

**CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON  
ORDINANCE NO. 111**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON ADOPTING  
ANIMAL REGULATIONS IN THE CITY OF LIBERTY LAKE, WASHINGTON.**

**ANIMAL REGULATIONS**

**Section 1. Purpose.**

This Ordinance is enacted for the purpose of regulating ownership of dogs, cats and other pet animals within the City. The fees, charges and penalties collected hereunder shall be used to defray in whole or in part, the expense of such regulation. Donations shall be used for training, education, capital expenditures and animal care or placement.

**Section 2. Animal services director – Appointment – Responsibilities.**

- A. The Mayor may designate the Chief of Police or other City employee as the Animal Services Director who shall be the official in charge of enforcing the animal regulations of the City. The Animal Services Director may appoint Animal Control Officers to assist in carrying out responsibilities under this Ordinance.
- B. Responsibilities. The Animal Control Officer and/or designee shall:
1. Adopt administrative procedures for the licensing and registration of dogs and cats;
  2. Provide for enforcement of the matters set forth in this Ordinance;
  3. Provide for impounding of pet animals in circumstances where there is a violation of this Ordinance;
  4. Provide or arrange for shelter services and authorize the redemption, sale, placement and humane destruction of pet animals so impounded; and
  5. Adopt policies and procedures necessary to implement this ordinance.

**Section 3. Definitions.**

- A. "Abandon" means the act of leaving a pet animal without humane care in such a way that the health or safety of the animal is imperiled.
- B. "Adult pet animal" means a pet animal of either sex, altered or unaltered, which has reached the age of six months.
- C. "At large" means any animal off the premises and outside any vehicle of the owner or custodian of the pet animal and not under control of a person by means of a leash or verbal command.
- D. "Dangerous dog" means a dog that has been declared dangerous by the City. See Section 7.
- E. "Domestic animal" means an animal other than livestock.
- F. "Euthanasia" means the humane destruction of any animal, pursuant to this ordinance.

- G. "Fees" and/or "charges" includes monetary assessments for services such as licensing, adoption, impounding, identification (micro) chipping, transports, euthanasia procedures and other services established by Resolution of the City of Liberty Lake City Council.
- H. "Guard dog" or "attack dog" means any dog which has been trained for or is used for the purpose of protecting persons or property by exhibiting hostile or aggressive behavior or will attack on signal or command.
- I. "Harbors, keeps, possesses, or maintains a pet animal" means providing care, shelter, protection, refuge, food, or nourishment for a pet animal.
- J. "Humane care" means care of a pet animal that includes providing necessary food, water, shelter, rest, sanitation, ventilation, space and medical attention to promote the health and safety of the pet animal.
- K. "Impound" means to take control and possession by authorized officials of any pet animal under this Ordinance.
- L. "Impound facility" means a place authorized by the City for the impoundment, care, placement and humane destruction of dogs, cats and other pet animals.
- M. "Kennel" includes and means the following:
1. "Commercial kennel" means where zoning permits, a place where dogs or cats are kept by persons for breeding with the offspring offered for sale; or where such dogs or cats are received for care, training and boarding for compensation; but not including a small animal hospital, clinic or pet shop where boarding is incidental to treatment.
  2. "Hobby kennel" means where zoning permits, a noncommercial kennel adjoining a private residence where four or more dogs or cats of an age required to be licensed, are bred and/or kept for hunting, training, exhibition for organized shows, field working, obedience trials, or for enjoyment of the species.
- N. "License" means a registration or identification tag issued pursuant to this Ordinance for any dog or cat six months of age or more.
- O. "Livestock" means any horse, mule, cattle, hog, goat, sheep, rabbit, or other animal stock, and shall include chickens, turkeys, ducks, geese and fowl.
- P. "Nuisance pet animal" means a pet animal that:
1. Damages or destroys landscaping or property of another person, including destruction of wildlife that has been purposefully attracted to the person's property;
  2. Soils or defecates on public or private property other than the owner's, unless such waste is immediately removed and properly disposed of by the owner of the pet animal;
  3. Causes unsanitary, dangerous, or offensive conditions;

4. A female dog or cat in estrus not confined within a structure to prevent access of male dogs or cats except for planned breeding;
5. Chases people or vehicles, or molests or interferes with persons or other animals on public or private property other than the owner's property;
6. Habitually or continually disturbs the peace and quiet by unprovoked barking, whining, howling or making any other noise that unreasonably disturbs a person in the enjoyment of property; or
7. Trespasses on private property and the property owner or tenant makes a written complaint to the City.

- Q. "Officer" or "official" means any police officer, animal control officer or other official designated by the City to issue licenses, citations, pick up, impound or restrain, sell, dispose of or give notice of or for any other acts, duties or functions, prescribed by this Ordinance relating to pet animals.
- R. "Owner" means any person(s), including a custodian (or agent), who harbors, keeps, possesses or maintains a pet animal, or the person named on the license/registration record of any animal as the owner. The parent or guardian of an owner under eighteen years of age shall be deemed the owner for the purposes of this chapter.
- S. "Pet animal" means any species of wild or domestic animal sold or retained for the purpose of being kept for pleasure, companionship or utilitarian purposes and not kept as a food source.
- T. "Potentially dangerous dog" means a dog that according to the records of the City has committed serious offenses as more fully set forth in Section 7.
- U. "Restrained" means secured by a leash and under physical control of a person with the strength and judgment to handle the animal, or tethered to a stationary object.
- V. "Severe injury" means any physical injury that results in broken bones or lacerations requiring sutures or cosmetic surgery.
- W. "Sidewalk" means that property between the curb lines or the lateral lines of a roadway, and the adjacent property, set aside and intended for use by pedestrians.
- X. "Sterilized" means the animal is surgically rendered incapable of reproduction by means of castration or an ovario-hysterectomy.
- Y. "Stray animal" means any pet animal found within the City without an apparent owner, custodian or home.
- Z. Common Usage. Words or terms not otherwise defined shall be given their ordinary meaning in the English language.

**Section 4. Licensing and registration requirements.**

- A. Licenses Required. It is unlawful for any person to own, keep or have control of any dog or cat in the City older than six months of age unless a license has been procured for such

animal. Licenses are valid for a twelve-month period from the date of issue. Failure to license a pet is a Class II Civil Infraction punishable by a fine of up to one-hundred twenty-five dollars (\$125.00) under RCW Chapter 7.80.

B. Issuance of Licenses, Tags – Collars. The City or authorized agent shall issue licenses and appropriate identification tags for dogs and cats upon receipt of payment of the applicable license fee. The owner shall ensure that the identification tag is worn by the animal at all times.

1. Supplemental Identification. Upon payment of the appropriate license fee, the owner shall be issued an identification tag, which must be worn by the animal at all times.

2. Lack of Authorized and Current Tag. A dog and/or cat without an authorized and current license tag may be impounded.

C. Annual License Fees. License fees are \$10.00 Altered Dogs; \$28.00 Unaltered Dogs; \$5.00 Altered Cats; and \$18.00 Unaltered Cats. Licensing fees shall be modified by Resolution of the City Council. In establishing the license fee, the Council may consider the number of animals licensed by one owner, the age of the owner, and whether the animal is spayed or neutered and any other applicable criteria.

D. Date Due. Licenses are valid one year from the date of issue and must be renewed prior to their expiration. To the extent, the information is available, renewal notices will be sent out by the City at least thirty (30) days before expiration of the existing license. A failure by the City to send notice of renewal does not relieve an owner from responsibility to license pets in the City. For 2003, individuals who have been a current Spokane County pet license during the period October 2002 through January 2003, must exchange their County license for a City license. No charge will be assessed for the exchange of licenses. All owners who have a County license beyond 4 months shall be charged a pro-rated fees for 2003.

E. Licenses Nontransferable. Licenses shall not be transferable.

F. Hobby and/or Commercial Kennel. The permit fee for a hobby and/or commercial kennel is \$100.00 which may be modified by City Council Resolution.

