be impounded as such. Whenever it shall be affirmed in writing by three or more persons having separate

residences, or regularly employed in the neighborhood that any dog is an habitual nuisance by reason of trespassing, howling, barking, or other noise, or damage to property, being vicious or by its actions potentially vicious or in any manner causing undue annoyance, the City or its appointee, if such nuisance is found to exist, shall serve notice upon the owner or custodian that such nuisance must be abated.

Sec. 13. It shall be unlawful for any person wilfully and cruelly to injure or kill any animal by any mode or means causing it unnecessary fright or pain, and it shall further be unlawful for any person otherwise causing pain, suffering, or injury to any animal to fail or neglect to aid or attempt alleviation of any pain, suffering or injury so caused to any animal.

Sec. 14. It shall be unlawful for any person to lay out or expose any kind of poison, or leave exposed any poisoned food or drink for man, animal or fowl, or any substance or fluid whatever whereon or wherein there is or shall be deposited or mingled, any kind of poison or poisonous or deadly substance or fluid whatsoever, on the premises of another, or in any unenclosed place, or to aid or abet any person in so doing.

Sec. 15. Any violation of this ordinance shall be deemed a misdemeanor and shall be punished by a fine not to exceed \$300.00 or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

Sec. 16. That if any section, sub-section, sentence, clause or phrase of this ~~Resolution~~ ^{ORDINANCE} is for any reason held to be unconstitutional or void, such decision shall not effect the validity of the remaining portions of this resolution.

Sec. 17. This ordinance shall take effect and be in force five (5) days after its passage, approval and public posting.

Passed this 11th day of June, 1959 and signed in authentication of its passage this 11th day of June, 1959.

Approved as to form
J. Gaylord Riach
J. GAYLORD RIACH
City Attorney
ATTEST

Russell Haggard
City Clerk

Richard Forsgren
Mayor *Pro tem*