

January 9, 2019

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

King County Courthouse  
516 Third Avenue Room 1200  
Seattle, Washington 98104  
Telephone (206) 477-0860  
[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)  
[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

**ORDER OF DISMISSAL**

SUBJECT: Regional Animal Services of King County file no. **V18008846**

**XIAOYU WU**

Animal Services Enforcement Appeal

Activity no.: A18005968

Appellants: **Xiaoyu and Henry Wu**  
13450 NE 12th Place  
Bellevue, WA 98005  
Telephone: (425) 213-4755  
Email: [wuxiaoyu@hotmail.com](mailto:wuxiaoyu@hotmail.com)

King County: Regional Animal Services of King County  
*represented by* **Chelsea Eykel**  
21615 64th Avenue S  
Kent, WA 98032  
Telephone: (206) 263-5968  
Email: [raskcappeals@kingcounty.gov](mailto:raskcappeals@kingcounty.gov)

Regional Animal Services of King County (Animal Services) served Xiaoyu Wu with a violation notice, asserting that on November 10 the Wu cat was trespassing on the complainant's property. The Wu appeal statement disputed this, asserting that the encounter happened on the community sidewalk, not on the complainant's property.

We have announced, on the record in many previous cases, that Animal Services needs to submit some sort of map (such as a screenshot from Google Earth), and that not doing so risked dismissal of a future violation notice. At our January 9 hearing, as the conversation moved to where the cat was on November 10, the lack of a map for easy identification brought this point home. A cat running at large, or being on public property, not under control sufficient

to restrain the animal from approaching a bystander or another animal, is a violation. BMC 8.04.300.B & .M; .060.W & .AA. However, these were not the violations actually cited and appealed. The cited violation was trespass, which requires proof that the cat was on another person's property. So precise location matters, and we had no map to refer to.

Animal Services' November 16, 2018, violation notice is accordingly DISMISSED.

DATED January 9, 2019.



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David Spohr  
Hearing Examiner

### **NOTICE OF RIGHT TO APPEAL**

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *February 8, 2019*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

DS/ld

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**CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file no. **V18008846**

**XIAOYU WU**

Animal Services Enforcement Appeal

I, Liz Dop, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **ORDER OF DISMISSAL** to those listed on the attached page as follows:

EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.

placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED January 9, 2019.



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Liz Dop  
Legislative Secretary

**Eykel, Chelsea**

Regional Animal Services of King County

**Welles, SharonElizabeth**

Hardcopy

**Wu, Xiaoyu/Henry**

Hardcopy