G. License Fee Exemptions. The following animals are required to be licensed, but are exempt from licensing fees:

1. A professionally trained and certified guide dog owned or in the custody of a blind or partially blind person;

2. A signal dog owned by or in the custody of a deaf person or a person whose hearing is impaired. A "signal dog" shall mean any dog trained to alert a deaf person, or a person whose hearing is impaired, to intruders or sounds;

3. A service dog owned by or in the custody of a physically disabled person. A "service dog" shall mean any dog individually trained to the physically disabled participant's requirements including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items;

4. Police dogs trained and actively assisting in law enforcement operations; and
5. Dogs in training programs sponsored by licensed and approved agencies identified with providing trained animals to disabled individuals or law enforcement agencies.

**Section 5. Regulations and violations relating to pet animals.** Owners are responsible for the control of pet animals and are responsible for the following violations:

- A. Pet Animal At Large. The pet animal is at large; provided this section shall not prohibit the owner and pet animal from participating in an organized show or training, exercise or hunting session in locations designated and authorized for that purpose. Pet animal at large is a Class II Civil Infraction (RCW Chapter 7.80).
- B. Nuisance Pet Animal. The pet animal constitutes a nuisance pet animal. Nuisance pet animal is a Class II Civil Infraction (RCW Chapter 7.80).
- C. Pet Animal on Public Property. The pet animal is on public property such as a public park, sidewalks, streets or school grounds and not on a leash held by a person who is able to maintain physical control, or proper safeguards have not been taken to protect the public and property from injury or damage from said animal, or is in violation of additional specific restrictions which have been posted. Such restrictions shall not apply to guide dogs for the visually impaired or service animals for the physically handicapped or public property specifically designated by the City of Liberty Lake as not requiring a leash. Pet animal on public property is a Class II Civil Infraction (RCW Chapter 7.80).
- D. Keeping of a Dangerous Dog. owner Violation of the provisions relating to keeping, securing or confining of a dangerous dog as set forth in Section 7 shall be a misdemeanor unless otherwise provided in RCW 16.08.100.
- E. Injury to a Person or Animal. A pet animal that causes injury to a person, pet animal or livestock is a misdemeanor.
- F. Accumulation of Feces. Allowing the accumulation of dog and/or cat feces in any open area, run, cage or yard that causes a foul or unreasonably offensive odor to neighboring owners or occupants of property. A violation of this subsection is a Class II Civil Infraction. (RCW Chapter 7.801)
- G. Failure to Remove Fecal Material. A failure to remove pet animal fecal matter when accompanying the pet animal off the owner's property. Such person shall possess and use the equipment or material necessary to remove animal fecal matter. Failure to remove fecal material is a Class II Civil Infraction (RCW Chapter 7.80). Owners of duly licensed guide dogs shall be exempted from this subsection
- H. Failure to Provide Humane Care. A failure to provide a pet animal with humane care in accordance with RCW Chapter 16.52. Failure to provide humane care is a misdemeanor.
- I. Failure to Meet Terms of Quarantine. A failure to accept or to meet the terms of a quarantine notice served pursuant to Spokane County Health Department regulation after an animal has bitten a person. Failure to meet terms of quarantine is a misdemeanor.

