



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 19, 2010

R&R BOH10-01

Proposed No. BOH10-01.1

Sponsors

1 A RULE AND REGULATION for the protection of the
2 public health against diseases and injury from pet shops,
3 commercial kennels, pet daycare facilities, animal shelters,
4 pet grooming services, poultry retail businesses and pet
5 food retail businesses; amending R&R 06-01, Section 2, as
6 amended, and BOH 8.01.020, R&R 09-07, Section 3, and
7 BOH 8.03.010, R&R 09-07, Section 4, and BOH 8.03.020,
8 R&R 09-07, Section 5, and BOH 8.03.030, R&R 09-07,
9 Section 6, and BOH 8.03.040, R&R 09-07, Section 7, and
10 BOH 8.03.050, R&R 09-07, Section 8, and BOH 8.03.060,
11 R&R 09-07, Section 9, and BOH 8.03.070, R&R 09-07,
12 Section 10, and BOH 8.03.080, R&R 09-07, Section 11,
13 and BOH 8.03.090, R&R 09-07, Section 12, and BOH
14 8.03.100, R&R 09-07, Section 15, and BOH 8.03.130,
15 R&R 09-07, Section 18, and BOH 8.03.160, R&R 09-07,
16 Section 21, and BOH 8.03.190, R&R 09-07, Section 34,
17 and BOH 8.03.320, R&R 09-07, Section 35, and BOH
18 8.03.330, R&R 09-07, Section 36, and BOH 8.03.340,
19 R&R 09-07, Section 37, and BOH 8.03.350, R&R 09-07,

Section 44, and BOH 2.13.020, R&R 09-07, Section 45,
and BOH 2.13.030, R&R 09-07, Section 47, and BOH
2.13.050, R&R 09-07, Section 48, and BOH 2.13.060 and
R&R 09-07, Section 49, and BOH 2.13.070; 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, as amended, and BOH 8.01.020 are each
hereby amended to read as follows:

Purpose and policy.

A. Authority is established under RCW 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, rodent control and provisions for pet shops, commercial kennels, pet daycare
facilities, animal shelters, pet grooming services, poultry retail businesses and pet food
retail businesses.

B. 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. R&R 09-07, Section 3, and BOH 8.03.010 are each hereby amended to read as follows:

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."

SECTION 3. R&R 09-07, Section 4, and BOH 8.03.020 are each hereby amended to read as follows:

Purpose and ((scope)) intent 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, poultry retail businesses 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, poultry retail businesses 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.

66 SECTION 4. R&R 09-07, Section 5, and BOH 8.03.030 are each hereby
67 amended to read as follows:

68 **Relationship of chapter to other laws, rules and regulations.**

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

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

82 SECTION 5. R&R 09-07, Section 6, and BOH 8.03.040 are each hereby
83 amended to read as follows:

84 **Definitions.** The definitions in this section apply throughout this chapter unless
85 the context clearly requires otherwise:

86 A. "Animal" means any living creature except *Homo sapiens*, insects and worms.

87 B. "Animal shelter" means a facility used to house or contain and offer or
88 distribute for adoption as pets any stray, homeless, abandoned or unwanted animals other

89 than livestock and that is owned, operated or maintained by a public body, an established
90 humane society, animal welfare society, society for the prevention of cruelty to animals
91 or other nonprofit organization, or by a person or persons devoted to the welfare,
92 protection and humane treatment of animals. "Animal shelter" includes "satellite pet
93 adoption facility," but does not include pet adoption services performed at an animal
94 shelter or satellite pet adoption facility not more than a total of twenty-one days per
95 calendar year.

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

101 D. "Aquarium stock" means live fish, live corals, aquatic amphibians and aquatic
102 invertebrates.

103 E. "Board" means the provision of shelter and food to pet animals by an entity
104 other than the pet's owner and at a location separate from the owner's residence.

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

107 G. "Commercial kennel" means any establishment or facility where four or more
108 dogs or cats are kept for commercial purposes including, but not limited to, board,
109 propagation and training. Commercial kennels include, but are not limited to, dog or cat
110 boarding facilities, training facilities where dogs or cats are boarded during the course of
111 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, poultry retail business or pet food retail business and, as applicable, the care and welfare of the animals present.

