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Chapter 9.12
RABIES

Sections:

9.12.010Quarantine of suspected animal.
9.12.020Rabies hazard in all or portion of City—Notification.
9.12.030Violation of quarantine—Impoundment.
9.12.040Pasteur treatment for bitten animals.
9.12.050Proclamation requiring vaccination of animals.
9.12.060Violation—Penalty.

9.12.010Quarantine of suspected animal.

Whenever the Director of Public Health suspects that any animal capable of transmitting rabies is infected with such disease he shall prescribe a period of quarantine, not to exceed fourteen (14) days, and he shall notify in writing the owner or keeper, and such animal shall be quarantined in the City Pound, or upon the premises of the owner or licensed veterinarian where conditions of quarantine are strictly kept, at the discretion of the Director, unless the animal is rabid in which case Section 9.12.040 shall apply. Delivery of such writing to an adult residing upon the premises shall be deemed notice, and the biting of any human being shall be a sufficient ground for such notice and quarantine, and during the period of quarantine the Poundmaster, his/her employees and police officers are authorized to enter any premises for the purpose of apprehending any such animal and impounding same except where kept upon the premises of the owner or licensed veterinarian as provided in this section.
(Ord. 81582 § 1, 1962.)

9.12.020Rabies hazard in all or portion of City—Notification.

Whenever the Director shall determine that rabies is currently a hazard to the public health in the city as a whole or any part thereof, he shall cause a notice of such hazard to be published in the city official newspaper for three (3) successive days. During a quarantine period of thirty (30) days after the last publication it shall be unlawful to keep or harbor any animal capable of transmitting rabies unless securely confined by leash or tight enclosure from which it cannot escape. Any such animal found running at large during such period shall be impounded and humanely disposed of unless redeemed within two (2) days from impounding. If apprehension by reasonable means is not possible such animal may be destroyed. The Director may extend any such quarantine period if deemed necessary by like additional notice.
(Ord. 81582 § 2, 1962.)

9.12.030Violation of quarantine—Impoundment.

It shall be unlawful to permit any animal subject to such quarantine to come in contact with any other animal or person or to run at large or to be removed from any quarantine premises without the consent of the Director of Public Health. Any such animal removed without such consent or found running at large shall be impounded and humanely disposed of unless redeemed within two (2) days after impounding; and these regulations shall continue until release of quarantine.
(Ord. 81582 § 3, 1962.)

9.12.040Pasteur treatment for bitten animals.

Any such animal bitten by one found to be rabid on clinical or laboratory diagnosis by the Director of Public Health shall be given the Pasteur treatment or destroyed, at the option of the owner or keeper whether or not such animal shall have been vaccinated by the single treatment of anti-rabies vaccine, and after given the Pasteur treatment any such animal shall be under quarantine for ninety (90) days.
(Ord. 81582 § 4, 1962.)

9.12.050Proclamation requiring vaccination of animals.

Whenever the Director of Public Health shall certify by proclamation published in the city official newspaper for three (3) successive days that conditions exist wherein it is necessary for the protection of the public health that animals capable of transmitting rabies be vaccinated within a specified period of time with anti-rabies vaccine, he shall require that all such animals three (3) months old or over shall be so vaccinated or humanely destroyed at the option of owner or keeper, and failure to do so within said time shall constitute a violation of this chapter.
(Ord. 81582 § 5, 1962.)

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9.12.060Violation—Penalty.

The violation of or failure to comply with any of the provisions of this chapter shall be punishable by a fine not exceeding Three Hundred Dollars ($300.00) or by imprisonment in the City Jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment.
(Ord. 81582 § 6, 1962.)

Chapter 9.20
GIFT, SALE OR COLORING OF RABBITS OR FOWL

Sections:

9.20.010Regulations generally.
9.20.020Violation—Penalty.

9.20.010Regulations generally.

It shall be unlawful for anyone to sell, to offer for sale, or to give away, any fowl under three (3) weeks of age or any rabbit under two (2) months of age for use as a pet, or to color, dye, stain, or otherwise change the natural color of any such fowl or rabbit.
(Ord. 93771 § 1, 1965.)

9.20.020Violation—Penalty.

A. Every offense defined by this chapter or conduct made unlawful thereby shall constitute a violation. A violation may be punished by a civil fine or forfeiture not to exceed Five Hundred Dollars ($500.00), but a conviction of a violation shall not give rise to any disability or legal disadvantage based on the conviction of a criminal offense.

B. Notwithstanding the civil nature of the penalty provided in this section for violations, nothing in this section shall deny any constitutional rights which a defendant would have were the penalty deemed criminal.
(Ord. 104540 § 1, 1975: Ord. 93771 § 2, 1965.)

