

CHAPTER 6.

[H. B. 376, Session of 1917.]

RELATING TO DOGS.

AN ACT providing for the assessment and collection of an annual license tax for dogs, authorizing cities of the first, second or third class to make disposition of the same, creating a fund for the payment of damages for injuries to domestic animals, permitting any amount in such, in excess of two hundred dollars to be expended for bounties on wild animals providing for the killing of dogs injuring persons or domestic animals, making the owner or keeper thereof liable for damages for such injury, defining the powers and duties of certain officers and providing penalties for violation thereof.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. It shall be the duty of the county assessor of each county, at the time of listing personal property for assessment of taxes, to list all dogs owned or kept within the county, giving the name and place of residence of the owner or keeper, and the breed, size, color and sex of each dog, and to assess a license tax of one dollar (\$1.00) upon each male dog and spayed female, and two dollars and fifty cents (\$2.50) upon each female dog, and to make return of such lists and assessments to the county treasurer to be collected as other taxes are collected. *Provided*, That in cities of the first, second and third class the license tax collected on dogs shall be credited to the funds as provided by ordinance of such city, and no other tax shall be levied or collected on dogs in such cities: *Provided*, That said cities may authorize their humane societies to expend such license tax in defraying the expenses of any carrying out the purposes of such societies. All fees and fines collected as aforesaid over and above the amount of expenses required to be met by such society shall be turned over by it to the city from whence such fines or fees were obtained.

License tax
on dogs.

Disposition
of tax in
cities.

Humane
societies.

Domestic
Animal
Protection
Fund.

SEC. 2. There shall be in the county treasury of each county a special fund to be known as the "Domestic Animal Protection Fund" into which shall be paid all taxes assessed and collected under the provisions of this act, and the county treasurer, upon the payment of any such tax, shall issue to the person paying the same a receipt therefor describing the dog upon which such tax is paid, as the same is described and listed by the county assessor and shall also issue a metal tag bearing the number of the year in which, and showing the sex of the dog upon which, said tax is paid: *Provided*, That if at the end of any fiscal year the amount to the credit of the Domestic Animal Protection Fund shall exceed the sum of two hundred dollars, the board of county commissioners may transfer the amount in excess of the two hundred dollars to a wild animal bounty account to be used for the payment of bounties on wild animals killed within the county in the manner provided by sections 3587 to 3592, both inclusive, of Rem. & Bal. Code.

Transfer
of fund.

Payment
of tax.

SEC. 3. All taxes assessed under the provisions of this act shall be due and payable on or before the first day of June in the year in which they are assessed; and it shall be the duty of the county treasurer, between the first and tenth days of June of each year, to furnish the sheriff of the county a list of all dogs on which the taxes have not been paid; and it shall be the duty of the sheriff to kill, or cause to be killed, all such dogs found in the county without a tag showing the payment of the tax for the current year, and the cost and expense thereof shall be charged to and paid out of the domestic animal protection fund of the county.

Penalty for
non-payment

Domestic
animals
killed by
dogs.

SEC. 4. Whenever any dog shall kill or injure any sheep, swine or other domestic animal, the owner of such animal may present a claim for damages to the nearest justice of the peace and such

justice shall investigate the facts and determine the value of such animal killed or the damages to such animal injured, and shall issue and file with the county treasurer a certificate stating the amount of damages sustained and shall be paid for making such investigation and filing such certificate out of the domestic animal protection fund a fee of three dollars (\$3.00).

Investigation
by justice of
peace.

SEC. 5. The owner or keeper of any dog shall be liable to the owner of any animal killed or injured by such dog for the amount of damages sustained and costs of collection, and in case the owner or keeper of such dog is unknown or the damages cannot be collected, the person suffering damages may file a claim for the damages sustained with the county treasurer, and upon making proof to the satisfaction of the county treasurer by affidavit or otherwise, that the owner of the dog occasioning the damage is unknown or that the damages cannot be collected from such owner, the treasurer shall pay to the claimant out of the domestic animal protection fund the amount of damages sustained as certified by the justice of the peace. Any person who shall keep any dog or allow the same to be and remain upon his premises for a period of fifteen days shall be deemed the owner of such dog for the purposes of this section.

Liability of
owner of
vicious dog.

When dam-
ages payable
from protec-
tion fund.

Harboring
dogs.

SEC. 6. It shall be lawful for any person who shall see any dog chasing, biting, injuring or killing any sheep, swine or other domestic animal, outside the enclosure of the owner or keeper of such dog, or biting or injuring any child or person, to kill such dog, and it shall be the duty of the owner or keeper of any dog found chasing, injuring or biting any domestic animal, or injuring or biting any child or person, to thereafter keep such dog in leash or confined upon the premises of the owner or keeper thereof, and in case any such owner or keeper of a

Killing
vicious dogs
authorized.

dog shall fail or neglect to comply with the provisions of this section, it shall be lawful for any person to kill such dog found running at large.

Duty of owner to kill.

SEC. 7. It shall be the duty of any person owning or keeping any dog which shall be found killing any domestic animal to kill such dog within forty-eight hours after being notified of that fact and any person failing or neglecting to comply with the provisions of this section shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than five dollars (\$5.00) and of one dollar (\$1.00) for each day that he shall fail and neglect to comply with the provisions of this section, and the costs of prosecution.

Penalty for failure.

SEC. 8. This act shall not apply to cities of first or second class regulating the licensing of dogs by ordinance.

City licensing regulations unaffected.

Passed the House March 5, 1917.

Passed the Senate March 7, 1917.

Sections 1, 2, 3, 4 and 5, vetoed by the Governor March 16, 1917.

Sections 6, 7 and 8, approved by the Governor March 16, 1917.

Sections 1, 2, 3, 4 and 5 passed over the Governor's veto January 21, 1919.

CHAPTER 7.

VETOED APPROPRIATIONS OF 1917 SESSION.

UNITED STATES OF AMERICA

STATE OF WASHINGTON

OFFICE OF THE SECRETARY OF STATE.

I, I. M. Howell, Secretary of State of the State of Washington, do hereby certify that the following are full, true and correct copies of the items vetoed by the Governor in House bill No. 393, passed by