L.1. "Pet" means a nonlivestock animal kept by a private individual for pleasure or companionship.

2. "Pet" does not include poultry.

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

134 play groups with other animals of the same species for the majority of the time the pets
135 are at the facility during the hours the facility is open to the public.

136 N. "Pet food retail business" means a retail establishment selling animal derived
137 foods or treats for consumption by pets.

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

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

150 2. "Pet shop does not include the hobby breeding of animals at or adjoining a
151 private residence, animals shelters(~~(; livestock auctions; and farm and ranch feed stores~~
152 ~~that sell baby poultry to commercial operations))~~, and any facilities that hold animals for
153 not more than twenty-four hours before the animals are sold, auctioned, adopted, traded
154 or donated and removed from the premises.

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

157 R.1. "Poultry retail business" means any establishment, store, department of any
158 store or other establishment that acquires live poultry through purchase, consignment,
159 donation, importation, hatching or breeding, and sells or offers to sell, adopt or trade the
160 live poultry to the public.

161 2. "Poultry retail business" does not include any facilities that hold animals for
162 not more than twenty-four hours before the animals are sold, auctioned, adopted, traded
163 or donated and removed from the premises.

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

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

170 ~~((T-))~~ U. "Water resistant" means that which repels water. The following
171 materials and substances shall be considered water resistant: painted or sealed wood
172 surfaces, sealed concrete, sealed concrete blocks, stainless steel, vinyl flooring, glass,
173 treated or sealed paneling, fiberglass, tile, tile blocks and other materials approved by the
174 director on a case by case basis after finding that the material is water resistant.

175 SECTION 6. R&R 09-07, Section 8, and BOH 8.03.060 are each hereby
176 amended to read as follows:

177 **Pet shop, commercial kennel, pet daycare facility, animal shelter, poultry**
178 **retail business and pet grooming service infection control plan requirements.**

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

190 B. The pet shop, commercial kennel, pet daycare facility, animal shelter, poultry
191 retail business or pet grooming service owner or operator shall maintain the basic
192 infection control plan on the premises and make the plan available to the director for
193 examination upon request.

194 C. The director is authorized to provide assistance to the pet shop, commercial
195 kennel, pet daycare facility, animal shelter, poultry retail business or pet grooming
196 service owner or operator in developing the basic infection control plan. For example,
197 the director may provide the owner or operator a model or sample plan free of charge.

198 SECTION 7. R&R 09-07, Section 9, and BOH 8.03.070 are each hereby
199 amended to read as follows:

200 **Pet shop and poultry retail business facility construction and equipment**
201 **standards.** A pet shop or poultry retail business owner or operator shall:

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

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

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

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

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

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

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

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

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

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

SECTION 8. R&R09-07, Section 10, and BOH 8.03.080 are each hereby amended to read as follows:

Pet shop and poultry retail business primary animal enclosure requirements.

The pet shop or poultry retail business 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.

SECTION 9. R&R 09-07, Section 11, and BOH 8.03.090 are each hereby amended to read as follows:

Pet shop and poultry retail business sanitation standards. The pet shop or poultry retail business 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 or poultry retail business'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.

SECTION 10. R&R 09-07, Section 12, and BOH 8.03.100 are each hereby amended to read as follows:

Pet shop and poultry retail business animal health, care and disease prevention standards. The pet shop or poultry retail business owner or operator shall, for animal care and feeding:

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

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

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

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

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

290 F. Physically separate animals on the premises of the pet shop or poultry retail
291 business for the purposes of boarding, grooming, daycare or animal shelter from all sick
292 animals and animals offered for sale, auction, adoption, trade or donation.

293 SECTION 11. R&R 09-07, Section 15, and BOH 8.03.130 are each hereby
294 amended to read as follows:

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

304 SECTION 12. R&R 09-07, Section 18, and BOH 8.03.170 are each hereby
305 amended to read as follows:

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

313 SECTION 13. R&R 09-07, Section 21, and BOH 8.03.190 are each hereby
314 amended to read as follows:

Pet shop and poultry retail business reporting of animal bites and disease

outbreaks. Immediately upon receiving notice of the occurrence or outbreak, the pet shop or poultry retail business owner or operator shall report to the director any occurrence of ~~((an animal))~~ a mammal biting a human at the ~~((pet shop))~~ facility, 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.

