

WJP

Ordinance No. 110230

AN ORDINANCE establishing comprehensive animal control in the City by adding a new chapter, designated Chapter 9.24, to the Seattle Municipal Code and repealing Chapter 9.04 (Ordinance 86749, Chapter 9.08 (Ordinance 81599), Chapter 9.16 (Sections 34, 35, 56 and 37 of Ordinance 16046), Chapter 6.16 (Sections 95, 95-A, 95-B, 95-C, 95-E, 95-F and 95-(g) of Ordinance 48022) and Ch. 3.54 (Ordinances 102923 and 100965 and 100965) of the Code.

*10-21-81 P.S.J. Hold until 10/29/81
10/29/81 P.S.J. Pass as amended*

CONTROLLER
FILE NUMBER _____

Council Bill No. 102521

INTRODUCED: AUG 24 1981	BY: P.S.J.
REFERRED: AUG 24 1981	TO:
REFERRED:	
REFERRED:	
REPORTED: NOV 02 1981	SECOND READING: NOV 02 1981
THIRD READING: NOV 02 1981	SIGNED: NOV 02 1981
PRESENTED TO MAYOR: NOV 03 1981	APPROVED: NOV 13 1981
RETD. TO CITY CLERK: NOV 13 1981	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE 110230

AN ORDINANCE establishing comprehensive animal control in the City by adding a new chapter, designated Chapter 9.24, to the Seattle Municipal Code and repealing Chapter 9.04 (Ordinance 86749), Chapter 9.08 (Ordinance 81599), Chapter 9.16 (Sections 34, 35, 36 and 37 of Ordinance 16046), Chapter 6.16 (Sections 95, 95-A, 95-B, 95-C, 95-E, 95-F and 95(g) of Ordinance 48022) and Ch. 3.54 (Ordinances 102923 and 100965) of the Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 9 of the Seattle Municipal Code, a new Chapter 9.24 to be known as the "Animal Control Ordinance," as follows.

Section 9.24.010. Purpose and Policy. It is the purpose of this Ordinance 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.

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

Nothing contained in this Ordinance 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 Ordinance, or by reason or in consequence of any omission in connection with the implementation or enforcement of this Ordinance on the part of the City by its officers, employees or agents.

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 Ordinance.

1 Section 9.24.020. Definitions. As used in this ordinance,
2 except where a different meaning is plainly apparent from
3 the context, the following definitions apply:

4 "Administrative Fee" means a charge levied by the City
5 for apprehending an animal and placing it in custody.

6 "Alter" means to permanently render an animal incapable
7 of reproduction for medical reasons, whether or not surgically
8 altered.

9 "Animal" means any vertebrate except Homo sapiens.

10 "City" means The City of Seattle.

11 "Dangerous animal" means any animal other than a cat or
12 dog determined by the Director, following hearing, to be a
13 risk to human health or safety or health or safety of other
14 animals.

15 "Director" means the Director of Licenses and Consumer
16 Affairs to The City of Seattle or his/her authorized representa-
17 tive.

18 "Department" means the Department of Licenses and Consumer
19 Affairs of The City of Seattle.

20 "Disposed of in a humane manner" means adopted or
21 euthanized by an overdose of sodium pentobarbital.

22 "Detain" means to apprehend and keep an animal in custody.

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

28 "Harboring" means allowing any animal to remain, be
lodged, fed, or sheltered on the property one owns, occupies

1 or controls, for more than twenty-four (24) hours.

2 "Holding Period" means seventy-two (72) hours commencing
3 1:00 a.m. following the day of detainment of any animal,
4 excluding days the City Animal Shelter is not open to the
5 public.

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

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

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

17 "Vicious Animal" means an animal which has bitten,
18 clawed or otherwise harmed a human being or another animal,
19 or which demonstrates menacing behavior toward human beings
20 or domestic animals, but does not include an animal that
21 bites, attacks or menaces a person or another animal that
22 has tormented or hurt it.

23 Section 9.24.025 Animal Control Commission.

24 A. There shall be an Animal Control Commission comprised
25 of eleven members, who shall serve without compensation.
26 Six commissioners shall be appointed by the Mayor, subject
27 to confirmation by a majority vote of all members of the
28

1 City Council; and five shall be appointed by the City Council.
2 No more than a simple majority shall be pet owners. At least
3 one Mayor's appointee shall be a veterinarian eligible to
4 practice veterinary medicine in Washington State. Commissioners
5 shall be selected to be representative of the various neighborhoods
6 of the City, and to be representative of the youthful,
7 middle-aged and elderly citizenry of the City. Each Commissioner
8 shall be appointed for a term of three years; provided, that
9 the Commission appointed pursuant to Ordinance 100965 as
10 amended (SMC 3.54.030) shall serve as the first Commission
11 contemplated by this section. The term of each Commissioner
12 appointed under SMC 3.54.030 shall expire as originally
13 scheduled, and each vacant position shall be filled by the
14 same appointing authority as filled the position under SMC
15 3.54.030.

