



CITY OF KIRKLAND

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000

www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsey, City Manager

From: Tom Phillips, Building Services Manager

Date: July 6th, 2006

Subject: AN ORDINANCE TO AMEND THE RODENT CONTROL PROVISIONS OF TITLE 9 OF THE KIRKLAND MUNICIPAL CODE

RECOMMENDATION:

It is recommended that the City Council adopt the attached Ordinance that amends the rodent baiting provisions of Title 9 of the Kirkland Municipal Code.

BACKGROUND AND DISCUSSION:

The portion of our current rodent abatement ordinance that pertains to demolition and grading projects is lacking clarity and therefore, difficult to enforce. The following are items in the ordinance that are causing the difficulties and the proposed recommendations to correct those problems:

1. The existing ordinance addresses demolition work and grading activity that requires a Land Surface Modification (LSM) permit. It does not adequately cover projects that consist of only clearing when an LSM permit is not required. This proposal adds the term 'clearing' into the ordinance.
2. The existing ordinance requires that the baiting program be completed at least 15 days prior to starting the demolition or grading work. It does not limit the time between the completion of the rat baiting program and when the demolition or grading work can begin. Currently a baiting program can be started and completed a year before the project begins. Rats would be able to repopulate the area in the intervening time. The proposed amendment clarifies that the baiting program must be started at least 15 days before the demolition, grading or clearing work begins and continue until the project begins.
3. The current ordinance does not require the baiting program to be in writing or approved by a pest control specialist. The proposed amendment corrects those omissions.

ORDINANCE NO. 4053

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO RODENT CONTROL.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 9.04.040 of the Kirkland Municipal Code is hereby amended to read as follows:

9.04.040 Rat baiting.

All applicants for a demolition or a land surface modification permit and those persons undertaking a land clearing project, shall ~~complete~~ initiate a rat baiting program on the project site at least fifteen days prior to the start of demolition, clearing or land surface modification activity. The baiting program must continue at least until the project begins, however, no demolition, clearing or land surface modification work shall commence until all significant rat activity has been abated even if it has been 15 or more days since the initiation of the rat baiting program, unless approved by the building official. The rat baiting program shall be approved by a qualified pest control agent and be consistent with the Seattle-King County Health Department guidelines and recommendations for rat baiting. The use of any pesticides shall fully comply with WAC 16-2 28-1380. The building official shall not issue or deliver any demolition or land surface modification permit, nor shall any land clearing begin, until the applicant has filed with the city a copy of the rat baiting program and a declaration, under penalty of perjury, that the requirements of this section have been complied with. The rat baiting program may be terminated at any time, due to the lack of rat activity, upon a written recommendation of the pest control agent or upon approval of the building official, however, the program must be reinstated upon discovery of additional rat activity by the pest control agent or the building official and all work may be required to be stopped until the additional rat activity has been abated as determined in writing by the pest control or upon approval of the building official. At the discretion of the building official, a project unlikely to disturb a nesting place of rats may be exempted from the requirements of this section. ~~This section shall apply to all demolition permits and land surface modification permits issued by the city after January 1, 2003, even if a complete permit application was submitted prior to January 1, 2003.~~

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2006.

Signed in authentication thereof this _____ day of _____, 2006.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney