

## Title 9

### ANIMALS<sup>1</sup>

This title is intended for those provisions of the Code which apply generally to the regulation, control and care of animals and fowl.

#### Chapters:

- 9.04 Leash Law
- 9.08 Restraint of Vicious Dog or Dangerous Animals
- 9.12 Rabies
- 9.16 Cruelty to Animals
- 9.20 Gift, Sale or Coloring of Rabbits or Fowl

Seattle Municipal code  
as adopted in 1980  
For current SMC, contact  
the Office of the City Clerk

1. Cross-reference: For provisions regarding the following subjects, see the chapter or section indicated of this Code:
  - Animal Control Division, Ch. 3.54
  - Beekeeping, Ch. 10.38
  - Licensing of dogs and cats, Ch. 6.16
  - Animals in Parks and Zoo and Aquarium Exhibits, Ch. 18.12
  - Purchasing Agent authority regarding acquisition, sale, trade and loan of Zoo animals, § 3.14.812

Chapter 9.04

LEASH LAW

Sections:

- 9.04.010 Leash required—Impoundment.
- 9.04.020 Violation—Penalty.

9.04.010 Leash required—Impoundment.

It is unlawful for the owner or custodian of any dog to cause, permit or allow such dog to roam, run, stray, or to be away from the premises of such owner or custodian and to be on any public place, or on any public property, or the private property of another in the city, unless such dog while away from such premises be controlled by a leash or chain not more than eight feet in length, such control to be exercised by such owner or custodian or other competent and authorized person; and any dog found roaming, running, straying or being away from such premises and not on leash as provided in this section may be impounded subject to redemption in the manner provided by Chapter 9.08 of this Code.

(Ord. 86749 § 1, 1957.)

9.04.020 Violation—Penalty.

Anyone violating or failing to comply with the provisions of Section 9.04.010 shall be punishable by a fine not exceeding Fifty Dollars (\$50.00), or by imprisonment in the City Jail for a term not exceeding ten days, or by both such fine and imprisonment.

(Ord. 86749 § 2, 1957.)

Chapter 9.08

RESTRAINT OF VICIOUS DOG OR DANGEROUS ANIMALS

Sections:

- 9.08.010 Impoundment authority—Redemption—Fees.
- 9.08.020 Animals at large—Obstructing impoundment—Prohibited.
- 9.08.030 Possession of animal without owner's consent.
- 9.08.040 Keeping of dangerous animals.
- 9.08.050 Fees.
- 9.08.060 Sale of certain animals—Notice.
- 9.08.070 Restraint of vicious dog or dangerous animal.

- 9.08.080 Animals creating noise disturbance—Nuisance.
- 9.08.090 Habitual nuisances—Notice to abate.
- 9.08.100 Animals prohibited in certain public places.
- 9.08.110 Confinement of dogs during war emergency.
- 9.08.120 Violation—Penalty.

Severability: Should any part of this chapter be adjudged invalid for any reason, such adjudication shall not affect the validity of this chapter as a whole or any other part thereof. (Ord. 81599 § 15, 1952.)

9.08.010 Impoundment authority—Redemption—Fees.

A. The Poundmaster shall impound in the City Pound all animals subject to impounding. The Poundmaster shall collect and dispose of all dead animals found in the city and if the owner is known, a fee of Five Dollars (\$5.00) may be collected therefrom for such service. All sick or injured animals shall be impounded when not in the owner's possession and may be humanely destroyed at the discretion of the Poundmaster. Any stray animals found may be detained at the City Pound until the owner or other person proves his right to the same to the satisfaction of the Poundmaster, subject to payment of penalty, fees and costs as provided in this section. Any dog, cat or other animal requiring a license found running at large without a valid license tag attached is a public nuisance and shall be impounded. The owner or keeper of any impounded animal shall, if known, be notified of such impounding, and may redeem same within seventy-two hours upon payment of any required license fee and an impounding fee as follows:

1. First violation . . . . . \$15.00;
2. Second violation during a twelve-months' period from the first impounding . . . . . \$25.00;
3. Third violation during a twelve-months' period from the first impounding . . . . . \$35.00;
4. Fourth and subsequent violations during a twelve-months' period from the first impounding . . . . . \$45.00; and beginning at one a.m. of the day after impounding a fee of Five Dollars (\$5.00) per day or part thereof for care and feeding as may be accrued, provided such animal is not suffering from serious injury or disease.

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B. Any animal impounded for want of a license tag, not redeemed as provided in this section shall be humanely destroyed, or in the discretion of the Poundmaster, may be held for a longer period and any person, upon approval of the Poundmaster, may obtain such animal upon payment of license fee and other accrued charges as provided in this section. The Poundmaster shall keep a record of all animals handled under this section, with description, dates and charges imposed.

(Ord. 107830 § 1, 1978; Ord. 106874 § 1, 1977; Ord. 101079 § 1, 1972; Ord. 97850 § 1, 1969; Ord. 85773 § 2, 1956; Ord. 81599 § 4, 1952.)

