

Chapter 6.05 ANIMALS

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6.05.010 Definitions. 

In construing the provisions of this chapter, except where otherwise plainly declared or clearly apparent from the context, words used herein shall be given their common and ordinary meaning; in addition, the following definitions shall apply:

- (1) “Adequate shelter” means a moisture-proof and wind-proof structure that allows the animal to turn around freely, sit easily, stand and lie normally and that keeps the animal clean, dry and comfortable.
- (2) “Adoption” means transferring ownership of an animal from Lewis County to a third party.
- (3) “Adult dog” and “adult cat” mean any dog or cat past the age of six months, or whose permanent canine teeth have erupted through the gum line.
- (4) “Animal” means all members of the animal kingdom except humans, fish, and insects.
- (5) “Animal control authority” means the Lewis County sheriff or his authorized personnel. This term as used throughout this chapter shall not be construed to limit the authority of any fully commissioned law enforcement officer.
- (6) “Animal shelter” and “animal shelter division” and “Lewis County animal shelter” mean a location designated by the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) for the purpose of housing and maintaining animals held by Lewis County.

(7) “At large” means off the premises of the owner or keeper of the animal, and not under restraint by leash or chain or not otherwise controlled by a competent person.

(8) “Competent person” means a person who is able to sufficiently care for, control, and restrain an animal, and who has the capacity to exercise sound judgment regarding the rights and safety of others.

(9) “Dangerous animal” means any animal that:

(a) On public or private property, inflicted severe injury on a human being without provocation, including without limitation: causing (i) a fracture of any body part, (ii) a cut or laceration or puncture wound which bleeds, (iii) a contusion which is visible for more than 13 days, (iv) great or serious or substantial bodily harm as defined by RCW Title 9A, or (v) death; or

(b) Killed a domestic animal or livestock while at large or off the owner’s property; or

(c) Has been previously found to be potentially dangerous and, the owner having received notice of such finding under this chapter, the animal again aggressively bites, attacks, or endangers the safety of humans or animals. It shall be necessary to prove the initial event triggering the potentially dangerous animal designation, service of notice of the designation, and the current event of aggressively biting, attacking, or endangering the safety of humans or animals before an animal may be declared dangerous based upon a prior finding that the animal was potentially dangerous. It is not necessary that an animal have been declared potentially dangerous prior to being declared dangerous unless the basis for the dangerous animal declaration is the prior finding of potentially dangerous animal.

(10) “Designated animal holding facility” means a facility designated by the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) for the purpose of holding animals.

(11) “Domestic animal” means those domestic beasts such as any dog, cat, rabbit, horse, mule, ass, bovine animal, poultry, duck, lamb, goat, sheep or hog, or other animal made to be domestic or lawfully owned or kept as a pet.

(12) “Hearing examiner” shall mean the hearing examiner for the county of Lewis or a deputy thereof to hear civil appeals relating to the enforcement of this title, and as defined in Chapter 2.25 LCC.

(13) “Humanely destroy” means the destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness. The term shall include euthanasia in a manner consistent with best veterinary practices; provided, that the term is not interpreted to exclude other humane destruction of animals without the assistance of a licensed veterinarian.

(14) “Humane officer” means any individual appointed by the Lewis County sheriff’s office with a limited law enforcement commission for the purpose of enforcement of statutes pertaining to the care and treatment of animals as well as other legislation directly related to animal neglect or abuse.

(15) “Impound” means to seize and deliver an animal to the Lewis County sheriff or the sheriff’s deputy or the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director’s designee for the purpose of housing and maintaining the animal for a period of time at the animal shelter. The Lewis County sheriff and the ~~director of public health and social~~

[services](#) [Director of Public Health & Social Services](#) may designate, together or separately, to whom animals are to be delivered for impoundment.

(16) “Livestock” includes, but is not limited to, horses, mules, cattle, llamas, sheep, swine, goats, poultry, and domestic rabbits.

(17) “Muzzle” means a fastening or covering of the mouth of an animal to prevent biting and made in a manner that will not cause injury to the animal or interfere with its vision or respiration.

(18) “Owner” or “keeper,” in addition to their ordinary meanings, are terms that can be used interchangeably within this chapter and mean any person, firm, corporation, organization, department or other entity possessing, harboring, keeping, having or claiming an interest in, or having control or custody of an animal for at least 14 calendar days, whether or not all of the traditional rights of ownership are vested in the entity. The terms also refer to any entity performing any of the acts of providing care, shelter, protection, refuge, food, water, or nourishment in such manner as to control or attempt to control the animal’s actions or habits, when the entity provides any of these acts or exercises control for 14 calendar days or more. An entity is an owner or keeper when an animal is apparently spending the majority of its time at a location under that entity’s control for a period of at least 14 calendar days. When the terms are used to mean the owner or keeper of something other than an animal, the terms shall have their plain and ordinary meanings. Note: this definition applies only to this chapter and does not in any way affect legal title to an animal; it is not intended to imply that any person obtains a property right in an animal merely by possessing or harboring it as described herein.

(19) “Police dog” means a dog used by a law enforcement agency that is specially trained for law enforcement work.

(20) “Potentially dangerous animal” means any animal that, when unprovoked:

(a) Inflicts bites on a human or a domestic animal or livestock either on public or private property; or

(b) Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any animal with a particularly known propensity, tendency or disposition to attack unprovoked, to cause injury or otherwise to threaten the safety of humans or domestic animals.

(21) “Premises” means any parcel of land and the structures thereon.

(22) “Proper enclosure” means securely confined indoors, or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top and floor and shall also provide protection from the elements for the animal and shall comply with the current standards of a national veterinarian, zoological, or animal protection organization for the humane and secure enclosure of the individual animal species. Provided, that all indoor or fenced outdoor portions of the animal shelter shall constitute a proper enclosure. A motor vehicle is not a proper enclosure for the purposes of this chapter.

(23) “Property” means anything of value, whether tangible or intangible, real or personal. Animals are personal property.

(24) "Provocation" includes, but is not limited to, a person apparently committing a willful trespass or other tort upon the premises occupied by the owner of the animal, or tormenting, abusing, or assaulting the animal, in any location, or has, in the past, been observed or reported to have tormented, abused, or assaulted an animal or has or was committing or attempting to commit a crime.

