A RULE AND REGULATION for the protection of the
public health against diseases and injury from, and
establishing permit and fee requirements for, pet shops,
commercial kennels, pet daycare facilities, animal shelters,
pet grooming services and pet food retail businesses;
amending R&R 06-01, Section 2, and BOH 8.01.020 and
adding a new chapter to BOH Title 8 and a new chapter to
BOH Title 2; and amending the Seattle Health Code as
codified in chapters 10.03 and 10.72 of the Seattle
Municipal Code, adopted by the metropolitan King County
council pursuant to Ordinance 12098, Section 3; enacted
pursuant to RCW 70.05.060, including the latest
amendments or revisions thereto.

BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

SECTION 1. R&R 06-01, Section 2, and BOH 8.01.020 are each hereby
amended to read as follows:

Purpose and policy.

A. Authority is established under RCW ((C))chapter 70.05 for the control and
prevention of zoonotic disease. This title is enacted as an exercise of the Board of Health
powers of King County to protect and preserve the public peace, health, safety and
welfare. Its provisions shall be liberally construed for the accomplishment of these
purposes. This title governs the prevention of zoonotic disease and includes rabies
control ((and)) rodent control and provisions for pet shops, commercial kennels, pet
daycare facilities, animal shelters, pet grooming services and pet food retail businesses.

B. ((It is expressly the purpose of this title to provide for and promote the peace,
health, safety and welfare of the general public, and not)) Nothing in this title is intended
to or shall be construed to create or otherwise establish or designate any particular class
or group of persons who will or should be especially protected or benefited by the terms
of this title.

C. Nothing contained in this title is intended to be or shall be construed to create
or form the basis for any liability on the part of King County, or its officers, employees or
agents, for any injury or damage resulting from the failure of any person subject to this
title to comply with this title, or by reason or in consequence of any act or omission in
connection with the implementation or enforcement of this title on the part of King
County by its officers, employees or agents.

SECTION 2. Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20,
21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 of this
rule should constitute a new chapter on pet businesses in BOH Title 8.

NEW SECTION. SECTION 3. Citation. This chapter may be cited and referred
to, and shall be known as, the "King County Board of Health Pet Shop and Pet Food
Retail Business Regulations."

NEW SECTION. SECTION 4. Purpose and scope of chapter.
A. This chapter governs the protection of human health and safety against the spread of dangerous, contagious or infectious diseases by animals in pet shops, commercial kennels, pet daycare facilities, animal shelters and pet grooming services, or by pet foods or products sold in pet food retail businesses which may contain harmful pathogens or toxins.

B. It is the specific intent of this chapter to place the obligation of complying with its requirements upon owners and operators of pet shops, commercial kennels, pet daycare facilities, animal shelters and pet food retail businesses, and other persons designated by this chapter within its scope, and any provision of or term used in this chapter is not intended to impose any duty whatsoever upon King County or any of its officers or employees, for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.

NEW SECTION. SECTION 5. Relationship of chapter to other laws, rules and regulations.

A. In addition to the control and prevention of zoonotic disease, and in recognition of the public policy of the county to protect animal and human health and safety and prevent cruelty to animal life, it is the intent of this chapter to promote the health, safety and well-being of animals kept, housed or cared for in pet shops, commercial kennels, pet daycare facilities, animal shelters and pet grooming services, and to promote disease prevention standards for pet foods or products sold in pet food retail businesses.

B. Nothing in this chapter shall affect the obligation of any owner or operator of any pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming
service or pet food retail business, or the owner or keeper of any pet animal, to comply
with other applicable laws, rules and regulations, including, but not limited to, those
governing animal care and control, building, zoning or environmental standards.

NEW SECTION. SECTION 6. Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

A. "Animal" means any living creature except Homo sapiens, insects and worms.
B. "Animal shelter" means a facility used to house or contain and offer or distribute for adoption as pets any stray, homeless, abandoned or unwanted animals other than livestock and that is owned, operated or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organization, or by a person or persons devoted to the welfare, protection and humane treatment of animals. "Animal shelter" includes "satellite pet adoption facility," but does not include pet adoption services performed at an animal shelter or satellite pet adoption facility not more than a total of twenty-one days per calendar year.

C. "Aquarium" means any establishment, store or department of any store that acquires, through purchase, consignment, donation, importation or breeding any combination of live fish, corals, aquatic amphibians or invertebrates, but no other types of pets, and sells or offers to sell, adopt or trade the live animals to the public or retail outlets.

D. "Aquarium stock" means live fish, live corals, aquatic amphibians and aquatic invertebrates.
E. "Board" means the provision of shelter and food to pet animals by an entity other than the pet's owner and at a location separate from the owner's residence.

F. "Carapace" means a hard bony outer covering, such as the fused dorsal plates or shell of a turtle.

G. "Commercial kennel" means any establishment or facility where four or more dogs or cats are kept for commercial purposes including, but not limited to, board, propagation and training. Commercial kennels include, but are not limited to, dog or cat boarding facilities, training facilities where dogs or cats are boarded during the course of training, catteries and dog or cat breeding or importation businesses. Commercial kennels do not include pet shops, pet daycare facilities, animal shelters, pet grooming services or veterinary hospitals or clinics where animals are kept for surgical or medical treatment under the supervision of a licensed veterinarian.

H. "Establishment" or "facility" means those portions of any building, yard, pen or other area at a single location in which any animals are kept or transported for the purpose of adoption, breeding, boarding, day care, grooming, selling, sheltering, trading or otherwise handling animals, or in which a pet food retail business is located.

I. "Livestock" means farm animals raised for food or fiber production or kept for recreational purposes, including, but not limited to, horses, donkeys, mules, cattle, sheep, llamas, alpacas, goats and swine, but excluding birds, Vietnamese, Chinese or Asian pot-bellied pigs and miniature breeds of livestock kept primarily as pets.

J. "Mobile grooming unit" means any mobile vehicle used as a pet grooming service.
K. "Owner" or "operator" means a person either owning or otherwise responsible for the operation of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business and, as applicable, the care and welfare of the animals present.

L. "Pet" means a nonlivestock animal kept by a private individual for pleasure or companionship.

M. "Pet daycare facility" means any commercial facility where four or more dogs or other pet animals are left by their owners for periods of supervised social interaction in play groups with other animals of the same species for the majority of the time the pets are at the facility during the hours the facility is open to the public.

N. "Pet food retail business" means a retail establishment selling any of the following for consumption by pets:

1. Foods or treats requiring refrigeration or freezing to prevent spoilage; or
2. Uncooked or partially cooked animal derived pet foods or treats not requiring refrigeration or freezing. For the purpose of this chapter, "partially cooked animal derived pet foods or treats" are those that are cured, dried, dehydrated or smoked and include but are not limited to pig ears, beef hooves, dried tendons, smoked bones, chicken or salmon jerky, and freeze dried seafood, meat or animal organs.

O. "Pet grooming service" means any place, establishment or mobile unit, public or private, where pet animals are bathed, clipped or combed for the purpose of enhancing their aesthetic value or health, or both, and for which a fee is charged. "Pet grooming service" includes any self service dog washing business where customers wash their own pets, but does not include incidental bathing or combing of pets as part of regular animal
care performed at a pet shop, commercial kennel, pet daycare facility or animal shelter, or
performed on an infrequent and nonprofit basis for hobby or recreational purposes.

P.1. "Pet shop" means any establishment, store or department of any store that
acquires, through purchase, consignment, donation, importation or breeding, live animals
including birds, reptiles, amphibians, fish or poultry, but excluding livestock, and sells or
offers to sell, adopt or trade the live animals to the public or to retail outlets.

2. "Pet shop" does not include the hobby breeding of animals at or adjoining a
private residence, animal shelters; livestock auctions; and farm and ranch feed stores that
sell baby poultry to commercial operations.

