The Basics of Pet Ownership in Ocean Shores

All dogs and cats over six months of age, residing in the City of Ocean Shores, **MUST** be licensed with the city. Licenses can be purchased at the Ocean Shores Police Department; 577 Point Brown Ave. NW.

At the time of licensing all outstanding impound and boarding fees must be paid in full and you must provide proof of current rabies vaccination.

License Fees: ***(Exhibit A*** *- Ordinance 1133: OSMC 06.04.020****)***

Altered Dog:	$15 annually or $30 for 3-year*
Unaltered Dog:	$45 annually or $110 for 3-year*
Altered DANGEROUS Dog:	$25 annually or 62.50 for 3-year*
Unaltered DANGEROUS Dog:	$100 annually or $250 for 3-year*
Altered Cat:	$15 annually or $30 for 3-year*
Unaltered Cat:	$45 annually or $110 for 3-year*

*** Must provide proof of 3-year rabies vaccination.**

- There is a leash law in the City. Your dog **MUST** be on a controlled leash or on your property.
- Your dog cannot run at large. At large means off the premises of the owner and not under the immediate control of the owner or other competent person by leash, cord, or chain not to exceed eight feet in length. ***(Exhibit A*** *– Ordinance 1133: OSMC 6.04.030)*
- Dogs can be off leash on the beach between the Taurus Beach Approach and the Butterclam Beach Access as long as they are under the custody and control of their owners.
- Dogs left outside for more than three (3) hours MUST have access to shelter that is moisture proof and wind proof. ***(Exhibit A*** *- Ordinance 1133: OSMC 63.04.110)*
- Pet owners are allowed a maximum of three (3) dogs and/or cats, or a combination of both. ***(Exhibit A*** *- Ordinance 1133: OMSC 6.04.080)*
- **LOST** or **FOUND** pets? Call the Grays Harbor Dispatch Center at 360-533-8765
- Nuisance pets are subject to citations in compliance with Ocean Shores Municipal Code. ***(Exhibit A*** *- Ordinance 1133: OSMC 6.04.031)*

OCEAN SHORES ANIMAL LICENSE

☐ Altered Dog ☐ Unaltered Dog ☐ Altered Cat ☐ Unaltered Cat

☐ Altered DANGEROUS Dog ☐ Unaltered DANGEROUS Dog

Owner Information:

Last Name: _____ First Name: _____ MI_____

Address (street and mailing): _____

_____

City: _____ State: _____ ZIP: _____ Date of Birth: _____

Phone: _____ Work/Cell: _____

Pet Information:

Name: _____ Breed: _____ Color: _____

Size: ☐ Toy (under 12 lbs) ☐ Small (12-22 lbs) ☐ Medium (22-57lbs)

☐ Large (57-99 lbs) ☐ Very Large (over 99 lbs)

☐ Male ☐ Female Age (date of birth if known): _____

Microchip Company: _____ Chip Number: _____

I certify that all the above information I provided is true and accurate. I understand that any false statements made on this application pertaining the current rabies vaccination of my pet are subject to penalty under Ocean Shores Municipal Code 6.04.130 *(Ordinance 969)*

Signature: _____ Date: _____

FOR OFFICIAL USE ONLY

Proof of Rabies Provided? ☐ Yes ☐ No

Proof of Neuter/spay Provided? ☐ Yes ☐ No

License Number: _____ License Issued: _____ License Expiration: _____

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Who would take care of your pets in the event of an emergency?

Who would take care of your pets if you were hurt and unable to do so? To make sure vital information regarding your pet is easily accessible to others, take a few moments to fill out this emergency information sheet.

List two or three people as contacts in case of emergency. Include the contact's name, address and phone number. Make sure at least one of the contacts has a set of your house keys.

You may also want our attorney to draft a written statement, which gives immediate custody of your pet to a designated individual with that individual's consent. Notify that individual of their responsibility, and put their name, address and phone number on your emergency information sheet.

Attach a recent photo of your pet to the information sheet to help others locate your pet if it should wander off.