SECTION 14. R&R 09-07, Section 34, and BOH 8.03.320 are each hereby amended to read as follows:

Emergency occurrence - ceasing operations and reporting. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service, poultry retail business 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, poultry retail business 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.

SECTION 15. R&R 09-07, Section 35, and BOH 8.03.330 are each hereby amended to read as follows:

Variance.

337 A. The director may grant a variance to the pet shop, commercial kennel, pet
338 daycare facility, animal shelter, pet grooming service, poultry retail business or pet food
339 retail business owner or operator by modifying or waiving the requirements of this
340 chapter if in the opinion of the director a health hazard will not result from the variance.

341 The applicant for a variance shall submit application in writing and shall include:

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

344 2. A statement of the rationale for how the potential public health hazards
345 addressed by the relevant code sections will be alternatively addressed by the proposal,
346 and shall include documentation or other relevant evidence in support of the rationale.

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

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

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

354 SECTION 16. R&R 09-07, Section 36, and BOH 8.03.340 are each hereby
355 amended to read as follows:

356 **Permit requirement.**

357 A. ~~((It))~~ Except as provided in subsection F. of this section, it is unlawful to
358 maintain or operate a pet shop, commercial kennel, pet daycare facility, animal shelter,
359 pet grooming service, poultry retail business or pet food retail business without a valid

pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service,
poultry retail business 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, poultry retail business
 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))~~ an aquarium only or as a standard pet shop based on the following
 categories of animals or other items offered for trade, transfer, adoption or sale:

1. ~~((Risk Category 1))~~ Pet shop - aquarium only:

~~((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))~~ Pet shop - standard: All animal trades, transfers,
 adoptions or sales not qualifying as ~~((Risk Category 1 pet shop operation))~~ aquarium only
pet shop operations, excluding animal shelters, ~~((livestock auctions, and farm and ranch~~

383 ~~feed stores that sell baby poultry to commercial operations))~~ poultry retail businesses and
384 any facilities that hold animals for not more than twenty-four hours before the animals
385 are sold, auctioned, adopted, traded or donated and removed from the premises.

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

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

391 2. Category 2: Animal shelter performing more than one thousand five hundred
392 animal adoptions per calendar year, but not including a Category 3 animal shelter; and

393 3. Category 3: Animal shelter operating a satellite pet adoption facility in a
394 permitted pet shop, commercial kennel, pet daycare facility, pet grooming service or pet
395 food retail business in King County.

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

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

406 F. A pet food retail business operating permit is not required for the sale of
407 canned or other fully cooked pet foods or treats. The holder of a current food
408 establishment permit under BOH Title 5 is not required to obtain a separate pet food
409 retail business permit for the sale of uncooked or partially cooked animal derived pet
410 foods or treats.

411 SECTION 17. R&R 09-07, Section 37, and BOH 8.03.350 are each hereby
412 amended to read as follows:

413 **Plan review application process.**

414 A. ((A)) Except as provided in subsection E. of this section, a pet shop,
415 commercial kennel, pet daycare facility, animal shelter or pet grooming service permit
416 applicant or permit holder shall submit to the director a plan review application, including
417 completed plans and specifications, before a pet shop, commercial kennel, pet daycare
418 facility, animal shelter or pet grooming service is constructed or an existing structure is
419 converted for use as a pet shop, commercial kennel, pet daycare facility, animal shelter,
420 or pet grooming service. If an existing pet shop, commercial kennel, pet daycare facility,
421 animal shelter or pet grooming service is being remodeled, the owner or operator shall
422 notify the director of the proposed remodel and shall submit to the director a completed
423 plan review application if the director determines that review of plans and specifications
424 is necessary to ensure compliance with this chapter.