Chapter 9.25
ANIMAL CONTROL

Sections:

9.25.010Purpose and policy.
9.25.020Definitions—A — E.
9.25.021Definitions—F — J.
9.25.022Definitions—K — O.
9.25.023Definitions—P — T.
9.25.024Definitions—U — Z.
9.25.025Animal Control Commission.
9.25.030Authority of the Director.
9.25.035Declaration that an animal is vicious or dangerous—Order of humane disposal—Right to meeting.
9.25.036Appeal of Director's orders.
9.25.037Authority of Hearing Examiner.
9.25.040Animal Shelter.
9.25.045Municipal Spay and Neuter Clinic.
9.25.046Waiver of City liability.
9.25.047Return date establishment.
9.25.048License required.
9.25.050Animal licenses generally.
9.25.051Cat and dog licenses.
9.25.052Miniature potbelly pig licenses.
9.25.053Dangerous animals.
9.25.054Guard or attack dog license—Proof of insurance—Posting notice and license.
9.25.060Right of entry and inspection.
9.25.070Fees.
9.25.080Offenses relating to licensing.
9.25.081Offenses relating to cruelty.
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9.25.083Owning vicious animals prohibited—Exception.
9.25.084Offenses relating to control.
9.25.085Offenses relating to sale of animals.
9.25.090Detainment and disposal.
9.25.091Adoption.
9.25.092Nuisance animals.
9.25.100Penalty clause.
9.25.110Denial, suspension, or revocation of license—Order.
9.25.120Denial, suspension, or revocation of license—Appeal.
9.25.130Adoption procedures—Exemption.

9.25.140 Severability. The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this chapter, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.
(Ord. 112335 § 1(part), 1985.)

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9.25.010Purpose and policy.

A. It is the purpose of this chapter to control hazards to the physical and mental health of the public caused by animals, and to prevent cruelty to animals, by establishing standards of control.

B. It is the specific intent of this chapter to place the obligation of complying with its requirements upon the owners and possessors of animals.

C. Nothing contained in this chapter is intended to be, nor shall be construed to create or form the basis for any liability on the part of the City or its officers, employees or agents, for any injury or damage resulting from the failure of any person to comply with the terms of this chapter, or by reason or in consequence of any omission in connection with the implementation or enforcement of this chapter on the part of the City by its officers, employees or agents.

D. Animals owned by the Seattle Police Department and used to assist in the law enforcement and the carrying out of its duties shall be exempt from the provisions of this chapter.

(Ord. 112335 § 1(part), 1985.)

9.25.020Definitions—A — E.

As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

A. "Abandon" means the act of leaving an animal:

1. Without food, water, or care for twenty-four (24) hours or more; or

2. In a situation where the conditions present an immediate, direct, and serious threat to the life, safety, or health of the animal.

B. "Alter" means to permanently render an animal incapable of reproduction.

C. "Animal Control Officer" means any person who is employed with the Seattle Division of Animal Control or appointed by the Director for the purpose of aiding in the enforcement of any ordinance, or relating to the licensing control, quarantine, seizure or impoundment of animals.

D. "City" means The City of Seattle.

E. "Dangerous animal" means any animal, other than the common household cat or dog, bees or other insects specifically provided for by ordinance, that is capable of killing or seriously injuring a human being.

F. "Director" means the Executive Services Director of The City of Seattle or his/her authorized representative.

G. "Department" means the Executive Services Department of The City of Seattle.

H. "Disposed of in a humane manner" means euthanized by a lethal dose of sodium pentobarbital.

I. "Detain" means to place an animal in custody.

(Ord. 118397 § 97, 1996; Ord. 117218 § 1, 1994; Ord. 117169 § 124, 1994; Ord. 112335 § 1(part), 1985.)

9.25.021Definitions—F — J.

As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

A. "Guard dog" or "attack dog" means any member of the dog family (Canidae), not owned by a government agency, which has been trained and is used for the purpose of protecting persons or property by exhibiting hostile and aggressive propensities, or which will attack on signal or command.

B. "Harboring" means allowing any animal to remain, be lodged, fed, or sheltered on the property one owns, occupies or controls, for more than twenty-four (24) hours.

C. "Holding period" means seventy-two (72) hours commencing at the close of regular business on the day of detainment of any unlicensed or unidentified cat or dog, and one hundred forty-four (144) hours for any licensed or identified animal, excluding days the City Animal Shelter is not open to the public.

(Ord. 112335 § 1(part), 1985.)

9.25.022Definitions—K — O.

As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

A. "Owner" means a person who harbors, keeps, causes or permits an animal to be harbored or kept, or who has an animal in his/her possession or custody, or who permits an animal to remain on or about his/her premises, or who has legal title to an animal.

(Ord. 112335 § 1(part), 1985.)

9.25.023Definitions—P — T.

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As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

A. "Permit" means human conduct in relation to an owned animal which is intentional, deliberate, careless, inadvertent or negligent.

B. "Potbelly pig" means that type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly Pig (Sus scrofa bittatus).

C. "Trespassing" means any animal which enters upon the property of another person without the authorization of the lawful occupant.

(Ord. 116694 § 4, 1993: Ord. 112335 § 1(part), 1985.)

9.25.024Definitions—U — Z.

As used in this chapter, except where a different meaning is plainly apparent from the context, the following definitions apply:

A. "Vicious animal" means an animal which bites, claws or otherwise harms a human being or another animal, or which demonstrates menacing behavior toward human beings or domestic animals, but does not include an animal that bites, attacks or menaces a person or another animal that has tormented or hurt it.

(Ord. 112335 § 1(part), 1985.)

9.25.025Animal Control Commission.

A. There hereby is established an Animal Control Commission comprised of eleven (11) members, who shall serve without compensation. Six (6) commissioners shall be appointed by the Mayor, subject to confirmation by a majority vote of all members of the City Council; and five (5) commissioners shall be appointed by the City Council. At least one (1) Mayor's appointee shall be a veterinarian eligible to practice veterinary medicine in Washington State. Commissioners shall be selected to be representative of the various neighborhoods of the City, and to be representative of the youthful, middle-aged and elderly citizenry of the City. Each Commissioner shall be appointed for a term of three (3) years; provided, that the Commission appointed pursuant to Ordinance 100965 as amended (SMC Section 3.54.030) shall serve as the first Commission contemplated by this section. The term of each Commissioner appointed under SMC Section 3.54.030 shall expire as originally scheduled, and each vacant position shall be filled by the same appointing authority as filled the position under SMC Section 3.54.030.