Put the information sheet on your refrigerator, or other prominent spot in your house. You may also want to keep similar information in your wallet. If you are unable to care for your pet due to an accident or emergency, someone will be able to follow the instructions on the sheet to provide necessary care.

All pets in the City of Ocean Shores are to be registered annually per Ocean Shores Municipal Code 6.04.3020. You may include a copy of this information sheet when turning in your registration.

Emergency Pet Information

Pet's Name: _____

☐ Male ☐ Female Date of Birth/Age: _____

Spayed/Neutered? ☐ Yes ☐ No Microchip? ☐ Yes ☐ No

City of Ocean Shores Pet License? ☐ Yes ☐ No

Species (dog, cat, etc): _____

Breed: _____ Color/Markings: _____

_____

Attach a recent photo of your pet

Veterinarian: _____ Phone Number: _____

Address: _____

Pet's Diet, Allergies and Medication instructions: _____

_____

Location of food, dishes, medications, treats: _____

_____

The following people will care for my pet in case of an emergency

Name: _____ Number: _____

Email: _____

Name: _____ Number: _____

Email: _____

Special Instructions: _____



Pet Emergency Preparedness Kit



Do you have an emergency preparedness plan for your pet? Planning ahead doesn't cost anything, but it can help keep you and your family safe during an emergency. Use this guide to make an effective plan for your pet.

Step 1: DOCUMENTS

Gather important information, store hard copies in a safe space with this checklist.

- ☐ Photocopied veterinary records
- ☐ Rabies Certificate
- ☐ Microchip Information (ex: microchip number, name and number of microchip company):

_____

- ☐ Vaccination Record
- ☐ Medical Summary
- ☐ Prescriptions for Medications
- ☐ Most recent heartworm test result (dogs)
- ☐ Most recent FeLV/FIV test results (cats)
- ☐ Photocopied registration information (ex: adoption records or proof of ownership)
- ☐ Pet descriptions (name, breed, sex, color and weight):

_____

_____

_____

- ☐ Recent photographs for each pet
- ☐ Waterproof container for documents
- ☐ Important contact information (name, phone and address)

_____

_____

_____

Step 2: FOOD, WATER, and MEDICATIONS

Put together a kit with these essential items. Keep it ready to go in case you have to leave quickly.

- ☐ 2-week supply of food for each animal (stored in waterproof containers)
- ☐ 2-week supply of water for each animal
- ☐ Non-spill food and water dishes
- ☐ Manual can opener
- ☐ Feeding instructions for each animal
- ☐ 2-week supply of any medications (if applicable)
- ☐ Medication instructions (if applicable)
- ☐ One month supply of flea, tick, and heartworm preventative



Step 3: OTHER SUPPLIES

Finish your kit by adding other important items

- ☐ Leash, collar with ID, and harness
- ☐ Toys
- ☐ Appropriate-sized pet carrier, with bedding, blanket or towel
- ☐ Pet first aid book and first aid kit
- ☐ Cleaning supplies for accidents (paper towels, plastic bags, and disinfectant)
- ☐ Litter box and litter (cats)

CITY OF OCEAN SHORES WASHINGTON

CITY OF OCEAN SHORES, WASHINGTON

ORDINANCE NO. 1133

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEAN SHORES, WASHINGTON, AMENDING SECTIONS 6.04.020, 6.04.040, 6.04.055, 6.04.060, 6.04.062, 6.04.065, 6.04.110, and 6.04.160 OF THE OCEAN SHORES MUNICIPAL CODE, RELATING TO NON PROFIT DESIGNEE, LICENSING, IMPOUNDMENT, ADOPTION PROCEDURES AND FEES, AND CONFINEMENT OF ANIMALS WITHIN THE CITY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, in the interest of the safety of our citizens and visitors, it is desirable to amend the regulations regarding animals within the City of Ocean Shores to better serve the public; and

WHEREAS, the city aim to transfer responsibilities and operation of the municipal kennel to a non-profit; and

WHEREAS, authority for administrative actions needs to be designated; and

WHEREAS, Ocean Shores Municipal Code Chapter 6.04 provides for certain fees and charges relating to the regulation of animals within the city