(25) "Public nuisance" means and includes, in addition to its statutory and common law definitions, any material violation of the provisions of this title. It also means and includes any unlawful act of omission or commission, which without any direct physical contact or interference endangers the lives, safety, health, comfort or property of the public.

(26) "Quarantine" means the strict confinement, isolation and observation of a domestic dog, cat, or ferret that has inflicted a bite upon any person and where such bite has broken the skin. A quarantine shall last for a minimum of 10 days, where required.

(27) "Service animal" means any animal which is trained or being trained to aid a person who is blind, hearing impaired, or otherwise disabled, and is used for that purpose. The term does not include a comfort animal.

(28) "Sterilized" means animals rendered permanently incapable of reproducing by surgical alteration, implantation of a device, or other physical means.

(29) When any provision of this chapter makes liability contingent upon a degree of culpability, the definition of that degree of culpability shall be the same as defined in RCW 9A.08.010, as it exists now or as it is amended. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.020 Prohibited activities of animals.

(1) An owner or keeper of any animal shall be strictly liable if he or she permits that animal to:

(a) Habitually bark, howl, yelp, or make any other noise which disturbs the peace and quiet of any person to an unreasonable degree within Lewis County. In addition to its ordinary meaning, an animal is habitually making noise which disturbs the peace and quiet of any person to an unreasonable degree when the animal makes constant or repeated noise or noises extending for 30 minutes or more between the hours of 9:00 p.m. and 7:00 a.m. when that noise is audible within a residence belonging to a person other than the animal's owner or keeper.

(b) Snap, ~~snarl, growl,~~ bite, jump ~~at or~~ upon or otherwise threaten persons, livestock, domestic animals or vehicles when such persons, livestock or vehicles are upon the sidewalks, roads or public rights-of-way or are in any other location other than upon real property belonging to the offending animal's owner or keeper.

(c) Destroy or damage any plant or animal or any other property or thing of value or to open a closed garbage container or scatter the contents therefrom or to deposit excrement or other solid waste on the property of persons other than the owner of the offending animal.

(d) Be in the water of a designated swimming area of a public beach, unless the area is posted for use by animals.

(e) Be in a park, public beach, pond, fountain or upon any public playground or school grounds and not under the immediate physical restraint of a competent person by tether or leash of 10 feet or less in length; provided, that this section shall not apply to any police dogs or service

animals; provided further, that this section shall not apply to animal shows, exhibitions, or organized dog training classes.

(f) Be a female animal in estrus (heat) while not confined in a building or proper enclosure which prevents the female animal from coming into contact with a male of the species, or to be a male animal which strays and gains access to a female animal of the same species which is properly confined while that female animal is in estrus and subsequently impregnates or attempts to impregnate the female. This provision does not apply to planned or otherwise authorized breeding.

(2) (a) The animal control authority or any commissioned law enforcement officer or the prosecuting attorney may cite an owner or keeper upon probable cause that a violation of this section has occurred, whether or not the violation took place in the citing authority's presence.

(b) Any owner or keeper who is found, by a preponderance of the evidence, to have violated any portion of this section shall be subject to the civil penalties in LCC 1.20.040.

(c) In addition, any violation of this section shall constitute a public nuisance.

(d) Upon probable cause that a violation of this section is presently occurring, the animal may be impounded under an administrative warrant issued pursuant to this chapter and held pending resolution of the matter. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.030 Animals at large.

(1) It shall be unlawful for the owner or keeper of any animal to negligently allow such animal to enter or trespass onto private property of another without the express permission of the owner or caretaker of said property; or to allow said animal to run at large onto any public property or the public right-of-way within Lewis County.

(a) The animal control authority or any commissioned law enforcement officer or the prosecuting attorney may cite an owner or keeper upon probable cause that a violation of this subsection (1) has occurred, whether or not the violation took place in the citing authority's presence.

(b) Any owner or keeper who is found, by a preponderance of the evidence, to have violated any portion of this subsection (1) shall be subject to the civil penalties in LCC 1.20.040.

(2) It shall be unlawful for the owner or keeper of an animal to knowingly allow that animal to be at large under subsection (1) of this section when that animal due to its size, habits, or natural propensities or instincts represents a potential threat of substantial bodily injury to people or damage to property and is not under the physical restraint of a competent person; provided, however, this section shall not apply to police dogs as defined in RCW 4.24.410.

(a) The prosecuting attorney or a fully commissioned law enforcement officer may cite an owner or keeper upon probable cause that a violation of this subsection (2) has occurred. A law enforcement officer may arrest the violator if the violation took place in the officer's presence or in the presence of another law enforcement officer. The animal control authority may not cite an owner or keeper under this subsection (2).

(b) Any owner or keeper who is found, beyond a reasonable doubt, to have violated this subsection (2) shall be guilty of a misdemeanor, punishable by imprisonment in the county jail

for a maximum term fixed by the court of up to 90 days, or by a fine in an amount fixed by the court of not more than \$1,000 plus statutory assessments, or by both such imprisonment and fine. Further, upon probable cause that this crime has occurred, the animal may be impounded under an administrative warrant issued pursuant to this chapter and held pending resolution of the matter. Upon conviction, the owner or keeper shall be stripped by the court of all ownership interest in the animal and the animal shall become the property of Lewis County and may be humanely destroyed; provided, where the animal has been declared dangerous, the animal shall be humanely destroyed and not held for adoption or sale and shall not become the property of Lewis County. Upon acquittal, the animal shall be returned to the owner or keeper. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.040 Cruelty to animals.

It shall be unlawful for any person to:

(1) Recklessly cause an animal to experience substantial pain or suffering by (a) killing, (b) injuring, (c) torturing, or (d) tormenting any such animal. It shall be an affirmative defense that actions taken in violation of this subsection were otherwise lawful and justified under the circumstances.

(2) With criminal negligence, fail to render aid or attempt to alleviate substantial pain, suffering or injury he or she proximately caused to any animal.

