

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2007-48

SUBJECT: Amend PMC Chapter 6.08, Animal Licensing and Fees

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 9/24/2007
- (X) Passed by the City Council: 10/3/2007
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 10/17/2007
- (X) Effective: 10/22/2007

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DISTRIBUTED COPIES AS FOLLOWS: email all departments

- (K) NK Herald: Emailed by kj 10/5/2007
- (1) Ordinance or Resolution Book
- (K) Code Publishing - via email if in electronic format
- (1) City Attorney
- () Civil Service Commission and/or Sec/Chief Examiner
- (K) Clerk's Department: Original
- () City Council
- () Finance:
- () Fire District #18
- () Mayor
- () Municipal Court
- () MRSC from website:
- () Parks/Recreation:
- () Planning/Building:
- () Police
- () Public Works:
- () Public Works/Engr Section:
- () Bookshelf Contracts Copy
- (1) Kitsap Humane Society – sent by kj 10/9/2007

Kj
City Clerk

10-5-2007
Date

ORDINANCE NO. 2007-48

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON RELATING TO ANIMALS; AMENDING CHAPTER 6.08 TO BE KNOWN AS ANIMAL LICENSES, AMENDING 6.08.010 TO CAT AND DOG LICENSES, 6.08.020 LICENSE FEES, 6.08.030 TO SPECIAL PERMANENT LICENSE, 6.08.040 TO LICENSE EXEMPTIONS, 6.08.070 REMOVAL OF LICENSE TAG, 6.08.100 IMPOUNDING UNLICENSED DOGS AND/OR CATS, 6.08.110 PENALTY FOR VIOLATION, 3.12.040 MISCELLANEOUS FEES AND CHARGES, AND REPEALING 6.08.060 AND 6.08.090; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Poulsbo is concerned about the safety and welfare of its citizens and its animals; Now, Therefore,

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

Section 1. Amending the name of Chapter 6.08 of the Poulsbo Municipal Code to be known as: 6.08 Animal Licenses

Section 2. PMC 6.08.010 and Ordinance 85-31 Section 1 are hereby amended to read as follows:

6.08.010 Cat and dog licenses

A. Annual license: All dogs and cats shall be licensed annually or within thirty calendar days from the date the owner acquires the animal or takes up residency in the city. It is unlawful for any person to own, keep or have control of a dog or cat over the age of six months within the corporate limits of the city, whether confined or not, without having a current license tag attached to the collar or harness which is worn by the dog or cat. These licenses shall be obtained by paying the required license fee in the amounts and within the time limits as provided herein.

B. All licenses granted under the provisions of this chapter shall be due and payable by the first non-holiday weekday of July each year; except, that any lawful obligated party, as set forth in Section 6.08.010, shall apply for a license and pay the required fee within thirty days of becoming so obligated.

C. The fee for licenses sold during the second half of the licensing year (January through June), shall be one-half of the license fee for licenses issued at any other time. This reduced fee is not applicable to renewals, but shall be applicable to new licenses only.

D. A metal tag shall be furnished with each license. The tag shall bear the name "Poulsbo," be dated with the combination of the years the tag is valid and the expiration date (i.e., 2006-2007 expires June 30, 2007) and include a pre-stamped serial number. The information to be gathered by the licensing agents shall include the name, address and telephone number of the person responsible for the animal, and a description of the animal

including its name, age, sex and color. Such tag shall be securely attached to a collar which shall be worn by the dog or cat at all times, except when displayed in an official exhibition.

E. The provisions of this chapter shall not apply to dogs and cats in the custody of a veterinarian, pet store, or animal shelter, or whose owners are non-residents temporarily within the city for a period not to exceed 30 days.

F. Lost tags. Lost license tags may be replaced by a substitute license or tag upon application to the city or animal control authority and payment of a replacement charge.

Section 3. PMC 6.08.020 and Ordinance 2006-18 Section 1 are hereby amended to read as follows:

6.08.020 License fees

License fees shall be as follows:

A. Dogs:

Spayed/Neutered	\$10.00
Not Spayed/Neutered	\$35.00
Lost/Replacement Tags	\$ 3.00
Potentially Dangerous Dog	See PMC 6.05.050(C)
Dangerous Dog	See PMC 6.05.050(D)

B. Cats:

Spayed/Neutered	\$ 5.00
Not Spayed/Neutered	\$35.00
Lost/Replacement Tags	\$ 3.00

C. Permanent License Fee:

1. Spayed/Neutered Dogs:	\$6.00
Lost/Replacement Tags	\$3.00
2. Spayed/Neutered Cats:	\$3.00
Lost/Replacement Tags	\$3.00

D. In order to receive the fee advantage for altered dogs and cats, an individual may be required to provide either proof of alteration from a licensed veterinarian or a written statement from a licensed veterinarian that the spay-neuter procedure would be harmful to the animal.