16 B. The Commission shall organize, elect officers,
17 adopt rules for its procedures, and provide a statement of
18 organization and public disclosure index, all in accordance
19 with the public disclosure law (RCW 42.17.250 et. seq) and
20 the City's Administrative Procedures Ordinance (SMC 3.02).

21 C. The Animal Control Commission shall advise the
22 Mayor and the Director of the Department of Licenses and
23 Consumer Affairs regarding animal control in the City.

24 Section 9.24.030. Authority of the Director. The
25 Director is authorized to:

26 -Make rules for the interpretation and implementation
27 of this ordinance, pursuant to the Administrative Code.

28 -Accept the surrender of animals to the City Animal
29 Shelter.

-Permit adoption from the City Animal Shelter of animals
that have been surrendered to the City, or which are stray
or under detainment and not claimed during the holding
period.

1 -Direct humane disposal of any animal surrendered to
2 the City, or any animal unclaimed during the holding period,
3 or any animal found to be a nuisance, or found to be vicious.

4 -Detain animals found to be unlicensed, or abandoned, or
5 at large, or in inhumane conditions, or to be a nuisance, or
6 to be vicious, or otherwise found to be in a circumstance
7 violative of this ordinance.

8 -Collect cats, dogs and other animals found dead on the
9 public areas of the City, or from private property on request
10 of the occupant of the property, and to bury, cremate, or
11 arrange for the disposal of such animal.

12 -Appoint charitable and non-profit organizations as
13 agents for collection of Dog and Cat License fees.

14 -Grant, renew, or deny licenses according to the terms
15 of this Ordinance.

16 -Administer the City Animal Shelter.

17 -Administer the City Spay and Neuter Clinic and Program.

18 -Collect fees for the services authorized by this
19 ordinance.

20 Issue permits for the trapping of animals (other than rats
21 and mice) with a device that does no physical harm to the
22 animal trapped.

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

25 Nothing prohibits the Police Department from enforcing
26 provisions of this Ordinance.

27 Section 9.24.040. Animal Shelter. There shall be a
28 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.

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

4 Section 9.24.045. ~~Municipal Spay and Neuter Clinic.~~ *Pet Sterilization* *ABK 11/2/81*

5 There shall be a ~~Spay and Neuter Clinic~~ *pet sterilization clinic* *ABK 11/2/91* as provided by
6 Ordinance 107631.

7 Section 9.24.050. Animal Licenses Generally. The
8 following animal licenses shall be required: Cat and Dog
9 Licenses; Pet Kennel Licenses; Guard and Attack Dog Licenses
10 and Dangerous Animal Licenses.

11 Possession of a Cat or Dog License or any type of
12 animal license shall not excuse a person from the requirement
13 to obtain other types of animal licenses, or from the require-
14 ments of Health or Zoning laws.

15 Licenses are not transferable.

16 Applications for licenses and permits shall be made on
17 forms approved by the Director and shall be accompanied by
18 the fee set by the Animal Fee Ordinance and proof of alteration
19 if the animal is altered. Licenses shall be issued in the
20 name of the owner, and shall be numbered serially. An
21 identification tag inscribed "Seattle", a number corresponding
22 to the license, and the license expiration date shall accompany
23 each license issued. Licenses shall be issued for a 12-month
24 period.

25 Section 9.24.051. Cat and Dog Licenses. Any owner of a
26 cat or dog that is four (4) months of age or older, must obtain
27 a valid license for each such animal.

28 Section 9.24.052. Pet Kennel License. No person shall
keep more than three (3) cats or three (3) dogs or any
combination of cats and dogs exceeding three (3) in number
that are over four (4) months of age on any premises in the
City without having a "Pet Kennel License" for each of the
premises at which the animals are kept.

1 The Director shall issue a Pet Kennel License only
2 after it has been determined that the proposed use is consistent
3 with the Seattle Zoning Code as now or hereafter amended,
4 and the Director of Public Health has determined that the
5 premises proposed to be licensed are sanitary and that its
6 use as a kennel is consistent with public peace, health,
7 safety and welfare and in conformity with other Health
8 Department Rules and Regulations.