(3) With criminal negligence, fail to provide adequate daily rations of food, water, air, light, space or shelter to any animal within his or her care, custody or control.

(4) With criminal negligence, tether, confine or restrain any animal in such a manner as to render said animal incapable of consuming food or water, or render such animal incapable of accessing shelter, or to confine or restrain said animal in such a manner that it is forced to lie in its own feces or any other material detrimental to its health.

(5) Knowingly abandon any animal by dropping off or leaving said animal on the street, road, or highway, or in a public place or private property not belonging to the owner or keeper of the animal. It shall be an affirmative defense to a charge under this subsection that the animal was left (a) at the designated animal shelter during the shelter's regular business hours and (b) in the immediate care of the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director's designee or the Lewis County sheriff or the sheriff's designee.

(6) Recklessly confine an animal in a parked motor vehicle for more than 15 minutes when the temperature outdoors is at or above 70 degrees Fahrenheit and when there is no competent person within the vehicle. It is an affirmative defense that the motor vehicle is a motor home with working and adequate climate control.

(7) Any owner or keeper who is found, beyond a reasonable doubt, in a criminal proceeding to have violated any portion of this section shall be guilty of a gross misdemeanor, punishable by imprisonment in the county jail for a maximum term fixed by the court of up to 364 days, or by a fine in an amount fixed by the court of not more than \$5,000 plus statutory assessment, or by both such imprisonment and fine. Further, upon probable cause that this crime has occurred, the animal may be impounded under an administrative warrant issued pursuant to this chapter and held pending resolution of the matter. Upon conviction, the owner or keeper shall be stripped by the court of all ownership interest in the animal and the animal shall become the property of Lewis County and may be humanely destroyed; provided, where the animal has been declared dangerous, the animal shall

be humanely destroyed and not held for adoption or sale and shall not become the property of Lewis County. Upon acquittal, the animal shall be returned to the owner or keeper. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.050 Potentially dangerous animals.

(1) Finding. The animal control authority may find and declare an animal potentially dangerous if it has probable cause to believe that the animal falls within the definition of a potentially dangerous animal under this chapter.

(2) Notice. The owner or keeper of an animal found and declared to be potentially dangerous shall be informed of such by the animal control authority within 20 calendar days of such finding and declaration. The notice shall be in writing. The notice shall be served upon the owner or keeper of the animal by (a) mailing such notice to the owner's or keeper's last known address by certified mail, (b) personal service, or (c) if the owner or keeper cannot be reasonably located, by publication once a week for three consecutive weeks in a newspaper of general circulation within Lewis County, Washington.

(3) Content of Notice. The written notice shall state, at a minimum:

- (a) A description of the animal;
- (b) The name and address of the owner or keeper, if known;
- (c) The location of the animal, if known;
- (d) The facts upon which the declaration is based; and
- (e) The following notice:

Your animal has been found to be and is declared to be potentially dangerous and due to its size, habits, or natural propensities or instincts represents a potential threat of substantial bodily injury to people or damage to property. If your animal again bites, attacks, endangers the safety of humans or animals, or is at large, your animal may be declared dangerous. This potentially dangerous animal designation has no legal effect other than to inform you that your animal represents a potential threat of substantial bodily injury to people or damage to property and action may be taken against you and your animal in the event that your animal bites, attacks, endangers the safety of humans or animals, or is at large in the future.

[Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.060 Dangerous animals.

An animal may be declared dangerous if the animal control authority proves at a hearing by [a](#) preponderance of the evidence that the animal meets the definition of a dangerous animal under this chapter. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.070 Dangerous animal designation hearing - Process.

(1) Initiation of Process. The animal control authority may initiate the designation of a dangerous animal by giving the owner or keeper of such animal notice that the animal control authority has probable cause to believe that the animal is dangerous and that a hearing to determine whether the animal is dangerous will be held.

(2) Notice. Notice of a dangerous animal declaration hearing may be served by (a) personal service on the animal's owner or keeper or (b) mailing, by certified mail, a copy of the notice to the owner or keeper's last known address. Notice must be given at least 10 calendar days prior to the hearing, plus an additional three calendar days if notice is served by mail. The date of service or deposit in the mail and the date of the hearing shall not be calculated as one of the 10 calendar days nor as one of the additional three days if service is by mail. The hearing must be scheduled no more than 90 calendar days from the date of service, unless a continuance is warranted for good cause.

(3) Contents of Notice. The notice must, at a minimum, include the following:

(a) The date, time, and location of the hearing;

(b) Notice that the owner or keeper may be represented by a lawyer at the hearing;

(c) Notice that the owner or keeper is entitled to any report generated by the animal control authority related to the facts at issue;

(d) Notice that the owner or keeper may call witnesses, including by subpoena, to testify, and that he or she may cross-examine any witnesses called by the animal control authority;

(e) Notice that failure to appear for the hearing may result in a default judgment against the owner or keeper; and

(f) Notice that an adverse finding may be appealed in accordance with this chapter.

(4) A quasi-judicial citizens' panel, the ~~dangerous animal decisions board~~ Dangerous Animal Decisions Board (~~DAD board~~ DAD Board), shall preside over a hearing to determine whether an animal meets the definition of a dangerous animal under this chapter. The panel shall consist of five members appointed by the ~~board of county commissioners~~ Board of County Commissioners, three or more of whom shall constitute a quorum. Its decisions shall be by majority vote of the quorum present. The members shall be appointed so as to acquire a broad range of local opinion, experience, and expertise with regard to animals and animal ownership, and shall be free of conflicts of interest. The ~~DAD board~~ DAD Board may adopt rules to help it conduct hearings fairly and efficiently. The ~~director of public health and social services~~ Director of Public Health & Social Services shall supply an employee to serve as clerk to the ~~DAD board~~ DAD Board. If no ~~DAD board~~ DAD Board is constituted and a hearing is required, the ~~director of public health and social services~~ Director of Public Health & Social Services or his or her designee shall hold and preside over a hearing to determine whether an animal is dangerous, exercising the powers and duties of the ~~DAD board~~ DAD Board. This designee must not be the same individual, nor subordinate to the individual, who initiated the dangerous animal proceedings.