B. The Commission shall organize, elect officers, adopt rules for its procedures, and provide a statement of organization and public disclosure index, all in accordance with public disclosure law (RCW 42.17.250 et seq.) and the City's Administrative Procedures Ordinance (SMC Chapter 3.02), as now existing or hereafter amended, revised or re-enacted.

C. The Animal Control Commission shall advise the Mayor, the City Council, and the Finance Director regarding animal control in the City.

(Ord. 117218 § 2, 1994: Ord. 117169 § 125, 1994; Ord. 112335 § 1(part), 1985.)

9.25.030Authority of the Director.

A. The Director is authorized to:

1. Make rules for the interpretation and implementation of this chapter, pursuant to the Administrative Code;[1]

2. Accept the surrender of animals to the City Animal Shelter;

3. Permit or deny adoption from the City Animal Shelter of animals that have been surrendered to the City, or which are stray or under detainment and unclaimed after the expiration of a holding period;

4. Direct immediate humane disposal of any animal (a) surrendered to the City for humane disposal, or (b) determined by the Seattle Municipal Court or any other court of law to be a nuisance, vicious, or dangerous, or (c) involved in a court proceeding in which the owner pled guilty or was found to be guilty of owning a nuisance, vicious or dangerous animal, (d) unclaimed after the expiration of a holding period, or (e) determined by the Director to be vicious or dangerous pursuant to SMC Section 9.25.035;

5. Detain animals found to be unlicensed, or abandoned, or at large, or in inhumane conditions, or to be a nuisance, or to be vicious or dangerous, or otherwise found to be in a circumstance violative of this chapter;

6. Collect cats, dogs and other animals found dead on the public areas of the City, or

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from private property on request of the occupant of the property, and to bury, cremate, or arrange for the disposal of such animal;

7. Appoint agents for the collection of pig, dog and cat license fees;

8. Grant, renew, suspend, revoke, or deny licenses according to the terms of this chapter;

9. Administer the City Animal Shelter;

10. Administer the City Spay and Neuter Clinic and Program;

11. Charge and collect fees for the services authorized by this chapter, as established by Seattle Municipal Code Chapter 9.26, known as the "Animal Fee Ordinance," as now existing or hereafter amended, revised or re-enacted;

12. Reduce fees for the adoption or redemption of any animal, when, in the discretion of the Director, such a reduction is in the best interests of the animal;

13. Appoint persons experienced in the humane trapping of animals to set and bait a trap or use other devices that do not physically harm an animal trapped, when, in the judgment of the Director, such action will protect the public peace, health, safety and welfare;

14. Implant into animals leaving the shelter through adoption or redemption a microchip for identification purposes.

B. The Director shall keep records of the handling and licensure of animals in the City.

C. Nothing prohibits the Police Department from enforcing provisions of this chapter.

D. The Director is authorized to enforce Seattle Municipal Code Sections 18.12.080, 18.12.100 and 18.12.110 as authorized by the Superintendent of Parks and Recreation by rule.

E. The Director is authorized to enforce Seattle Municipal Code Chapter 9.12 and Seattle Municipal Code Section 10.72.020, subject to such restriction or qualification as the Director of the Seattle-King County Department of Public Health may establish by rule.

(Ord. 117218 § 3, 1994: Ord. 116694 § 5, 1993; Ord. 114377 § 1, 1989; Ord. 112335 § 1(part), 1985.)

1.Editor's Note: The Administrative Code is codified at Chapter 3.02 of this Code.

9.25.035Declaration that an animal is vicious or dangerous—Order of humane disposal—Right to meeting.

A. The Director, upon the petition of any person, or at his or her own discretion, may conduct an investigation, and if the findings of the investigation so indicate, he or she may declare an animal to be vicious or dangerous, and may order humane disposal of the animal.

B. Before declaring an animal to be vicious or dangerous, the Director shall notify the owner in writing of the reasons why the animal is believed to be vicious or dangerous and subject to humane disposal, the authority for the proposed action, and that the Director will make a final determination after the expiration of twenty (20) days following service of the notice, or, if sent by certified mail, within twenty (20) days after the date of delivery as shown on the returned receipt. In addition, the notice shall inform the owner that he or she will be provided an opportunity to meet with the Director or the Manager of the Animal Control Division as the Director's designee, at which meeting the owner may give, orally and/or in writing, any reasons or information as to why the animal should not be destroyed. The notice shall state the date, time and location of the meeting, which will occur prior to the expiration of twenty (20) days following delivery of the notice. The notice shall be sent by certified mail, return receipt requested, or delivered in person to the owner at the owner's last address known to the Director.

C. In the event the Director finds an animal to be vicious or dangerous and orders humane disposal, the declaration and order shall be in writing in the form of an order, and shall include a recital of the authority for the action, a brief and concise statement of the facts which constitute the grounds for ordering humane disposal, and contain the Director's signature. A copy of the order, including notice of the right to appeal, shall be sent by certified mail, return receipt requested, or delivered in person to the owner.

(Ord. 117218 § 4(part), 1994.)

9.25.036Appeal of Director's order.