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

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

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

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

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

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

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

442 D. The commercial kennel, pet daycare facility, animal shelter or pet grooming
443 service owner or operator shall include the following information in the plans and
444 specifications:

445 1. Types of animals kept or served at the facility, including types and quantities
446 of foods stored and provided for the animals;

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

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

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

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

456 E. Plan review application submittal is not required for an aquarium only pet
457 shop or for any facility that sells, auctions, adopts, trades or donates poultry and no other
458 animals.

459 SECTION 18. R&R 09-07, Section 44, and BOH 2.13.020 are each hereby
460 amended to read as follows:

461 **Permit fees.**

462 **Part 1 - Permit Fees.**

463 **Effective Through December 31, 2010.**

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

1. Pet shop
 - a. ~~((Risk category 1))~~ Aquarium only \$182.00
 - b. ~~((Risk category 2))~~ Standard \$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 \$182.00

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

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 or poultry retail business 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 or poultry retail business permit.

C. The applicant for a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service, poultry retail business 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.

Effective January 1, 2011, Through December 31, 2011.

A. The owner or operator of a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service, poultry retail business 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)) <u>Aquarium only</u> | \$191.00 |
| b. ((Risk category 2)) <u>Standard</u> | \$497.00 |

- | | |
|----------------------|----------|
| 2. Commercial kennel | \$306.00 |
|----------------------|----------|

3.	Pet daycare facility	\$306.00
4.	Animal shelter	\$306.00
	a. Category 1: not more than 1,500 pet adoptions per calendar year	\$191.00
	b. Category 2: more than 1,500 pet adoptions per calendar year	\$306.00
	c. Category 3: Satellite pet adoption facility	\$63.00 per location
5.	Pet grooming service other than mobile grooming unit	\$191.00
6.	Mobile grooming unit	\$191.00 base fee for one vehicle plus \$63.00 for each additional vehicle inspected on the same date and location and owned by the same person
7.	<u>Poultry retail business</u>	<u>\$191.00</u>
<u>8.</u>	Pet food retail business	\$191.00
((8.))	Any combination of two or more permit classifications (pet shop, commercial kennel, pet daycare facility, animal shelter, ((or)) pet grooming service <u>or poultry retail business</u>)	Highest applicable permit fee plus \$191.00 for one additional permit classification or \$382.00

other than pet food retail business at the same location 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 or poultry retail business 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 or poultry retail business permit.

C. The applicant for a pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service, poultry retail business 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, poultry retail business 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))~~ Aquarium only 201.00

	b. ((Risk category 2)) <u>Standard</u>	\$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 mobile grooming unit	\$201.00
6.	Mobile grooming unit	\$201.00 base fee for one vehicle plus \$66.00 for each additional vehicle inspected on the same date and location and owned by the same person
7.	<u>Poultry retail business</u>	<u>\$201.00</u>
8.	Pet food retail business	\$201.00
((8.))	Any combination of two or more permit	Highest applicable permit
9.	classifications (pet shop, commercial kennel,	fee plus \$201.00 for one

pet daycare facility, animal shelter, ~~((or))~~ pet additional permit.
grooming service or poultry retail business) classification or \$402.00
other than pet food retail business at the for two or more
same location additional permit
classifications

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

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

510 SECTION 19. R&R 09-07, Section 45, and BOH 2.13.030 are each hereby
511 amended to read as follows:

512 **Plan review fees.**

513 **Part 1 - Plan Review Fees.**

514 **Effective Through December 31, 2010.**

The owner or operator of a standard 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 <u>standard</u> 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
each hour after 1 hour |
| B. | Conversion of existing structure to <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$182.00 base fee plus
\$182.00 per hour for each
each hour after 1 hour |
| C. | Remodel of existing <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$182.00 base fee plus
\$182.00 per hour for each
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 |

Part 2 - Plan Review Fees.

Effective January 1, 2011, Through December 31, 2011.

The owner or operator of a standard 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 <u>standard</u> 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
each hour after 1 hour |
| B. | Conversion of existing structure to <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$191.00 base fee plus
\$191.00 per hour for each
each hour after 1 hour |
| C. | Remodel of existing <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$191.00 base fee plus
\$191.00 per hour for each
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.

Effective January 1, 2012, and Thereafter.