E. Any person who fails to obtain a license 30 days after the license expiration date, but before 60 days of the expiration date, shall pay a penalty of \$10.00 per license. Any person who fails to obtain a license after 60 days of the license expiration shall pay a penalty of \$20.00 per license. No late penalty shall be charged if:

- (1) The owner submits proof of purchase or acquisition of the animal within the previous 30 days; or
- (2) The owner has moved into the city within the preceding 30 days; or
- (3) The animal is currently or has been within the preceding 30 days, under the age which requires a license; or
- (4) The owner purchases the license(s) voluntarily, prior to in-person or field contact by animal control personnel; or

- (5) The owner submits other proof deemed acceptable in the city or animal control authority's administrative policy.

Section 4. PMC 6.08.030 and Ordinance 74-18 Section 3 is hereby amended to read as follows:

6.08.030 Special permanent license

Provided that the animals are not used for commercial purposes or designated as a dangerous dog, City of Poulsbo residents sixty-five years of age or older or residents who qualify as low-income disabled shall be entitled to purchase a special permanent license for spayed or neutered dogs and cats for the lifetime of the animal for which they are the registered owners when said animals are maintained at said owner's address. Such residents shall not be required to annually purchase a new license for the lifetime of such licensed animals; provided, that no person shall be granted more than three permanent animal licenses for any combination of three cats or dogs for which they are the registered owners. As used in this section, "low-income disabled" shall have the meanings set forth in RCW 74.38.070(2) as herein enacted or amended, and all other statutes cited therein, as such statutes now exist or may hereafter be amended, all of which are adopted by reference as if fully set forth in this section. To qualify for this special permanent license, individuals with a permanent disability must provide proof of permanent disability to the city in the form of a U.S. Department of Veterans Affairs Identification Card or documentation showing at least 30 percent permanent disability, a Washington Department of Licensing parking placard issued for permanent disability under RCW 46.16.381 as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein, or any other means that the city or animal control authority deems an appropriate proof of permanent disability.

Section 5. PMC 6.08.040 and Ordinance 2006-18 Section 2 are hereby amended to read as follows:

6.08.040 License exemptions

Licenses and license tags shall be provided free of charge by the city to service dogs properly trained to assist the handicapped and police and fire accelerant dogs as follows:

1. When such dogs are actually used by the handicapped for the purpose of aiding the handicapped in going from place to place;
2. To pups and young dogs being raised and trained as guide or service dogs for the handicapped, or
3. To police working dogs when the dogs are actively being used for such purpose, or
4. To dogs currently being trained for the purpose of aiding the handicapped in a school or program which has been approved or accredited by a professional organization or association, either for profit or not for profit; or

The licensing agents, in writing such licenses, shall insert the words "guide dog," "hearing-aid dog", "police working dog", or "fire accelerant dog" in the space allotted for and in place of a stated fee.

Section 6. PMC 6.08.060 and Ordinance 74-18 Section 11, and PMC 6.08.090 and Ordinance 85-31 Section 1 are hereby repealed.

Section 7. PMC 6.08.010 and Ordinance 85-31 Section 1 are hereby amended to read as follows:

6.08.070 Removal of license tag

It is unlawful for any person other than the owner or keeper, or an officer of the animal control authority in conjunction with official duties, to remove a license tag from any dog or cat licensed under the provisions of this chapter. Violation of this section is a misdemeanor.

Section 8. PMC 6.08.100 and Ordinance 74-18 Section 11 are hereby amended to read as follows:

6.08.100 Impounding unlicensed dogs and/or cats

A. Whenever an unlicensed dog or cat is found within the city, it may be taken up and impounded by an officer of the animal control agency or officer of the city, and an infraction may be issued to the owner of such dog or cat or the person having the custody and control of such dog or cat. The owner is subject to boarding charges as set forth in this title, in addition to all penalties set forth in this chapter.

Section 9. PMC 6.08.110 and Ordinance 74-18 Section 11 are hereby amended to read as follows:

6.08.110 Penalty for violation

A. Any person who violates 6.08.010 shall be guilty of a civil infraction with a maximum monetary penalty limited to a fine in an amount not to exceed \$250.00; provided that if the person presents evidence of a valid license obtained subsequent to the issuance of the infraction hereunder to the Poulsbo Municipal Court and prior to entry of a finding of committed, the infraction may be dismissed, except that the Poulsbo Municipal Court may assess court administrative costs of \$25.00 at the time of dismissal. A monetary penalty of \$52.00 shall be imposed for failure to respond to the infraction.

