

Title 9

ANIMALS¹

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

Chapters:		
9.12	Rabies	
9.20	Gift, Sale or Coloring of Rabbits or Fowl	
9.25	Animal Control	
9.26	Animal Fees	

- 1. Cross-reference: For provisions regarding the following subjects, see the chapter or section indicated of this Code:
Beekeeping, Ch. 10.36
Pet kennel permits, Ch. 10.72
Pet kennel permit fees, § 10.03.170
Animals in Parks and Zoo and Aquarium Exhibits, Ch. 18.12

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 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.)

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and tables and to confirm accuracy of
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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 (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.)

9.12.030 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 (2) days after impounding; 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 (90) 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 (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.)

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) 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.)

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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 (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.)

9.20.020 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), 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:

- 9.25.010 Purpose and policy.
- 9.25.020 Definitions--A -- E.
- 9.25.021 Definitions--F -- J.
- 9.25.022 Definitions--K -- O.
- 9.25.023 Definitions--P -- T.
- 9.25.024 Definitions--U -- Z.
(Reserved).
- 9.25.030 Authority of the Director.
- 9.25.035 Declaration that an animal is dangerous--Disposition--Right to meeting.
- 9.25.036 Appeal of Director's determination.
- 9.25.037 Authority of Hearing Examiner.
- 9.25.040 Animal Shelter.
- 9.25.045 Municipal Spay and Neuter Clinic.
- 9.25.046 Waiver of City liability.
- 9.25.047 Return date establishment.
- 9.25.049 Rabies vaccination required.
- 9.25.050 Animal licenses and permits generally.
- 9.25.051 Cat and dog licenses.
- 9.25.052 Potbelly pig licenses.

9.25.053 Exotic animals.

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

9.25.060 Right of entry and inspection.

9.25.070 Fees.

9.25.080 Offenses relating to licensing.

9.25.081 Offenses relating to cruelty.

9.25.082 Offenses relating to safety and sanitation.

9.25.083 Owning dangerous animals prohibited--Exception.

9.25.084 Offenses relating to control.

9.25.085 Offenses relating to sale of animals.

9.25.090 Detainment and disposal.

9.25.091 Adoption.

9.25.092 Nuisance animals.

9.25.100 Penalty clause.

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

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

9.25.130 Adoption 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.)

9.25.010 Purpose 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.)

9.25.020 Definitions--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.

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

C. "Animal" means any living nonhuman mammal, bird, reptile, or amphibian.

D. "Animal Control Officer" means any person who is employed with the Animal Control section of the Department 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.

E. "At large" means a dog or other animal inside The City of Seattle, off the premises of the owner, and not under control by a leash of eight (8) feet in length or shorter. "At large" does not include an animal on property other than the animal's owner with the permission of a lawful occupant of that property.

F. "City" means The City of Seattle.

G. "Dangerous animal" means any animal:

- (1) That, when unprovoked, inflicts severe injury on or kills a human being or domestic animal on public or private property;
- (2) Whose owner has been previously found to have committed a civil violation of 9.25.084G or has been convicted of a crime under 12A.06.060 of the Seattle Municipal Code and whose owner is found to have committed a violation of either 9.25.084G or 12A.06.060 of the Seattle Municipal Code with respect to the behavior of that same animal;
- (3) That, under circumstances other than as described in subsection G(2) above, has been the subject of one or more findings that its owner has committed a civil violation of 9.25.084G or has been convicted of a crime under 12A.06.060 of the Seattle Municipal Code, whether involving the same or a different owner, whose owner is found to have committed a violation of either 9.25.084G or 12A.06.060 of the Seattle Municipal Code; or
- (4) Whose owner has received a written notification alleging behavior that would be in violation of either 9.25.084G or 12A.06.060 of the Seattle Municipal Code issued under the laws of any other city, county or state agency within or outside of the State of Washington, which animal again engages in behavior that is in violation of either 9.25.084G or 12A.06.060 of the Seattle Municipal Code.

The breed of a dog shall not be considered in any determination whether a dog is a "dangerous animal" under this section.

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

I. "Department" means the Department of Executive Administration of The City of Seattle.

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

its equivalent.