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OCEAN SHORES, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. **AMENDEDMENT** Chapter 6.04 of the Ocean Shores Municipal Code is hereby amended to read as follows:

6.04.010 Definitions.

As used in this chapter, the following terms shall mean:

“Abandoned animal” means an animal which is either dropped off, left in the street, road, highway, or on any other public or private property; or an animal which is placed in the custody of a veterinarian, boarding kennel owner, or any person or facility for treatment, board or care; and

1. The animal is not removed within seventy-two (72) hours after notice to remove the animal has been given to the person who placed the animal in such custody or having been so notified, the person depositing the animal refuses or fails to pay agreed-upon or reasonable charges for the treatment, board, or care of such animal; or

2. The animal is not removed at the end of the seventy-two (72) hours or the person depositing the animal refuses to pay agreed upon or reasonable charges for the treatment, board, or care of such animal.

“Animal control authority” means any police officer and any person or association appointed or authorized by the mayor to enforce the provisions of this chapter.

“Animal shelter” means any animal control facility operated by a municipal agency, a nonprofit animal rescue organization or other contracted association designated and/or authorized to impound and care for animals held under the authority of this chapter and/or state law.

“At large” means off the premises of the owner and not under the immediate control of the owner or other competent person by leash, cord, or chain not to exceed eight feet in length.

“Control and confinement of a dangerous dog” means the dog:

1. Must be securely muzzled in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal and must be securely leashed and under the control of an adult person eighteen years or older physically able to restrain and control the dog if the dog is away from the premises of the owner or keeper; or

2. While on the premises of the owner or keeper, 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 or their being able to place any portion of their anatomy so as to expose it to the risk of attack by the dog and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog. The owner shall post his premises with a clearly visible warning sign advising there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog; and

3. Must be in conformance with any other restrictions which may be set forth in the designation classifying the dog as dangerous.

“Dangerous dog” means any dog that:

1. Without provocation, inflicts severe injury on a human being on public or private property; or
2. Without provocation, inflicts severe injury on or kills a domestic animal, or other animal protected by federal, state, or local rules, while off the owner’s or keeper’s property; or
3. Having been previously found to be potentially dangerous, and the owner having received notice of such, the dog again, without provocation, aggressively bites, attacks, or endangers the safety of humans, domestic animals, or other animals.

“Exotic animal” means an animal of foreign origin and that is not native by birth to this community or not normally tamed and bred for the companionship of humans.

“Foster care provider” means an individual providing foster care at his or her place of residence as an agent or designee of the Ocean Shores Kennel, a bona fide animal shelter or a nonprofit animal rescue organization. The organization shall provide said individual with documentation identifying the individual as the organization’s authorized foster care provider. The foster care provider shall assume full responsibility for keeping animals in his or her care from becoming a public nuisance as defined in this section, and shall provide the animals with the proper care as described in Section 6.04.110. No dog or cat shall remain in foster care for more than six months. Any dog or cat remaining in foster care for over six months shall lose its foster care animal status and shall be subject to the licensing and requirements set forth in Sections 6.04.020 and 6.04.080.

“Harbor” means to have an animal which remains on one’s premises, and/or the presumption of ownership of an animal by an occupant of any premises on which the animal remains or to which it customarily returns daily for food and care.

“Impoundment” or “impound” means taking physical control of an animal by the animal control authority. The moment said authority is in physical control of an animal, the animal is considered impounded and subject to the impoundment fee and owner requirements.

“Kennel” means an establishment wherein a person engages in the business of boarding, breeding, buying, training for free, or a premises where a total of four or more dogs and/or cats over six months of age are harbored.

“License tag” means the City license tag number issued in conjunction with the proof of rabies vaccination pursuant to WAC 246-100-197.

“Livestock” means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, and any other farm-type animals.

“Nuisance” means, without provocation, excessive barking or other oral noises which unreasonably disturb person(s) or a neighborhood; chasing vehicles; depositing excretory matter on property other than that of the owners; damaging property; running at large; and any potentially dangerous dog.

