

CHAPTER 25.

[H. B. 113.]

RELATING TO LIVE STOCK RUNNING AT LARGE.

AN ACT authorizing boards of county commissioners to create districts in which livestock shall not run at large, repealing chapter 230 of the Session Laws of 1907, providing a penalty for the violation thereof, and declaring an emergency.

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

SECTION 1. That the board of county commissioners of any county of this state shall have the power to designate by an order made and published, as provided in section three of this act, certain territory within such county in which it shall be unlawful to permit livestock of any kind to run at large: *Provided*, That no territory so designated shall be less than two square miles in area: *And provided further*, That this act shall not effect counties having adopted township organization.

[Amending
§§ 3166-3172,
Rem.-Bal.]

Livestock
area.

SEC. 2. Whenever ten residents within a proposed district shall file with the county auditor a petition, asking, within the territory therein named, no livestock of any kind shall be permitted to run at large, the county commissioners shall, at their next meeting, make an order fixing a time and place when a hearing will be had upon such petition, which time shall not be less than twenty days nor more than ninety days from the filing of such petition; and shall cause notice of the time to be given by publishing such notice in some newspaper having a general circulation within such territory for three successive weeks before the day fixed in such order; if there be no newspaper having a general circulation in such territory, then by posting such notice in three public places in such territory at least twenty days before the day of hearing, and such notice shall set forth the petition. It shall be the duty of the board of county commissioners at the time fixed for such hearing, or at the time to which such hearing may be adjourned, to hear all persons interested in

Petition
filed.

Publish
notice.

Public
hearing.

the question presented by such petition, and to determine whether such district shall be created.

Commissioners make order.

SEC. 3. If the board of county commissioners shall determine to prohibit the running at large of livestock within the territory described in such petition or in any portion thereof, it shall make an order defining the boundaries of such territory, which shall be entered upon the records and published in a newspaper having general circulation in such territory for four successive weeks, or by posting in three public places in such territory for four weeks.

Misdemeanor.

SEC. 4. Any person, or any agent, employee or representative of a corporation, violating any of the provisions of such order after the same shall have been published or posted as provided in section three of this act, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than two dollars, nor more than ten dollars, for each offense, and it shall be the duty of the prosecuting attorney of such county, on complaint of any resident or freeholder of said territory, to forthwith enforce the provisions of this section.

Swine not permitted at large.

SEC. 5. The owner of swine shall not allow them to run at large at any time or within any territory, and any violation of this section shall render such owner liable to the penalties provided for in section four of this act: *Provided*, That swine may be driven upon the highways while in charge of sufficient attendants.

Repealing §§ 3166-3172, Rem.-Bal.

SEC. 6. Chapter two hundred and thirty of the Session Laws of 1907, relative to livestock running at large, and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Emergency.

SEC. 7. An emergency exists and this act shall take effect immediately.

Passed the House January 31, 1911.

Passed the Senate February 9, 1911.

Approved by the Governor February 25, 1911.