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

L. "Domestic Animal" means an animal that is livestock, a companion animal, or both.

1. "Livestock" means any species of animal commonly used by inhabitants of Washington State for food, fiber, or draft purposes.

2. "Companion animal" means any species of animal commonly kept by inhabitants of Washington State as a pet or for companionship, except that snakes exceeding eight (8) feet in length, venomous reptiles (regardless of whether the venom glands have been removed), and venomous amphibians (regardless of whether the venom glands have been removed) are not domestic animals, even if such animals are commonly kept by inhabitants of Washington State pets or for companionship.

M. "Exotic animal" means any species of animal that is both: (1) not a domestic animal, and (2) capable of killing or seriously injuring a human being. Subject to the preceding sentence, the definition of "exotic animal" contained in this section includes but is not limited to:

1. All animals of the order Primates (as primates) except humans;
2. All animals of the family Canidae (as dogs, wolves, jackals, or foxes) and their hybrid, except for the domestic dog *Canis familiaris*;
3. All animals of the family Felidae (as lions, tigers, jaguars, leopards, cougars, or cheetahs) and their hybrid, except for the domestic cat *Felis catus*;
4. All animals of the family Ursidae (as bears);
5. All animals of the family Hyaenidae (as hyenas);
6. All animals of the order Crocodylia (as alligators, crocodiles, gavials, or caimans);
7. All animals of the family Elephantidae (as elephants);
8. All animals of the order Perissodactyla (as horses, rhinoceroses, or tapirs);
9. All animals of the order Artiodactyla (as camels, cattle, deer, giraffes, goats, hippopotamuses, llamas, pigs, or sheep);

"Exotic animal" also includes all venomous reptiles and amphibians, (regardless of whether the venom glands have been removed), and all snakes that are eight (8) feet or more in length.

(Ord. 121178 § 1, 2003; Ord. 120794 § 189, 2002; Ord. 120181 § 112, 2000; Ord. 119998 § 1, 2000; Ord. 118397 § 97, 1996; Ord. 117218 § 1, 1994; Ord. 117169 § 124, 1994; Ord. 112335 § 1(part), 1985.)

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9.25.021 Definitions--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 an animal in the taxonomic classification *Canis Familiaris* (also referred to as the common household dog), 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. 119998 § 2, 2000; Ord. 112335 § 1(part), 1985.)

9.25.022 Definitions--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.)

9.25.023 Definitions--P -- T.

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. "Secure animal shelter" means an animal shelter that agrees to accept an animal and that agrees to the following conditions:

1. Not to release the animal from the shelter for the rest of the animal's natural life;
2. Not to allow the animal to come into contact with the general public for the rest of the animal's natural life;

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3. To indemnify and hold the City harmless from any and all future liability including any and all claims, demands, damages, liabilities, causes, suits or action of any kind or nature whatsoever relative to past or future care and custody of the animal and to the animal's future behavior;

4. To notify the City if the shelter goes out of business or can no longer keep the animal and to abide by the City's disposition instructions.

D. "Service dog" means a dog that is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability.

E. "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery. It also means transmittal of an infectious or contagious disease by an animal.

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

(Ord. 121178 § 2, 2003; Ord. 119998 § 3, 2000; Ord. 116694 § 4, 1993; Ord. 112335 § 1(part), 1985.)

9.25.024 Definitions--U -- Z.

A. "Unprovoked" means that an animal is not "provoked." An animal is "provoked" if the animal was being tormented physically abused or hurt at the time of the incident. An animal also is "provoked" if a reasonable person would conclude that the animal was defending itself, its owner or an immediate family member of its owner, or another person within its immediate vicinity from an actual assault or was defending real property belonging to its owner or an immediate family member of its owner from a crime being committed on the owner's property at that time. An animal is not "provoked" if the victim is alleged to have provoked the animal and the victim is less than six (6) years old.

(Ord. 121178 § 3, 2003.)