(5) The hearing determining whether an animal is dangerous shall be open to the public and shall be held on the record, either by use of a court certified transcriptionist or by a reliable means of electronic audio recording. Such record shall be maintained by the ~~director of public health and social services~~ Director of Public Health & Social Services or the director's designee per the record retention

schedules published periodically by the Washington Secretary of State, but in no case for less than six years, and shall be a public record.

(6) The animal control authority may be represented by an employee of the animal control authority or by the Lewis County prosecuting attorney. The owner or keeper of the animal may represent himself or herself, or may be represented by an attorney.

(7) The animal control authority and the animal's owner or keeper shall have an opportunity to call witnesses and present evidence and make argument. The ~~DAD board~~DAD Board shall have the power to subpoena witnesses for the hearing at the request of the parties as outlined in this chapter. Anyone whose person or property was allegedly injured by the animal on the incident(s) giving rise to the dangerous animal allegations under consideration shall have the right to make a statement to the ~~DAD board~~DAD Board at the hearing.

(8) The animal control authority shall have the burden to prove by preponderance that the animal meets the definition of a dangerous animal as defined in this chapter.

(9) Evidence. Evidence, including hearsay evidence, is admissible if in the judgment of the ~~DAD board~~DAD Board it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. The ~~DAD board~~DAD Board may exclude evidence that is irrelevant, unduly repetitious, unfairly prejudicial when considering its probative value, or a waste of time. Documentary evidence considered by the ~~DAD board~~DAD Board may be identified aloud and marked as considered in lieu of being read in full into the record.

All testimony of parties and witnesses shall be made under oath or affirmation, and the clerk of the ~~DAD board~~DAD Board shall be empowered to administer such oath. Testimony about the animal's previous behavior, not occurring on the incident(s) giving rise to the dangerous animal allegations under consideration, shall not be admissible, unless it pertains to a specific and relevant issue, such as provocation.

The ~~DAD board~~DAD Board may consider the evidence in light of its common sense and experience, and may take notice of facts of common knowledge which are generally known and capable of accurate and ready determination and are not reasonably in dispute. The ~~DAD board~~DAD Board must announce that it is taking such notice on the record and give the parties the opportunity to be heard on the matter.

The ~~DAD board~~DAD Board shall have broad discretion to control the presentation of evidence and the procedure of the hearing in order to ensure a speedy, just and orderly hearing and determination.

(10) Failure of the owner or keeper of the animal to appear at the hearing ~~shall~~may result in ~~a default judgment in favor of the animal control authority and shall result in the animal being declared dangerous without further inquiry~~the hearing being held in absentia. In addition, upon Upon such a failure to appear, the ~~DAD board~~DAD Board may, in its discretion, and for good cause delineated in a written order, continue the hearing ~~not more than one time in lieu of entering a default judgment;~~ provided, that such continuance does not extend the date of the hearing beyond 90 days from the date of service unless the animal control authority agrees to the continuance.

(11) At or after the conclusion of the hearing, the ~~DAD board~~DAD Board members may caucus privately regarding the decision. Thereafter, the ~~DAD board~~DAD Board shall announce its decision finding that the animal either meets or does not meet the definition of a dangerous animal under this chapter, or shall announce why it could not yet reach a decision and shall set a date certain within the

next 30 days for a subsequent meeting of the ~~DAD board~~[DAD Board](#) at which it will render a decision. In the event of a tie vote by the ~~DAD board~~[DAD Board](#), the ~~director of public health and social services~~[Director of Public Health & Social Services](#), or his or her designee, shall review the record and ~~case-cast~~ a vote. The clerk of the ~~DAD board~~[DAD Board](#) shall reduce the decision, once made, to a written order, which may be supported by a written statement of the basis for the decision. Provided, the ~~DAD board~~[DAD Board](#)'s decision shall not consist of conditions under which it will not find an animal to be a dangerous animal, ~~or under which it will merely find the animal to be potentially dangerous.~~

(12) The written order must be served on both parties either (a) personally or (b) by certified mail to the party's last known address. The order shall be effective upon service notwithstanding any appeal, unless stayed pursuant to LCC [6.05.150](#). If neither appealed nor stayed, the order shall be final ~~40-20~~ calendar days following service. Once final, the order may not thereafter be collaterally attacked in a civil proceeding under LCC [6.05.080\(4\)](#), a criminal proceeding under LCC [6.05.090\(2\)](#), or an impound hearing under LCC [6.05.105](#). [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.080 Effect of designation - Civil penalty.

(1) The owner or keeper of an animal which has been declared dangerous pursuant to this chapter or was declared dangerous in another jurisdiction with a substantially similar designation shall, within ~~five-thirty~~ business days of the designation in Lewis County or within ~~five-thirty~~ business days of moving into Lewis County from another jurisdiction, do one of the following:

(a) Yearly obtain a certificate of compliance from the ~~director of public health and social services~~[Director of Public Health & Social Services](#) or the director's designee, certifying compliance with the dangerous animal designation requirements;

(b) Provide proof to the ~~director of public health and social services~~[Director of Public Health & Social Services](#) or the director's designee that the owner or keeper has humanely destroyed the animal; or

(c) Provide proof to the ~~director of public health and social services~~[Director of Public Health & Social Services](#) or the director's designee that the owner or keeper has permanently removed the animal from Lewis County and has identified the animal in compliance with this section.

(2) Certificate of Compliance. The ~~director of public health and social services~~[Director of Public Health & Social Services](#) or the director's designee shall issue a certificate of compliance certifying compliance with the dangerous animal designation requirements under this chapter, upon proof that the owner or keeper of a dangerous animal has:

(a) Paid the yearly registration fee in an amount as published in the fee schedule published pursuant to LCC Title [18](#);

(b) Arranged for a proper enclosure for the animal;

(c) Provided the ~~director of public health and social services~~[Director of Public Health & Social Services](#) or the director's designee an affidavit stating that the animal will be maintained in the proper enclosure;

(d) Posted clearly visible warning signs at all points of ingress and egress to the property that there is a dangerous animal on the property, including imagery that informs children of the presence of a dangerous animal;

(e) Identified the animal in compliance with this section;

(f) Provided the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director's designee with veterinary records indicating that the animal is current on all vaccinations against diseases potentially harmful to humans or animals, unless a licensed, practicing veterinarian provides an affidavit indicating that specified vaccines are not reasonably available or not USDA licensed for the particular species; and

(g) Obtained a current bond or insurance which extends for a period of not less than the duration of the certificate of compliance, and which covers injury or damage caused by the dangerous animal, whether on or off the owner's or keeper's real property, in an amount not less than ~~\$500,000~~ [\\$250,000](#). The insurance may be in the form of a surety bond issued by a surety insurer qualified under Chapter [48.28](#) RCW or in the form of a liability insurance policy, [such as homeowner's or renter's insurance](#), issued by an insurer qualified under RCW Title [48](#).