“Owner” means a person having a right of possession to an animal or a person having control, custody, or possession, or a person who harbors an animal, with the exception of veterinary hospitals.

“Potentially dangerous dog” means any dog which, without provocation:

1. Inflicts bites on a human or domestic animal or other animal protected by federal, state, or local rules; or
2. Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or
3. Any dog with a known propensity, tendency, or disposition to attack, causes injury or otherwise threatens the safety of humans or domestic animals or other animals protected by federal, state, or local rules, while off the owner’s property.

“Poultry” means domesticated birds kept and raised for eggs and/or meat.

“Provocation” includes but is not limited to taunting, teasing, willfully causing undue pain, and/or unlawful entry upon or into the property of the owner or keeper.

“Severe injury” means any physical injury, including but not limited to broken bones, punctures, bites, and/or lacerations causing scarring, and/or requiring sutures or cosmetic surgery.

“Wild” means an animal that generally lives in its original natural state and is not normally domesticated.

6.04.015 Dangerous and/or potentially dangerous dogs—Declaration, service, and administrative appeal process.

A. When the animal control authority has determined that a dangerous or potentially dangerous dog exists, the animal control authority shall prepare a dangerous dog declaration or a potentially dangerous dog declaration. The declaration shall be in writing and shall be served on the owner by means of personal service, or by regular mail and certified mail, return receipt requested, to the owner’s last known address.

B. If the owner of the animal wishes to contest the dangerous dog declaration, the following procedures shall apply:

    1. Within ten days of receipt of the declaration, the owner or harborer shall request a hearing before the Ocean Shores Municipal Court. The owner’s

failure to exhaust this administrative appeal process shall bar any further action by the owner.

a. If it is found, by a preponderance of the evidence, that the declaration has been proven, then the declaration shall be affirmed.

b. If it is found, by a preponderance of the evidence, that the declaration has not been proven, the declaration shall be dismissed. In the event of a dismissal, no costs shall be assessed against the city, animal control authority or officer.

6.04.020 Licensing.

A. All adult cats and dogs harbored or maintained within the city shall be licensed and registered annually, or within thirty days of acquisition by the owner, or within thirty days of being moved into the city, whichever occurs later. Licenses will be issued through the Ocean Shores police department or designee. There is established a rebuttable presumption that the purchaser of such license is the owner of the animal identified in the license application. Proof of current rabies vaccination must be shown before a license will be issued to the owner.

B. Owners or users of seeing eye, guide or services dogs; are required to comply with WAC 246-100-197 Rabies-Measures to prevent human disease.

C. The following dogs and cats are the only domestic animals excluded from the licensing requirements:

1. Those owned by nonresidents who are temporarily within the city less than thirty days;

2. Dogs and cats brought into the city for the express purpose of participating in a show;

3. Licensed pet stores harboring dogs and cats for the purpose of sale.

D. License Tags Issued—Fees. Upon payment of the appropriate license fee and proof of rabies vaccination as set forth herein, the animal control authority shall record the license tag number. The owner shall cause the license tag to be worn by the animal. Tags are not transferable from one animal to another. At the time of application, the owner must present a licensed veterinarian's certificate confirming that the animal has been vaccinated against rabies for that period. The following fees shall be paid for licenses required by this chapter purchased directly from the city. An additional handling fee may be charged by city designees authorized to issue such licenses.

1. Neutered (altered) male and spayed (altered) female dogs: fifteen dollars for an annual license or thirty dollars for a three-year license;

2. Unaltered male or female dogs: forty-five dollars for an annual license or one hundred and ten dollars for a three-year license;

3. Altered male or female cats: fifteen dollars for an annual license or thirty dollars for a three-year license;

4. Unaltered male or female cats: forty-five dollars for an annual license or one hundred and ten dollars for a three-year license;

5. Unaltered dangerous dog: one hundred dollars for an annual license or two hundred fifty dollars for a three-year license;

6. Altered dangerous dog: twenty-five dollars for an annual license or sixty-two dollars and fifty cents for a three-year license.