A. An owner may appeal a determination of the Director ordering the humane disposal of a vicious or dangerous animal to the office of the Hearing Examiner by filing a notice of appeal and

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written request for hearing with the Hearing Examiner within ten (10) days after the date of delivery of the Director's order, as noted by the signed returned receipt, and mailing a copy of the notice to the Director. The Hearing Examiner may allow an appeal filed after the tenth day but within thirty (30) days of the date of delivery of the order, as noted by the signed return receipt, if the Hearing Examiner is satisfied that the delay in filing the appeal occurred as a result of circumstances beyond the control of the owner/appellant, and that the owner/appellant filed the notice as soon as he or she could reasonably do so.

B. An order for humane disposal that is not appealed shall be final and authorize the animal's humane disposal.

(Ord. 117218 § 4(part), 1994.)

9.25.037Authority of Hearing Examiner.

A. The Hearing Examiner shall conduct the review of an appeal from an order for the humane disposition of an animal in an expedited manner and shall make a decision thereon. The procedures of Sections 3.02.090 and 3.02.100 shall apply, except that the intervals for action shall be compressed so that, unless both the owner and the Director consent, the time elapsed between the date of the notice of appeal and the Hearing Examiner's determination shall not exceed thirty (30) days.

B. The Hearing Examiner shall have the power to:

1. With the owner's consent, authorize an alternate disposition, such as placement of a dangerous animal in a zoological garden, or, if a snake, in a herpetarium;

2. Assess the costs of care and feeding of the animal while in City detention; and/or

3. Stay on order affirming the Director's order for humane disposal to allow an owner an opportunity to seek judicial review.

C. The decision of the Hearing Examiner shall be final subject to judicial review in the Superior Court.

(Ord. 117218 § 4(part), 1994.)

9.25.040Animal Shelter.

A. There shall be a City Animal Shelter within the City for detaining animals, and having facilities for handling animals that are injured or ill, or possibly contagious with infectious diseases, and facilities for humane disposal of animals.

B. No animal at the City Animal Shelter shall be used, sold, loaned or given away for medical or research purposes, whether the animal is dead or alive.

(Ord. 112335 § 1(part), 1985.)

9.25.045Municipal Spay and Neuter Clinic.

A. There shall be a Municipal Spay and Neuter Clinic, as provided by Ordinance 107631,[1] at which members of the public may have cats and dogs spayed or neutered in a humane manner upon payment of fees as provided by the Animal Fee Ordinance (Seattle Municipal Code Chapter 9.26).

B. Such fees shall include immunization of dogs and cats as deemed necessary by the spay/neuter veterinarian at the time of surgery.

C. The clinic shall operate at a level according to public demand and shall be financed by surgery fees, pet license fees for unaltered animals and other means necessary, provided license fees for altered animals shall not be increased.

(Ord. 117218 § 5, 1994: Ord. 112335 § 1(part), 1985.)

1.Editor's Note: Ordinance 107631 was submitted to City voters as an initiative on the Pet Sterilization Clinic, and was approved.

9.25.046Waiver of City liability.

A. Persons submitting dogs and cats for any service identified in Section 9.25.045 of this chapter shall sign a consent form certifying thereon under penalty of perjury that they are the owner of said animal(s) or are otherwise authorized to present the animal for the above operation, and such persons may be required to furnish proof of such ownership or authority.

B. Such consent shall contain a waiver of any and all liability of the City, its agents, and any City employee for the injury or death to an animal arising out of the aforementioned operation or any service provided incidental thereto.

(Ord. 117218 § 6, 1994: Ord. 117169 § 126, 1994; Ord. 112335 § 1(part), 1985.)

9.25.047Return date establishment.

The Director shall establish a return date by which persons submitting animals for any of the services identified in Section 9.25.045 of this chapter shall pick up said animals or be subject to a reasonable board and care fee to commence on the day after such a return date. Failure to pick up

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an animal within five (5) days of said return date shall be deemed abandonment of such animal. The Director shall serve notice upon the owner or mail notice by certified mail, return receipt requested, and if fees are not paid, the Director may dispose of it by adoption or euthanasia.
(Ord. 117218 § 7, 1994: Ord. 112335 § 1(part), 1985.)

9.25.048License required.

It shall be required that each dog or cat sterilized shall be properly licensed with a current pet license.
(Ord. 112335 § 1(part), 1985.)

9.25.050Animal licenses generally.

A. The following animal licenses shall be required: potbelly pig, cat, and dog licenses, guard and attack dog licenses, and dangerous animal licenses.

B. Persons owning or harboring a dog or cat four (4) months of age or older shall be required to provide proof of current rabies vaccination in order to obtain a license for that animal.

C. Possession of a pig, cat or dog license, or any type of animal license, shall not excuse a person from the requirement to obtain other types of animal licenses, or from the requirements of Health, Zoning, or other applicable laws.

D. Licenses are not transferable.

E. Applications for licenses shall be made on forms approved by the Director and shall be accompanied by the fee set by the Animal Fee Ordinance (Seattle Municipal Code Chapter 9.26) and, in the case of cat or dog licenses, proof of alteration if the animal is altered. Licenses shall be issued in the name of the owner, and shall be numbered. Licenses shall be issued for a twelve (12) month period or a two-year period. A provisional license may be issued for dogs or cats as provided in Section 9.26.020 C.
(Ord. 118096 § 1, 1996; Ord. 117218 § 8, 1994: Ord. 116694 § 6, 1993; Ord. 112335 § 1(part), 1985.)