The owner or operator of a standard 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 <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service construction | \$201.00 base fee plus
\$201.00 per hour for each
each hour after 1 hour |
| B. | Conversion of existing structure to <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$201.00 base fee plus
\$201.00 per hour for each
each hour after 1 hour |
| C. | Remodel of existing <u>standard</u> pet shop, commercial kennel, pet daycare facility, animal shelter or pet grooming service | \$201.00 base fee plus
\$201.00 per hour for each
each hour after 1 hour |
| D. | Two or more plan reviews for one facility | \$201.00 base fee plus
\$201.00 per hour for each
hour after 1 hour |
| E. | Plan resubmittal | \$201.00 per hour |
| F. | Subsequent preoperational inspections, on-site inspection before plan submittal or on-site inspection when plan review is not required | \$201.00 base fee plus
\$201.00 per hour for each
hour after 1 hour |

SECTION 20. R&R 09-07, Section 47, and BOH 2.13.050 are each hereby amended to read as follows:

Miscellaneous fees.

A. The pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service, poultry retail business 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, poultry retail business 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 BOH chapter 2.06 (~~of this code~~)).

SECTION 21. R&R 09-07, Section 48, and BOH 2.13.060 are each hereby amended to read as follows:

Penalty for commencing operation without approval. Any person who commences any work on or any operation of a pet shop, commercial kennel, pet daycare

605 facility, animal shelter, pet grooming service, poultry retail business or pet food retail
606 business for which a permit or plan review is required under BOH Title 8 without first
607 having obtained the permit or plan review shall upon subsequent application for the
608 permit or plan review pay the applicable permit or plan review fee and a penalty fee equal
609 to one-half of the applicable permit or plan review fee. The director is authorized to
610 waive the penalty fee upon receipt of proof, to the satisfaction of the director, that the
611 work was urgently necessary and that it was not practical to obtain a permit before the
612 commencement of the work. In all such emergency cases, the owner or operator of the
613 pet shop, commercial kennel, pet daycare facility, animal shelter, pet grooming service,
614 poultry retail business or pet food retail business shall obtain a permit as soon as it is
615 practical to do so and, if the director determines there is an unreasonable delay in
616 obtaining the permit, a penalty fee shall be charged as provided in this section.

617 SECTION 22. R&R 09-07, Section 49, and BOH 2.13.070 are each hereby
618 amended to read as follows:

619 **Refunds.**

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

- 623 1. A permit is denied;
- 624 2. A fee has been paid where none is imposed;
- 625 3. The permit is issued where none is required;
- 626 4. The permittee never engages in permitted activity due to the denial by any
627 governmental agency to issue a necessary license;

628 5. The applicant for a permit withdraws his or her application before the permit
629 is issued; or

630 6. The permit fee has been overpaid by more than the amount of the refund
631 processing fee set forth in BOH chapter 2.06.

632 B. Each refund shall be subject to a twenty-five-dollar deduction for the cost of
633 administration.

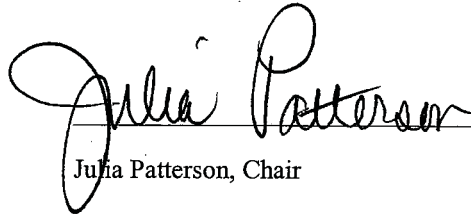
634 SECTION 23. Severability. If any provision of this rule or its application to any

- 635 person or circumstance is held invalid, the remainder of the rule or the application of
636 provision to other persons or circumstances is not affected.

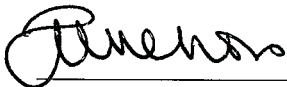
R&R BOH10-01 was introduced on and passed by the Board of Health on 3/18/2010,
by the following vote:

Yes: 10 - Ms. Drago, Ms. Frisinger, Mr. Conlin, Ms. Patterson, Mr.
Licata, Dr. Nicola, Dr. Danielson and Mr. O' Brien
No: 2 - Ms. Lambert
Excused: 2 - Mr. Hutchinson and Ms. Clark

BOARD OF HEALTH
KING COUNTY, WASHINGTON


Julia Patterson, Chair

ATTEST:



Anne Noris, Clerk of the Board

Attachments: None