

CITY OF WOODLAND

ORDINANCE NO. 1249

AN ORDINANCE AMENDING WMC TITLES 17 AND 7 AS THEY RELATE TO PETS AND DOMESTIC ANIMALS

WHEREAS, the Planning Commission and City Council made the development of an ordinance that would clarify the pet and domestic animal code a priority in 2012;

WHEREAS, city ordinances do not address or accommodate recent trends in pet and domestic animal keeping;

WHEREAS, the Planning Commission held a public hearing on the draft ordinance on June 21, 2012 and then on August 16, 2012 approved a motion for the ordinance to be forwarded on to the Woodland City Council with an affirmative recommendation;

WHEREAS, pursuant to RCW 35A.11.020 and the Constitution of the State of Washington, Article 11, Section 11, cities have the power to enact regulations in the interest of the health, safety and welfare of their residents;

WHEREAS, all procedural requirements of the Woodland Municipal Code (WMC) for these amendments have been met; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Woodland as follows:

1. New Section. WMC 17.08.500 – Miniature Hoofed Animal

A new section WMC 17.08.500 is added to read as follows:

17.08.500 – Miniature Hoofed Animal. “Miniature hoofed animal” means a horse, donkey, or goat breed that reaches no more than 38 inches in height when fully grown.

2. Repeal and Replace. WMC 17.16.100(F)

a. Old Section WMC 17.16.100(F) – *The existing code section to be superseded and replaced reads as follows:*

F. Keeping of not more than four family pets, which can be kept in the home, such as dogs, cats or other domestic or tamed animals which are not vicious by nature. This list of four pets shall not include birds, fish, suckling young of a pet or other animals which at all times are kept inside a fully enclosed building or accessory building and which do not create an odor which is detectable on an adjoining lot.

b. New Section WMC 17.16.100(F) – *The code section is amended to read as follows:*

F. The keeping of pets and domestic animals is subject to the following restrictions. Failure to comply with the requirements of this section is a class 4 infraction with a monetary penalty of \$25.00 or as otherwise specified by WMC Chapter 7.04.

For single-family dwellings, the keeping of pets and domestic animals are subject to the following restrictions:

- a. Animals including cattle, horses, goats, ponies, mule, sheep, donkeys, llamas, and miniature hooped animals and pigs shall be regulated as follows:
 - i. Horses, ponies, donkeys and cattle, one acre of open fenced land each. Each additional horse, pony or donkey requires an additional 0.5 acre of open fenced land;
 - ii. Pigs, one-half acre of open fenced land each;
 - iii. Sheep and llamas, one-quarter acre of open fenced land each;
 - iv. Goats and miniature hooped animals, 3,000 sf of open fenced land each;
 - v. Density limits do not apply to weaning young;
 - vi. Animals shall be completely enclosed by a secure fence not less than five (5) feet tall, sufficient to confine the animals therein;
 - vii. The minimum land area required to maintain any large animal shall be the sum of the required land areas listed above;
 - viii. All stables and other buildings and all enclosures and premises upon which any such animals are kept and confined shall be kept in a clean, healthful, and sanitary condition; and
 - ix. Animals shall be sheltered in weather protecting structures located at least 15 feet from property lines.
- b. The keeping of roosters in any residential zone is prohibited.
- c. On lots less than 10,000 sf, the keeping of not more than six (6) poultry and four (4) rabbits is permitted where poultry are defined as domesticated birds kept for the purpose of collecting eggs or the raising of meat and/or feathers.
- d. No more than four (4) dogs, cats, miniature pigs or combination thereof four months or age or older per dwelling unit.
- e. The number of small pets such as fish, birds, small rodents and reptiles that are typically kept indoors is not regulated by this chapter.
- f. Reserved.

g. The keeping of animals shall not violate nuisance pet animal regulations or other provisions of Chapter 7.04.

h. Animals that contribute unusually excessive noise, such as crowing, braying or barking, must be housed in such a manner as to minimize their effects on neighbors.

i. Animals shall not create a malodor that is detectable on adjoining lots.

3. Repeal and Replace. WMC 17.20.100(D)

a. Old Section WMC 17.20.100(D) – *The existing code section to be superseded and replaced reads as follows:*

D. Keeping of Family Pets.

1. For single-family dwellings, keeping of not more than four family pets, which can be kept in the home, such as dogs, cats or other domestic or tamed animals which are not vicious by nature. This list of four pets shall not include birds, fish, suckling young of a pet or other animals which at all times are kept inside a fully enclosed building or accessory building and which do not create an odor which is detectable on an adjoining lot;

2. For multifamily dwellings, keeping of not more than two family pets that can be kept in the home, such as dogs, cats or other domestic or tamed animals which are not vicious by nature. This list of two pets shall not include birds, fish, suckling young of a pet or other animals which at all times are kept inside a fully enclosed building or accessory building and which do not create an odor which is detectable on an adjoining lot.

b. New Section WMC 17.20.100(D) – *The code section is amended to read as follows:*