9.25.051Cat and dog licenses.

Any owner of a weaned cat or dog must obtain a valid license for each such animal.
(Ord. 112335 § 1(part), 1985.)

9.25.052Miniature potbelly pig licenses.

Within thirty (30) days of entry of any miniature potbelly pig into The City of Seattle, the owner of the pig must obtain a valid license for each such animal. Along with the fee for such license or renewal, the owner must present the following: proof that the pig is spayed or neutered; certification by a licensed veterinarian that the pig has current vaccinations; certification within the prior thirty (30) days by a licensed veterinarian of the weight of the pig; certification within the prior thirty (30) days by a licensed veterinarian that no tusk appears outside of the mouth of the pig when the mouth is closed; and the address of the property and description of the physical location(s) on the property where the pig will be kept.
(Ord. 116694 § 7, 1993.)

9.25.053Dangerous animals.

It is unlawful for any person to procure or keep a dangerous animal; provided, this prohibition shall not apply to any facilities possessing or maintaining dangerous animals which are owned, operated or maintained by any city, county, state or federal agency, school, college, university or similar educational facility, or to a properly licensed veterinary hospital where a dangerous animal may be confined temporarily for treatment, or to the procurement of a dangerous animal by a properly licensed commercial animal dealer where the animal is confined temporarily for sale to a zoo or other facility identified in Section 9.25.085 of this chapter. The Director may authorize by special license, not to exceed thirty (30) days, the keeping of dangerous animals for circuses or special exhibits.
(Ord. 112335 § 1(part), 1985.)

9.25.054Guard or attack dog license—Proof of insurance—Posting notice and license.

A. No person shall use or harbor a guard or attack dog without first obtaining a guard or attack dog license therefor.

B. The applicant for a guard or attack dog license shall provide the following information:

1. The name and address of the owner of the guard or attack dog, a description of the dog,

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and the address and business name (if any) of the premises the dog will guard;

2. The name and address of the trainer of the guard or attack dog, and the name and address of the purveyor of the dog;

3. Proof of a policy of public liability insurance, such as homeowner's insurance, issued by an insurer authorized to do business in the State of Washington in an amount of at least Fifty Thousand Dollars ($50,000.00), insuring the owner on account of any liability for claims for death or personal injury inflicted by the guard or attack dog to any person; and

4. Such other information as the Director may reasonably require.

C. The applicant shall certify that:

1. The premises the dog will guard are adequately secured for the safety of the public;

2. Signs are displayed on the premises at all entrances and at thirty (30) foot intervals clearly warning that a guard or attack dog is on duty; and

3. The user of the guard or attack dog is aware of and understands the aggressive nature of the dog and can demonstrate total control of the dog.

D. A copy of the guard or attack dog license must be posted and presented upon demand of a police officer or the Director.

(Ord. 117218 § 9, 1994: Ord. 112335 § 1(part), 1985.)

9.25.060Right of entry and inspection.

A. Pursuant to consent of the owner or occupant of any premises the Director or any police officer may enter and inspect said premises to determine compliance with the provisions of this chapter.

B. The Director or any police officer may enter the private property of another, with or without a warrant, when in hot pursuit to take possession of any animal observed at large.

C. The Director or any police officer may enter the private property of another to enforce this chapter with a search warrant or when otherwise authorized by law.

D. The Director or any police officer may enter the private property of another in the absence of the owner or occupant when in his/her judgment an animal on such premises needs immediate assistance or to prevent its death or serious injury.

(Ord. 112335 § 1(part), 1985.)

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9.25.070Fees.

All fees are established by Seattle Municipal Code Chapter 9.26, known as "Animal Fees," as now existing or hereafter amended, revised, or re-enacted.
(Ord. 112335 § 1(part), 1985.)

9.25.080Offenses relating to licensing.

It is unlawful for the owner of any animal to:

A. Fail to obtain the licenses required by the Animal Control Fee Ordinance (Seattle Municipal Code Chapter 9.26);

B. Fail to display conspicuously the current and valid license identification on the licensed animal;

C. Fail to show the license upon request of any Animal Control Officer or any Police Officer;

D. Use or permit another person to use a license or license identification not issued to such person;

E. Remove a license identification from any pig, cat or dog without the owner's consent;

F. Alter a license in any manner;

G. Make a false or misleading statement or representation regarding the ownership or right to custody or control of an animal, or regarding the ownership of an animal redeemed from, surrendered to, detained by the Director;

H. Remove any detained animal from the City Animal Shelter or a Department vehicle without the written consent of the Director;

I. Remove a microchip implanted in an animal by the City for identification purposes.
(Ord. 117218 § 10, 1994: Ord. 112335 § 1(part), 1985.)

9.25.081Offenses relating to cruelty.

