

November 28, 2023

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

King County Courthouse  
516 Third Avenue Room 1200  
Seattle, Washington 98104  
Telephone (206) 477-0860  
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[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. **V23014800-A23006031**

**JASON JOHNSON**

Animal Services Enforcement Appeal

Activity no.: A23-006031

Appellant: **Jason Johnson**

[REDACTED]  
Kenmore, WA 98028

Telephone: [REDACTED]

Email: [REDACTED]

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

Animal Services apparently did not consult the case history involving Mr. Johnson and Max before it issued its October 18 notice and order citing Max for allegedly running at large on October 9.


First, as we explained in our April 19, 2022, decision in V22012956-A22000954, within Kenmore city limits, “at large” means “off the premises of the owner and not under the control

of the owner by leash; provided, that an animal within an automobile or other vehicle of its owner shall be deemed to be upon the owner’s premises.” K(enmore)CC 6.10.020.A, 6.10.030. Yet Animal Services cited Max for the default running at large violation that applies in unincorporated King County and some other contract cities. K(ing)CC 11.04.230.O. That was the wrong legal standard.

Second and more importantly, Max was under a May 19, 2023, confinement order (V23014260-A23003386), an order Examiner Drummond upheld on appeal on July 20, 2023. That order required that Max be “restrain[ed] using a leash with a collar or harness when taking [Max] off your property. Your leash can extend no longer than 8’ in length.” Yet Animal Services’ October 19 notice and order appears oblivious to that.

We thus DISMISS Animal Services’ October 19 notice and order *WITHOUT PREJUDICE*, meaning ours is not a decision on the merits. Animal Services may re-issue a notice and order for the October 9 incident, but only after it does its homework. If Animal Services re-issues a notice and order, that document will contain its own appeal deadline Mr. Johnson should be sure to follow. But today’s dismissal means that there is currently nothing for Mr. Johnson to challenge.

DATED November 28, 2023.



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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 *December 28, 2023*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

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**CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file no. **V23014800-A23006031**

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I, Lauren Olson, 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, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED November 28, 2023.



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Lauren Olson  
Legislative Secretary

**Eykel, Chelsea**

Regional Animal Services of King County

**Johnson, Jason**

Hardcopy

**Salzman, Timothy**

Hardcopy