B. Unless specifically designated in this title as a civil infraction, gross misdemeanor or misdemeanor or is specified to be enforced pursuant to other law, including, but not limited to, other chapters or titles of this Code, any violation of this chapter is a civil infraction and the penalty amount is \$250, not including statutory assessments

C. Such penalty is in addition to any other remedies or penalties specifically provided by law. For each act herein prohibited of a continuing nature, each day shall be considered a separate offense.

D. Any person who fails to respond or appear on any violation of any provision of the Poulsbo Municipal Code set forth in this title shall be assessed a failure to respond or appear fee in the amount set forth in RCW 46.63.110(3), as the same now exists or as may be hereafter amended, which statute is incorporated herein by this reference as if fully set forth.

E. If a time pay agreement is requested a fee of not to exceed \$10 per charge or \$25 per payment plan may be imposed.

Section 10. PMC 3.12.040 and Ordinance 2005-28 Section 1 are hereby amended to read as follows:

3.12.040 Miscellaneous fees and charges

A. Poulsbo City Cemetery. The cemetery shall be divided into the following land units which may, to the extent possible, be purchased at the office of the Poulsbo city clerk at the following rates:

1. Cremains gravesite, two hundred dollars;
2. Regular gravesite, four hundred dollars;

3. The rates set forth in subsections (A)(1) and (2) of this section shall be reduced by one-half where the unit is purchased for the burial of a Poulsbo resident whose totally income is at or below one hundred twenty-five percent of the federally established poverty level. The process for applying for the discount is as set forth in Poulsbo Municipal Code Section 2.76.080(B).

B. Notary Fees. A schedule of fees for notary services provided to members of the public by city staff for non-city documents is adopted as follows:

1. First document \$5.00
2. Each additional document \$1.00

C. Public Records – Maintenance of Cost Schedule

1. The city clerk is authorized to establish a cost schedule for copying public records and to revise the schedule by council resolution from time to time in order to reflect increases or decreases in costs of providing such copies.

2. The city may charge any person for copies of any document and for the costs of mailing the document in a manner provided by Chapter 42.17 RCW.

3. NSF Check Charge. The charge for all nonsufficient funds or otherwise unacceptable checks returned to the city shall be as set forth in the cost schedule adopted by Section 3.12.010(A).

D. Business License Fee – Late Payment – Prorated Out of Town Renewals

1. The fee for the initial application for an annual business license shall be seventy-five dollars to be submitted with the application.

2. The fee for renewal of the business license shall be fifty dollars per year to be received by the city on or before January 31st of each respective year.

3. Any business which fails to obtain and pay the license fees prior to February 1st shall, in addition to any other penalties provided in Chapter 5.04, be assessed a sum of ten dollars per month as a penalty for each month such late application and/or payment is overdue until paid.

4. Out of town business license renewals issued on or after July 1st of a calendar year shall pay a prorated license fee of twenty-five dollars for licensing through December 31st of the year of licensing.

5. The fee for a temporary license, of a period not to exceed ten days within any three consecutive months, shall be twenty dollars and may not be renewed during that calendar year.

6. The fee for a special event license shall be a nonrefundable application fee of twenty-five dollars; provided, that the application fee may be waived if, in the opinion of the city clerk, the imposition of such fee will create an undue hardship on the applicant.

7. The city reserves the right to charge any sponsor of a special event direct costs incurred by the city as a result of the event. Such costs may include, but are not limited to, the cost of barricading streets, police officers to direct or block pedestrian or vehicular traffic, plan review or other public safety involvement and staff performing cleanup or other city services.

E. Adult Entertainment Facilities, Manager's and Entertainer's Fees

1. Each adult entertainment business license application shall be accompanied by a nonrefundable application fee, the amount of which shall be established by resolution.

2. Each manager's and entertainer's license application shall be accompanied by a nonrefundable application fee, the amount of which shall be established by resolution.

F. Escort Bureau, Escorts, and Introductory Services – License Terms and Fees.

1. The nonrefundable fee for an escort bureau or introductory service license required by Chapter 5.10 shall be five hundred dollars.

2. The nonrefundable fee for an escort or escort bureau runner license required by Chapter 5.10 shall be one hundred dollars.

3. The nonrefundable fee for an escort bureau or introductory service manager license required by Chapter 5.10 shall be one hundred dollars.