It is unlawful for any person to:

A. Injure, kill, or physically mistreat any animal under circumstances not amounting to first degree animal cruelty as defined in Section 8, Chapter 261, Laws of 1994, except as is expressly permitted by law;

B. Lay out to expose or leave exposed any kind of poison or poisoned food or drink where it is accessible to an animal, or place such poisoned materials in a stream or other body of water, endangering fish or shellfish; provided, that nothing shall prevent the reasonable use of rodent poison, insecticides, fungicides or slug bait for their intended purposes; and provided, further, that nothing in this subsection shall prohibit any governmental agency acting in the course of its governmental duties;

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C. Set or bait any trap, except for rats or mice, unless appointed by the Director to do so;

D. Confine, without adequate ventilation, any animal in any box, container or vehicle;

E. Tease, tantalize or provoke any animal with the intent to cause destructive behavior, fear or hostility;

F. Tether or confine any animal in such a manner or in such a place as to cause injury or pain not amounting to first degree animal cruelty defined in Section 8, Chapter 261, Laws of 1994, or to endanger an animal; or to keep an animal in quarters that are injurious to the animal due to inadequate protection from heat or cold, or that are of insufficient size to permit the animal to move about freely;

G. Keep an animal in an unsanitary condition or fail to provide sufficient food, water, shelter, or ventilation necessary for the good health of that animal;

H. Fail to provide his/her animal the medical care that is necessary for its health or to alleviate its pain;

I. Permit any animal to fight or injure any other animal, or permit any animal to be fought or injured by any other animal; or to train or keep for the purpose of training any animal for the exhibition of such animal in combat with any other animal, whether for amusement of him/herself or others, or for financial gain; or permit such conduct on premises under his/her control, or to be present as a spectator at such exhibition;

J. Possess cock spurs, slashers, gaffs, or other tools, equipment, devices or training facilities for the purpose of training and/or engaging an animal in combat with another animal;

K. Abandon any animal.

(Ord. 117218 § 11, 1994: Ord. 117154 § 1, 1994: Ord. 112335 § 1(part), 1985.)

9.25.082Offenses relating to safety and sanitation.

It is unlawful for an owner to:

A. Allow the accumulation of pig, cat or dog feces in any open area, run, cage or yard wherein pigs and/or dogs and/or cats are kept and to fail to remove or dispose of feces at least once every twenty-four (24) hours;

B. Fail to remove the fecal matter deposited by his/her animal on public property or private property of another before the owner leaves the immediate area where the fecal matter was deposited;

C. Fail to have in his/her possession the equipment necessary to remove his/her animal's fecal matter when accompanied by said animal on public property or public easement;

D. Have possession or control of any animal sick or afflicted with any infectious or contagious disease and fail to provide treatment for such infection or disease, or suffer or permit such diseased or infected animal to run at large, or come in contact with other animals, or drink at any public or common watering trough or stream accessible to other animals.

Owners of duly licensed guide dogs shall be exempted from subsections B and C of this section.

(Ord. 116694 § 8, 1993; Ord. 112335 § 1(part), 1985.)

9.25.083Owning vicious animals prohibited—Exception.

It is unlawful to own a vicious animal (other than a licensed guard or attack dog) with knowledge that the animal is vicious, or with reckless disregard of the fact that the animal is vicious.

(Ord. 112335 § 1(part), 1985.)

9.25.084Offenses relating to control.

It is unlawful for the owner to:

A. Permit any potbelly pig, domestic animal, except cats and pigeons, to be at large or trespass upon the property of another; provided, that pets may be removed from the premises of the owner if restrained by a leash that is eight feet (8′) or shorter, and if in the physical control of a person;

B. Permit any cat, dog, or potbelly pig to enter any public fountain or school ground;

C. Fail to confine any female cat or dog that is in estrus (“heat”) in a secure enclosure so that the female cat or dog cannot come in contact with the male unless the male is admitted by the owner of the female;

D. Permit any animal:

1. To damage public property or the private property of another, or

2. To bark, whine, howl, or otherwise vocalize in violation of Chapter 25.08 of the Seattle Municipal Code (Noise Ordinance 106360) or its successor ordinance, or

3. To spread or spill garbage;

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E. Have in his/her possession any animal not owned by him/her without the knowledge of the owner, unless he/she notifies the Director of such possession within twenty-four (24) hours; or to fail to surrender such animal to the Director upon demand;

F. Tether an animal in such a manner as to permit the animal to enter any sidewalk, street, alley or place open to the public, or to enter any adjacent lot or premises unless authorized by the occupant of the adjacent premises.

(Ord. 116694 § 9, 1993: Ord. 112335 § 1(part), 1985.)

Cases: Leash law applied only to owner or custodian of dog and therefore could not be the basis for holding landlord liable for injury caused by tenant's dog. **Shafer v. Beyers,** 26 Wn.Ap. 442, 613 P.2d 554 (1980).

9.25.085Offenses relating to sale of animals.

For the purpose of consumer protection it is unlawful to:

A. Sell any animal known to be sick or injured unless the buyer is given, at the time of sale, written notice of the condition of the animal;

B. Sell any animal known to be vicious;

C. Sell any dangerous animal except to zoos or other facilities possessing or maintaining dangerous animals which are owned by any city, county, state, or federal agency or school, college, university or similar educational facility.

(Ord. 112335 § 1(part), 1985.)

9.25.090Detainment and disposal.

A. No detained animal shall be released to the owner until all applicable fees are paid and licenses obtained.

B. The Director shall ascertain whether any detained animal is currently licensed, and, if so, shall notify the licensee by letter or by telephone that such animal has been detained and may be redeemed upon payment of any applicable fees.

C. Anyone claiming a detained animal must prove ownership or provide written authorization from the owner to claim the animal, to the satisfaction of the Director before redeeming the animal.

D. Notwithstanding any other provision of this Chapter, injured or diseased animals need not be detained for the holding period, but may be disposed of in a humane manner at any time at the discretion of the Director.

E. Any animal which is detained by the Director may be held at the City Animal Shelter or other place appropriate for the animal. The Director shall post a notice of detainment at the City Animal Shelter, and shall attempt to determine ownership of an animal. If, after the expiration of a holding period, no owner has claimed the animal, the Director shall authorize adoption or dispose of the animal in a humane manner.