Q. "Poultry" means all domesticated fowl and all game birds which are held in
captivity.

R. "Psittacine bird" means all birds commonly known as parrots, macaws,
cockatoos, cockatiels, lovebirds, parakeets and all other birds of the order psittaciformes.

S. "Satellite pet adoption facility" means a fixed location within a separately
permitted pet shop, commercial kennel, pet daycare facility, pet grooming service or pet
food retail business where an animal shelter, its staff or volunteers house, care for and
regularly offer pets for adoption from the fixed location.

T. "Water resistant" means that which repels water. The following materials and
substances shall be considered water resistant: painted or sealed wood surfaces, sealed
concrete, sealed concrete blocks, stainless steel, vinyl flooring, glass, treated or sealed
paneling, fiberglass, tile, tile blocks and other materials approved by the director on a
case by case basis after finding that the material is water resistant.
NEW SECTION. SECTION 7. **Overnight boarding.** Overnight boarding is permitted at commercial kennels, pet daycare facilities and animal shelters. Overnight boarding is not permitted at pet grooming services or pet shops unless the owner or operator obtains a separate commercial kennel, pet daycare facility or animal shelter permit for the facility.

NEW SECTION. SECTION 8. **Pet shop, commercial kennel, pet daycare facility, animal shelter and pet grooming service infection control plan requirements.**

A. The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service shall develop and maintain a written basic infection control plan, subject to review and approval by the director, specifying: the schedule for cleaning and disinfection of cages, surfaces and equipment; proper methods for handling and disposal of soiled animal bedding, litter and wastes; disinfectants to be used; and personal protective measures, including, but not limited to, gloves and handwashing, to be used by employees. The owner or operator shall ensure the plan identifies a licensed veterinarian or veterinary practice that is routinely consulted or available for consultation on animal health, disease prevention, immunization and parasite control and includes contact information for the director's duly authorized representatives.

B. The pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service owner or operator shall maintain the basic infection control plan on the premises and make the plan available to the director for examination upon request.
C. The director is authorized to provide assistance to the pet shop owner or operator in developing the basic infection control plan. For example, the director may provide the owner or operator a model or sample plan free of charge.

NEW SECTION. SECTION 9. Pet shop facility construction and equipment standards. A pet shop owner or operator shall:

A. Ensure that buildings are of adequate structure, maintained in good repair and secured in order to protect animals from injury or escape and restrict the unauthorized entry of animals from outside;

B. Construct all floors and walls of readily cleanable and water resistant material in rooms, pens and cages used to retain animals and in areas where animals are handled, bathed or treated, and maintain all such rooms, pens, cages and areas in good repair;

C. Maintain hot and cold running water conveniently available at all times, and provide a sink or tub of sufficient size for washing of equipment and utensils used in the pet shop, including washing and sanitizing of dishes, bowls and other food and water containers and utensils used for feeding of animals;

D. Provide toilet and handwashing facilities with hot and cold running water;

E. Ensure that food and water containers and utensils used for mixing of food and feeding of animals are constructed of metal or other water impervious material that is readily cleanable and kept in good condition;

F. Provide and maintain refrigeration at forty-one degrees Fahrenheit or lower for the protection of perishable foods;

G. Store and prepare separately from pet food and pet medications any medications, food and beverages intended for human consumption;
H. Store cleaning products and disinfectants securely in areas inaccessible to animals kept at the facility;

I. Provide an adequately ventilated isolation area physically separated from the rest of the animals for segregation of pets that become sick, are injured or are suspected of having a contagious disease; and

J. Dispose of excreta, dead animals, soiled litter, bedding, waste water and other materials by sanitary means.

NEW SECTION. NEW SECTION 10. **Pet shop primary animal enclosure requirements.** The pet shop owner or operator shall, for primary animal enclosures including cages, pens, runs, tanks and habitats:

A. Provide and maintain primary enclosures of sufficient size to allow each pet animal to turn around, exercise normal postural movements, experience or avoid socialization with cage mates, and avoid overcrowding;

B. Maintain primary animal enclosures in good condition and repair to protect animals from injury, to contain them, to prevent entry of predators and to allow animals to stay clean and dry, except for aquatic species;

C. Ensure that primary animal enclosures are constructed of materials that are water resistant and can be readily cleaned and disinfected;

D. 1. If wire or slatted flooring is used:
   a. ensure that it is constructed to prevent injury to animals' feet and legs;
   b. use wire mesh or slats of adequate gauge or size to prevent sagging under the animals' weight and small enough to prevent the animals' feet from passing through; and
c. ensure that the floor or other surface under wire bottom cages where animal wastes fall are made of a water resistant material that can be readily cleaned and disinfected; and

2. If the primary flooring is wire mesh or a slatted material, provide solid resting surfaces according to the needs of the species;

E. Maintain primary animal enclosures in a clean and sanitary condition; and

F. Cedar shavings may not be used for bedding or litter material for rodents, rabbits, chinchillas, ferrets or reptiles.

NEW SECTION. SECTION 11. Pet shop sanitation standards. The pet shop owner or operator shall, for sanitation purposes:

A. Maintain all areas where equipment, supplies and food for animals are stored in a clean and sanitary condition and free from insects and rodents;

B. Store equipment on the premises in a sanitary and orderly manner;

C. Maintain in a clean and sanitary condition and routinely disinfect all cages, pens, runs, tanks, habitats and other animal housing in accordance with the pet shop's infection control plan; and

D. In order to avoid creating aerosols or airborne dust that can spread pathogens, not use shop vacuums or vacuum cleaners to remove bedding and debris from animal, reptile or bird cages.

NEW SECTION. SECTION 12. Pet shop animal health, care and disease prevention standards. The pet shop owner or operator shall, for animal care and feeding:
A. Provide proper food and potable water to the animals, according to the needs of the species;

B. Remove from display and sale animals with potentially infectious disease or significant injury, and isolate them from animals appearing healthy and normal, keep potentially infectious animals in isolation quarters with adequate ventilation and care to keep from exposing customers or other animals at the establishment;

C. Not knowingly sell or otherwise transfer a potentially infectious or injured animal or an animal with signs of external parasites without notifying the person acquiring the animal of the illness, injury or condition of the animal;

D. Not offer for sale, trade or adoption any juvenile or adult dog, cat or ferret that has not received all required immunizations or that has not been treated for internal and external parasites in accordance with the recommendations of the pet shop's consulting veterinarian;

E. At all times that any pet shop is open to the public, ensure a person in charge is present at the establishment and responsible for the pets held for sale or display. The person in charge, or other employee under the supervision of the person in charge, shall feed, water and perform cleaning in accordance with the basic infection control plan for the facility, or as may be required by the director; and

F. Physically separate animals on the premises of the pet shop for the purposes of boarding, grooming, daycare or animal shelter from all sick animals and animals offered for sale.

NEW SECTION. SECTION 13. Pet information at time of purchase -

general. The pet shop owner or operator shall make available to each retail pet purchaser
or adopter, other than purchasers of fish, live aquarium stock or of rodents intended as food for other animals, a written hard copy or web-based basic information about prevention of diseases that may be communicable from the purchased or adopted animal to humans. The information may be developed by the pet shop owner or operator, or provided free of charge by the director. Any information developed by the owner or operator in charge shall be subject to review and approval by the director. Any hard copy information provided to pet purchasers or adopters shall be free of charge.