D. Keeping of Family Pets.

1. For single-family dwellings, the keeping of pets and domestic animals are subject to the following restrictions. Failure to comply with the requirements of this section is a class 4 infraction with a monetary penalty of \$25.00 or as otherwise specified by WMC Chapter 7.04.

a. Animals including cattle, horses, goats, ponies, mule, sheep, donkeys, llamas, and miniature hooved animals and pigs shall be regulated as follows:

- i. Horses, ponies, donkeys and cattle, one acre of open fenced land each. Each additional horse, pony or donkey requires an additional 0.5 acre of open fenced land;
- ii. Pigs, one-half acre of open fenced land each;
- iii. Sheep and llamas, one-quarter acre of open fenced land each;
- iv. Goats and miniature hooved animals, 3,000 sf of open fenced land each;

- v. Density limits do not apply to weaning young;
 - vi. Animals shall be completely enclosed by a fence not less than five (5) feet tall, sufficient to confine the animals therein;
 - vii. The minimum land area required to maintain any large animal shall be the sum of the required land areas listed above;
 - viii. All stables and other buildings and all enclosures and premises upon which any such animals are kept and confined shall be kept in a clean, healthful, and sanitary condition; and
 - ix. Animals shall be sheltered in weather protecting structures located at least 15 feet from property lines.
- b. The keeping of roosters in any residential zone is prohibited.
 - c. On lots less than 10,000 sf, the keeping of not more than six (6) poultry and four (4) rabbits is permitted where poultry are defined as domesticated birds kept for the purpose of collecting eggs or the raising of meat and/or feathers.
 - d. No more than four (4) dogs, cats, miniature pigs or combination thereof four months or age or older per dwelling unit.
 - e. Reserved.
 - f. The number of small pets such as fish, birds, small rodents and reptiles that are typically kept indoors is not regulated by this chapter.
 - g. The keeping of animals shall not violate nuisance pet animal regulations or other provisions of Chapter 7.04.
 - h. Animals that contribute unusually excessive noise, such as crowing, braying or barking, must be housed in such a manner as to minimize their effects on neighbors.
 - i. Animals shall not create a malodor that is detectable on adjoining lots.

2. For multifamily dwellings, keeping of not more than two (2) family pets that can be kept in the home, such as dogs, cats or other domestic or tamed animals which do not violate nuisance pet animal regulations or other provisions of Chapter 7.04 and are not vicious by nature is permitted. This list of two pets shall not include birds, fish, suckling young of a pet or other animals which at all times are kept inside a fully enclosed building or accessory building and which do not create an odor which is detectable on an adjoining lot or detectable within another multi-family dwelling unit. Animals that contribute unusually excessive noise must be housed in such a manner as to minimize their effects on neighbors. Failure to comply with the requirements of this section is a class 4 infraction with a monetary penalty of \$25.00 or as otherwise specified by WMC Chapter 7.04.

4. Repeal and Replace. WMC 7.04.050(B) – Nuisance Pet Animal

a. Old Section WMC 7.04.050(B) – *The existing code section to be superseded and replaced reads as follows:*

B. Nuisance Pet Animal. Such person's pet animal constitutes a nuisance pet animal as defined in Section 7.040.030. Nuisance pet animal is a class 4 infraction.

b. New Section WMC 7.04.050(B) – *The code section is amended to read as follows:*

B. Nuisance Pet Animal. Such person's pet animal constitutes a nuisance pet animal as defined in Section 7.040.030. Nuisance pet animal is a class 4 infraction with a monetary penalty of \$25.00.

5. Repeal and Replace. WMC 7.04.050(C) – Pet Animal on Public Property

a. Old Section WMC 7.04.050(C) – *The existing code section to be superseded and replaced reads as follows:*

C. Pet Animal on Public Property. Such person's pet animal is on public property such as a public park, beach or school ground 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 Woodland as not requiring a leash. Pet animals on public property is a class 4 infraction.

b. New Section WMC 7.04.050(C) – *The code section is amended to read as follows:*

C. Pet Animal on Public Property. Such person's pet animal is on public property such as a public park, beach or school ground 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 Woodland as not requiring a leash. Pet animals on public property is a class 4 infraction with a monetary penalty of \$25.00.

6. Repeal and Replace. WMC 7.04.050(E) – Failure to Remove Fecal Material

a. Old Section WMC 7.04.050(E) – *The existing code section to be superseded and replaced reads as follows:*

E. Failure to Remove Fecal Material. Such person: (1) fails to possess and use the equipment or material necessary to remove animal fecal matter when accompanying an animal in public parks; or (2) fails to remove animal fecal matter when accompanying an animal off the owner's property. Failure to comply constitutes a class 4 infraction.

b. New Section WMC 7.04.050(E) – *The code section is amended to read as follows:*

E. Failure to Remove Fecal Material. Such person: (1) fails to possess and use the equipment or material necessary to remove animal fecal matter when accompanying an animal in public parks; or (2) fails to remove animal fecal matter when accompanying an animal off the owner's property. Failure to comply constitutes a class 4 infraction with a monetary penalty of \$25.00.