9.25.030 Authority 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: (a) any exotic animal when alternatives, such as placing the animal in a zoo or outside of the City, have been exhausted, (b) any animal surrendered to the City for humane disposal, (c) any animal determined by the Seattle Municipal Court or any other

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court of law to be a nuisance, (d) any animal involved in a court proceeding in which the owner pled guilty or was found to be guilty of owning a nuisance or dangerous animal or in which the owner pled guilty or was found to be guilty of negligent control of an animal, (e) any animal unclaimed after the expiration of a holding period, (f) any animal determined by the Director to be dangerous pursuant to SMC Section 9.25.035, (g) any animal found in the City of Seattle after removal pursuant to SMC 9.25.035A(3).

5. Detain animals found to be unlicensed, or abandoned, or at large, or in inhumane conditions, or to be a nuisance, or to be exotic or dangerous, or otherwise found to be in a circumstance violative of this chapter or any other provision of law;
6. Collect cats, dogs and other animals found dead on the public areas of the City, or 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 and other fees established by Chapter 9.26 of the Seattle Municipal Code, including past-due fees and penalties;
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 and issue live animal trapping permits as authorized by the Director by rule;
14. Implant a microchip for identification purposes into animals leaving the shelter through adoption, redemption or release to another jurisdiction pursuant to 9.25.035; or whose owners have been found to have committed a violation of 9.25.084G or have been convicted of a crime under 12A.06.060 of the Seattle Municipal Code;
15. Photograph for identification purposes animals released to another jurisdiction pursuant to 9.25.035 or whose owners have been found to have committed a violation of 9.25.084G or has been convicted of a crime under 12A.06.060 of the Seattle Municipal Code.
16. Direct disposition of exotic animals, including but not limited to transfer to a zoological garden,

herpetarium or other jurisdiction so long as the requirements of 9.25.035 E are met;

17. Refund fees for overpayment or services not provided;
18. Detain an animal that is the subject of any violation of law, or whose owner is accused of violating any law relating to that animal, and collect from the owner all costs of detainment, care, feeding, and disposition;
19. Direct disposition of dangerous animals to a secured animal shelter or otherwise as provided for in this chapter.
20. Appoint ad hoc advisory committees to advise the Mayor, City Council, and the Director on matters pertaining to animal control, animal welfare, and other functions related to Seattle Animal Control.
 - 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. 121339 § 2, 2003; Ord. 121178 § 4, 2003; Ord. 120794 § 191, 2002; Ord. 119998 § 5, 2000; 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.

9.25.035 Declaration that an animal is dangerous--Disposition--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 dangerous. If a domestic animal is found to be dangerous, the Director shall enter an order so stating and shall direct either: (1) humane disposal of the animal; (2) that the animal be sent at the owner's expense to a secure animal shelter; or (3) removed from the City and maintained at all times in compliance with RCW Chapter 16.08. The owner is responsible for paying all fees owed to the City for the care of the animal.

B. Before declaring an animal to be dangerous or directing the disposition of the animal, the Director shall notify the owner in writing of the reasons why the animal is believed to be dangerous, the proposed disposition of the animal, 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, at which meeting the owner may give, orally or in writing, any reasons or information as to why the animal should not be declared to be dangerous, or why the Director should direct that the animal be sent to a secure animal shelter instead of directing humane disposal. 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 regular and certified mail, return receipt requested, or delivered in person to the owner at the owner's last address known to the Director.

C. The Director will consider directing that an animal be sent to a secure animal shelter only upon request of the owner. The owner shall bear the burden to establish that an animal shelter is available that meets the criteria for a secure animal shelter, that the shelter will accept the animal, and that the owner is willing and able to pay all expenses for transporting the animal.

D. In the event the Director finds an animal to be dangerous and directs disposition of the animal, the declaration and directive 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 that supports the disposition, and contain the Director's signature. A copy of the order, including notice of the right to appeal, shall be sent by regular and certified mail, return receipt requested, or delivered in person to the owner.

E. Prior to releasing an animal for removal from Seattle pursuant to SMC 9.25.035A(3) the Director shall require (1) proof that all conditions required Chapter 16.08 RCW and all other conditions required by state or local law for maintaining a dangerous animal have been met; (2) proof that the animal control authority in the jurisdiction to which the animal is being moved has been informed of the relocation; (3) proof that the animal control authority in the jurisdiction to which the animal is being moved has consented to the relocation; (4) agreement by the animal's owner to indemnify and hold the City harmless from any and all future liability including any and all claims, demands, damages, liabilities, causes, suits or action of any kind or nature whatsoever relative to past or future care and custody of the animal and to the animal's future behavior. (Ord. 121178 § 5, 2003; Ord. 119998 § 6, 2000; Ord. 117218 § 4(part), 1994.)