(3) Identification. The owner or keeper of an animal which has been declared dangerous pursuant to this chapter or was declared dangerous in another jurisdiction with a substantially similar designation shall, within ~~five~~ [thirty](#) business days of the designation in Lewis County or within ~~five~~ [thirty](#) days of moving into Lewis County from another jurisdiction, cause the dangerous animal to be permanently identified by microchip. The ~~director of public health and social services~~ [Director of Public Health & Social Services](#) may, but is not required to, provide for alternative methods of identification if appropriate and upon request of the owner or keeper.

(4) Penalty. Any owner or keeper who is found, by a preponderance of the evidence, to have violated any portion of this section shall be subject to the civil penalties in LCC [1.20.040](#). A collateral attack on the underlying dangerous animal provision shall not be permitted during an enforcement action under this subsection: The issue shall be limited to whether this section was violated.

(5) Impoundment. Upon probable cause that a violation of this section has occurred, the animal may be impounded under an administrative warrant issued pursuant to this chapter and held pending an impound hearing under LCC [6.05.105](#), regardless of whether the violator is cited for any civil or criminal violation under this chapter. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.090 Effect of designation - Criminal penalty.

(1) It shall be unlawful for the owner or keeper of a dangerous animal to permit by criminal negligence the animal to:

(a) Be outside of the proper enclosure unless the animal is (i) muzzled in such a manner as to prevent the animal from biting any person or property and (ii) restrained by a sufficient leash not more than six feet in length, and (iii) under the immediate control of a competent person; or

(b) Cause any degree of damage to (i) a person, (ii) an animal not owned by the owner or keeper, whether domestic, feral, or wild, (iii) personal property not owned by the owner or keeper, or (iv) real property not owned by the owner or keeper.

(2) Any owner or keeper who is found, beyond a reasonable doubt, to have violated any portion of this section shall be guilty of a gross misdemeanor, punishable by imprisonment in the county jail for a maximum term fixed by the court of up to 364 days, or by a fine in an amount fixed by the court of not more than \$5,000 plus statutory assessments, or by both such imprisonment and fine. A collateral attack on the underlying dangerous animal provision shall not be permitted during an enforcement action under this subsection: The issue shall be limited to whether this section was violated.

(3) Impoundment. Upon probable cause that the crime in this section has occurred, the animal may be impounded under an administrative warrant issued pursuant to this chapter and held pending an impound hearing under LCC [6.05.105](#), regardless of whether the violator is cited for any civil or criminal violation under this chapter. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.095 Voluntary surrender of dangerous animal.

If the owner or keeper of an animal declared dangerous under LCC [6.05.070](#) cannot or chooses not to meet the civil or criminal requirements of keeping the animal, the owner or keeper may surrender the animal to the animal control authority and pay the fee for turn-in and humane destruction of an animal. [Ord. 1289 §1, 2018]

6.05.100 Administrative impoundment warrant.

(1) A judge of a superior court or a judge of the Lewis County district court, upon proper oath or affirmation showing probable cause, may issue an administrative warrant for the purpose of entering and inspecting real or personal property to effectuate the seizure and impoundment of an animal kept or acquired in violation of this chapter. For purposes of the issuance of administrative warrants, probable cause exists upon a showing under oath or affirmation that the owner or keeper of an animal is in civil or criminal violation of this chapter.

(2) A warrant shall issue only upon application by sworn affidavit of (a) the prosecuting attorney or his or her deputy or (b) a fully commissioned law enforcement officer or (c) an officer with a limited law enforcement commission specifically including animal violation enforcement. The affiant must have knowledge of the facts alleged and establish the grounds for issuing the warrant. If the judge is satisfied that grounds for the application exist or that there is probable cause to believe they exist, he or she shall issue a warrant identifying the area, premises, building, or conveyance to be inspected, the purpose of the inspection, and a description of the animal to be seized and impounded. The warrant shall:

- (a) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof;
- (b) Be directed to any peace officer in Lewis County, Washington, to execute it;
- (c) Command the person to whom it is directed to enter the area, premises, building, or conveyance identified for the purpose of seizing and impounding the animal;
- (d) Identify the animal to be seized and impounded; and
- (e) Direct that it be served and designate the judge to whom the warrant shall be returned.

(3) A warrant issued pursuant to this section must be executed and returned within 10 calendar days of its issue date unless, upon a showing of a need for additional time, the court orders otherwise. If

the animal is impounded pursuant to a warrant, a copy shall be given to the person from whom or from whose premises the animal is taken, together with a receipt for the animal taken.


(4) Whenever an animal is impounded pursuant to LCC 6.05.080(5), the animal control authority must serve notice upon the animal owner in person or by certified mail, return receipt requested, specifying the reason for the confiscation of the animal, that the owner is responsible for payment of the costs of confinement and control, and that the animal will be destroyed in a humane manner if the deficiencies for which the animal was confiscated are not corrected within twenty days.

(5) The return of the warrant shall be made promptly, accompanied by a written inventory of any animal taken. The inventory shall be made in the presence of the person executing the warrant and of the person from whose possession or premises the property was taken, if present, or in the presence of at least one credible person other than the person executing the warrant. A copy of the inventory shall be delivered to the person from whom or from whose premises the animal was taken and to the applicant for the warrant.

(6) The judge who has issued a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the court.

