

CITY OF BLACK DIAMOND, WASHINGTON

ORDINANCE NO. 08-864

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, TO ALLOW FOR ANIMAL WELFARE AGENCIES RECOGNIZED BY THE HUMANE SOCIETY FOR SEATTLE-KING COUNTY TO TRAP ANIMALS AND AMENDING 6.08.140 OF THE MUNICIPAL CODE

WHEREAS, the City of Black Diamond has previously adopted King County ordinances related to animal control fees and penalties; licensing of dogs and cats; kennels, pet shops, grooming parlors and similar services as codified in Chapter 6.08 of the Municipal Code; and

WHEREAS, in 1988 the City of Black Diamond City Council adopted Ordinance 383, thus creating additional animal control regulations to include provisions related to animal trapping; and

WHEREAS, Section 6.08.140 of the Black Diamond Municipal Code now reads:

Animal traps—Prohibited—Exception

It is unlawful for anyone to use traps to apprehend any animal inside the city, unless by animal control or law enforcement officers for the purposes of apprehending a dangerous or diseased animal or unless such trap is approved by a city engineer of the city for the apprehension of a dangerous or diseased animal. This section does not apply to mouse traps, mole traps, or rat traps; and

WHEREAS, South County Cats is a non-profit organization recognized by the Humane Society for Seattle-King County that focuses on the trap-neuter-return, spaying/neutering and relocation of feral cats; now therefore

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. There is hereby added a new Section 6.08.140 to the Black Diamond Municipal Code and it shall be entitled **Animal traps—Prohibited—Exception.**

Section 2. There is hereby added a new section 6.08.140 which shall read as follows:

It is unlawful for anyone to use traps to apprehend any animal inside the city, unless by animal control or law enforcement officers for the purposes of apprehending a dangerous or diseased animal, or by representatives from an animal welfare agency recognized by the Humane Society

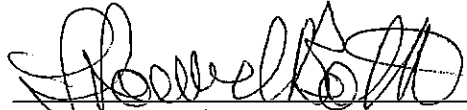
for Seattle-King County, for the purpose of trap/neuter/return or an adoption program. This section does not apply to mouse traps, mole traps, or rat traps.

Section 3. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 4. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of the Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.


Introduced the 5th day of June, 2008.

Passed by the City Council at a meeting held on the 5th day of June, 2008.



Mayor Howard Botts

Attest:



Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

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