9 Section 9.24.053. Dangerous Animal. It is unlawful
10 for any person to procure or keep a dangerous animal without
11 the prior approval of the director, granted following a
12 hearing to determine that the animal will be adequately
13 controlled to protect the health and safety of humans and of
14 other animals, provided, this prohibition shall not apply to
15 any facilities possessing or maintaining dangerous animals
16 which are owned, operated or maintained by any City, County,
17 State or Federal Agency, nor to a properly licensed veterinary
18 hospital where a dangerous animal may be confined temporarily
19 for treatment. The Director may authorize by special permit,
20 not to exceed thirty (30) days, the keeping of dangerous
21 animals for circuses or special exhibits.

22 Section 9.24.054. Guard or Attack Dog License. No
23 person shall use a guard or attack dog without first obtaining
24 a "Guard or Attack Dog License" therefor.

25 The applicant for a Guard or Attack Dog License shall
26 certify the following information:

27 1. The name and address of the owner of the guard or
28 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, and the name
and address of the purveyor of the dog.

1 3. That the premises the dog will guard are adequately
2 secured for the safety of the public.

3 4. That signs are displayed on the premises at all
4 entrances clearly warning that a guard or attack dog is on
5 duty.

6 5. That the user of the guard or attack dog is aware
7 of and understands the aggressive nature of the dog.

8 Section 9.24.060. Right of Entry and Inspection.

9 Pursuant to consent of the owner or occupant of any premises
10 the Director or any Police Officer may enter and inspect said premises
11 to determine compliance with the provisions of this Ordinance.

12 The Director or any Police Officer may enter the private
13 property of another, with or without a warrant, when in hot
14 pursuit to take possession of any animal observed at large.

15 The Director or any Police Officer may enter the private
16 property of another to enforce this Ordinance when equipped
17 with a properly issued search warrant.

18 The Director or any Police Officer may enter the private
19 property of another in the absence of the owner or occupant
20 when in his/her judgment an animal on such premises needs
21 immediate assistance or to prevent its death or serious injury.

22 Section 9.24.070. Fees. All fees are established by
23 separate ordinance.

24 Section 9.24.080. Offenses Relating to Licensing. It is
25 unlawful for the owner of any animal to:

26 (a) Fail to obtain the licenses required by the
27 Animal Control Fee Ordinance;

28 (b) Fail to display conspicuously a license identifi-
cation tag 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 tag not issued to such person;

1 (e) Remove a license identification tag from any cat
2 or dog without the owner's consent;

3 (f) Change, in any manner, a license or license
4 identification tag;

5 (g) Make a false or misleading statement or repre-
6 sentation regarding the ownership or right to custody or control
7 of an animal, or regarding the ownership of an animal redeemed
8 from, surrendered to, detained by the Director; or to:

9 (h) Remove any detained animal from the City Animal
10 Shelter or Department vehicle without the written consent
11 of the Director.

12 Section 9.24.081. Offenses Relating to Cruelty. It is
13 unlawful for any person to:

14 (a) Injure, kill, or physically mistreat any animal
15 except as is expressly permitted by law;

16 (b) Lay out to expose or leave exposed any kind of
17 poison or poisoned food or drink where accessible to an
18 animal, or place such poisoned materials in a stream or
19 other body of water, endangering fish or shellfish; provided,
20 that nothing shall prevent the reasonable use of rodent poison,
21 insecticides, fungicides or slug bait for their intended
22 purposes; and provided, further, that nothing in this paragraph
23 shall prohibit any governmental agency acting in the course
24 of its governmental duties;

25 (c) Set or bait any trap without a valid permit issued
26 by the Director; provided, no permit is required to trap rats
27 or mice.

28 (d) Confine, without necessary ventilation, any animal
in any box, container or vehicle.

(e) Tease, tantalize or provoke any animal with the
intent to cause fear or anger;

1 (f) Tether or confine any animal in such a manner or in
2 such a place as to cause injury or pain or to endanger an
3 animal; or to keep an animal in quarters that are injurious
4 to the animal due to inadequate protection from heat or cold,
5 or that are of insufficient size to permit the animal to move
6 about freely;

7 (g) Keep an animal in an unsanitary condition or to
8 provide insufficient food, water, shelter, or ventilation
9 necessary for the good health of that animal;

10 (h) Fail to provide his/her animal the medical care
11 that is necessary for its health or to alleviate its pain.

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

20 Section 9.24.082. Offenses Relating to Safety and
21 Sanitation. It is unlawful for an owner to:

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

26 (b) Fail to remove the fecal matter deposited by his/her
27 animal on public property before the owner leaves the immediate
28 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;

1 (d) Have possession or control of any animal sick or
2 afflicted with any infectious or contagious disease and fail
3 to provide treatment for such infection or disease, or
4 suffer or permit such diseased or infected animal to run at
5 large, or come in contact with other animals, or drink at
6 any public or common watering trough or stream accessible to
7 other animals.