F. A kennel fee for every twenty-four (24) hour period or part thereof, commencing at the close of business on the day the animal is detained, shall be charged to the owner or other authorized person claiming the animal for the care and feeding of the animal.

G. The Director of Public Health may direct the detention of animals suspected of having rabies. These animals shall be held until their release is approved by the Director of Public Health, and all applicable fees are paid.

(Ord. 112335 § 1(part), 1985.)

9.25.091Adoption.

A. Strays and abandoned animals, following the holding period, and animals voluntarily surrendered to the Director shall become the property of The City of Seattle.

B. Any animal detained or surrendered to the Department, and not redeemed, shall be disposed of in a humane manner or, at the discretion of the Director, may be held for a longer period to allow for adoption.

C. No warranty, express or implied shall be made with respect to any animal adopted.

D. Any unaltered cat or dog eight weeks or older selected for adoption must be altered prior to the adopter taking possession of the animal. The expense of altering will be paid by the adopter. A deposit shall be required for any dog or cat unable to have surgery at the time of adoption setting a date by which that animal must be altered. The deposit shall be refunded when proof has been furnished to the Director that the sterilization operation has been performed prior to the established due date. The deposit shall be forfeited to The City of Seattle if not claimed on or before the due date.

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E. Dog and cat license fees may be refunded to any adopter, providing the animal is returned to the City Animal Shelter within eight (8) days of the day of adoption accompanied by a written request for the refund and documentation from a licensed veterinarian certifying that the animal was diseased or ill at the time of adoption.
(Ord. 117218 § 12, 1994; Ord. 112335 § 1(part), 1985.)

9.25.092Nuisance animals.

A. Any animal which, by its actions or condition, presents a clear and present threat to the public peace, health, or safety is a nuisance and may be summarily detained pending correction of the condition, or pending the owner's trial for violation of this chapter.

B. If an animal is a threat to public peace, health or safety, but the public is not in imminent danger, in lieu of summarily detaining the animal, the Director may post a notice to abate a nuisance upon any property wherein an animal is kept in violation of the provisions of this chapter. If no response is made to the notice within twenty-four (24) hours, the animal shall be detained at the City Animal Shelter.

C. In addition, nothing shall prevent prosecution of owners of noisy animals under Chapter 25.08 of the Seattle Municipal Code (Noise Ordinance 106360) or its successor ordinance.
(Ord. 112335 § 1(part), 1985.)

9.25.100Penalty clause.

A. Conduct made unlawful by Sections 9.25.053, 9.25.083, and 9.25.085 of this chapter constitutes a crime subject to the provisions of Sections 12A.02.010 and 12A.02.020 of the Seattle Municipal Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment for no more than one hundred eighty (180) days, or by both such fine and imprisonment.

B. Conduct made unlawful by Sections 9.25.081 B and 9.25.081 I of this chapter constitutes a gross misdemeanor subject to the provisions of Section 12A.02.010 and 12A.02.020 of the Seattle Municipal Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by a fine of not more than Five Thousand Dollars ($5,000.00) or by imprisonment for no more than three hundred sixty-five (365) days, or by both such fine and imprisonment.

C. Conduct made unlawful by Sections 9.25.081 A, 9.25.081 C, 9.25.081 D, 9.25.081 E, 9.25.081 F, 9.25.081 G, 9.25.081 H, 9.25.081 J and 9.25.081 K of this chapter constitutes a misdemeanor subject to the provisions of Sections 12A.02.010 and 12A.02.20 of the Seattle Municipal Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by a fine of not more than One Thousand Dollars ($1,000.00) or by imprisonment for no more than ninety (90) days, or by both such fine and imprisonment.

D. Conduct made unlawful by any other section of this chapter is a violation and any person found to have committed a violation may be punished by a civil fine or forfeiture of not more than Five Hundred Dollars ($500.00), but a finding that a violation was committed shall not give rise to any disability or legal disadvantage based on the conviction of a criminal offense. Disposition of violations under this chapter shall be governed by the procedures for disposition of traffic infractions under Seattle Municipal Code Chapter 11.31.

E. In addition, the court may order the revocation or denial of any guard or attack dog license and any cat or dog license of or to any person convicted of a crime under this chapter for a period not to exceed one (1) year.

F. Any person whose guard or attack dog license is revoked or denied shall surrender all of his or her guard or attack dogs to the Director to be disposed of in a humane manner.

G. Any person whose cat or dog license is revoked or denied shall surrender all of his or her cats and dogs to the Director to be disposed of in a humane manner.
(Ord. 117154 § 2, 1994: Ord. 116023 § 1, 1991: Ord. 112335 § 1(part), 1985.)

9.25.110Denial, suspension, or revocation of license—Order.

The Director may deny, suspend, or revoke a license for an animal found to be a "vicious animal," and a license for a guard or attack animal under Section 9.25.054 upon determining that the applicant or licensee has violated or failed to comply with any provision of this chapter. The denial, suspension, or revocation of a license shall be in writing in the form of an order, and shall in-

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clude a recital of the authority for the action, a brief and concise statement of facts which constitute the grounds for the denial, and the Director' s signature. A copy of the order, including notice of the right to a hearing, shall be mailed to the applicant.
(Ord. 117218 § 13, 1994: Ord. 112335 § 1(part), 1985.)

9.25.120Denial, suspension, or revocation of license—Appeal.

