

Chapter 6.08

ANIMALS

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6.08.010 Defined.

Animals and poultry shall include all forms of poultry including chickens, turkeys, geese, ducks, pigeons, peacocks, or any other form of fowl within the commonly known classified distinction of poultry, which shall include within the meaning of this chapter birds of any offensive nature and pheasants, together with rabbits, together with horses, cows, calves, or bulls, together with swine, sheep, goats, llamas, alpacas or like domestic nature of animals and livestock. (Ord. 152 §1, 1963; Ord. 573, §2, 2009).

6.08.020 Keeping livestock prohibited-nuisance.

- A. Except as set forth in 6.08.040, it is unlawful for any person, persons, firm, partnership or corporation to permit the keeping or maintaining of any poultry or animals as defined in Section 6.08.010 of this code, within the city limits, whether enclosed or not; and such keeping shall include possession of such animals within the corporate limits of the city.
- B. Except as set forth in 6.08.040, the keeping, maintenance or possession of any of the poultry or animals described in Section 6.08.010 of this code is deemed unlawful and declared to be a nuisance and punishable as prescribed in Section 6.08.050 of this code. Each day any violation continues shall be a separate offense. (Ord. 152 §1, 1963; Ord. 573, §2, 2009).

6.08.030 Ownership not necessary for violation.

Within the meaning of this chapter, ownership of poultry or animals shall not be necessary to constitute a violation of this chapter, but the person, persons, firm, partnership or corporation who have control or possession of such animal or poultry shall be deemed likewise in violation of this thereof. Possession and control of such animal or poultry shall be sufficient to constitute a violation of this chapter. (Ord. 152 §1, 1963).

6.08.040 Exceptions.

Miniature pot-bellied pigs, rabbits, pigeons and ducks may be allowed as pets within the City of Bingen, provided that:

- A. An annual permit for the pet is obtained from the City Clerk's office. The cost of the permit shall be \$10.00.
- B. No person, firm or corporation may possess or keep any of the animals specified in 6.08.040 for the purpose of sale or profit unless said animals are kept and sold in the same commercial establishment.
- C. No more than three of the animals specified in 6.08.040 may be kept in or on the premises of any dwelling unit. (Ord. 152 §1, 1963; Ord. 573, §2, 2009).

6.08.050 Penalties.

- A. Any violation of this chapter shall be an infraction with a base penalty of no less than \$100 and no more than \$250. A notice of infraction may be issued by the animal control authority or its designee. Infraction procedures shall be determined by the infraction Rules for Courts of Limited Jurisdiction as set forth in the most recent Washington Court Rules. Venue is in the West District Court of Klickitat County.
- B. In the event that any person is found to have committed two or more infractions in any twelve month period, any subsequent violation of this chapter may, at the discretion of the City prosecutor, be charged as a gross misdemeanor, punishable by a fine of up to \$5,000 or a year in jail or both. (Ord. 573, §2, 2009).