A. The owner or operator of any pet shop offering reptiles or amphibians for sale shall post a clearly visible sign, in the area of the shop displaying these animals, containing information about the risk to humans of contracting Salmonella bacterial infections from reptiles and amphibians and a statement advising that these animals are unsuitable as pets in households with children under the age of five years, or immunocompromised persons, in accordance with the recommendations of the federal Centers for Disease Control and Prevention as set forth by the National Center for Infectious Disease's Pet-Scription series, as amended. The director is authorized to establish reasonable guidelines for the size, location and contents of the sign consistent with this section. The pet shop owner or operator may obtain a sign free of charge from the director, or use a sign approved by the director as meeting the requirements of this section.
B. The pet shop owner or operator may not sell, hold, offer for sale or otherwise distribute live turtles with a carapace length of less than four inches for the purposes of being kept as a pet.

NEW SECTION. SECTION 15. **Salmonella - measures to prevent human disease acquired from poultry.** The owner or operator of any pet shop offering poultry for sale shall post a clearly visible sign, in the area of the shop displaying these animals, containing information about the risk to humans of contracting *Salmonella* bacterial infections from poultry. The director is authorized to establish reasonable guidelines for the size, location and contents of the sign consistent with this section. The pet shop owner or operator may obtain a sign free of charge from the director, or use a sign approved by the director as meeting the requirements of this section.

NEW SECTION. SECTION 16. **Psittacosis - measures to prevent human disease acquired from psittacine birds.**

A. The owner or operator of any pet shop offering psittacine birds for sale shall post a clearly visible sign, in the area of the shop displaying these birds, containing information about the risk to humans of contracting *Chlamydiophila psittaci* bacterial infections from psittacine birds and the signs of the disease in birds. The director is authorized to establish reasonable guidelines for the size, location and contents of the sign consistent with this section. The pet shop owner or operator may obtain a sign free of charge from the director, or use a sign approved by the director as meeting the requirements of this section.
NEW SECTION. SECTION 17. Rabies vaccination requirement for dogs, cats or ferrets. The pet shop owner or operator shall ensure that any dog, cat or ferret age four months or older is vaccinated against rabies as required under BOH chapter 8.04 before being offered for sale, exchange or adoption. The pet shop owner or operator shall provide the purchaser or adopter of any such an animal, at time of purchase, a certificate of rabies vaccination issued by a licensed veterinarian.

NEW SECTION. SECTION 18. Pet shop handwashing and public animal contact requirements. The owner or operator of any pet shop allowing patrons to handle pets or poultry offered for sale or adoption shall provide readily accessible public handwashing facilities with hot and cold running water or disinfectant hand wipes or hand sanitizers. The pet shop owner or operator shall notify patrons, by means of conspicuous signage or other methods as approved by the director, to wash their hands after handling any of the animals at the pet shop.

NEW SECTION. SECTION 19. Pet shop recordkeeping requirements.

A. The pet shop owner or operator shall maintain written records of each individual or groups of animals purchased or otherwise acquired, except that records are not required for fish or other aquarium stock or feeder rodents. The owner or operator shall include the following information in the written records:

1. Acquisition date;
2. Name, address and telephone number of supplier;
3. Number of animals received;

4. Animal breed or description;

5. Tattoo, microchip or bird band number, as applicable; and

6. Veterinary records, including any vaccinations, medical treatment and surgeries performed.

B. The pet shop owner or operator shall maintain records of each individual dog, cat and bird, except poultry, sold, adopted, traded, transferred, euthanized or otherwise disposed of, including the following information:

1. Date of sale or other disposition;

2. Name, address and telephone number of the purchaser or adopter;

3. Breed of dog or cat or species of bird;

4. Description including approximate age, color and sex, except for birds when not determined; and

5. Tattoo, microchip or bird leg band number, as applicable.

C. The pet shop owner or operator shall maintain at the pet shop all written records required by this section for not less than three hundred sixty-five days after the date of sale or transfer of the animal from the pet shop, and make all such records available to the director for examination upon request.

NEW SECTION. SECTION 20. Pet shop quarterly reporting requirements.

The owner or operator of any pet shop offering dogs or cats shall provide a list to the director, quarterly based on the calendar year, of all dogs and cats sold, adopted, traded, transferred or otherwise disposed of, including those that have died or were euthanized. The owner or operator shall include on each list, as applicable, the sale, adoption, trade,
transfer or death of each dog or cat, the date of sale, adoption, trade, transfer or death, the
age and breed or type of dog or cat and the names and addresses of all persons to whom
any dogs or cats were sold, adopted, traded or transferred.

NEW SECTION. SECTION 21. Pet shop reporting of animal bites and
disease outbreaks. Immediately upon receiving notice of the occurrence or outbreak, the
pet shop owner or operator shall report to the director any occurrence of an animal biting
a human at the pet shop, or any known or suspected infectious disease that may be
transmissible from animals to humans in any animal offered for sale or otherwise kept on
the premises.

NEW SECTION. SECTION 22. Indoor facility construction and equipment
standards for commercial kennels, pet daycare facilities, animal shelters and pet
grooming services. The owner or operator of any commercial kennel, pet daycare
facility, animal shelter or pet grooming service, as applicable, shall, in the indoor areas of
the kennel, facility, shelter or service:
   A. Ensure that buildings are of adequate structure, maintained in good repair and
   secured in order to protect animals from injury or escape and restrict the entry of animals
   from outside;
   B. Provide sufficient heating and cooling of indoor areas to maintain the ambient
temperature not less than fifty degrees Fahrenheit and not greater than ninety degrees
   Fahrenheit, except that the owner or operator shall maintain indoor temperatures
   consistent with the needs of the pet animals at the facility, and shall protect the animals
   from temperatures which may be deleterious to the animals' health;
C. Provide lighting, whether natural or artificial or a combination of both, sufficient for inspection of the animals, routine cleaning and proper animal care;

D. Provide sufficient ventilation to ensure the health and comfort of the animals and to minimize odors and moisture condensation. Fresh air may be provided by means of windows, doors, vents, fans or turbine ventilators, or by heating and cooling systems;

E.1. Construct all floors and walls of readily cleanable and water impervious material in indoor rooms, play areas, runs, pens, crates and cages used to retain animals or in areas where animals are clipped, groomed or treated and maintain all such rooms, play areas, runs, pens crates and cages in good repair;

2. Ensure that floors have proper drainage to rapidly eliminate excess water, and that seams in flooring are designed and installed to prevent accumulation of liquids, moisture or debris; and

3. Construct interior walls so that the interface with floor surfaces is sealed from the flow or accumulation of liquids, moisture or debris;

F. Maintain hot and cold running water conveniently available at all times, and provide a sink or tub of sufficient size for washing of equipment and utensils used in the facility, including washing and sanitizing of toys, litter pans, dishes, bowls and other food and water containers and utensils used for feeding of animals;

G. Provide toilet and handwashing facilities with hot and cold running water, except that toilet facilities are not required for mobile grooming units;

H. Ensure that food and water containers and utensils used for mixing of food and feeding of animals are constructed of metal or other water impervious material that is readily cleanable and kept in good condition;
I. Provide and maintain refrigeration at forty-one degrees Fahrenheit or lower for the protection of foods requiring refrigeration;

J. Store and prepare separately from pet food and pet medications any medications, food and beverages intended for human consumption;

K. Store cleaning products and disinfectants securely in areas inaccessible to animals kept at the facility;

L. Provide an adequately ventilated isolation area physically separated from the rest of the animals for segregation of pets that become sick, are injured or are suspected of having a contagious disease, except that isolation areas are not required for mobile grooming units;

M. Ensure that any common animal play areas are of sufficient size to allow for maintenance of sanitary conditions and to avoid overcrowding of animals;

N. Ensure that any grooming facilities in commercial kennels, pet daycare facilities and animal shelters are physically separated from common animal play areas and boarding areas;

O. Ensure that any furnishings such as rugs, couches, mattresses or chairs contained within a common play area are made of materials that can readily be laundered with hot water and detergent or otherwise readily cleaned and sanitized, and that the furnishings are maintained in a sanitary condition;

