

**FERRY COUNTY**  
**ORDINANCE NO. 2014-02**  
**Establishing Rules and Guidelines for Animal Control**

**WHEREAS, Authority is as follows;**

This chapter is adopted pursuant to the general powers of the Board of County Commissioners to provide for regulation of the care and control of abandoned or abused pet animals defined under RCW 16.52.207 and RCW 16.52.205 resulting from animal cruelty.

**WHEREAS, Definitions are as follows;**

As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

- A. "Animal", as used in this chapter means pet animals including domesticated dogs, cats, rabbits, and other vertebrates commonly kept as companion animals. The term "animal" in this chapter does not include horses, sheep, cattle, swine or other farm animals.
- B. "Animal control authority" means any agency or individual appointed by the board of county commissioners given the power to care for abandoned pet animals. (NOTE: This would typically be the Ferry County Sheriff, sometimes with one deputy having primary animal control responsibility in addition to regular duties).
- C. "County" means Ferry County.
- D. "Detain" or "detention" means to take custody or keep an animal in the custody of the animal control authority.
- E. "Owner" means any person, firm, organization or department having title to or property rights in an animal, or who harbors, possesses, controls or keeps an animal, or who knowingly permits an animal to remain on or about his or her property.
- F. Animal Cruelty in the first degree as defined in RCW 16.52.205 and as hereafter amended.
- G. Animal Cruelty in the second degree as defined by RCW 16.52.207 and as hereafter amended.

**(3) Animal cruelty in the second degree is a gross misdemeanor.**

**(4) In any prosecution of animal cruelty in the second degree under subsection (1) or (2)(a) of this section, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant's failure was due to economic distress beyond the defendant's control**

**WHEREAS, Detention and disposal will be as follows;**

- A. An animal control authority may detain any animal abandoned, abused, apparently lost, or voluntarily surrendered to the animal control authority. The detained animal shall be held at an animal control facility or other place determined by the animal control authority to be

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appropriate for the animal, including veterinarians, boarding kennels, Humane Societies, animal shelters, rescue groups, or foster homes. NOTE: Forget Me Not is willing to act as "the animal control facility or other place appropriate for the animal."

B. An animal control officer shall, upon detaining any animal, make or cause to be made a registry thereof, entering the species, breed, color, sex, the time and place of impoundment, if known, the name and address of the owner.

C. The animal control authority or its representative shall attempt to determine the identity of the owner of a detained animal. If identity of the animal's owner is known, then the owner shall be notified that the animal is detained and that the animal may be claimed upon payment of any fees or expenses. Notice shall be by telephone, if possible, and in writing sent to the owner's address.

D. Anyone claiming a detained animal must prove ownership to the satisfaction of the animal control authority or its representative and pay all applicable detention, boarding, registration, vaccination and medical fees in order to claim the animal.

E. Any detained animal not claimed by the owner within the holding period and any animal voluntarily surrendered to an animal control authority shall become the property of animal control authority. The animal control authority may then dispose of the animal in a humane manner or may, in its sole discretion, hold the animal for a reasonable time to offer the animal for adoption, or the animal control authority is empowered with the authority to transfer ownership of any animal to a shelter, rescue, or humane society for adoption. Animals shall be held for a minimum of three days (before disposal or adoption) if the owner is unknown. If the owner of the animal is known, the waiting period shall be five days.

F. Injured, diseased or feral animals need not be detained for the holding period and may be disposed of in a humane manner at any time at the sole discretion of the animal control authority.

**WHEREAS, Animal Control Facility will be as follows;**

No animal detained at an animal control facility or designated shelter, rescue, or foster home shall be used, sold, loaned or given away for medical or research purposes, whether the animal is dead or alive.

**WHEREAS, Adoption will be as follows;**

A. No warranty of merchantability, warranty of fitness for a particular use or purpose, or warranty as to any condition or health of the animal, either expressed or implied, shall be made with respect to any animal adopted from an animal control authority.

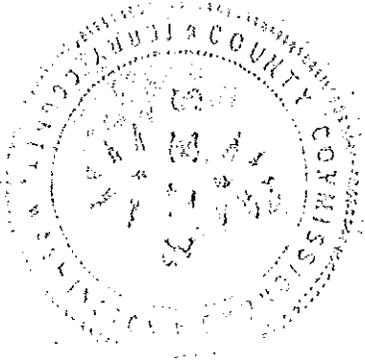
B. For animals adopted directly from the animal control authority, adoption fees shall be refunded to the adopting owner if the adopted animal is returned to the animal control authority within eight days after adoption and is accompanied by a written request for the refund and a written opinion of a licensed veterinarian certifying that the animal was diseased or ill at the time of adoption. NOTE: At this time, and for the foreseeable future, Ferry County

does not have an animal control authority adoption facility or program; Forget Me Not is willing to accept ownership of all unclaimed adoptable animals and place them in the Happy Homes Adoption Program.

C. Animals whose ownership is transferred from the Animal Control Authority to a shelter, rescue, or humane society are subject to the adoption policies of the shelter, rescue, or humane society.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Ferry County Commissioners to adopt the rules and regulations above.

Dated; this 5<sup>TH</sup> Day of May 2014.



BOARD OF FERRY COUNTY COMMISSIONERS

*absent*

MIKE BLANKENSHIP, Chairman

*Brad Miller*

BRAD MILLER, Vice Chair

*Brian Dinsel*

BRIAN DANSEL, Member

ATTEST:

*Pamela Stoddard*  
Pamela Stoddard, Clerk of the Board