### 9.08.020 Animals at large—Obstructing impoundment—Prohibited.

It is unlawful to permit any animal not subject to license, or any reptile or fowl to run at large, or to permit any female dog or cat to run at large while in heat whether or not license tag is attached. It is unlawful to hinder, delay or obstruct the impounding of any animal, reptile or fowl.

(Ord. 81599 § 5, 1952.)

### 9.08.030 Possession of animal without owner's consent.

Anyone having in his possession any animal, not owned by him, without the consent of the lawful owner or custodian, shall immediately notify the Poundmaster and release the animal to him on demand without charge.

(Ord. 81599 § 6, 1952.)

### 9.08.040 Keeping of dangerous animals.

It shall be unlawful to keep any dangerous or potentially dangerous animal, reptile or fowl without written permit from the Poundmaster revocable at his/her will and no such permit shall be issued unless such animal is properly secured from escape. The fee for such permit shall be Two Dollars (\$2.00), collectible by the Poundmaster, and shall expire on December 31st of the year issued unless sooner revoked. Nothing in this section shall be construed to exonerate anyone from liability that may accrue from keeping any such animal, reptile or fowl whether under permit or not. The Poundmaster or any police officer may seize, impound or destroy any such animal, reptile or fowl running at large and the Poundmaster may detain the same until the owner or other person has substantiated his

right of possession to the satisfaction of the Poundmaster and makes claim, subject to payment of penalty, fees and costs provided in this chapter for impounding.

(Ord. 81599 § 7, 1952.)

### 9.08.050 Fees.

The Poundmaster shall be entitled to a fee not to exceed One Dollar and Fifty Cents (\$1.50) for each day or part thereof any animal, reptile or fowl other than a dog or cat is detained, and to an impounding fee of Two Dollars (\$2.00) which shall include care and feeding for the day impounded. An additional fee of Seven Dollars and Fifty Cents (\$7.50) shall be paid the Poundmaster for transportation of larger animals requiring the use of special equipment for impounding.

(Ord. 81599 § 8(part), 1952.)

### 9.08.060 Sale of certain animals—Notice.

Any impounded animal other than a dog or cat not claimed and released upon required payment shall at the expiration of three days be sold at public auction (except animals sold under Chapter 31, Session Laws 1951) upon ten days' notice published in the city official newspaper setting forth the time and place of sale and describing the animal with reasonable certainty, and stating the name of owner, if known, and if unknown, so stating. A copy of such notice shall be served upon the owner if known to the Poundmaster and can be found in the city, at least one day before sale. The Poundmaster shall pay from the proceeds of sale all expenses provided in this chapter, and shall retain the balance for six months from the date of sale. If unclaimed at the expiration of such period, the balance shall revert to the city for operation of the City Pound. No such money shall be paid any claimant except upon proof satisfactory to the Poundmaster that he is entitled to the same. The Poundmaster shall keep a record of all animals handled and make annual report to the City Council of all moneys received.

(Ord. 81599 § 8(part), 1952.)

### 9.08.070 Restraint of vicious dog or dangerous animal.

It shall be unlawful to permit any vicious dog or dangerous animal to go unrestrained.

(Ord. 81599 § 9, 1952.)

**9.08.080 Animals creating noise disturbance—Nuisance.**

The keeping or harboring of any dog, cat or other animal or fowl whether licensed or not, which by habitual howling, yelping, barking or other noise disturbs or annoys any person or neighborhood is unlawful; and is a nuisance and each day shall constitute a separate offense. (Ord. 81599 § 10, 1952.)

**9.08.090 Habitual nuisances—Notice to abate.**

It shall be unlawful to suffer or permit any animal, reptile or fowl to trespass on private or public property so as to damage or destroy any property or thing of value and same is a nuisance and any such animal, reptile or fowl may be impounded by the Poundmaster. Whenever it shall be affirmed in writing by three or more persons having separate residences, or regularly employed in the neighborhood that any animal, reptile or fowl is an habitual nuisance by reason of trespassing, howling, barking, or other noise, or damage to property, being vicious or by its actions potentially vicious or in any other manner causing undue annoyance, the Poundmaster if he finds such nuisance to exist in fact, shall serve notice upon the owner or custodian that such nuisance must be abated within forty-eight hours, after which the Poundmaster shall decide whether such nuisance has been abated and if not, any such animal shall be impounded. Refusal to release to the Poundmaster any such animal, reptile or fowl shall constitute a violation of this chapter. The owner or custodian of any animal, reptile or fowl impounded under the provisions of this section, shall pay to the Poundmaster a fee of Five Dollars (\$5.00) in addition to all other charges payable under the provisions of this chapter. (Ord. 85773 § 3, 1956; Ord. 81599 § 11, 1952.)

