

# TITLE 20 ANIMAL PROTECTION

## Chapter 20.30—Licenses and Permits

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**20.30.005. Dog licenses generally.** An owner of any dog which is over the age of four (4) months and which is kept in the borough shall obtain an annual license for such animal, which license shall expire on December 31st of the year for which the license is issued; provided, however, any dog released from the custody of the department of animal protection for adoption, released from impoundment, or other reason, shall be licensed regardless of age. The provisions of this section shall not apply to animals owned by nonresidents keeping such animal within the borough for less than thirty (30) days. (Ord. No. 923, §1, 12-20-93)

**20.30.010. License application.** An application for a license shall be made to the department of animal protection and shall include the name and address of the owner, the name, breed, color, age and sex of the animal, and shall be accompanied by a rabies vaccination or immunization certificate issued by a veterinarian or anti-rabies clinic, or any other person authorized to administer rabies vaccinations, and payment of the applicable fee. (Ord. No. 923, §1, 12-20-93)

### **20.30.015. License issuance.**

(a) A license shall not be issued if the effective duration of the rabies immunization indicated by the rabies certificate has expired prior to issuance.

(b) Upon acceptance of the license application, rabies certificate and fee, the director of animal protection or designee shall issue a license in the form of a tag stamped with an identifying number and the year of issuance.

(Ord. No. 923, §1, 12-20-93)

### **20.30.020. License use.**

(a) Dogs shall wear a license identification tag at all times while off the premises of the owner or responsible person.

(b) A person shall not use, or allow the use of, a license tag for an animal other than the animal for which such tag was issued.

(Ord. No. 923, §1, 12-20-93)

**20.30.025. Animal establishment permits in general.**

(a) A person shall not operate an animal establishment without a valid animal establishment permit. Permits shall be valid until December 31st of the third (3<sup>rd</sup>) year after issuance, unless revoked or otherwise terminated as provided in this title. For the purpose of this title, every premises regulated as an animal establishment by this title shall be considered a separate facility and shall require a separate permit.

(b) A person may not house, board or otherwise maintain a horse unless the location at which the horse is housed or boarded has a current animal establishment permit.

(c) Animal establishments. Permits for horses shall require posting of a five thousand dollar (\$5,000) bond.

(Ord. No. 923, §1, 12-20-93; Ord. No. 1174, §2, 4-2-01; Ord. No. 1221, §2, 6-17-02)

**20.30.030. Permit application.** An application for an animal establishment permit shall be made to the department of animal protection and shall contain: the name and address of the owner of the establishment; the nature of the business intended to be conducted thereon, if any; a list of the maximum number of animals to be housed listed by species; and shall be accompanied by payment of the applicable fee. (Ord. No. 923, §1, 12-20-93; Ord. No. 1221, §3, 6-17-02)

**20.30.035. Inspection of animal establishments.**

(a) Before a permit for an animal establishment is issued, and periodically thereafter as may be deemed necessary by the director of animal protection, the director shall conduct or cause to be conducted a physical inspection of the proposed establishment, and shall determine whether the proposed establishment is in compliance with the requirements of this title.

(b) For animal establishments for animals other than horses, the director of animal protection shall record findings upon an inspection form and shall furnish a copy of the inspection form, together with the findings, to the applicant. The director of animal protection shall indicate on the inspection form whether the proposed establishment provides:

- (1) Adequate shelter from the elements for the animals;
- (2) Adequate facilities for keeping the animals on the owner's or operator's premises;
- (3) Adequate procedures and facilities to avoid unreasonable off-site odor or noise disturbance to adjacent properties; and
- (4) Adequate facilities for keeping the kennel clean and free of filth.

(c) For animal establishments for horses, the director of animal protection shall record findings upon an inspection form and shall furnish a copy of the inspection form, together with the findings, to the applicant. The director of animal protection shall indicate on the form whether the proposed establishment provides:

- (1) *Shelter:* The shelter should be three-sided to allow the animal to come and go as it pleases. It should be roofed to allow the animal protection from the elements. Depending on the number of horses, the shelter should be divided into stalls large enough for the animal to turn completely around while standing inside. Manure and wet bedding shall be cleaned out daily;

- (2) *Ground:* The ground should be prepared in such a way that the area in which they are standing is not too hard and not so soft that it retains water and mixes with the dirt and turns to mud. Cedar bark or some similar material that will allow moisture to drain to the bottom of the surface where animals are standing is ideal;
- (3) *Corrals:* Corrals must be enclosed by safe fencing. Barbed wire is not allowed. There must be adequate room in the corral for the horses to move about and self exercise without hurting themselves or others. Corrals shall not be allowed to accumulate a build-up of manure and/or filth;
- (4) *Feed:* Feed containers should have bottoms so that the feed never comes in contact with the ground. The feed container should always be located on dry ground areas so that the horses will be forced to stand on the dry ground while feeding; and
- (5) *Water:* Water shall be placed opposite of food and located on dry ground.