P. Provide and maintain cages, crates, pens or individual runs where animals can periodically rest or sleep; and

Q. Dispose of excreta, soiled litter, bedding, waste water and other materials by sanitary means.
NEW SECTION. SECTION 23. Outdoor facilities for commercial kennels, pet daycare facilities, animal shelters and pet grooming services. The owner or operator of any commercial kennel, pet daycare facility, animal shelter or pet grooming service shall, in outdoor areas of the kennel, facility, shelter or service:

A. Provide adequate walls or fences and keep them secured and maintained in good repair to protect pet animals from injury or escape and restrict the entry of animals from outside;

B. Provide areas of shelter from excessive sunlight, rain, snow, wind or other elements unless animals are provided indoor facilities to protect them from adverse climate conditions;

C. Provide adequate drainage in outdoor areas to prevent standing water or accumulation of liquids, mud, debris, excreta or other materials. Surfaces may be made of concrete, asphalt or similar materials designed to facilitate cleaning and removal of animal wastes and debris. Natural lawn or turf may be used if well maintained with regular watering, mowing and repair, and kept free of mud or bare dirt. Alternatively, surfaces may be covered with a sufficient layer of a disposable material such as gravel, sand or coarse wood chips that can be removed when contaminated by animal excreta and periodically changed to maintain sanitary conditions; and

D. Dispose of excreta, dead animals, soiled litter, bedding, waste water and other materials by sanitary means.

NEW SECTION. NEW SECTION 24. Primary animal enclosures for commercial kennels, pet daycare facilities, animal shelters and pet grooming services. The owner or operator of any commercial kennel, pet daycare facility, animal
shelter or pet grooming service. shall in the primary animal enclosures including cages, pens, runs, tanks and habitats:

A. Provide and maintain primary enclosures of sufficient size to allow each pet animal to turn around, exercise normal postural movements, experience or avoid socialization with cage mates and avoid overcrowding;

B. Maintain primary animal enclosures in good condition and repair to protect animals from injury, to contain them, to prevent entry of predators and to allow animals to stay clean and dry, except for aquatic species;

C. Ensure that primary animal enclosures are constructed of materials that are water resistant and can be readily cleaned and disinfected;

D.1. If wire or slatted flooring is used:
   a. ensure that it is constructed to prevent injury to animals' feet and legs;
   b. use wire mesh or slats of adequate gauge or size to prevent sagging under the animals' weight and small enough to prevent the animals' feet from passing through; and
   c. ensure that the floor or other surface under wire bottom cages where animal wastes fall are made of a water resistant material that can be readily cleaned and disinfected; and

2. When the primary flooring is wire mesh or a slatted material, provide solid resting surfaces according to the needs of the species;

E. Maintain primary animal enclosures in a clean and sanitary condition; and

F. Not use cedar shavings for bedding or litter material for rodents, rabbits, chinchillas, ferrets or reptiles.
NEW SECTION. SECTION 25. Sanitation standards for commercial kennels, pet daycare facilities, animal shelters and pet grooming services. The owner or operator of a commercial kennel, pet daycare facility, animal shelter or pet grooming service shall:

A. Maintain all areas where equipment, supplies and food for animals are stored in a clean and sanitary condition and free from insects and rodents;

B. Maintain all indoor and outdoor play areas, grooming areas, cages, pens, runs, crates, furnishings, bedding and other animal housing in a clean and sanitary condition and disinfected on a routine basis; and

C. Ensure that sanitation is accomplished through cleaning of surfaces and equipment to remove gross contamination, dirt and debris followed by the application of a safe and effective disinfectant product.

NEW SECTION. SECTION 26. Animal health, care and disease prevention standards for pet daycare facilities. A pet daycare facility owner or operator shall, for animal health, care and disease prevention:

A. Provide proper food and potable water to the animals, according to the needs of the species;

B.1. Immediately separate sick or significantly injured animals and those suspected of having a contagious disease from those appearing healthy and normal;

2. Keep animals suspected of having a contagious disease in a designated separation area in order to avoid exposure to other animals or people; and

3. Ensure that only designated staff trained in infection control procedures as set forth in the basic infection control plan required under this chapter attend to animals held
in the designated separation area, and that sick and injured animals and those suspected of having a contagious disease are released to their owners or receive veterinary care as soon as possible after the illness or injury is discovered;

C. Before admission of a dog, cat or ferret four months of age or older, obtain a copy of a valid rabies certificate or other verification from a licensed veterinarian, or written acknowledgment from the pet owner, that the animal is currently immunized against rabies in accordance with the King County Board of Health Rabies Regulations, BOH chapter 8.04;

D. At all times that animals are allowed to commingle for the purposes of play or exercise, ensure that there is direct supervision by a sufficient number of trained employees responsible for the management of the playgroup. For the purpose of this subsection D., active engagement in grooming or the viewing of animals by video camera does not qualify as direct supervision of pets in commingled groups. Direct supervision includes:

1. Maintaining a person in charge present at all times that any pet animal is present at the establishment;

2. Maintaining the presence of a sufficient number of employees equipped to immediately remove animal feces, urine or other bodily fluids followed by cleaning and disinfection of any soiled area; and

3. Limiting the number of animals that may be maintained in a common play area in order to prevent overcrowding and reduce the risk of zoonotic disease transmittal.

E. Ensure that when pets are boarded overnight or present on days when the pet daycare facility is closed to the public, the pets are fed and watered and cleaning is
performed as necessary to reduce the risk of zoonotic disease transmittal. When pets are boarded overnight or present on days when the pet daycare facility is closed, pets may be commingled only if the owner or operator is present to provide direct supervision as is required during business hours; and

F. Not offer pet adoption services, pet grooming services or sales of pets unless the facility has obtained a public health permit for these services in accordance with this title, as applicable.

NEW SECTION. SECTION 27. Animal health, care and disease prevention standards for commercial kennels. A commercial kennel owner or operator shall, for animal health, care and disease prevention:

A. Provide proper food and potable water to the animals, according to the needs of the species, and provide cats with a litter pan;

B.1. Immediately separate sick or significantly injured animals and those suspected of having a contagious disease from those appearing healthy and normal;

2. Keep animals suspected of having a contagious disease in isolation quarters with adequate ventilation and care to keep from exposing other animals or clients; and

3. Ensure that only designated staff trained in infection control procedures attend to animals held in isolation, and that sick and injured animals and those suspected of having a contagious disease are released to their owners or receive veterinary care as soon as possible after the illness or injury is discovered;

C. Before admission of a dog, cat or ferret four months of age or older, obtain a copy of a valid rabies certificate or other verification from a licensed veterinarian, or written acknowledgment from the pet owner, that the animal is currently immunized
against rabies in accordance with the King County Board of Health Rabies Regulations, BOH chapter 8.04;

D. At all times when the commercial kennel is open to the public, ensure a person in charge is present at the establishment and responsible for the care and welfare of the pets;

E. Ensure that when the commercial kennel is closed to the public, the pets are fed and watered and cleaning is performed as necessary to reduce the risk of zoonotic disease transmittal;

F. At all times that animals are allowed to commingle for the purposes of play or exercise, ensure that there is direct supervision by a sufficient number of trained employees responsible for the management of the playgroup. For the purpose of this subsection F., active engagement in grooming or the viewing of animals by video camera does not qualify as direct supervision of pets in commingled groups. Direct supervision includes:

1. Maintaining a person in charge present at all times that any pet animal is present at the establishment;

2. Maintaining the presence of a sufficient number of employees equipped to immediately remove animal feces, urine or other bodily fluids followed by cleaning and disinfection of any soiled area; and

3. Limiting the number of animals that may be maintained in a common play area in order to prevent overcrowding and reduce the risk of zoonotic disease transmittal; and
G. Not offer pet grooming services, pet adoption services or sales of pets unless the commercial kennel has obtained a public health permit for these services in accordance with this chapter, as applicable.