7. Repeal and Replace. WMC 7.04.050(F) – Failure to Sterilize an Adopted Pet Animal

a. Old Section WMC 7.04.050(F) – *The existing code section to be superseded and replaced reads as follows:*

F. Failure to Sterilize an Adopted Pet Animal. Such person, when adopting a pet animal from the animal services shelter, fails to have the pet sterilized within the time period specified in the written agreement, unless specifically recommended by a veterinarian in writing, or in cases of verifiable placement within a governmental law enforcement agency. Failure to sterilize an adopted pet animal is a class 4 infraction.

b. New Section WMC 7.04.050(F) – *The code section is amended to read as follows:*

F. Failure to Sterilize an Adopted Pet Animal. Such person, when adopting a pet animal from the animal services shelter, fails to have the pet sterilized within the time period specified in the written agreement, unless specifically recommended by a veterinarian in writing, or in cases of verifiable placement within a governmental law enforcement agency. Failure to sterilize an adopted pet animal is a class 4 infraction with a monetary penalty of \$25.00.

8. New Section. WMC 7.04.050(I) – Keeping of Pets and Domestic Animals that are Not Allowed in Residential Zoning Districts

A new section WMC 7.04.050(I) is added to read as follows:

I. Keeping of Pets and Domestic Animals that are Not Allowed in Residential Zoning Districts. Such person fails to comply with requirements for pet and animal keeping specified in Title 17. Failure to meet terms of Title 17 with regards to pet and animal keeping in residential zoning districts is a class 4 infraction with a monetary penalty of \$25.00.

9. Repeal and Replace. WMC 7.04.080 – Infractions

a. Old Section WMC 7.04.080 – *The existing code section to be superseded and replaced reads as follows:*

7.04.080 - Infractions. Violation of the following sections of this chapter shall constitute a class 4 civil infraction:

A. Section 7.04.040(A): Failure to license;

B. Section 7.04.050(A): Dog at large;

C. Section 7.04.050(B): Nuisance pet animal;

D. Section 7.04.050(C): Pet animals on public property;

E. Section 7.04.050(E): Failure to remove fecal material;

F. Section 7.04.050(F): Failure to sterilize an adopted pet animal.

Civil infractions shall be heard and determined according to RCW Chapter 7.80, as amended, and any applicable court rules.

b. New Section WMC 7.04.080 – *The code section is amended to read as follows:*

7.04.080 – Infractions. Violation of the following sections of this chapter shall constitute a class 4 civil infraction:

A. Section 7.04.040(A): Failure to license;

B. Section 7.04.050(A): Dog at large;

C. Section 7.04.050(B): Nuisance pet animal;

D. Section 7.04.050(C): Pet animals on public property;

E. Section 7.04.050(E): Failure to remove fecal material;

F. Section 7.04.050(F): Failure to sterilize an adopted pet animal.

G. Section 7.04.050(G): Keeping of pets and domestic animals that are not allowed in residential zoning districts.

Civil infractions shall be heard and determined according to RCW Chapter 7.80, as amended, and any applicable court rules.

10. 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 constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

11. Effective Date.

This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

12. Publishing.

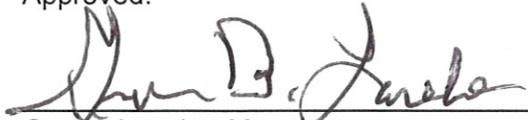
A Summary of this Ordinance shall be published.

This ordinance shall be in full force and effect five days after publication as required by law.

ADOPTED IN OPEN MEETING 1 day of October, 2012.

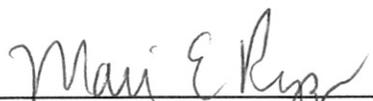
CITY OF WOODLAND, WASHINGTON

Approved:



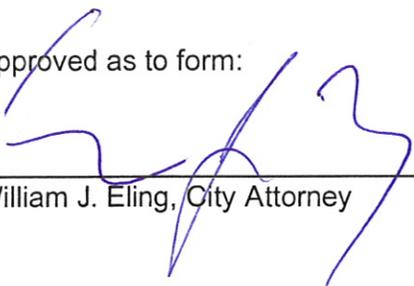
Grover Laseke, Mayor

Attest:



Mari E. Ripp, Clerk / Treasurer

Approved as to form:



William J. Eling, City Attorney

**SUMMARY OF ORDINANCE NO. 1249
OF THE CITY OF WOODLAND, WASHINGTON**

On October 1, 2012 the City Council of the City of Woodland, Washington, approved Ordinance No. 1249 the main point which may be summarized by its title as follows:

AN ORDINANCE AMENDING WMC TITLES 17 AND 7 AS THEY RELATE TO PETS AND DOMESTIC ANIMALS.

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

APPROVED by the City Council at their meeting on this 1st day of October, 2012.



Georgina D. Anderson, Deputy Clerk-Treasurer

Published: October 10, 2012

Effective: October 15, 2012