- J. Venomous and Constrictor Reptiles. Unless as provided by state law, failure to provide a humane and secure facility for constrictor type reptiles and all venomous reptiles. Escape of any venomous reptile or a constrictor type reptile must be reported immediately to the City. Failure to comply with this subsection constitutes a misdemeanor.
- K. Possession of Sick Animal. Possession or control of any animal sick or afflicted with any infectious or contagious disease with a failure to provide treatment for such infection or disease, or permit such diseased or infected animal to come in contact with other animals, or drink at any public or common water source accessible to other animals. Violation of this section is a misdemeanor.
- L. Offenses Relating to Cruelty and/or Abandonment. The provisions of Chapters 16.52 and 16.54 RCW, as now or hereafter amended, are by this reference adopted as though fully set forth.
- M. Offenses Relating to Sale of Animals. For the purpose of public and consumer safety, it is unlawful for any person to:
1. Sell any animal known to be sick or injured unless the buyer is given, at the time of sale, written notice of the condition of the animal; or
  2. Sell any animal known to be a dangerous dog..
- N. Offenses Relating to Licensing. It is unlawful to:
1. Fail to display conspicuously any current and valid license identification tag on the licensed animal, except as otherwise provided in this chapter;
  2. Fail to show any animal's license upon request of any Animal Control Officer or any Police Officer;
  3. Remove a valid license identification from any dog or cat without owner's consent;
  4. Alter a license in any manner;
  5. Make a false or misleading statement regarding the ownership or right to custody or control of an animal redeemed from, surrendered to, or detained by the City;
  6. Remove any detained animal from the City animal shelter or a City vehicle without the written consent of the Animal Control Officer or other City representative; or
  7. Affix any animal identification tag to an animal for which such tag and license were not issued.

Any violation of the above relating to licensing and registration is a Class II Civil Infraction.

**Section 6. Impoundment and redemption.**

- A. An Animal Control Officer may impound any pet animal in violation of Section 5.
- B. Redemption of Pet Animal. The owner may redeem any pet animal impounded within a 48-hour holding period, excluding Saturdays, Sundays and holidays, from the time of impoundment by paying a fee duly adopted by Resolution of the City of Liberty Lake City Council, and, if the pet animal is not licensed, shall also pay the appropriate fee for a license. Impound fees are in addition to any fine, penalty, or medical fee incurred.
- C. Failure by Owner to Redeem. If the owner of the pet animal can be identified and fails to redeem the pet or sign a release of ownership of the pet animal within the 48-hour holding period, the pet animal will be considered released to the City. The owner will remain responsible for payment of the impound, medical and service fees.
- D. Availability for Adoption. If the pet animal is not redeemed by the owner within 48 hours of impoundment, it will be made available for adoption during the next 48 hours, excluding Saturdays, Sundays and holidays, unless, in the opinion of the Animal Services Director or Director's designee, the animal is unsuitable for adoption, in which case it may be humanely destroyed.
- E. Sick and Injured. All seriously sick or seriously injured pet animals, licensed or not, may be impounded when not in the owner's possession and may be given emergency medical treatment or euthanized. Costs for any medical treatment provided in this manner will be the responsibility of the owner of the pet animal, if known, or, if unknown, of the City. The Animal Services Director or designee shall make all reasonable efforts to locate and notify the owner of the pet animal's impound and condition.
- F. Abandoned Pet Animals. Officers are empowered to impound any pet animal found abandoned within any building, establishment, or property, whether public or private. Litters of puppies and kittens under three months of age brought to or left at the animal shelter may be made available for adoption, placed in foster care or euthanized immediately at the discretion of the City.
- G. Humane Destruction. If any pet animal is not redeemed or adopted at the end of a 96-hour holding period from the time it was impounded, it may be euthanized.
- H. Notification of Owner. Upon any pet animal being impounded, the City shall, as soon as feasible, notify the owner of the impoundment of the pet animal, and the terms required for the pet animal's return to the owner. Notification may be by telephone, or by other means appropriate for the circumstances, and shall include a description of the pet animal, the reason for impoundment, the general location where the animal was found, and the date when the impound occurred, and shall advise the owner that the pet animal may be placed for adoption or euthanized by the City unless redeemed within the time limits provided in this section.
- I. Implant of Microchip. All dogs impounded by the City of Liberty Lake may be implanted with an identifying microchip prior to release. Associated fees for the implant shall be paid upon adoption or release of the impounded animal to its owner. Fees for this service shall be \$25.00 and may be modified by Resolution.
- J. Voluntary Release.

1. Any owner desiring to relinquish his or her ownership of a pet animal may notify the City and, upon signing a consent and release of liability form, the pet animal may be made available for adoption immediately, or retained at the shelter, on a space-available basis, for up to the 96-hour holding period provided for impounded pet animals. The owner will be responsible for all shelter fees and euthanasia, if necessary.