(6) Notwithstanding any other provision in this chapter, the availability of an administrative warrant shall not be construed to limit the ability of a court of competent jurisdiction to issue a warrant or other order which would otherwise ordinarily be available.

(7) If an animal is impounded pursuant to a warrant issued under this section for an alleged violation of the civil or criminal dangerous animal requirements in LCC 6.05.080 and 6.05.090, the animal shall be held pending the opportunity for an impound hearing under LCC 6.05.105. If an animal is impounded pursuant to a warrant issued under this section for some other reason, the provisions of LCC 6.05.110 shall instead apply. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.105 Impound hearing following dangerous animal seizure by administrative warrant. 

(1) Right to Impound Hearing. Whenever an animal is impounded pursuant to an administrative warrant predicated on a civil or criminal violation of the dangerous dog requirements in LCC 6.05.080 and 6.05.090, the following people have a right to a hearing under this section: (a) the person from whom or from whose premises the animal is taken, and (b) the owner or keeper of the animal at the time of impoundment if different from the person specified in subsection (1)(a) of this section.

(2) Notice of Hearing. The person executing the administrative warrant or the animal control authority shall give written notice to the appropriate party or parties at the time of the warrant's execution or within five business days thereafter, either by personal service or by certified mail to the party's last known address. Failure to provide timely notice shall not be grounds to invalidate the animal's impoundment, but shall require that the animal be kept at the animal control authority's expense for any period prior to service of proper notice.

(3) Request for Hearing. Within 10 calendar days of service of the notice identified in subsection (2) of this section, plus an additional five calendar days if the notice was served by mail, a party with a right to a hearing may request one in writing from the Lewis County ~~district court~~ District Court, which has jurisdiction pursuant to RCW 3.66.020(2) and (11) and this provision. In the rare event that the impounded animal's market value exceeds the ~~district court's~~ District Court's jurisdiction, the ~~district court~~ District Court shall transfer the case to the Lewis County ~~superior court~~ Superior Court. Failure to

request a hearing within the time limit herein shall result in the dog being humanely destroyed, and shall result in the owner or keeper owing a civil obligation to the animal shelter equal to the fee for turn-in and humane destruction of an animal, plus the daily fee for holding an animal in quarantine per each day the animal was so held.

(4) Time for Hearing. The impound hearing shall occur within ~~10-15~~ calendar days of receipt of the request, and shall be continued only on good cause ~~relating to proof on the merits, not merely for convenience~~. Failure to hold the hearing within the allotted time shall not be grounds to invalidate the impoundment.

(5) Hearing. The impound hearing shall be a commonsense hearing before a judicial officer, on the record and open to the public, in the manner of a small claims trial. The court shall decide whether: (a) there was a violation of LCC 6.05.080 or 6.05.090, as the case may be; and (b) whether the administrative warrant was lawfully issued and served. The impounding authority must prove both by a preponderance of the evidence. A collateral attack on the underlying dangerous animal ~~provision determination~~ shall not be permitted. If the court finds that both of these points have been proven by the impounding authority by a preponderance of the evidence, then the court shall next decide whether the deficiencies for which the animal was confiscated were corrected within twenty days from the date of impound. The party requesting the hearing, or the animal's owner or keeper if different therefrom, shall have the burden of proving, by a preponderance of the evidence, that the deficiencies for which the animal was confiscated were corrected within twenty days from the date of impound.

(6) Effect of Decision. If the court finds the violation and upholds the warrant's issuance and service, the party requesting the hearing, and the animal's owner or keeper if different therefrom, shall be stripped of all ownership interest in the animal and the animal shall be humanely destroyed as provided in subsection (7) of this section. ~~Moreover, the party requesting the hearing or the animal's owner or keeper if different therefrom shall be assessed a civil obligation payable to the animal shelter equal to the fee for turn-in and humane destruction of an animal, plus the daily fee for holding an animal in quarantine per each day the animal was so held.~~ If the court does not find the violation or does not uphold the warrant's issuance or service; or, if the deficiencies for which the animal was confiscated were corrected within twenty days from the date of impound, then the animal shall be returned to the party requesting the hearing or the animal's owner or keeper, as appropriate, but the dangerous animal designation shall remain.


(7) Humane Destruction of Animal. An animal subject to this subsection shall be humanely destroyed within ~~10-15~~ business days of the court's decision, except as follows:

(a) Material Criminal Evidence. If the animal is material evidence in a criminal charge under LCC 6.05.090(2), and documentation of the animal's physical characteristics or other features will not suffice to preserve the animal's evidentiary value, the court may at the impound hearing order that the animal be boarded by the animal shelter pending the outcome of the criminal case. The boarding shall be at the expense of the party seeking to offer the animal as evidence. A bond or other prepayment may be required for the costs of boarding.

(b) Commutation. Upon motion by any person or entity at the impound hearing, the court may hear evidence that the animal, notwithstanding its dangerousness, can be safely kept by that person or entity at private expense under conditions that will prevent any harm to the public. The parties shall have an opportunity to respond to and/or rebut such evidence. If, by clear and convincing evidence, the person or entity demonstrates such training and facilities as are necessary to eliminate the animal's risk to the public or other domestic animals, the court may order that the animal not be humanely destroyed and instead award custody of the animal to the

person or entity. In making such an order, the court shall require that the person or entity pay the animal control authority's and animal shelter's expenses in impounding and boarding the animal before taking custody; if such payment is not made within 10 business days of when the amount is communicated to the party or entity seeking custody, the animal shall be humanely destroyed.

(8) No party shall have any appeal from a court decision under subsection (6) or (7) of this section. [Ord. 1289 §1, 2018]

6.05.110 Impoundment and disposition of animals held by Lewis County other than by administrative warrant for a dangerous dog violation. 

(1) This section does not apply to the impoundment of an animal via administrative warrant predicated on a violation of the dangerous dog requirements of LCC 6.05.080 or 6.05.090. Otherwise, and notwithstanding any other provision in this chapter, an animal may be impounded by:

(a) The animal control authority or any commissioned law enforcement officer if:

(i) The animal control authority or law enforcement officer is acting at the direction of a valid warrant or other court order;

(ii) The animal is on public property and there is probable cause to believe that the animal is in or is presently being kept in violation of any law ~~or is at large~~ or ~~the animal to be impounded is on public property and the animal~~ is clearly abandoned; or

(iii) The animal is on ~~real~~ private property and there is probable cause to believe that the animal is in or is presently being kept in violation of any law is at large, or is clearly abandoned, and the animal control authority or law enforcement officer has the express, written permission of the property owner to enter the property and seize the animal.