(Ord. No. 923, §1, 12-20-93; Ord. No. 1174, §3, 4-2-01; Ord. No. 1221, §4, 6-17-02)

**20.30.040. Leash law exemption permits in general.** The owner of a dog licensed by the Ketchikan Gateway Borough may apply for an annual leash law exemption permit to allow a specific dog to be off the leash and in voice command in the business district as defined by section 20.70.005(a). The permit shall expire on December 31 each year. The assembly may, by resolution establish a fee for leash law exemption permits. (Ord. No. 995, §3, 8-5-96)

**20.30.045. Leash law exemption permits application.** An application for a leash law exemption permit shall be made to the department of animal protection on a form provided by the department, and shall be accompanied by payment of the applicable fee. On the form the applicant shall provide his or her name and address and the Ketchikan Gateway Borough dog license tag number and the year of issuance. The application shall also include a statement to be signed by the owner as follows: "I understand that Leash Law Exemption Permits are a privilege extended to well-behaved and obedient dogs. I agree to abide by the restrictions placed upon the permit. I will surrender my permit upon demand for any infraction of the Animal Protection Code." (Ord. No. 995, §3, 8-5-96)

**20.30.050. Issuance and revocation of leash law exemption permits.** An applicant shall schedule an appointment with the animal protection department to demonstrate obedience to voice command of the dog to its owner. A permit shall not be issued unless the dog demonstrates good reliable response to the voice command of the owner. Evaluation of good reliable responses for the obedience demonstration will be evaluated in line with judging rules for the American Kennel Club sub-novice and novice categories. A permit shall not be issued to a dog that has any history documented by the department of animal protection or other responsible agency of aggressive behavior or of biting. Upon any first offense of aggressive behavior or biting reported to and investigated by the animal protection department, the permit shall be revoked. Upon any infraction of the animal protection code or violation of conditions of the exemption permit, the permit shall be revoked. (Ord. No. 995, §3, 8-5-96)

**20.30.060. Leash law exemption permits; restrictions.** A leash law exemption permit shall be subject to the following restrictions:

- (1) The dog shall be in direct voice command at all times.

- (2) The dog shall be within fifteen (15) feet of an entrance of a residence of, or business establishment owned or operated by or the place of work of, the dog owner. If a business establishment, the permit is limited to the hours of regular business operation and one (1) hour before and one (1) hour after regular business hours.
- (3) In any circumstance not covered by subsection (2) above, the dog shall be within six (6) feet of the person exercising voice command of the dog while walking, sitting, standing or lying down.
- (4) The owner of the dog shall provide to the department of animal protection proof of liability insurance coverage in the amount of not less than one hundred thousand dollars (\$100,000.00). Such insurance coverage must include coverage for claims arising from actions of the dog.
- (5) The owner of the dog shall agree to indemnify and defend the borough from any claims which may be asserted arising from the conduct of the dog.

(Ord. No. 995, §3, 8-5-96)

**20.30.200. Denial or revocation of license or permit.** The director of animal protection may deny any application for a license or permit, after ten (10) days' written notice and the opportunity to appear for a hearing, may revoke a previously issued license or permit, in the event:

- (a) The applicant has knowingly made any material misstatements or omissions in the license or permit application; or
- (b) The operator of an animal establishment refuses to allow animal control authorities to make reasonable inspections of the establishment; or
- (c) Any violation of any provision of this title is not corrected within thirty (30) days after notice of such violation.

(Ord. No. 923, §1, 12-20-93; Ord. No. 995, §1, 8-5-96)

**Editor's note**—Section 1 of Ordinance No. 995, adopted Aug. 5, 1996, renumbered section 20.30.040 as section 20.30.200.