A. If the Director has ordered a license denied, suspended, or revoked, the applicant may contest the order by filing a notice of appeal and request for hearing with the Hearing Examiner within thirty (30) days after service or mailing of the order. If a timely appeal is not filed by the applicant, the order of the Director shall be final.

B. If a timely request for hearing is filed by the applicant, a hearing shall be scheduled before the Hearing Examiner and shall be conducted by the Hearing Examiner according to his/her rules for contested cases.
(Ord. 117218 § 14, 1994: Ord. 112335 § 1(part), 1985.)

9.25.130Adoption procedures—Exemption.

The procedures set out in this chapter for the

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adoption of animals shall be exempt from the authority and control of the City Purchasing Agent.
(Ord. 112335 § 1(part), 1985.)

Chapter 9.26
ANIMAL FEES

Sections:

9.26.010Title for citation.
9.26.020Cat or dog license fee—Renewal.
9.26.025Miniature potbelly pig license fee.
9.26.040Guard dog license.
9.26.050Other animal control fees and charges.
9.26.060Spaying and neutering fees.

Severability Clause: The provisions of this chapter are declared to be separate and severable. The invalidity of any clause, sentence, paragraph or invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.
(Ord. 110250 § 2, 1981.)

9.26.010Title for citation.

This chapter is the "Animal Fee Ordinance" and may be cited as such.
(Ord. 110250 § 1(part), 1981.)

9.26.020Cat or dog license fee—Renewal.

A. The fee for each cat or dog license and for each annual period of renewal shall be:

1. Cats

Altered $10.00
Unaltered 20.00

2. Dogs

Altered 15.00
Unaltered 33.00

B. The fee for each cat or dog license for a two-year period of renewal shall be:

1. Cats

Altered 17.00
Unaltered 35.00

2. Dogs

Altered 25.00
Unaltered 55.00

C. A provisional license may be issued for dogs or cats up to age six (6) months to allow time for such animals to be spayed or neutered and vaccinated for rabies. A provisional license may also be issued for cats and dogs of any age that were not previously licensed within The City of Seattle if proof of spay or neuter status is not available at the time the license is requested. The fee for each provisional cat or dog license for a six-month period shall be:

1. Cats $5.00
2. Dogs 8.00

Each cat or dog shall be limited to a single provisional license which shall be valid for six months.

D. Late fee for renewal of a cat or dog license more than thirty (30) days after its expiration 10.00

E. Guide or service dog for the handicapped No fee

F. Dog or cat owned by a member of the diplomatic or consular corps of a country having a treaty with the United States granting immunity from local law, upon submission of proof of such status No fee

G. Dog or cat owned by a person possessing a valid "senior citizen's identification card" or "handicapped person's identification card" issued by The City of Seattle Human Resources Department

Fifty percent (50%) of the license fee otherwise payable

H. Lost cat or dog license tag, upon submission of affidavit attesting to loss 2.00

(Ord. 118096 § 2, 1996: Ord. 114813 § 1, 1989: Ord. 113735 § 1, 1987: Ord. 110890 § 1, 1982: Ord. 110250 § 1(part), 1981.)

9.26.025Miniature potbelly pig license fee.

A. The fee for the initial annual potbelly pig license shall be One Hundred Fifteen Dollars ($115.00).

B. The fee for each annual period of license renewal for miniature potbelly pigs shall be Twenty-five Dollars ($25.00).
(Ord. 118395 § 17, 1996: Ord. 116694 § 10, 1993.)

9.26.040Guard dog license.

The fee for each guard dog license shall be Fifty-five Dollars ($55.00).
(Ord. 118395 § 18, 1996: Ord. 110250 § 1(part), 1981.)

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9.26.050 Other animal control fees and charges.

Other animal control fees shall be:

A. Administrative fee for each detained animal:

First detainment..... $ 40.00
Second detainment..... 80.00
Third detainment..... 120.00

B. For each twenty-four (24) hour period or part thereof for kenneling..... 10.00

C. For each animal adopted..... 5.00

D. For each dangerous animal permit..... 30.00

E. For collecting and disposing of an owner's animal, whether the animal is dead or alive 15.00

F. For euthanizing an owner's animal..... 15.00

G. For the handling of animals, other than dogs and cats, charges may be assessed to recover the cost of special equipment.

(Ord. 118395 § 19, 1996: Ord. 116926 § 1, 1993: Ord. 115938 § 1, 1991: Ord. 114813 § 2, 1989: Ord. 110250 § 1(part), 1981.)

9.26.060 Spaying and neutering fees.

The fees at the Municipal Spay and Neuter Clinic shall be:

A. Surgery fees:

Cats

Spaying..... $30.00
Neutering..... 25.00

Dogs

Dog neuter under 50 pounds..... 30.00
Dog neuter 50—80 pounds..... 40.00
Dog neuter over 80 pounds..... 50.00
Dog spay under 50 pounds..... 35.00
Dog spay 50—80 pounds..... 45.00
Dog spay over 80 pounds..... 55.00

B. Vaccination fees:

Cat FvRCP..... 5.00
Dog DHLP..... 5.00
Cat and dog rabies..... 5.00

C. Microchip implant fees:

Animals adopted from the shelter 10.00
Non-shelter animals 25.00
Animals reclaimed from the shelter 25.00

(Ord. 118395 § 20, 1996: Ord. 116926 § 2, 1993: Ord. 115938 § 2, 1991: Ord. 110250 § 1(part), 1981.)

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