9.25.036 Appeal of Director's determination.

Appeal.

A. Availability of Appeal. An owner may appeal a determination of the Director declaring an animal to be dangerous or directing the disposition of an animal by filing a notice of appeal and written request for a hearing, with the Hearing Examiner by five (5:00) p.m. on the tenth calendar day after the date of delivery of the Director's order. A notice that an animal is to be humanely disposed of that is based either on a conviction of the animal's owner of possessing a dangerous animal or on a conviction of the animal's owner of negligent control of an animal may not be appealed under this section. The date of delivery of the Director's order shall be the date evidenced by a signed returned receipt, an affidavit of service, or three (3) days after the date of mailing as shown in a declaration of mailing. When the last day of the appeal period falls on a Saturday, Sunday, or City holiday, the period shall run until five (5:00) p.m. on the next business day.

B. Process.

1. An appeal shall conform to the requirements of Hearing Examiner Rule 3.01(d) in that it must be in writing, and contain the following:

a. A brief statement as to how the owner is significantly affected by or interested in the decision of the Director;

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- b. A brief statement of the owner's issues on appeal, noting owner's specific exceptions and objections to the Director's Determination and Order;
 - c. The relief requested, such as reversal of the Director's Order;
 - d. Signature, address, and phone number of the owner, and name and address of owner's designated representative, if any.
2. The Hearing Examiner shall summarily dismiss an appeal without hearing which the Hearing Examiner determines to be without merit on its face, frivolous, or brought merely to secure a delay.
 3. Any person beneficially interested or the Director shall only obtain judicial review of the Hearing Examiner's decision by applying for a Writ of Review in the Superior Court of Washington in and for King County in accordance with the procedure set forth in Chapter 7.16 RCW and other applicable law and local court rules within ten (10) days of the date of the decision.

C. **Standard of Review.** Appeals shall be considered de novo. The owner shall have the burden of proving by a preponderance of the evidence that the Director's decision was incorrect. In the case of an order ordering the humane disposal of exotic animals or livestock under SMC 9.25.030 A4, the owner shall have the burden of proving that a reasonable alternative disposition is available. In the case of a directive of humane disposal for dangerous animals, the owner shall have the burden of proving that the Director's decision not to allow the animal to be sent to a secure animal shelter was arbitrary and capricious. (Ord. 119998 § 7, 2000; Ord. 117218 § 4(part), 1994.)

9.25.037 Authority of Hearing Examiner.

A. The Hearing Examiner shall conduct the review of an appeal in an expedited manner and shall make a decision thereon. The procedures of Sections 3.02.090 and 3.02.100 of this code 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. **Hearing Examiner's Authority.**

1. The Hearing Examiner may affirm or reverse the Director's decision in whole or in part, or remand the decision to the Director for further consideration.
2. The decision of the Hearing Examiner shall be final subject to judicial review in the Superior Court.

(Ord. 119998 § 8, 2000; Ord. 117218 § 4(part), 1994.)

9.25.040 Animal 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.)

9.25.045 Municipal 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.

D. Every dog and cat sterilized at the clinic shall be properly licensed with a current City of Seattle pet license if the animal resides in the City of Seattle.

(Ord. 119998 § 9, 2000; 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.

9.25.046 Waiver 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, to the extent permitted by law, 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. 119998 § 10, 2000; Ord. 117218 § 6, 1994; Ord. 117169 § 126, 1994; Ord. 112335 § 1(part), 1985.)

9.25.047 Return 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 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 regular and certified mail, return receipt requested, and if fees are not paid, the Director may dispose of it by adoption or euthanasia.

(Ord. 119998 § 11, 2000; Ord. 117218 § 7, 1994; Ord. 112335 § 1(part), 1985.)

9.25.049 Rabies vaccination required.

All dogs and cats four (4) months of age or older shall be vaccinated against rabies.
(Ord. 119998 § 13, 2000.)

9.25.050 Animal licenses and permits generally.

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

B. Licenses and permits are not transferable.

C. Applications for licenses and permits 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 and may include a twelve (12) month renewal. A provisional cat or dog license shall be for a six (6)-month period. Guard or Attack Dog licenses shall be issued for a twelve (12) month period only upon the applicant's compliance with Section 9.25.054. Each permit or subsequent license renewal for the same animal shall commence from the expiration date of the last valid license or permit.

D. A City of Seattle animal license does not relieve the owner of the obligation to obtain any other permit or license otherwise required by local, state or federal law.
(Ord. 119998 § 14, 2000; Ord. 118096 § 1, 1996; Ord. 117218 § 8, 1994; Ord. 116694 § 6, 1993; Ord. 112335 § 1(part), 1985.)

9.25.051 Cat and dog licenses.

Any owner of a cat or dog over the age of eight (8) weeks must obtain a valid license for each such animal. Within thirty (30) days of entry of any cat or dog into The City of Seattle, the owner of the cat or dog must obtain a valid license for each such animal.
(Ord. 119998 § 15, 2000; Ord. 112335 § 1(part), 1985.)

9.25.052 Potbelly pig licenses.

No potbelly pig may be kept as a domestic pet in the city if it is greater than twenty-two (22) inches in height at the shoulder or more than one hundred fifty (150) pounds in weight. Within thirty (30) days of entry of any 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. 119998 § 16, 2000; Ord. 116694 § 7, 1993.)

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9.25.053 Exotic animals.

A. It is unlawful for any person to procure or keep an exotic animal; provided, this prohibition shall not apply to any city, county, state or federal agency, school, college, university or similar educational facility, or to a properly licensed veterinary hospital where an exotic animal may be confined temporarily for treatment, or to the procurement of an exotic 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 permit, not to exceed thirty (30) days, the keeping of exotic animals for circuses or special exhibits.

B. If a permit for an exotic animal is granted pursuant to subsection A of this section, the owner of such exotic animal must at all times keep the animal under control. (Ord. 119998 § 17, 2000; Ord. 112335 § 1(part), 1985.)

9.25.054 Guard 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, 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 One Hundred Thousand Dollars (\$100,000), 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;
4. Proof of microchip identification, microchip number and identification of the date and location of microchip implant; and
5. 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 owner of the guard or attack dog is aware of and understands the aggressive nature of the dog, certifies under penalty of perjury that the dog has been trained as a guard or attack dog, and

can demonstrate total voice 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.

E. The premises where a guard or attack dog is to be located shall be subject to inspection by the Director prior to approval of the license. Upon inspection by an animal control officer, the applicant may be requested to provide proof of compliance with the requirements of this section.

F. It shall be the responsibility of the owner of a guard or attack dog to make application with the Seattle Animal Control for a guard or attack dog license annually before the date of expiration of the previous license.
(Ord. 119998 § 18, 2000; Ord. 117218 § 9, 1994; Ord. 112335 § 1(part), 1985.)

9.25.060 Right 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.)

9.25.070 Fees.

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.)

9.25.080 Offenses 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 provided that cats need not display a license identification tag if the cat is licensed and has been implanted with microchip identification and the microchip number is registered with Seattle Animal Control;

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sections for complete text, graphics,
and tables and to confirm accuracy of
this source file.
- 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. 119998 § 19, 2000; Ord. 117218 § 10, 1994; Ord. 112335 § 1(part), 1985.)

9.25.081 Offenses 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 RCW 16.52.205, 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;
- C. Set or bait any trap, except for rats or mice, unless a permit to do so has been issued as provided for in Section 9.25.030 A13;
- 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 RCW 16.52.205, 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

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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. 119998 § 20, 2000; Ord. 117218 § 11, 1994; Ord. 117154 § 1, 1994; Ord. 112335 § 1(part), 1985.)