E. Replacement Tags. The owner of a licensed dog or cat whose current license tag has been lost may obtain a replacement from an authorized provider and record the new license tag number for a fee of three dollars.

F. Renewal Deadline. The owner of a licensed dog or cat must submit proof of rabies vaccination at the time of license renewal. If an animal license is not renewed withing 60 days following its expiration a penalty will be accessed in the amount of thirty dollars per animal, per annum.

G. Animals that have lifetime licenses issued prior to the effective date of the ordinance codified in the year 2016 in this section shall require no further payment but must still report any subsequent license tag numbers to the Ocean Shores police department or designee.

6.04.025 Dangerous dogs—Registration.

A. It is unlawful for an owner to have a dangerous dog in the City of Ocean Shores without a certificate of registration issued under this section.

1. The owner of a declared dangerous dog shall have twenty days from the date the dog is declared dangerous to meet the requirements of this section and obtain a dangerous dog registration. Should the owner of a declared dangerous dog fail to meet these requirements within twenty days from the date the dog is declared dangerous the dog shall be destroyed in an expeditious and humane manner by the animal control authority. Owner shall be responsible for all costs of destroying the dog.

B. The animal control authority shall issue a certificate of registration to the owner of such animal if the owner presents to the animal control officer sufficient evidence that:

1. The dog is properly confined as provided in Section 6.04.010, Definitions;

2. A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW in a form acceptable to the animal control authority in the sum of at least two hundred fifty thousand dollars, payable to any person injured by the dangerous dog; or

3. A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under RCW Title 48 in the amount of at least two hundred fifty thousand dollars, insuring the owner for any personal injuries inflicted by the dangerous dog.

C. There shall be a fee of one hundred dollars for the issuance of a certificate of registration for a dangerous dog.

D. A certificate of registration for a dangerous dog shall be valid for one year and must be renewed upon expiration. Renewal will require meeting the requirements set forth above at subsection (B) of this section.

E. Failure to register a dangerous dog as set forth in this section shall be a Class A offense.

F. Failure to maintain valid insurance or surety bond during the period of a dangerous dog registration shall be a Class A offense.

6.04.030 Running at large prohibited.

With the exception of domestic cats, no animal of any kind shall be permitted to run at large during any hours of the day or night, except in those areas designated by the City as "dog park areas" or designated by the animal control authority as "dog training areas," and so long as dogs in such areas are under the custody and control of their owners. Certified police department dogs (K-9s) shall be exempted from this provision when under the control and supervision of their handlers.

6.04.031 Nuisance animals.

No owner or person having the care, custody or control of an animal shall allow it to become a nuisance as defined in Section 6.04.010.

6.04.040 Wild or exotic animals.

No person shall have, keep, or maintain in any area of the city a live monkey (nonhuman primate), lion, tiger, bear, mountain lion (a.k.a. cougar), fox, lynx, poisonous reptile or serpent, or any other dangerous, carnivorous, wild, exotic animal, fish, reptile or any hybrid thereof. Any such animal, fish, reptile, or any hybrid thereof may be immediately and permanently impounded.

A. Violation of this section is a Class B offense.

6.04.050 Rabies—Quarantine.

A. In addition to and notwithstanding any other provisions of this chapter, whenever any person has been bitten by any owned or harbored animal and there is no reason to suspect that the animal is rabid, at the discretion of the local health officer or animal control officer, the animal involved may be restricted for ten days of observation in

such manner as to prevent contact with other animals or persons except for the caretaker.

B. The department of health or animal control authority may, if there is reason to believe the animal may be rabid, order the animal surrendered to an animal shelter or veterinary hospital. The cost of any such confinement shall be paid by the owner or person having custody of that animal.

C. No person shall knowingly allow an animal confined under the provisions of this chapter to escape, to be sold, to be given away, or otherwise to allow disposal of such animal before the expiration of the quarantine period.

6.04.055 Impounded animals.

An animal impounded pursuant to Sections 6.04.030 and 6.04.031 of this chapter shall be held for the owner for at least seventy-two hours. Any animal suffering from serious injury or disease or an animal which displays feral behavior may be humanely destroyed by euthanasia prior to the expiration of said seventy-two-hour period.