2. Any owner desiring to have a pet animal euthanized may notify the City. If the pet animal is adoptable in the opinion of the City, the owner shall be counseled and urged that the pet animal first be made available for adoption. Only upon the written request of the owner and upon the owner signing a consent and release of liability form, will the City accept the animal. The owner shall pay costs of boarding.

K. Any dangerous or potentially dangerous dog that is in violation of the restrictions contained in City Ordinance or of restrictions imposed as part of a declaration of dangerous or potentially dangerous dog, may be seized and impounded at the expense of the owner.

**Section 7. Potentially dangerous dog or dangerous dog.**

A. Classification. The Animal Services Director or designee shall have authority to classify potentially dangerous dogs and dangerous dogs. The Animal Services Director may find and declare an animal potentially dangerous or dangerous if there is probable cause to believe that the animal's action falls within the descriptions that follow. The finding must be in writing and based upon personal observations and testimony that the dog has acted in a manner, which may cause it to be classified as a dangerous dog or a potentially dangerous dog.

B. A dog shall be declared potentially dangerous if, unprovoked, it:

1. Inflicts bites on a person or a pet or domestic animal either on public or private property;
2. Chases or approaches a person upon the streets, sidewalk or any public grounds in a menacing fashion or apparent attitude of attack; or
3. Has a known propensity to attack unprovoked, or to cause injury or otherwise to threaten the safety of humans or pets or domestic animals.

C. A dog shall be declared dangerous when, according to the records of the City, the dog has:

1. Inflicted severe injury on a person without provocation on public or private property;
2. Killed a pet or domestic animal without provocation while off the owner's or keeper's property; or
3. Aggressively bitten, attacked or endangered the safety of humans or pets or domestic animals after previously having been found to be potentially dangerous, and the owner or keeper has received written warning.

D. A dog shall not be declared potentially dangerous or dangerous if:

1. The threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the property occupied by the owner of the dog;
2. The person was tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have tormented, abused or assaulted the dog;
3. The person was committing or attempting to commit a crime;
4. Another pet animal or domestic animal had entered the property of the owner of the dog without invitation; or
5. The dog, when on a leash, is responding to attack by another pet or domestic animal whether on or off the owner's property.

E. Declaration as Potentially Dangerous Dog.

1. The declaration of potentially dangerous shall be in writing and shall be served on the owner in one of the following methods:
  - a. Certified mail to the owner's last known address;
  - b. Personally; or
  - c. If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.
2. The declaration shall state:
  - a. The description of the dog;
  - b. The name and address of the owner of the dog;
  - c. The location of the dog if it is not in the custody of the owner;
  - d. The facts upon which the declaration of potentially dangerous dog is based and how to avoid the animal being declared dangerous;
  - e. The restrictions placed on the dog as a result of the declaration of potentially dangerous dog; and
  - f. Penalties for violation of the restriction, including the possibility of destruction of the dog.
3. Within 14 days of the City serving a potentially dangerous dog declaration, the owner may request a hearing. The hearing shall be held within 14 days of the receipt for request for hearing unless it is continued for good cause. The City shall notify the owner of the date, time and place for the hearing. The Animal Services Director shall hold a hearing to receive information on the declaration and shall issue an order within five days from the date of hearing. For the purpose of conducting the hearing set forth in this section, the City designates the Chief of Police. The decision of the Chief of Police may be appealed to the Liberty Lake City Council. An appeal must be filed within 10 days of the decision by the Chief of Police with the decision of the Liberty Lake City Council being final with no further appeal.

F. Control and Confinement of Potentially Dangerous Dog:

1. The dog must be securely leashed and under the control of a person physically able to control the animal when away from the property of the owner; or
2. While on the property of the owner securely restrained by means of a physical device or structure such as a tether, trolley system or other physical control device to humanely confine the dog in a manner which prevents escape from the property.