9.25.082 Offenses relating to safety and sanitation.

It is unlawful for an owner to:

A. Allow the accumulation of animal feces in any open area, run, cage or yard wherein animals 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 service dogs shall be exempted from subsections B and C of this section.
(Ord. 119998 § 21, 2000; Ord. 116694 § 8, 1993; Ord. 112335 § 1(part), 1985.)

9.25.083 Owning dangerous animals prohibited--Exception.

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

B. It is unlawful to possess within the City of Seattle any animal that has been ordered removed from the City of Seattle pursuant to SMC 9.25.035.

C. An animal whose owner is convicted of or pleads guilty to violating this section shall be

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humanely destroyed.

(Ord. 121178 § 6, 2003; Ord. 119998 § 22, 2000; Ord. 112335 § 1(part), 1985.)

9.25.084 Offenses relating to control.

It is unlawful for the owner to:

- A. Permit any animal, except cats and pigeons, to be at large or trespass upon the property of another. It is not a violation of this subsection to have a dog off-leash in an area designated pursuant to Section 18.12.080 as an off-leash area provided that the requirements of Section 18.12.080 B are met;
- B. Permit any cat, dog, potbelly pig or other animal to enter any public fountain or any school ground while school is in session or during after-school activities. It is not a violation of this subsection for an owner to permit an animal to enter on to any school ground when school is not in session and no after-school activities are taking place if the animal is on leash and the owner has in his or her immediate possession a device to remove properly any feces the animal may deposit on school grounds;
- 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 a male unless the male is admitted by the owner of the female, with the consent of the owners of both the male and female animals;
- 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;
- 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.
- G. Permit any animal when unprovoked on public or private property to:
 1. Bite a human being causing less than severe injury as defined in 9.25.023E of the Seattle Municipal Code or bite a domestic animal; or
 2. Chase or approach a human, on property other than that of the animal's owner, in a menacing fashion or apparent attitude of attack, which may include but is not limited to any one or more of the following behaviors: snarling, baring teeth, growling, snapping, pouncing, lunging, attacking,

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or attempting to bite.

The breed of a dog shall not be considered to be evidence of violation of this section.

(Ord. 121178 § 7, 2003; Ord. 119998 § 23, 2000; Ord. 118724 § 1, 1997; 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).

9.25.085 Offenses 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 dangerous;
 - C. Sell any exotic 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. 119998 § 24, 2000; Ord. 112335 § 1(part), 1985.)

9.25.090 Detainment and disposal.

- A. No detained animal shall be released to the owner until all applicable fees are paid and licenses obtained except as otherwise provided in this chapter.
- 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, in cases where the owner cannot be located, 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, following a reasonable attempt to locate the owner of the injured animal. If the owner is identifiable, the Director must contact the owner and give the owner the option of transferring the animal to a veterinarian for immediate treatment.
- 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. 121178 § 8, 2003; Ord. 119998 § 25, 2000; Ord. 112335 § 1(part), 1985.)

9.25.091 Adoption.

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.

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.)

9.25.092 Nuisance 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, hearing, appeal or other judicial proceedings for violation of this chapter or any other provision of law.

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. 119998 § 26, 2000; Ord. 112335 § 1(part), 1985.)

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9.25.100 Penalty clause.

A. Conduct made unlawful by Sections 9.25.053, 9.25.054, 9.25.083 A, 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) 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, 9.25.081 I, and 9.25.083 B 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) 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) 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), 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's license is revoked, suspended, or denied shall surrender all said guard or attack dogs to the Director to be disposed of in a humane manner.

G. Any person whose cat or dog's license is revoked, suspended, or denied shall surrender all said cats and dogs to the Director.
(Ord. 121178 § 9, 2003; Ord. 120086 § 2, 2000; Ord. 119998 § 27, 2000; Ord. 118769 § 2, 1997; Ord. 117154 § 2, 1994; Ord. 116023 § 1, 1991; Ord. 112335 § 1(part), 1985.)

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

The Director shall deny, suspend, or revoke a license for an animal found to be a "dangerous animal," in any jurisdiction, and may deny, suspend, or revoke 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 include 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

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hearing, shall be mailed to the applicant.

(Ord. 119998 § 28, 2000; Ord. 117218 § 13, 1994; Ord. 112335 § 1(part), 1985.)