(b) Any person if the animal is at large and is:

(i) On the person's own property;

(ii) On public property and the animal is threatening any person or property or animal; or

(iii) Being pursued by the animal control authority or law enforcement officer and the animal control authority or law enforcement officer requests assistance.

(2) (a) Nothing in this section is to be construed as allowing anyone other than a fully commissioned law enforcement officer to forcibly seize an animal from the immediate presence of any other person claiming or apparently asserting by word or action an interest in the animal.

(b) Any time an animal is impounded, the animal must be delivered to the ~~director of public health and social services~~ Director of Public Health & Social Services; ~~to~~ or the director's designee; to ~~or~~ the Lewis County ~~sheriff~~ Sheriff; or to a Deputy Sheriff ~~the sheriff's deputy~~ within 24 hours. The Lewis County ~~sheriff~~ Sheriff and the ~~director of public health and social services~~ Director of Public Health & Social Services may designate, together or separately, where or to whom animals are to be delivered for impoundment. If the location is other than the designated animal shelter, the animal must then be delivered to the animal shelter within one business day by the designated person receiving the animal.

(3) Once an animal has been impounded at the animal shelter, the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director's designee shall take reasonable steps to ascertain the contact information of the animal's owner or keeper and notify the owner or keeper within 48 hours of receipt of the animal that the animal has been so impounded and that the animal may be redeemed from the animal shelter if redemption is authorized under the circumstances. Notice may be given to the owner or keeper by any means reasonably calculated to give the owner or keeper actual notice.

(4) (a) Any animal impounded or held by the animal shelter must be held for the owner or keeper for a period of at least ~~three~~ [ten](#) business days during which the animal shelter is open for regular business. During this holding period, the animal's owner or keeper may redeem the animal, where redemption is authorized, by claiming the animal and paying Lewis County for all costs actually incurred by Lewis County in the impoundment and holding process, in an amount set in the schedule of fees published in or pursuant to LCC Title 18 effective on the date of impoundment, plus veterinary costs which may be greater and shall be determined by reference to billing receipts from the veterinary clinic providing services, and plus the actual costs of transportation of the animal. In the event that the animal is not redeemed by the owner or keeper, the animal may be humanely destroyed at the expiration of the ~~ten~~ [three](#) business days, or at the discretion of the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director's designee for good cause the animal may be held on behalf of the owner for longer than ~~ten~~ [three](#) business days.

(b) Subsection (4)(a) of this section does not apply when an animal has been seized and impounded pursuant to a criminal, civil, or administrative warrant issued by a court of competent jurisdiction. In such cases, the animal must be held pursuant to the warrant and in compliance with all applicable law.

(5) Notwithstanding any other provision of this section, an animal held by the animal shelter under subsection (4) of this section may be humanely destroyed at the discretion of the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director's designee if the animal poses a health or safety risk to people or property at the animal shelter or the animal is suffering from a condition likely to result in death or the need for immediate veterinary care likely to exceed ~~\$100.00~~ [two hundred dollars \(\\$200\)](#) in costs. If the animal is to be humanely destroyed under this provision and the identity and contact information of the owner or keeper of the animal are known or reasonably ascertainable, there must be a reasonable attempt to notify the owner or keeper of the animal of the intent to destroy the animal, and the owner or keeper must be given the opportunity to claim the animal within eight business hours, unless providing such opportunity would constitute animal cruelty under any applicable law, in which case the applicable facts must be documented and the humane destruction may take place immediately and without notice. This provision does not apply to animals being held pursuant to any warrant or as evidence in a criminal case.

(6) Adoption and Sale.

(a) In lieu of humanely destroying an animal as authorized under this chapter, the ~~director of public health and social services~~ [Director of Public Health & Social Services](#) or the director's designee may declare the animal to be property of Lewis County and offer the animal for adoption, or in the case of livestock either offered for adoption or sold at public auction with the proceeds from any such auction deposited in Lewis County's general fund; provided, that no live animal shall be adopted out or otherwise transferred for the purpose of experimentation; and provided further, that an animal declared dangerous must be humanely destroyed and may not become the property of Lewis County or sold or adopted out to a third party. [However, at any time prior to such an animal being humanely destroyed, any person or entity may file a petition](#)

with the District Court for commutation and the animal control authority shall not destroy the animal while such petition is pending. The determination made by the court at the hearing on such a petition, and the court's order on such a petition, shall adhere to the requirements set forth in LCC 6.05.105(7)(b).

(b) In the event that Lewis County becomes the owner of an animal by a means not otherwise specified in this chapter, the animal may be held for adoption, and in the case of livestock sold at public auction or held for adoption; provided, that a dangerous animal may not be held for adoption or sale ~~and must be humanely destroyed within one business day~~. Alternatively, ~~the an~~ animal under this subsection that is not dangerous may be humanely destroyed at the discretion of the ~~director of public health and social services~~ Director of Public Health & Social Services or the director's designee after 15 days; provided, that doing so would not violate any law, order, or code provision.

(c) In the event that a dog or cat is to be held for adoption, the animal must be sterilized prior to adoption.

(d) In the event that an animal is to be held for adoption, Lewis County may charge an adoption fee in an amount to be set in the schedule of fees published pursuant to LCC Title 18, as adopted by the Lewis County ~~board of county commissioners~~ Board of County Commissioners.

(e) Proceeds from any sale of livestock must be placed in Lewis County's general fund.

(7) No animal being held by Lewis County which is the subject or *res* of any court action may be destroyed or held for adoption or sold except by court order, or as otherwise authorized by law. All such animals must be held and maintained in the animal shelter and provided veterinary care, as needed. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.120 Subpoenas. 

