

ORDINANCE NO. 1196

AN ORDINANCE AMENDING ORDINANCE NO. 1027, PROVIDING FOR THE REASONABLE REGULATION OF THE OWNERSHIP, POSSESSION, CONTROL AND CARE OF ANIMALS UNDER THE POLICE POWERS OF THE CITY OF ZILLAH, WASHINGTON.

WHEREAS, the City Council finds that the issuance of a criminal citation in all animal cases is unnecessary and burdensome upon the court system and the residents of the City of Zillah; and

WHEREAS, the City Council is authorized by the Revised Code of Washington to regulate and control animals within the City Limits; and

WHEREAS, the City Council is authorized by the Revised Code of Washington to provide for violations of City Ordinances as a civil violation, subject to monetary penalty;

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON, AS FOLLOWS:

Section 1. Intent and Purpose: It is the intent of the City Council that Title six (6), Animal Control, of the Zillah Municipal Code be amended to provide for civil violations of the code except for those offenses which are defined as criminal acts by the Revised Code of Washington or other offense as enumerated herein.

Section 2. Title six (6) of the Zillah Municipal Code is amended and subsections 6.04.545 and 6.04.560 are added and read as follows:

6.04.545 Violation – Penalty.

Except as provided for in Title 6.04.550, Any person violating the provisions of this Ordinance shall be deemed guilty of a civil violation and shall be punished by a fine of one hundred dollars (\$100.00) for a first offense within a calendar year. One year shall be defined as January 1st through December 31st of each year. For a second violation within one calendar year, the person shall be punished by a fine of one hundred and fifty dollars (\$150.00). For a third or any subsequent violations of this Ordinance within one calendar year, the person shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than one hundred fifty dollars (\$150.00) nor more than five hundred dollars (\$500.00).

6.04.560 Continuing Offense and Fees.

All impoundment, redemption or other fees or charges are in addition to any penalties assessed by this Ordinance or by the Municipal Court. If any violation shall be continuing, each day's violation shall be deemed a separate violation.

Section 3. Title six (6) of the Zillah Municipal Code is amended and subsection 6.04.550 is amended and read as follows:

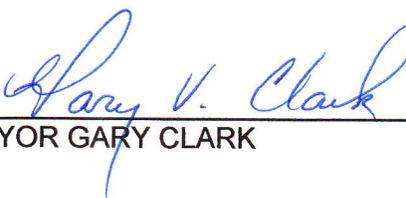
6.04.550 Violation – Penalty.

Any person violating the provisions of subsection 6.04.250, 6.04.330, 6.04.350, or 6.04.540 shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars, or by imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment. If any person shall be found guilty by a court of violating subsections 6.04.250, 6.04.330 or 6.04.350, their permit to own, keep, harbor or have custody of animals shall be automatically revoked; and no new permit may be issued for a period of one (1) year.

Section 4 – Severability. If any provision of this ordinance or its application to any person is held to be invalid, the remainder of this ordinance or application thereof to any other person shall not be affected.

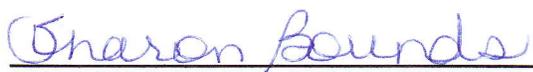
Section 5 – Effect. This Ordinance shall take effect five (5) days after the date of the publication of this Ordinance or a summary of the content thereof as required by law.

PASSED BY THE CITY COUNCIL FOR THE CITY OF ZILLAH, WASHINGTON, this 18th day of May 2009.



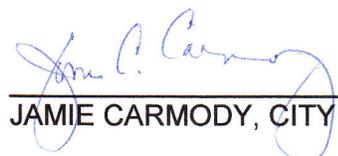
MAYOR GARY CLARK

ATTEST:



SHARON BOUNDS, CITY CLERK/TREASURER

APPROVED AS TO FORM:



JAMIE CARMODY, CITY ATTORNEY

Date published:

Effective Date:

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