**9.08.100 Animals prohibited in certain public places.**

It shall be unlawful to permit any dog or other animal whether licensed or not, to run at large in any park, or to permit any dog or other animal, with or without a leash and whether licensed or not, to enter any public beach, pond, fountain or stream therein, or upon any public playground or schoolground; or to tie or tether any animal on any street or public place or any unenclosed lot or premises in such manner as to permit such animal to enter any sidewalk,

street, alley or other public place or upon any adjoining lot or premises. (Ord. 102483 § 1, 1973; Ord. 81599 § 12, 1952.)

**9.08.110 Confinement of dogs during war emergency.**

In time of war emergency, after sundown and until seven a.m. of each day, the owner or owners of any dog shall confine such animal within doors or on leash. Any dog not so confined is a public nuisance and may be impounded and thereafter disposed of as prescribed in this chapter. (Ord. 81599 § 13, 1952.)

**9.08.120 Violation—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. 104446 § 1, 1975; Ord. 81599 § 16, 1952.)

**Chapter 9.12**

**RABIES**

**Sections:**

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

**9.12.010 Quarantine of suspected animal.**

Whenever the Director of Public Health suspects that any animal capable of transmitting rabies is infected with such disease he shall

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prescribe a period of quarantine, not to exceed fourteen 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.)

### 9.12.020 Rabies 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 successive days. During a quarantine period of thirty 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 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.)

### 9.12.030 Violation 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 days after impound-

ing; and these regulations shall continue until release of quarantine. (Ord. 81582 § 3, 1962.)

### 9.12.040 Pasteur 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 days. (Ord. 81582 § 4, 1962.)

### 9.12.050 Proclamation requiring vaccination of animals.

Whenever the Director of Public Health shall certify by proclamation published in the city official newspaper for three 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 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.)

### 9.12.060 Violation—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 days, or by both such fine and imprisonment. (Ord. 81582 § 6, 1962.)

## Chapter 9.16

### CRUELTY TO ANIMALS

#### Sections:

- 9.16.010 Unlawful acts designated.
- 9.16.020 Injury to or killing of animal.
- 9.16.030 Instigating or witnessing fights between animals.
- 9.16.040 Keeping premises used for animal fights.

**9.16.050 Violation—Penalty.**

Statutory Reference: For statutory provisions on prevention of cruelty to animals see RCW Ch. 16.52.

**9.16.010 Unlawful acts designated.**

It shall be unlawful for any person to wilfully and unreasonably strike, beat or wound any domestic animal, or compel or allow it to work, or drive it, or allow it to be driven when overloaded, or sick, or lame or crippled, or with yoke or harness that chafes or galls it, or with check rein or any part of its yoke or harness too tight for its comfort, or at night when it has been six consecutive hours without a full meal, or to otherwise cause any domestic animal pain or discomfort, or to, having the care and custody of any domestic animal, wilfully and unreasonably endanger its health or life by depriving it of, or neglecting to provide it with, food, water, air, light or space fairly sufficient for its needs and comfort; and every police officer of the city shall have authority, and it is his duty, summarily to relieve any animal which is suffering from violence or constraint contrary to any provision of this chapter, in all cases which can be readily and summarily relieved by him.

(Ord. 16046 § 34, 1907.)

**9.16.020 Injury to or killing of animal.**

It shall be unlawful for any person to wilfully and cruelly injure or kill any animal by any mode or means causing it unnecessary fright or pain.

(Ord. 16046 § 35, 1907.)

**9.16.030 Instigating or witnessing fights between animals.**

It shall be unlawful for any person to set on foot, instigate, promote or carry on, or act as assistant, umpire or principal, or to be a witness of, or to in any manner aid or engage in the futherance of any fight between cocks or other birds, dogs, bears or other animals.

(Ord. 16046 § 36, 1907.)

**9.16.040 Keeping premises used for animal fights.**

It shall be unlawful for any person to keep, use, or be in any way connected with, or interested in the management of, or to receive money for the admission of any person to any house, apartment, tent, building, pit or place kept or

used for baiting or fighting of any bird or animal, or being the owner or occupant of any house, apartment, tent, building, pit or place, to wilfully procure or permit the same to be used or occupied for such baiting or fighting.

(Ord. 16046 § 37, 1907.)

**9.16.050 Violation—Penalty.**

Every offense defined by this chapter or conduct made unlawful thereby shall constitute a crime subject to the provisions of Chapters 12A.02 and 12A.04 of this Code (Seattle Criminal Code) and any person convicted of such crime may be punished by a fine in any sum not to exceed Five Hundred Dollars (\$500.00), or by imprisonment in the City Jail for a term not to exceed six months, or by both such fine and imprisonment.

(Ord. 104486 §1, 1975; Ord. 16046 § 37A, 1907.)

**Chapter 9.20**

**GIFT, SALE OR COLORING OF RABBITS OR FOWL**

**Sections:**

**9.20.010 Regulations generally.**

**9.20.020 Violation—Penalty.**

**9.20.010 Regulations generally.**

It shall be unlawful for anyone to sell, to offer for sale, or to give away, any fowl under three weeks of age or any rabbit under two 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.)

**9.20.020 Violation—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.)