NEW SECTION. SECTION 28. Animal health, care and disease prevention standards for animal shelters. The animal shelter owner or operator shall, for animal health, care and disease prevention:

A. Provide proper food and potable water to the animals, according to the needs of the species, and provide cats with a litter pan;

B.1. Immediately separate sick or significantly injured animals and those suspected of having a contagious disease from those appearing healthy and normal;

2. Keep animals suspected of having a contagious disease in isolation quarters with adequate ventilation and care to keep from exposing other animals or visitors to the shelter; and

3. Ensure that only designated staff trained in infection control procedures attend to animals held in isolation;

C. Ensure that sick or injured animals are offered for adoption or foster care only after disclosing the animal's condition and providing recommendations for proper treatment including veterinary care;

D. Before releasing a dog, cat or ferret four months of age or older for adoption or foster care, ensure that the animal is currently immunized against rabies in accordance with the King County Board of Health Rabies Regulations, BOH Chapter 8.04;

E. At all times when the animal shelter is open to the public, ensure a person in charge is present at the establishment and responsible for the care and welfare of the pets.
The person in charge, or other employee or employees under the supervision of the person in charge, shall feed, water and perform necessary cleaning on all days the animal shelter is closed to the public, or as may be required by the director;

F. At all times that animals are allowed to commingle for the purposes of play or exercise, ensure that there is direct supervision by a sufficient number of trained employees responsible for the management of the playgroup. For the purpose of this subsection F., active engagement in grooming or the viewing of animals by video camera does not qualify as direct supervision of pets in commingled groups. Direct supervision includes:

1. Maintaining a person in charge present at all times that any pet animal is present at the establishment;

2. Maintaining the presence of a sufficient number of employees equipped to immediately remove animal feces, urine or other bodily fluids followed by cleaning and disinfection of any soiled area; and

3. Limiting the number of animals that may be maintained in a common play area in order to prevent overcrowding and reduce the risk of zoonotic disease transmittal; and

G. Not offer commercial overnight boarding, pet daycare services or pet grooming services unless the animal shelter has obtained a public health permit for these services in accordance with the requirements of this title, as applicable.

NEW SECTION. SECTION 29. Animal health, care and disease prevention standards for pet grooming services. The owner or operator of a pet grooming service shall, for animal health, care and disease prevention:
A. Not leave pets unattended before a hot air dryer and care must be taken when using dryers to prevent burning;

B. Tether in a manner that the tethered animal cannot become entangled with other pet animals and other objects, and designed to prevent the pet from falling or being hanged. The tether or grooming loop, or both, must be attached to the dog by means of a well-fitted and nontightening collar or loop and the other end attached to a solid attachment. All tethering chains and grooming loops shall have a swivel. Grooming loops, tethers or muzzles may be used only under constant direct human supervision;

C. Clean and disinfect grooming equipment including but, not limited to, clipper blades, combs and brushes, after each pet has been groomed;

D. Immediately separate pets admitted for grooming services and found to be sick or significantly injured, and those suspected of having a contagious disease, from those appearing healthy and normal. The animals found to be sick or significantly injured, and those suspected of having a contagious disease, shall be released to their owners or receive veterinary care as soon as possible after the illness or injury is discovered;

E. Before admission of a dog, cat or ferret four months of age or older, obtain a copy of a valid rabies certificate or other verification from a licensed veterinarian, or written acknowledgment from the pet owner, that the animal is currently immunized against rabies in accordance with the King County Board of Health Rabies Regulations, BOH chapter 8.04, except that verification or acknowledgment of rabies vaccination is waived at facilities where animal grooming or bathing is performed only by pet owners;
F. At all times that the pet grooming services facility is open to the public or in use, ensure a person in charge is present at the facility and responsible for the care and welfare of the pets;

G. Ensure that pet animal holding or drying areas so that they are large enough to allow the animals to stand, lie down and turn around;

H. Ensure that cages and grooming areas such as tables, benches and tubs are structurally sound and maintained in good repair; and

I. Not offer overnight boarding, pet daycare services, pet adoption services or sales of pets unless the pet grooming business has obtained a public health permit for these services in accordance with this title, as applicable.

NEW SECTION. SECTION 30. Recordkeeping requirements for commercial kennels, pet daycare facilities and animal shelters.

A. The owner or operator of a commercial kennel, pet daycare facility or animal shelter shall maintain written records as applicable and as described in this section. The owner or operator shall include the following information in the written records:

1. Dates of attendance;

2. Owners address and telephone number;

3. Type of animal, including breed;

4. Animal's name;

5. Date or dates of rabies vaccinations or owner's written acknowledgment of current rabies vaccination;

6. Dates of any bite inflicted by the animal to another animal or human, or animal bite received by the animal at the facility; and
7. Any illness or injury requiring the animal to be placed into the isolation area or removed from the premises for veterinary care.

B. The owner or operator of any animal shelter shall maintain written records for each animal attending the shelter, including the following:

1. Date of adoption, rescue or placement into foster care, as applicable;
2. Name, address and telephone number of the owner or the person adopting, rescuing or fostering the pet, as applicable;
3. Type of animal, including breed if applicable;
4. Animal's name, if applicable;
5. Shelter identification number and tattoo, microchip or bird leg band number, as applicable;
6. Date or dates of rabies vaccination or vaccinations, as applicable under BOH chapter 8.04;
7. Dates of any known or suspected zoonotic disease occurrence;
8. Bite inflicted or received by the animal; and
9. Any illness or injury requiring the animal to be placed into the isolation area or removed from the premises for veterinary care.

C. The owner or operator of any commercial kennel, pet daycare facility or animal shelter shall maintain at the establishment all written records required by this section for not less than three hundred sixty-five days after the date of release of the animal from the establishment, and make all such records available to the director for examination upon request.
NEW SECTION. SECTION 31. Pet food retail business sanitation standards.

The pet food retail business owner or operator shall:

A. Maintain all areas where equipment, supplies and food for pets are stored in a clean and sanitary condition and free from insects and rodents; and

B. Maintain a sink with hot and cold running water conveniently available at all times.

NEW SECTION. SECTION 32. Pet food retail business sales of pet foods or treats requiring refrigeration or freezing to prevent spoilage. The pet food retail business owner or operator shall:

A. Maintain all refrigerators and freezers clean and in good working order;

B. Ensure that pet foods stored in freezers remain frozen;

C. Store refrigerated pet foods in a working refrigerator that maintains a temperature of forty-one degrees Fahrenheit or below; and

D. Protect foods from cross contamination by separating pet foods requiring freezing or refrigeration from all other types of pet foods or human foods during storage, preparation, holding and display.

E. Ensure written safe handling information modeled on the information and labeling requirements established by the United States Department of Agriculture for safe handling of foods for human consumption is made available to purchasers as provided in this subsection E.1 and E.2 or as approved by the director for animal derived pet foods requiring refrigeration or freezing. The safe handling information may be preprinted on the product package label or on separate brochures, pamphlets or other documentation, except that separate brochures, pamphlets or other documentation shall not be required if
the safe handling information is preprinted by the manufacturer on the product package label.

1. All safe handling information shall be presented under the heading, "Safe Handling Instructions" and the following rationale statement or as approved by the director be included as part of the safe handling instructions: "Some food products may contain bacteria that could cause illness to you or your pet if the product is mishandled. For your protection, follow these safe handling instructions."