(1) The ~~DAD board~~ DAD Board, through its clerk, is authorized to issue subpoenas for witnesses related to dangerous animal hearings. Such subpoenas shall be valid for the named witness when the named witness is served within the unincorporated areas of Lewis County. Witness fees shall be paid by the party requesting the subpoena in an amount consistent with witness fees assessed in civil matters in the Lewis County district court; provided, that no party to the action may collect a witness fee.

(2) Every subpoena shall identify the party requesting issuance of the subpoena and shall state the name of the ~~DAD board~~ DAD Board and the title of the proceeding and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents, or things under his or her control.


(a) A subpoena to a person to provide testimony at a hearing shall specify the time and place set for hearing.

(b) A subpoena duces tecum requesting a person to produce designated books, documents, or things under his or her control shall specify a time and place for producing the books, documents, or things. That time and place may be the time and place set for hearing, or another reasonably convenient time and place in advance of the hearing.

(3) A subpoena may be served by any suitable person over 18 years of age who is not a party to the action, by exhibiting and reading it to the witness, or by giving him or her a copy thereof, or by leaving such copy at the place of his or her abode. When service is made by any other person than an officer authorized to serve process, proof of service shall be made by affidavit or declaration under penalty of perjury.

(4) The ~~DAD board~~[DAD Board](#), upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may (a) quash or modify the subpoena if it is unreasonable and oppressive or (b) condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(5) If a witness under subpoena fails or refuses to attend the hearing, provide testimony, or produce the items as commanded, the ~~DAD board~~[DAD Board](#) may request that the witness be cited for an infraction of failing to obey the subpoena. Upon receipt of such a request, the ~~director of public health and social services~~[Director of Public Health & Social Services](#) or his or her designee shall cite the witness or shall give written explanation for the decision not to cite to the ~~DAD board~~[DAD Board](#). If the witness is cited and found, by a preponderance of the evidence, to have violated a subpoena under this section, he or she shall be subject to the civil penalties in LCC [1.20.040](#). [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.140 No effect on civil liability. 

Nothing in this chapter is intended to affect the rights or liabilities of any party to a civil action other than the civil actions expressly created by this chapter. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.145 Repeat infractions criminalized. 

Any person who commits an act prohibited by this chapter, the penalties for which this chapter specifies as being the civil penalties in LCC [1.20.040](#), for a fifth or subsequent time within a 10-year period is guilty of a misdemeanor as defined in LCC [1.20.020](#). The 10-year period shall be measured from the date of the first of the five or more alleged offenses to the date of the current offense, regardless of the date(s) of conviction. A committed finding on a prior infraction for any of the prior violations shall be sufficient to show that prior violation and notice to the accused, but shall not be necessary for proof of the misdemeanor. It shall suffice if it is proven beyond a reasonable doubt within the misdemeanor prosecution that (1) each prior violation occurred; (2) the accused was lawfully served with written notice of each prior violation before the fifth or subsequent violation; and (3) the fifth or subsequent violation occurred. [Ord. 1289 §1, 2018]

6.05.150 Stay or appeal of dangerous animal designation. 

(1) Stay. An order under LCC [6.05.070](#)(10) or (11) shall be effective upon service notwithstanding any appeal pursuant to subsection (2) of this section unless stayed pursuant to this section. Any aggrieved person or party may file a motion for stay with an appeal under subsection (2) of this section, which motion shall be decided by the hearing examiner as soon as reasonably practicable during such appeal. The motion for stay shall itself stay the order declaring the animal dangerous until decided by the hearing examiner, after which the hearing examiner's decision shall control.

(2) Appeal. Upon payment of a filing fee specified in ~~public health and social services'~~[Public Health & Social Services'](#) fee schedule, any aggrieved person or party may appeal an order under LCC [6.05.070](#)(10) or (11) to the hearing examiner pursuant to LCC [2.25.130](#). The review of the

issues shall be de novo; new evidence may be presented in writing, ~~but~~ however, no new oral testimony may be taken. The hearing examiner's decision may be appealed pursuant to Chapter 2.25 LCC.

(3) If neither appealed nor stayed, an order under LCC 6.05.070 declaring an animal dangerous shall be final 10 calendar days following service. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.155 Rescinding dangerous animal designation.

~~The owner or keeper of~~ if an animal that has been declared dangerous ~~but, based on old age and condition,~~ no longer poses any danger to persons or property and the animal has been in full compliance with all provisions of this chapter for a period of at least three years, then the owner or keeper of said animal may submit a written request to the animal control authority asking that the dangerous animal designation be rescinded. The written request must include ~~an~~ a signed opinion from a licensed veterinarian substantiating the animal's ~~age and condition~~ no longer poses any danger to persons or property. The veterinarian's opinion must set forth that the veterinarian has conducted a thorough behavioral examination of the animal and shall set forth in detail the basis for the veterinarian's conclusion that the animal no longer poses any danger to persons or property. Upon receipt of the request and a fee equivalent to that of an annual registration for a dangerous animal, the animal control authority will refer the request to the ~~DAD board~~ DAD Board for review. The animal control authority ~~may view~~ shall evaluate the animal and provide a report to the ~~DAD board~~ DAD Board. The ~~DAD board~~ DAD Board may rescind the designation if it meets the standard set forth in this provision. [Ord. 1289 §1, 2018; Ord. 1280, 2017; Ord. 1275 §1, 2017]

6.05.160 Restitution.

Upon conviction for any criminal law violation of this chapter, the defendant shall be liable to Lewis County for all costs actually incurred in the investigation and prosecution of the case. The costs shall include the costs of investigating the violation including the hourly rate of pay for Lewis County staff involved in the investigation process, transportation and housing and veterinary costs for any animals related to the matter or held by Lewis County, and any other incidental costs of investigation or prosecution, excluding attorney fees. The court shall impose all such costs as restitution. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.170 Scope.

The provisions of this chapter shall be effective in and throughout the unincorporated areas of Lewis County, Washington. [Ord. 1289 §1, 2018; Ord. 1260, 2014]

6.05.180 Severability.

Should any section, paragraph, sentence, clause or phrase of this chapter, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this chapter be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this chapter or its application to other persons or circumstances. [Ord. 1289 §1, 2018; Ord. 1260, 2014]