

CHAPTER 198.

[S. B. 192.]

DOGS.

AN ACT relating to dogs, providing for the assessment and collection of annual taxes thereon, and expenditures thereof, fixing the liability of the owners or keepers thereof for damages caused thereby, defining the powers and duties of certain officers in relation thereto and providing penalties for violation thereof, and repealing certain acts relating thereto.

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

SECTION 1. It shall be the duty of each county and township assessor annually, at the time of assessing personal property, to make a list of all persons who own or keep a dog or dogs outside of the corporate limits of any city of the first, second or third class, and to set opposite the name of each owner or keeper the number of dogs owned or kept, stating whether male, sterilized female, or unsterilized female, and to assess against every such owner or keeper a license tax as follows:

County and township assessors to list dogs.

Tax assessed.

- For each male dog.....\$1 00
- For each sterilized female dog..... 1 00
- For each unsterilized female dog..... 2 50

Schedule.

Provided, That for dogs kept in kennels for breeding, sale or sporting purposes an individual license tax shall not be assessed, but the owner or keeper of such kennel shall be assessed a kennel license fee as follows:

Breeding kennels.

- For 20 dogs, or less.....\$10 00
- For each additional 20 dogs, or fraction thereof..... 5 00

Tax.

SEC. 2. It shall be the duty of the county or township assessor to turn over the list provided for in the preceding section to the county treasurer for collection of the taxes above provided for. Upon the payment of the license tax upon any dog or kennel the county treasurer shall deliver to the owner

County treasurer to collect.

License or tag upon payment.

Contents of license.

Tag, contents.

Dog collar.

Application for license or tags.

Failure to pay tax.

"County Dog License Tax Fund."

Owner liable for animals killed or injured by dog.

or keeper of such dog or kennel a license, and a metallic tag for each dog taxed and licensed or kept in such kennel. The license shall be dated and numbered and shall bear the name of the county issuing it, the name and address of the owner of the dog or kennel licensed, and if a dog license, a description of the dog including its breed, age, color and markings; and if a kennel license, a description of the breed, number and ages of the dogs kept in such kennel. The metallic tag shall bear the name of the county issuing it, a serial number corresponding with the number on the license, and the calendar year in which it is issued. It shall be the duty of every owner or keeper of a dog to keep a substantial collar on the dog and attached firmly thereto the license tag for the current year.

SEC. 3. Any person becoming the owner of a dog or kennel after the assessment has been returned by the assessor and any owner of a dog or kennel which for any reason the assessor has failed to assess, may at any time apply to the county treasurer, and upon the payment of the required fee procure a license and a metallic tag or tags.

If any person whose name appears upon the list prepared by the county and township assessor as above provided shall fail to pay the license tax to the county treasurer on or before the first day of August in which the list is made, it shall be the duty of the county treasurer to proceed to collect the delinquent license taxes in the manner provided by law for collection of delinquent personal property taxes.

SEC. 4. All license taxes collected in accordance with the provisions of this act shall be placed in a separate fund in the office of the county treasurer to be known as the "county dog license tax fund."

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, to be recovered in a civil action: *Provided*, That in case the owner or keeper of such dog or dogs is unknown or the damages can not be collected, the person suffering damages may present a claim for such damages to a justice of the peace of the county in which he resides within not more than forty (40) days after any such animal or animals are killed or injured and make affidavit, stating the number of such animals killed or injured, the amount of the damages and the name of the owner of the dog or dogs, if known. The damages shall be proven by not less than two witnesses who shall be freeholders of the county. Justices of the peace are hereby required to administer oaths in such cases and shall issue and file with the county treasurer a certificate stating the amount of damages sustained. Such damages allowed in no event shall exceed the following amounts:

Unknown owner of dog, claim for damages filed with justice of the peace.

UNREGISTERED ANIMALS OR UNACCREDITED POULTRY.

Schedule of damages allowable.