2. The following safe handling instructions, or the equivalent as approved by the director, shall be printed in a clearly visible manner on the product package or provided in writing to the purchaser:
   b. Keep refrigerated or frozen until ready to use.
   c. Thaw frozen pet food in the refrigerator or microwave.
   d. Keep pet foods separate from human foods.
   e. Wash working surfaces (including cutting boards), pet bowls and utensils with hot soapy water or in the dishwasher.
   f. Always wash hands with soap and water after handling pet food to help prevent illness.
   g. Refrigerate or discard uneaten food within thirty minutes after serving to pets.

NEW SECTION. SECTION 33. Pet food retail business sales of uncooked or partially cooked animal derived pet foods or treats not requiring refrigeration or freezing. For the purpose of this section, uncooked or partially cooked animal derived
pet foods and treats not requiring refrigeration or freezing are those that are cured, dried, dehydrated or smoked and include but are not limited to pig ears, beef hooves, dried tendons, smoked bones, chicken or salmon jerky, and freeze dried seafood, meat or animal organs. The pet food retail business owner or operator shall:

A. Provide tongs, scoops, disposable gloves or other methods approved by the director to minimize bare hand contact with unwrapped uncooked or partially cooked animal derived pet foods or treats offered for sale from bins, baskets or other open containers, and provide plastic bags, waxed paper bags or other approved means for customers to carry and transport the foods or treats;

B. Ensure that preschool age children do not have direct access to unwrapped uncooked or partially cooked animal derived pet foods or treats, including by ensuring that any open bins, baskets or other open containers of such pet foods or treats are out of reach of preschool age children;

C. Ensure that uncooked or partially cooked animal derived pet foods and treats not requiring refrigeration or freezing offered for sale are clearly designated as pet or animal food; and

D. Ensure that the following safe handling instructions, or the equivalent as approved by the director for uncooked or partially cooked animal derived pet foods or treats, are printed in a clearly visible manner on the product package, provided in writing to the purchaser or displayed on a readily visible sign in the area of the establishment where the product is sold:

1. Always wash hands with soap and water after handling pet food or treats to help prevent illness.
2. People with immune deficiencies and preschool age children should not handle this product.

NEW SECTION. SECTION 34. Emergency occurrence - ceasing operations and reporting. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator shall immediately discontinue operations and notify the director upon receiving notice of an emergency at the facility such as fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent zoonotic disease outbreak, gross insanitary occurrence or condition or other circumstance that may endanger public health, except that the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator is not required to discontinue operations in an area of an establishment that is unaffected by the emergency.

NEW SECTION. SECTION 35. Variance.

A. The director may grant a variance to the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator by modifying or waiving the requirements of this chapter if in the opinion of the director a health hazard will not result from the variance. The applicant for a variance shall submit application in writing and shall include:

1. A statement of the proposed variance of the code requirement citing relevant code section numbers; and
2. A statement of the rationale for how the potential public health hazards addressed by the relevant code sections will be alternatively addressed by the proposal, and shall include documentation or other relevant evidence in support of the rationale.

B. Any variance granted or denied by the director shall be in writing and shall include:

1. A statement of the proposed variance of the code requirement citing relevant code section numbers; and

2. As applicable, any conditions or other requirements the director determines necessary so that the relevant code sections waived or modified will be alternatively addressed in order to protect the public against a health hazard.

NEW SECTION. SECTION 36. **Permit requirement.**

A. It is unlawful to maintain or operate a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business without a valid pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business operating permit issued by the director. Each permit is valid only for the location or establishment and owner for which it is issued. A separate permit shall be obtained for each separate pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business establishment or location. Veterinarians shall obtain the required licenses for any service other than one which by law may be performed only by a veterinarian. However, such a license shall not be required for the veterinarian's possession of animals solely for the purposes of veterinary care.
B. The director shall designate each pet shop as a Risk Category 1 or Risk Category 2 pet shop based on the following categories of animals or other items offered for trade, transfer, adoption or sale:

1. Risk Category 1:
   a. Aquariums, with no other nonaquatic animals offered for trade, transfer, adoption or sale; or
   b. Baby poultry offered for trade, transfer, adoption or sale for not more than one hundred twenty consecutive days and not more than a total of one hundred twenty days within any twelve month period, with no other animals offered for trade, transfer, adoption or sale; and excluding livestock auctions and farm and ranch feed stores that sell baby poultry to commercial operations.

2. Risk Category 2: All animal trades, transfers, adoptions or sales not qualifying as Risk Category 1 pet shop operation, excluding animal shelters, livestock auctions, and farm and ranch feed stores that sell baby poultry to commercial operations.

C. The director shall designate each animal shelter as a Category 1, Category 2 or Category 3 animal shelter based on the following criteria:

1. Category 1: Animal shelter performing not more than one thousand five hundred animal adoptions per calendar year, but not including a Category 3 animal shelter;

2. Category 2: Animal shelter performing more than one thousand five hundred animal adoptions per calendar year, but not including a Category 3 animal shelter; and
3. Category 3: Animal shelter operating a satellite pet adoption facility in a permitted pet shop, commercial kennel, pet daycare facility, pet grooming service or pet food retail business in King County.

D. Except as otherwise provided in this chapter, each pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business operating permit is an annual permit and shall expire on the date established by the director.

E. Permits are the property of the director. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator shall display each permit issued under this chapter conspicuously in the establishment for which it is issued unless the permit is expired or is suspended or revoked. The owner or operator shall remove from display any expired, suspended or revoked permit.

NEW SECTION. SECTION 37. Plan review application process.

A. A pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service permit applicant or permit holder shall submit to the director a plan review application, including completed plans and specifications, before a pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service is constructed or an existing structure is converted for use as a pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service. If an existing pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service is being remodeled, the owner or operator shall notify the director of the proposed remodel and shall submit to the director a completed plan review application if the director determines
that review of plans and specifications is necessary to ensure compliance with this chapter.

B. The applicant or permit holder shall submit the plan review application at least thirty days before the date planned for opening the pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service, unless a different period is approved by the director.

C. The pet shop owner or operator shall include the following information in the plans and specifications:

1. Types of animals kept and sold, including types and quantities of foods stored and provided for the animals;

2. Proposed indoor and outdoor facility layout, including mechanical equipment, heating, lighting, plumbing and provisions for isolation room or area, and construction schedule;

3. Description of and types of material used for walls, floors, fencing, kennels, runs, animal enclosures, sinks and drains and dimensions of any animal enclosures;

4. Description of types of waste disposal, including dead animals, sewage disposal and indoor and outdoor animal waste disposal; and

5. Other information the director may require for review of the proposed construction, conversion or remodeling to ensure compliance with this chapter.

D. The commercial kennel, pet daycare facility, animal shelter or pet grooming service owner or operator shall include the following information in the plans and specifications:
1. Types of animals kept or served at the facility, including types and quantities of foods stored and provided for the animals;

2. Proposed indoor and outdoor facility layout, including mechanical equipment, heating, lighting, plumbing, provisions for isolation room or area (except mobile grooming units) and construction schedule;

3. Description of and types of material used for walls, floors, fencing, kennels, runs, animal enclosures, sinks and drains, and dimensions of any animal enclosures;

4. Description of types of waste disposal, including dead animals, sewage disposal and indoor and outdoor animal waste disposal; and

5. Other information the director may require for review of the proposed construction, conversion or remodeling to ensure compliance with this chapter.

NEW SECTION. SECTION 38. Permit application process.

A. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator shall submit a permit application in writing, on a form provided by the director, at least thirty calendar days before the date planned for opening the facility, or the expiration date of the current permit for an existing facility unless a different period is approved by the director. The application shall include:

1. The name, mailing address, telephone number and signature of the person applying for the permit and the name, mailing address, telephone number and location of the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business;
2. The name, mailing address and telephone number of: the legal owner of the pet shop or pet food retail business, whether it be an association, corporation, individual, partnership or other legal entity; and the local resident agent if one is required based on the type of legal ownership;

3. For a new pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business, or for a change of ownership of an existing facility, a written basic infection control plan as required by this chapter;

4. For a new pet shop or for a change of ownership, information specifying the types of animals to be offered for sale, exchange or adoption, and whether the pet shop will offer for sale uncooked or partially cooked animal derived pet foods or pet treats;

5. For a new commercial kennel, pet daycare facility, animal shelter or pet grooming service or for a change of ownership, information specifying the types of animals to be admitted to the facility, and whether the facility will offer for sale uncooked or partially-cooked animal derived pet foods or pet treats;

6. A statement signed by the applicant that attests to the accuracy of the information provided in the application; and

7. Other information required by the director to ensure compliance with this chapter.

B. The applicant shall pay the applicable permit and plan review fees at the time the application is submitted.

C. The director may issue a new or renewal permit to the applicant or may issue a permit to a new owner of an existing pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business after a properly completed
application is submitted, all outstanding fees are paid, the application is reviewed and approved and the director has determined the pet shop or pet food retail business to be in compliance with this chapter.

D. The director may deny the permit application if the applicant has any outstanding moneys owed to the Seattle-King County Department of Public Health for permit fees, late fees, checks returned by the bank, civil penalties or other miscellaneous fees.

E. If an application for a permit to operate is denied, the director shall provide the applicant with a notice that includes the reasons and code citations for the permit denial.

NEW SECTION. SECTION 39. Inspections.

A. After presenting identification credentials, the director is authorized to enter and conduct inspections of any pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business during normal business hours, hours of operation and other reasonable times to determine compliance with this chapter, including the conditions of a permit or variance. The facility owner or operator shall allow the director to enter and inspect the establishment, and the establishment's records required to be maintained under this chapter, to determine compliance with this chapter, including the conditions of a permit or variance. The director is also authorized to enter any pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business for the purpose of providing information and education to facility personnel, including written materials and consultation on good sanitation practices and methods to prevent the spread of zoonotic disease.
The director shall document on an inspection form:

1. Administrative information about the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business name, location, name of owner or operator, inspection date and permit status;

2. The director's inspection findings, including factual observations of violations, nonconformance with this chapter or other substandard conditions that require correction by the permit holder;

3. Failure of any owner, operator or employee of the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business to allow the director access to the premises, or to the facility's records, for purposes of determining compliance with and enforcing this chapter;

4. Notification of any violations requiring correction, including the time frame for completing the corrections;

5. Notification that an opportunity for an office conference to review the inspection findings will be provided if a written appeal of the inspection report is submitted within ten days following the date of the inspection; and

6. Other information the director deems necessary to include on the inspection report.

C. At the conclusion of the inspection, the director shall furnish the owner or operator of the pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business a duplicate of the completed inspection report.
NEW SECTION. SECTION 40. Enforcement and rulemaking authority. The director is authorized to enforce this chapter in accordance with BOH chapter 1.08 and to adopt rules consistent with this chapter for the purpose of carrying out and enforcing its provisions. The director is also authorized to request the assistance of the appropriate animal control or law enforcement authority in carrying out and enforcing this chapter, and to report animal abuse, cruelty or neglect to the animal control or law enforcement authority.

NEW SECTION. SECTION 41. Violation. It is unlawful for any owner, operator or employee of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business to fail to comply with this chapter or any order of the director issued to carry out or enforce this chapter.

SECTION 42. Sections 43, 44, 45, 46, 47, 48 and 49 of this rule should constitute a new chapter in BOH Title 2.

NEW SECTION. SECTION 43. Applicability. This chapter applies to activities regulated by the director under BOH Title 8.

NEW SECTION. SECTION 44. Permit fees.

Part 1 - Permit Fees.


A. The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business shall pay to the director the following annual operating permit fees, as applicable:

1. Pet shop
a. Risk category 1 $182.00  
b. Risk category 2 $473.00  

2. Commercial kennel $291.00  
3. Pet daycare facility $291.00  

4. Animal shelter  
a. Category 1: not more than 1,500 pet adoptions per calendar year $182.00  
b. Category 2: more than 1,500 pet adoptions per calendar year $291.00  
c. Category 3: Satellite pet adoption facility $60.00 per location  

5. Pet grooming service other than a mobile grooming unit $182.00  
6. Mobile grooming unit $182.00 base fee for one vehicle  
   plus $60.00 for each additional vehicle owned by the same person and inspected at the same time and location as all other vehicles  

7. Pet food retail business $182.00  
8. Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare) Highest applicable permit fee plus $182.00 for one additional permit classification or $364.00 for two
facility, animal shelter or pet grooming service) other than pet food retail business at the same location

B. The applicant for two or more annual operating permits at the same location for any combination of pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service establishments shall pay to the director the highest applicable operating permit fee plus the additional permit classification fee as set forth in this section, but the pet food retail business permit fee shall be waived for any holder of a current pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service permit.

C. The applicant for a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business that is to be operated no longer than any period of six consecutive months shall pay one-half the applicable annual permit fee in subsections A. and B. of this Part 1.

Part 2 - Permit Fees.


A. The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business shall pay to the director the following annual operating permit fees, as applicable:

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<th>Pet shop</th>
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<tr>
<td>a</td>
<td>Risk category 1</td>
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<td>b</td>
<td>Risk category 2</td>
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<td>Permit Classification</td>
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<td>Commercial kennel</td>
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<td>3</td>
<td>Pet daycare facility</td>
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<td>Animal shelter</td>
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<tr>
<td>a</td>
<td>Category 1: not more than 1,500 pet adoptions per calendar year</td>
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<tr>
<td>b</td>
<td>Category 2: more than 1,500 pet adoptions per calendar year</td>
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<td>Category 3: Satellite pet adoption facility</td>
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<td>Pet grooming service other than a mobile grooming unit</td>
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<td>6</td>
<td>Mobile grooming unit</td>
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<td>7</td>
<td>Pet food retail business</td>
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<td>8</td>
<td>Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service) other than pet food retail</td>
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B. The applicant for two or more annual operating permits at the same location for any combination of pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service establishments shall pay to the director the highest applicable operating permit fee plus the additional permit classification fee as set forth in this section, but the pet food retail business permit fee shall be waived for any holder of a current pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service permit.

C. The applicant for a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business that is to be operated no longer than any period of six consecutive months shall pay one-half the applicable annual permit fee in subsections A. and B. in this Part 2.

**Part 3 - Permit Fees.**

**Effective January 1, 2012, and Thereafter.**

A. The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business shall pay to the director the following annual operating permit fees, as applicable:

1. Pet shop
   a. Risk category 1 $201.00
   b. Risk category 2 $523.00

2. Commercial kennel $322.00

3. Pet daycare facility $322.00
4. Animal shelter $322.00
   a. Category 1: not more than 1,500 pet adoptions per calendar year $201.00
   b. Category 2: more than 1,500 pet adoptions per calendar year $322.00
   c. Category 3: Satellite pet adoption facility $66.00 per location
5. Pet grooming service other than a mobile grooming unit $201.00
6. Mobile grooming unit $201.00 base fee for one vehicle plus $66.00 for each additional vehicle owned by the same person and inspected at the same time and location as all other vehicles
7. Pet food retail business $201.00
8. Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service) other than pet food retail business at the same location Highest applicable permit fee plus $201.00 for one additional permit classification or $402.00 for two or more additional permit classifications

B. The applicant for two or more annual operating permits at the same location for any combination of pet shop, commercial kennel, pet daycare facility, animal shelter
or pet grooming service establishments shall pay to the director the highest applicable
operating permit fee plus the additional permit classification fee as set forth in this
section, but the pet food retail business permit fee shall be waived for any holder of a
current pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming
service permit.