G. Pawnbroker's and Pawnshop's License – Required – Fee – Late Payment

The fee for pawn-broking or to conduct a pawnshop as required by Poulsbo Municipal Code Section 5.16.020, over and above the business license fee, is twenty-five dollars per year.

H. Peddlers – License Required – Investigation Fee

Applications for a peddler license as set forth in Chapter 5.24 of the Poulsbo Municipal Code shall be submitted with a nonrefundable investigation fee of fifteen dollars to cover the costs of processing the application, which fee shall be over and above the business license fee.

I. Taxicabs – Fee – Transfer

1. Each application for permit under Chapter 5.28 of the Poulsbo Municipal Code shall be accompanied by a fee in the sum of fifty dollars for each taxicab, which shall be in the amount of the annual license fee, and the sum of fifty dollars for each taxicab shall be paid each and every year at the time of the renewal of the license, which shall be over and above the business license fee.

2. Application for transfer of permit shall be accompanied by a transfer fee of twenty-five dollars for each vehicle.

J. Carnivals, Circuses, Traveling Shows and Outdoor Amusements – License – Fee

The fee for each permit issued under the provisions of Chapter 5.32 of the Poulsbo Municipal Code shall be twenty-five dollars for each day or part of the day that the business is operated, to be collected by the city clerk.

K. Fish and Shellfish Sales Permits – Fees

The fee for each permit issued under the provision of Chapter 5.46 of the Poulsbo Municipal Code shall be fifteen dollars.

L. Mobile Home and Recreational Vehicle Park Operation – Fees – Late Payment

1. The fee for each license and renewal thereof required by Chapter 5.48 of the Poulsbo Municipal Code shall be fifty dollars per year and shall be paid on or before January 31st of each respective year.

2. Anyone failing to obtain and pay the license fees prior to February 1st shall, in addition to any other penalties provided in Chapter 5.48 of the Poulsbo Municipal Code, be

assessed the sum of ten dollars per month as a penalty for each month such late application and/or payment is overdue until paid.

M. Fireworks – Permit Application – Fee – Bond

1. All applications for permits pursuant to Chapter 8.20 of the Poulsbo Municipal Code shall be accompanied by a nonrefundable filing fee of ten dollars to the city clerk.

2. The applicant shall post a fifty-dollar cash bond which shall be reimbursed following proper removal and cleanup.

N. Hard Surfaced Vehicle Permit – Fee

The license for a hard surfaced vehicle permit as set forth in Section 12.20.020 shall be five dollars.

O. Collection Costs

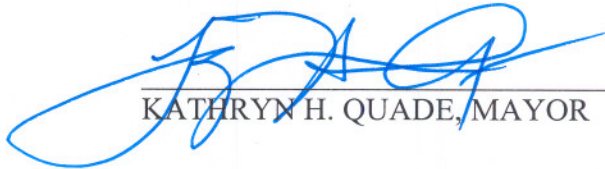
Debts owed to the city shall be addressed as set forth in Chapter 3.72 of the Poulsbo Municipal Code.

Section 11. Severability

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 12. Effective Date: This ordinance shall take effect and be in full force five (5) days after the publication of the attached summary, which is hereby approved.

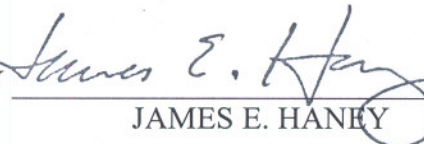
APPROVED:


KATHRYN H. QUADE, MAYOR

ATTEST/AUTHENTICATED:


CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

FILED WITH THE CITY CLERK: 9/24/2007
PASSED BY THE CITY COUNCIL: 10/3/2007
PUBLISHED: 10/20/2007
EFFECTIVE DATE: 10/25/2007
ORDINANCE NO. 2007-48

SUMMARY OF ORDINANCE NO. 2007-48

of the City of Poulsbo, Washington

On the 3rd day of October, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-48. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON RELATING TO ANIMALS; AMENDING CHAPTER 6.08 TO BE KNOWN AS ANIMAL LICENSES, AMENDING 6.08.010 TO CAT AND DOG LICENSES, 6.08.020 LICENSE FEES, 6.08.030 TO SPECIAL PERMANENT LICENSE, 6.08.040 TO LICENSE EXEMPTIONS, 6.08.070 REMOVAL OF LICENSE TAG, 6.08.100 IMPOUNDING UNLICENSED DOGS AND/OR CATS, 6.08.110 PENALTY FOR VIOLATION, 3.12.040 MISCELLANEOUS FEES AND CHARGES, AND REPEALING 6.08.060 AND 6.08.090; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 4th day of October, 2007.

Karol Jones
CITY CLERK KAROL JONES, CMC