	<i>Per Head</i>
For sheep or goats killed or injured.....	\$12 50
For cattle killed or injured.....	50 00
For horses or mules killed or injured.....	75 00
For turkeys killed or injured.....	4 00
For other poultry killed or injured.....	1 50
For swine killed or injured.....	12 50
For rabbits killed or injured.....	1 50

REGISTERED ANIMALS OR ACCREDITED POULTRY.

For sheep or goats killed or injured.....	\$25 00
For cattle killed or injured.....	100 00
For horses or mules killed or injured.....	150 00
For turkeys killed or injured.....	8 00
For other poultry killed or injured.....	3 00
For swine killed or injured.....	25 00
For rabbits killed or injured.....	3 00

Upon the filing with the county treasurer of the certificate of the justice of the peace fixing the damages as above provided, the treasurer shall pay to the claimant out of the county dog license tax

Treasurer to pay claim.

fund the amount of damages sustained as certified by the justice of the peace.

Lawful to
kill dog in
certain
cases.

SEC. 6. It shall be lawful for any person who shall see any dog or dogs chasing, biting, injuring or killing any sheep, swine or other domestic animal, including poultry, belonging to such person, on any real property owned or leased by, or under the control of, such person, or on any public highway, to kill such dog or dogs, and it shall be the duty of the owner or keeper of any dog or dogs so found chasing, biting or injuring any domestic animal, including poultry, upon being notified of that fact by the owner of such domestic animals or poultry, to thereafter keep such dog or dogs in leash or confined upon the premises of the owner or keeper thereof, and in case any such owner or keeper of a dog or dogs shall fail or neglect to comply with the provisions of this section, it shall be lawful for the owner of such domestic animals or poultry to kill such dog or dogs found running at large.

Duty of
owner to
kill dogs
in certain
cases.

SEC. 7. It shall be the duty of any person owning or keeping any dog or dogs which shall be found killing any domestic animal to kill such dog or dogs 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 it shall be the duty of the sheriff or any deputy sheriff to kill any dog found running at large (after the first day of August of any year and before the first day of March in the following year) without a metal identification tag.

Sheriff to
kill dogs
running at
large
without tag.

Excess of
county dog
license tax
fund trans-
ferred.

SEC. 8. On the first day of March of each year all moneys in the county dog license tax fund in excess of five hundred dollars (\$500.00) shall be by the county treasurer transferred and credited to the current expense fund of the county.

SEC. 9. Any person or officer who shall refuse to comply with or enforce any of the provisions of this act shall be deemed guilty of a misdemeanor.

Person or officer failing to comply with act, guilty of misdemeanor.

SEC. 10. The county treasurer shall allow two dollars (\$2.00) for each witness and two dollars (\$2.00) to a justice of the peace for each certificate of damage filed which shall be paid out of the fund created by this act.

Allowance for witnesses and justice.

SEC. 11. That chapter 6 of the Laws of 1919, pages 27 to 30, and section 2 of chapter 89 of the Laws of 1923, page 258, (sections 8304 to 8306 of Remington's Compiled Statutes) are hereby repealed.

Statutes repealed.

Passed the Senate March 7, 1929.

Passed the House March 11, 1929.

Approved by the Governor March 21, 1929.

CHAPTER 199.

[S. S. B. 59.]

ASSESSMENT AND TAXATION OF PROPERTY.

AN ACT relating to the assessment and taxation of property in certain cases, and to sales thereof for delinquent taxes.

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

SECTION 1. Easements and the property constructed upon or occupying such easements owned by public service corporations shall be assessed and taxed together as personal property and the taxes thereon shall be collected as personal property taxes.

Easements owned by public service corporations.

SEC. 2. Real estate subject to any such easement shall be assessed and taxed as real estate subject to such easement.

Real estate.

SEC. 3. When any such real estate is sold for delinquent taxes thereon it shall be sold subject to

Real estate sold subject to easement.