C. The permit applicant for a pet shop, commercial kennel, pet daycare facility,
aminal shelter, pet grooming service or pet food retail business that is to be operated no
longer than any period of six consecutive months shall pay one-half the applicable annual
permit fee in subsections A. and B. of this Part 3.

NEW SECTION. SECTION 45. Plan review fees.

Plan review fees.

Part 1 - Plan Review Fees.


The owner or operator of a pet shop, commercial kennel, pet daycare facility,
aminal shelter or pet grooming service shall pay to the director plan review fees for
reviewing plans and specifications, conducting preoperational inspections and providing
consultation, as follows:

A. New pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service
construction

$182.00 base fee plus $182.00 per hour for each hour after 1 hour

B. Conversion of existing structure to pet shop, commercial kennel, pet daycare facility, animal

$182.00 base fee plus $182.00 per hour for each
C. Remodel of existing pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service
   $182.00 base fee plus $182.00 per hour for each hour after 1 hour

D. Two or more plan reviews for one facility
   $182.00 base fee plus $182.00 per hour for each hour after 1 hour

E. Plan resubmittal
   $182.00 per hour

F. Subsequent preoperational inspections, on-site inspection before plan submittal or on-site inspection when plan review is not required
   $182.00 base fee plus $182.00 per hour for each hour after 1 hour

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**Part 2 - Plan Review Fees.**


The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service shall pay to the director plan review fees for reviewing plans and specifications, conducting preoperational inspections and providing consultation, as follows:

A. New pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service construction
   $191.00 base fee plus $191.00 per hour for each hour after 1 hour

B. Conversion of existing structure to pet shop, commercial kennel, pet daycare facility, animal
   $191.00 base fee plus $191.00 per hour for each
C. Remodel of existing pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service
$191.00 base fee plus $191.00 per hour for each hour after 1 hour

D. Two or more plan reviews for one facility
$191.00 base fee plus $191.00 per hour for each hour after 1 hour

E. Plan resubmittal
$191.00 per hour

F. Subsequent preoperational inspections, on-site inspection before plan submittal or on-site inspection when plan review is not required
$191.00 base fee plus $191.00 per hour for each hour after 1 hour

Part 3 - Plan Review Fees.


The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service shall pay to the director plan review fees for reviewing plans and specifications, conducting preoperational inspections and providing consultation, as follows:

<table>
<thead>
<tr>
<th></th>
<th>New pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service construction</th>
<th>$201.00 base fee plus $201.00 per hour for each hour after 1 hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Conversion of existing structure to pet shop, commercial kennel, pet daycare facility, animal</td>
<td>$201.00 base fee plus $201.00 per hour for each hour after 1 hour</td>
<td></td>
</tr>
</tbody>
</table>
### Table: Special Services and Fees

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelter or pet grooming service hour after 1 hour</td>
<td></td>
</tr>
<tr>
<td>C. Remodel of existing pet shop, commercial kennel, pet daycare facility, animal</td>
<td>$201.00 base fee plus $201.00 per hour for each hour after 1 hour</td>
</tr>
<tr>
<td>shelter or pet grooming service</td>
<td></td>
</tr>
<tr>
<td>D. Two or more plan reviews for one facility</td>
<td>$201.00 base fee plus $201.00 per hour for each hour after 1 hour</td>
</tr>
<tr>
<td>E. Plan resubmittal</td>
<td>$201.00 per hour</td>
</tr>
<tr>
<td>F. Subsequent preoperational inspections, on-site inspection before plan submittal</td>
<td>$201.00 base fee plus $201.00 per hour for each hour after 1 hour</td>
</tr>
<tr>
<td>or on-site inspection when plan review is not required</td>
<td></td>
</tr>
</tbody>
</table>

**NEW SECTION. SECTION 46. Special services - authority.** The director is authorized to charge fees for the furnishing of special services or materials requested by the public that are not ordinarily provided under permit or pursuant to statute. Such services and materials may include but are not limited to examination, testing, or inspection of particular products, materials, procedures, construction, equipment, or appliances to determine their compliance with this title or their acceptability for use. The director is authorized to specify the terms and conditions upon which the services and materials shall be made available, consistent with any applicable laws; provided, that any fees imposed pursuant to this authorization shall not exceed the actual cost to the county for furnishing services and materials.

**NEW SECTION. SECTION 47. Miscellaneous fees.**
A. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator shall pay the following miscellaneous fees, as applicable:

1. Variance request fee $182.00
2. Second and subsequent reinspection fee 50 percent of applicable permit fee
3. Reinstatement of permit after suspension 100 percent of applicable permit fee

B. The director is authorized to charge a fee equal to one-half of the applicable permit fee when the director determines that a second or subsequent reinspection is necessary following a routine inspection or complaint investigation, and to adopt administrative policies to specify the terms and conditions upon which the reinspections are made, which must be based upon the extent and severity of violations found.

C. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business owner or operator shall pay fees, as applicable, for dishonored check submittal, permit replacement, permit transfer or name change, inspections outside regular department working hours, special services and refunds, in accordance with the fee provisions of chapter 2.06 of this code.

NEW SECTION. SECTION 48. Penalty for commencing operation without approval. Any person who commences any work on or any operation of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or pet food retail business for which a permit or plan review is required under BOH Title 8 without first having obtained the permit or plan review shall upon subsequent application for the
permit or plan review pay the applicable permit or plan review fee and a penalty fee equal
to one-half of the applicable permit or plan review fee. The director is authorized to
waive the penalty fee upon receipt of proof, to the satisfaction of the director, that the
work was urgently necessary and that it was not practical to obtain a permit before the
commencement of the work. In all such emergency cases, the owner or operator of the
pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service or
pet food retail business shall obtain a permit as soon as it is practical to do so and, if the
director determines there is an unreasonable delay in obtaining the permit, a penalty fee
shall be charged as provided in this section.

NEW SECTION. SECTION 49. Refunds.

A. The director shall issue the pet shop, commercial kennel, pet daycare facility,
animal shelter, pet grooming service or pet food retail business owner or operator a
refund of a permit fee if:

1. A permit is denied;
2. A fee has been paid where none is imposed;
3. The permit is issued where none is required;
4. The permittee never engages in permitted activity due to the denial by any
governmental agency to issue a necessary license;
5. The applicant for a permit withdraws his or her application before the permit
is issued; or
6. The permit fee has been overpaid by more than the amount of the refund
processing fee set forth in BOH chapter 2.06.
B. Each refund shall be subject to a twenty-five-dollar deduction for the cost of administration.

SECTION 50. That portion of the Seattle Health Code, as codified in Seattle Municipal Code sections 10.03.170, 10.72.010, 10.72.020, 10.72.030 and 10.72.040, in their entirety, adopted by the metropolitan King County council under Ordinance 12098, Section 3, is hereby repealed.

SECTION 51. Severability. If any provision of this rule or its application to any person or circumstance is held invalid, the remainder of the rule or the application of the
provision to other persons or circumstances is not affected.

SECTION 52. Effective date. This rule takes effect March 1, 2010.

R&R BOH09-07 was introduced on and passed as amended by the Board of Health on 1/21/2010, by the following vote:

Yes: 9 - Ms. Drago, Ms. Frisinger, Mr. Hutchinson, Mr. Conlin, Ms. Patterson, Ms. Clark and Ms. Manning
No: 0
Excused: 4 - Ms. Lambert, Mr. Licata, Dr. Nicola and Dr. Danielson

BOARD OF HEALTH
KING COUNTY, WASHINGTON

Julia Patterson, Chair

ATTEST:

Anne Noris, Clerk of the Board

Attachments: None