G. Declaration of Dangerous Dog.

1. The Declaration of Dangerous Dog shall be in writing and served on the owner as set forth in Subsection E1 above.

2. The Declaration (or notice) shall state the alleged violation; the reason(s) the City considers the animal dangerous; a statement that the dog is subject to registration and controls as set forth in subsection G of this section; and an explanation to the owner of the rights and procedure for appealing the dangerous dog decision.

a. The notice shall inform the owner that there is an opportunity to meet with the City where the owner may provide orally or in writing reasons or information why the dog should not be declared dangerous. The notice shall state the date, time and location of the meeting with the City which shall be held prior to the expiration of 15 days following delivery of the notice to the owner. The owner may propose an alternative meeting, date and time provided the meeting is scheduled within the 15 day time period.

b. After a meeting between the owner and the City, the City must issue its final determination, in the form of a written order, within 15 calendar days from the date of the meeting. In the event the City declares a dog to be dangerous, the order shall include a recital of the authority for the action, a brief statement of the facts that support the dangerous dog determination and the signature of the person who made the determination. The order shall be sent by regular and certified mail, return receipt requested or delivered in person to the owner at the owner's last known address. For purposes of providing notice, holding a meeting and issuing orders on dangerous dogs, the City hereby appoints the Police Chief.

3. A dangerous dog determination may be appealed administratively to the City Hearing Examiner. An appeal must be made within 20 days of receiving the final dangerous dog determination from the City. During the pendency of the appeal, the City may order that the dog be confined and controlled by requiring that the dog be restrained in a proper enclosure unless when outside an enclosure the dog is muzzled and restrained by a substantial chain or lease and under the physical restraint of a responsible person. If, during the pendency of the appeal, the dog is confined by the City or its agent, the owner must pay all costs of confinement.

a. Before the Hearing Examiner, the records of the City and any supplemental material shall be admissible to prove the dog is a dangerous dog. The owner or keeper of the dog may present evidence and examine witnesses with the City having the burden to prove by a preponderance of the evidence that the dog is dangerous. The Hearing Examiner shall issue a final decision based upon the record and evidence including an order to register the dog as dangerous.

H. Certificate of Registration as Dangerous Dog. The Animal Services Director shall, issue a certificate of registration to the owner of a dangerous dog. This certificate shall state the conditions under which the dangerous dog may be kept to include:

1. Dangerous dogs must be securely muzzled and leashed and under the control of a person physically able to control the dog if the dog is away from the property of the owner;
2. While on the property of the owner , the dog must be securely confined inside a locked building, kennel, pen, or other structure having secure sides, bottom, and top, suitable to prevent the entry of young children and designed to prevent the animal from escaping;
3. The posting of the property with a clearly visible warning sign that there is a dangerous dog on the property;
4. A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW, in a form acceptable to the Animal Services Director in the sum of at least \$250,000, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurer qualified under RCW Title 48 in the amount of at least \$250,000, insuring the owner for any injuries inflicted by the dangerous dog;
5. Such other identifying information as may be required by the Animal Services Director;
6. Certification that the owner is aware of and understands the nature of the dog and the provisions of the law which apply to it; and
7. Payment of an annual registration fee of \$100.00 which may be modified by Council Resolution.

I. Dangerous Dog Confiscation. Any dangerous dog shall be immediately confiscated by the City if the: (1) dog is not registered under this ordinance; (2) owner fails to obtain or keep in force the bond and liability insurance required under this ordinance; or (3) the dog is not maintained in accordance with the certificate issued by the City. The owner shall pay all costs of confinement and control. Upon confiscation by the City, a notice shall be served upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for confiscation of the dangerous dog including that the owner is: (1) responsible for payment of the cost of confinement and control; and (2) that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated or not corrected within 20 days. In addition, the owner is guilty of a gross misdemeanor punishable in accordance with RCW 9A.20.021.

J. Other Dangerous Pet Animals. The Animal Services Director or designee shall have authority to classify other pet animals as dangerous under the same criteria as used in this section for dogs. Such designation will be based on specific actions by the animal such as those noted in subsections B and C of this section and the Animal Services Director or designee shall have authority to require the owner or keeper of such pet animal to take certain actions to control or confine the pet animal. Once a pet animal has been declared potentially dangerous or dangerous, any violations of the provisions of this section will be handled in the same manner as violations under Section 7.