9.25.120 Denial, 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.)

9.25.130 Adoption procedures--Exemption.

The procedures set out in this chapter for the adoption of animals shall be exclusive and the adoption of animals under this chapter shall be exempt from all other City ordinances pertaining to disposition of City property.

(Ord. 120794 § 192, 2002; Ord. 112335 § 1(part), 1985.)

Chapter 9.26

ANIMAL FEES

Sections:

9.26.010 Title for citation.

9.26.020 Cat or dog license fee--Renewal.

9.26.025 Potbelly pig license fee.

9.26.040 Guard or attack dog license.

9.26.050 Other animal control fees and charges.

9.26.060 Spaying 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.)

9.26.010 Title for citation.

This chapter is the "Animal Fee Ordinance" and may be cited as such.

(Ord. 110250 § 1(part), 1981.)

9.26.020 Cat or dog license fee--Renewal.

A. Unless a license with an automatic second year renewal is purchased as authorized in subsection B of this section, the fee for each cat or dog license and for each annual period of renewal shall be:

1. Cats

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Altered....\$15
Unaltered....25

2. Dogs
Altered....20
Unaltered....40

B. The fee for each cat or dog license for an annual license with a twelve (12) month renewal shall be:

1. Cats
Altered....22
Unaltered....40

2. Dogs
Altered....30
Unaltered....62

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. 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 (6)-month period shall be:

- 1. Cats....\$ 7
- 2. Dogs....10

Each cat or dog shall be limited to a single provisional license which shall be valid for six (6) months.

D. Late fee for renewal of a cat or dog license more than thirty (30) days after its expiration....\$15

E. 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

F. 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 Services Department....Fifty (50) percent of the license fee otherwise payable

G. Lost cat or dog license tag....\$5
(Ord. 121004 § 1, 2002; Ord. 119998 § 29, 2000; Ord. 118096 § 2, 1996; Ord. 114813 § 1, 1989; Ord. 113735 § 1, 1987; Ord. 110890 § 1, 1982; Ord. 110250 § 1(part), 1981.)

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9.26.025 Potbelly pig license fee.

- A. The fee for the initial annual potbelly pig license shall be One Hundred Twenty Dollars (\$120).
- B. The fee for each annual period of license renewal for potbelly pigs shall be Thirty Dollars (\$30).
- C. Late fee for renewal of a potbelly pig license more than thirty (30) days after its expiration....\$10
- D. Lost potbelly pig license tag 5 (Ord. 121004 § 2, 2002; Ord. 119998 § 30, 2000; Ord. 118395 § 17, 1996; Ord. 116694 § 10, 1993.)

9.26.040 Guard or attack dog license.

The annual fee for each guard dog or attack dog license shall be One Hundred Dollars (\$100). (Ord. 121004 § 3, 2002; Ord. 119998 § 31, 2000; Ord. 118395 § 18, 1996; Ord. 110250 § 1(part), 1981.)

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

Second detainment....85

Third and subsequent detainments....125

- B. For each twenty-four (24) hour period or part thereof for kenneling....10

- C. For each animal adopted....5

- D. For each exotic animal permit....50

- E. For collecting and disposing of an owner's animal, whether the animal is dead or alive....20

- F. For euthanizing an owner's animal....20

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

cost of special equipment.

(Ord. 121004 § 4, 2002; Ord. 119998 § 32, 2000; 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....\$35

Neutering.... 30

Dogs

Dog neuter under 50 pounds....40

Dog neuter 50--80 pounds....52

Dog neuter over 80 pounds....70

Dog spay under 50 pounds....45

Dog spay 50--80 pounds....57

Dog spay over 80 pounds....75

B. Vaccination fees:

Cat FvRCP....5

Dog DHLPP....5

Cat and dog rabies....5

C. Microchip implant fees:

Animals adopted from the
shelter....15

Nonshelter animals....25

Animals reclaimed from

Seattle Municipal Code

the shelter....25

(Ord. 121004 § 5, 2002; Ord. 118395 § 20, 1996; Ord. 116926 § 2, 1993; Ord. 115938 § 2, 1991; Ord. 110250 § 1(part), 1981.)

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