6.04.060 Impoundment procedures.

A. Notice of Impoundment. When any animal is impounded which possesses a license tag or other identification giving the name, address, and telephone number of its owner, the animal control authority or designee non-profit shelter/rescue shall attempt to give notice to the owner at the address contained in the license application or by telephone and inform him/her of the impoundment of said animal and the reason therefor. It shall be the entire responsibility of the owner to ascertain that the animal has been impounded, and to take measures as needed to redeem said animal. Neither the city nor the officer or agent of the city shall be responsible for failing to notify an owner under this chapter.

B. Redemption of Animals- Requirements

    1. Payment of an impound fee of any dog or cat held more than six hours will be assessed at thirty dollars, and a boarding fee at the rate of thirty five dollars per day, to be paid prior to redemption of animal;

    2. Application for issuance of a valid license. Which must be obtained at the Ocean Shores Police Station.

    3. Acceptance of any citation issued for violation of the provisions of this chapter; provided, that acceptance of the citation shall not be deemed an admission of guilt by the cited party.

C. Any animal impounded three or more times in any twelve-month period shall be fined one hundred dollars in addition to the standard impound fees and fifty dollar boarding fee.

6.04.062 Dangerous dogs—Confiscation—Conditions—Duties of animal control authority—Penalties and affirmative defenses for owners of dogs that attack—Dog fights, penalty.

A. Any declared dangerous dog shall be immediately confiscated by the animal control authority if the:

1. Dog is not validly registered under Section 6.04.025;
2. Owner does not secure or maintain liability insurance coverage required under Section 6.04.025;
3. Dog is not maintained in the proper enclosure as defined in Section 6.04.010; or
4. Dog is outside of the dwelling of the owner, and not under control or confinement as defined in Section 6.04.010.

The owner must pay the costs incurred by the designee non-profit shelter/rescue for confinement and control. The animal control authority must serve notice upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for the confiscation of the dangerous dog, that the owner is responsible for payment of the costs of confinement and control, and that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within twenty days. In addition, the owner shall be guilty of a Class A offense.

B. The owner of any dog, not previously declared a potentially dangerous dog or dangerous dog, that aggressively attacks, causing severe injury to a domestic animal, while off the owner's property, shall, upon conviction, be guilty of a Class C offense.

1. Any dog that attacks in violation of this subsection (B) shall be immediately impounded by the animal control authority and held pending the dog being declared a dangerous dog and the owner meeting the requirements for possession of a dangerous dog. Owner shall pay all costs for impounding the dog.

C. The owner of any dog, not previously declared a potentially dangerous dog or dangerous dog, that aggressively attacks and causes severe injury of any human, shall, upon conviction, be guilty of a Class A offense. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the human severely injured by the defendant's dog: (1) trespassed on the defendant's real or personal property; or (2) provoked the defendant's dog without justification or excuse.

1. Any dog that attacks in violation of this subsection (C) shall be immediately impounded by an animal control authority, quarantined and held pending the dog

being declared a dangerous dog and the owner meeting the requirements for possession of a dangerous dog. Owner shall pay all costs for impounding the dog.

D. If a declared potentially dangerous dog of an owner attacks or bites a person or another domestic animal, the dog's owner is guilty of a Class B offense. If a declared potentially dangerous dog of an owner attacks or bites a person or another domestic animal, causing severe injury, the dog's owner is guilty of a Class A offense.

    1. Any dog that attacks in violation of this subsection (D) shall be immediately impounded by the animal control authority and held pending the dog being declared a dangerous dog and the owner meeting the requirements for possession of a dangerous dog. Owner shall pay all costs for impounding the dog.

E. If a declared dangerous dog of an owner attacks or bites a person or another domestic animal, the dog's owner is guilty of a Class A offense. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that he or she was in compliance with the requirements for ownership of a dangerous dog pursuant to this chapter and the person or domestic animal attacked or bitten by the defendant's dog trespassed on the defendant's real or personal property or provoked the defendant's dog without justification or excuse. In addition, if the affirmative defense is found insufficient, the dangerous dog, if not already in the custody of the animal control authority, shall be immediately confiscated by the animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner. Owner shall pay all costs for impounding and destroying the dog.