- K. Under special circumstances and subject to the restrictions of Chapter 16.08 RCW, the owner may be allowed to permanently remove the dog from the City.

**Section 8. Interference with officer.**

It is unlawful for any person to interfere with, hinder, delay or impede any Animal Control Officer attempting enforcement of any provision of this Ordinance, if such officer be in uniform, or after such officer shall have first orally identified himself or herself as an officer; provided, however, that in the event an animal be impounded or a citation issued to such person, the officer shall display proper identification to such person prior to removing the animal or issuing such citation. A violation of this section is a misdemeanor.

**Section 9. Unlawful Release of Pet Animal.**

No person other than the owner or an officer acting in an official capacity shall release a pet animal from any enclosed area within which the animal is properly restrained or from any restraining device such as a leash (unless the pet animal is in clear distress). Unlawful release of a pet animal is a misdemeanor.

**Section 10. Inoculation required.**

All dogs and/or cats in the City shall be inoculated to immunize from the disease known as rabies. The owner of each dog and/or cat so inoculated shall cause the dog and/or cat to wear a tag furnished by the veterinarian inoculating such dog and/or cat, which tag shall indicate the place and date of such inoculation. The City shall not issue a license for any dog or cat until the owner shall have furnished proof of inoculation.

**Section 11. Prohibited on sidewalks.**

No person shall ride, walk or in any manner permit any horse to be upon any sidewalk in the city. A violation of this section is a Class II Civil Infraction. (RCW Chapter 7.80)

**Section 12. Unlawful to be at large.**

Unattended livestock shall not be allowed to run at large in the streets or public places of the City. A violation of this Section is a Class II Civil Infraction. (RCW Chapter 7.80)

**Section 13. Redemption of livestock.**

The owner of any impounded horse, cow, sheep, goat or other livestock may redeem it within 72 hours from the time of its impoundment subject to the following conditions:

- A. Payment of impound fees as established by Resolution of the City Council.
- B. In the case of a horse, cow for which special transportation has been utilized, payment of a transportation fee as set by Resolution of the City Council.

**Section 14. Sale – Notice required.**

Any impounded livestock not claimed and released upon receipt of the required payment shall, at the expiration of 72 hours, be sold at public auction. Notice of auction shall be published in the city's official newspaper at least 10 days preceding the auction and shall include the time, place and a description of the animal. If the name of the owner is known, the notice shall include that information and a copy of the notice shall be served upon the owner at least one day before the sale.

The City shall deduct from the proceeds of sale all expenses incurred in feeding, transporting and caring for the animal, along with any expenses associated with advertising or conducting the sale of the animal. Funds remaining, if any, shall be deposited in the general fund for animal control purposes.

**Section 15. Repeal.**

This City hereby repeals Ordinance No. 28 duly adopted on July 31, 2001 by the City Council of the City of Liberty Lake in its entirety.

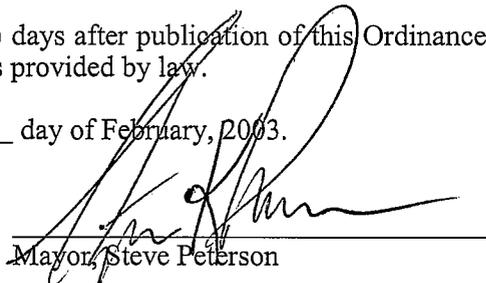
**Section 16. Severability.**

If any section, sentence, clause or phrase of this ordinance shall 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 17. Effective Date.**

This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

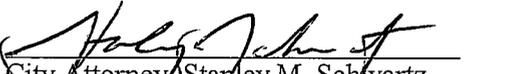
PASSED by the City Council this 4<sup>th</sup> day of February, 2003.

  
\_\_\_\_\_  
Mayor, Steve Peterson

ATTEST:

  
\_\_\_\_\_  
City Clerk-Treasurer, Arlene Fisher

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney, Stanley M. Schwartz  
Date of Publication: 2/12/03  
Effective Date: 2/18/03