F. The above shall not preclude the owner of any dog that aggressively attacks and causes severe injury, as defined by RCW 16.08.070(3) or as may be amended or recodified, or the death of any human, whether or not the dog has previously been declared potentially dangerous or dangerous, from prosecution under RCW 16.08.100(3), or as may be amended or recodified a class C felony punishable in accordance with RCW 9A.20.021, or as may be amended or recodified.

6.04.065 Adoption procedures—Fees.

A. Animals held for more than seventy-two (72) hours, and not redeemed by the owner will become the property of the city. If, in the discretion of the impounding authority, the animal is adoptable, the following adoption fees shall apply:

    1. Unaltered dog: one hundred twenty dollars;

    2. Altered dog: eighty dollars;

    3. Unaltered cat: fifty dollars;

    4. Altered cat: twenty-five dollars.

B. The adopting party of an unaltered animal may have one-half of the adoption fee returned, once written proof of the animal's alteration is provided to the designee non-profit shelter/rescue. The adoption fee will be waived for animals which are transported to or adopted by other agencies. It will be the responsibility of that agency to spay or neuter those animals.

6.04.070 Confining dogs or cats in season.

The owner or person having charge or control of any unaltered female dog or cat shall keep the animal confined in a building or secure enclosure in such a manner that said female dog or cat cannot come into contact with another animal except for planned breeding.

6.04.080 Maximum number of dogs and/or cats permitted.

No more than three cats or three dogs, nor any combination of cats or dogs exceeding three in number, which are over six months of age, shall be kept on any premises in the city. This provision shall not apply to:

A. Licensed kennels;

B. Licensed veterinary clinics;

C. Licensed pet stores; or

D. Animal foster care providers. Authorized animal foster care providers may temporarily house additional foster dogs or cats with exception granted by the Chief of Police or designee.

6.04.100 Wild animals and/or birds.

A. No person, in any area in the city, shall keep or maintain or have in his or her possession or under his or her control any wild animal and/or bird that exists in a wild state in the state of Washington, and any such animal or bird shall be immediately and permanently impounded.

B. Subsection (A) of this section shall not apply to any person keeping, maintaining, or having in his or her possession or under his or her control any wild animal and/or bird in connection with an educational program, zoo, circus, or licensed/certified rehabilitator, provided such person has taken adequate measures to safeguard persons and property.

6.04.105 Livestock and/or poultry prohibited.

No livestock or poultry of any kind shall be raised, bred or kept within the corporate limits of the city, and any such animal shall be immediately and permanently impounded.

6.04.110 Animal care.

A. Dogs or cats kept outdoors for more than three hours at one time must be provided with a moisture-proof, wind-proof shelter, the size of which allows the animal to turn around freely, and to easily sit, stand and lie down in a normal position and which keeps the animal clean, dry and comfortable.

B. Every owner shall provide his or her animal with sufficient good and wholesome food, water, and veterinary care when needed to prevent suffering, and with humane care and treatment.

C. Any person who, while operating a motor vehicle, strikes a domestic animal shall immediately report such injury or death to the animal's owner, if known, and contact the animal control officer, ~~or~~ police department, or non-emergency number.

D. No person shall allow any animal to ride in the back of any moving open-bed vehicle unless that animal is properly secured in a crate or tied in a manner so that it cannot jump or fall out of the vehicle.

E. No person shall abandon any domestic animal by dropping off or leaving the animal in the street, road, or highway, or on any other public or private property. Puppies or kittens brought in as abandoned shall immediately become property of the designee non-profit shelter/rescue and, at the discretion of the designee non-profit shelter/rescue, may be made available for adoption.

F. No person shall willfully provoke, tease, molest, mistreat, or injure any animal.

G. No animal shall be confined in or on a motor vehicle at any location under such conditions as may endanger the health or well-being of the animal, including but not limited to extreme temperatures, lack of food, water, and adequate ventilation. Any animal control officer or peace officer is authorized to remove any animal from a motor vehicle at any location, when he/she reasonably believes it is confined in the conditions described above. Any such animal shall be impounded and delivered to the animal shelter after the officer leaves written notice of such removal and delivery, including the officer's name, in a conspicuous, secure location on or within the vehicle.

H. No owner of any animal shall keep the same on any undeveloped lot within the corporate limits of the city, even if the lot belongs to the owner of that animal, provided the animal is not on that lot temporarily with an owner/camper.

I. Violations of subsection (A), (B), (D), (E), (F), or (G) of this section shall be Class A offenses pursuant to Section 7.01.050.

6.04.125 Allowing a potentially dangerous dog at large.

A. Every person having the care or custody of a declared potentially dangerous dog, who shall allow the same to escape or run at large in any place or manner liable to endanger the safety of any person, shall be guilty of an offense under subsection (B) of this section.

B. Allowing a potentially dangerous dog to run at large is a Class B offense.

6.04.126 Failure to maintain control or confinement of a dangerous dog.

A. Every person having the care or custody of a dangerous dog shall maintain “control and confinement of a dangerous dog” as defined in Section 6.04.010.

B. Failure to maintain “control and confinement of a dangerous dog” is a Class A offense.

6.04.130 Violation—Penalty.

A. Except where specifically designated elsewhere, any person violating Section 6.04.020, 6.04.030, 6.04.031, 6.04.070, 6.04.080 or 6.04.105 shall be guilty of a Class 1 civil infraction and fined as follows:

1. First offense: seventy-five dollars plus statutory assessments;
2. Second offense: one hundred seventy-five dollars plus statutory assessments;
3. Third offense: two hundred fifty dollars plus statutory assessments and permanent impoundment of the animal.

B. All other violations of this chapter not specifically designated herein as Class A offenses, Class C offenses, or infractions shall be punishable Class B offenses as defined in Section 7.01.040.

6.04.140 State provisions adopted by reference.

Chapter 16.52 RCW, Prevention of Cruelty to Animals, is hereby adopted by reference to augment this chapter, with the exception of RCW 16.52.207, “Animal cruelty in the second degree.” In the event there is any conflict between Chapter 16.52 RCW and the Ocean Shores Municipal Code, the Ocean Shores Municipal Code shall control.

6.04.150 Animal cruelty in the second degree—Elements.

A. A person is guilty of animal cruelty in the second degree if, under circumstances not amounting to animal cruelty in the first degree:

1. The person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal; or

2. The person takes control, custody, or possession of an animal that was involved in an animal fighting as described in RCW 16.52.117 and knowingly, recklessly, or with criminal negligence abandons the animal

B. An owner of an animal is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the owner knowingly, recklessly, or with criminal negligence:

1. Fails to provide the animal with the necessary shelter, rest, sanitation, space or medical attention and the animal suffers unnecessary or unjustifiable physical pain as a result of the failure; or

2. Abandons the animal.

C. Animal cruelty in the second degree is a Class B offense.

6.04.160 Nonliability.

Nothing in this chapter is intended to be, nor shall be, construed to create or form the basis for any liability on the part of the designee non-profit shelter/rescue, city, its officers, employees or agents, for any injury or damage resulting from the failure of any person to comply with the terms of this chapter, or by reason or in consequence of any omission in connection with the implementation or enforcement of this chapter on the part of the city by its officers, employees or agents. The provisions of this chapter are intended for the benefit of the

6.04.170 Severability.

If any provision of this chapter or its application to any person or legal entity or circumstances is held invalid by a court of competent jurisdiction, the remainder of this chapter, or the application of the provisions to other persons or legal entities or circumstances, shall not be affected.

Section 2. Severability. Should any portion of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

THIS ORDINANCE PASSED AND ADOPTED by the City Council of the City of Ocean Shores, Washington, at a regular, open public meeting on this 25th day of March 2025.

SIGNED: ATTEST:

Frank T. Elduen, Mayor

Sara D. Logan, City Clerk