8 Section 9.24.083. It is unlawful to own a vicious
9 animal (other than a licensed guard or attack dog).

10 Section 9.24.084. Offenses Relating to Control. It is
11 unlawful for the owner to:

12 (a) Permit any domestic animal except cats and pigeons
13 to be at large; provided, that pets may be removed from the
14 premises of the owner if restrained by a leash that is eight
15 (8) feet or shorter, and if in the physical control of a
16 person;

17 (b) Permit any cat or dog to enter any public fountain
18 or schoolground;

19 (c) Fail to confine any female cat or dog that is in
20 heat in a secure enclosure so that the female cat or dog
21 cannot come in contact with the male unless the male is
22 admitted by the owner of the female;

23 (d) Permit any animal (1) to damage public property or
24 the private property of another, or (2) to bark, whine, or
25 howl, in violation of Chapter 25.08 of the Municipal Code
26 (Noise Ordinance 106350) or its successor ordinance; or
27 (3) to spread or spill garbage;

28 (e) Permit any animal to trespass upon the property of
another;

(f) Have in his/her possession any animal not owned by
him/her without the knowledge of the owner, unless he/she

1 notifies the Director of such possession within twenty-four
2 (24) hours; or to fail to surrender such animal to the
3 Director upon demand;

4 (g) Tether an animal in such a manner as to permit the
5 animal to enter any sidewalk, street, alley or place open to
6 the public, or to enter any adjacent lot or premises unless
7 authorized by the occupant of the adjacent premises.

8 Section 9.24.085. Offenses Relating to Sale of Animals.

9 For the purpose of consumer protection it is unlawful to:

10 (a) Sell any animal known to be sick or injured unless
11 the buyer is given, at the time of sale, written notice of
12 the condition of the animal.

13 (b) Sell any animal known to be vicious.

14 Section 9.24.090. Detainment, Adoption and Disposal.

15 (a) No detained animal shall be released to the owner
16 until all applicable fees are paid.

17 (b) The Director shall ascertain whether any detained
18 animal is currently licensed, and, if so, shall notify the
19 licensee by letter or by telephone that such animal has been
20 detained and may be redeemed upon payment of any applicable
21 fees.

22 (c) Anyone claiming a detained animal must prove
23 ownership to the satisfaction of the Director before redeeming
24 the animal.

25 (d) Injured, diseased or wild animals need not be
26 detained for the holding period, but may be disposed of in a
27 humane manner at any time at the discretion of the Director.

28 (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 detain-
ment at the City Animal Shelter, and shall attempt to determine

1 ownership of an animal. If, at the end of the holding
2 period, no owner has claimed the animal, the Director shall
3 dispose of the animal in a humane manner;

4 (f) A kennel fee for every twenty-four (24) hour
5 period or part thereof for the care and feeding of the
6 animal shall be charged to the owner commencing at the close
7 of business on the day the animal is detained.

8 (g) The Director of Public Health may direct the
9 detention of animals suspected of having rabies. These
10 animals shall be held until their release is approved by the
11 Director of Public Health, and all applicable fees are paid.

12 Section 9.24.091. Adoption. Strays and abandoned
13 animals, following the holding period, and animals voluntarily
14 surrendered to the Director shall become the property of The
15 City of Seattle.

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

20 (b) No warranty, express or implied shall be made with
21 respect to any animal adopted.

22 (c) Any unaltered cat or dog selected for adoption
23 must be spayed or neutered within a specified period of
24 time. The expense of spaying or neutering will be paid by
25 the adopter. A spay/neuter deposit is required at the time
26 of adoption. The deposit shall be refunded when proof has
27 been furnished to the Director that the sterilization operation
28 has been performed prior to the established due date. The
spay/neuter deposit shall be forfeited to The City of Seattle
if not claimed on or before the due date.

(d) All dogs and cats adopted from the City Animal
Shelter, regardless of age, must be licensed.

1 (e) Dog and Cat License fees may be refunded to any
2 adopter, providing the animal is returned to the City Animal
3 Shelter within eight (8) days of the day of adoption accompanied
4 by a written request for the refund and documentation from
5 a licensed veterinarian certifying that the animal was
6 diseased or ill at the time of adoption.

7 Section 9.24.092. Nuisance. Any animal which, by its
8 actions or condition, presents a clear and present threat to
9 the public peace, health, or safety is a nuisance and may be
10 summarily detained pending correction of the condition, or
11 pending the owner's trial for violation of this Ordinance.

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

19 In addition, nothing shall prevent prosecution of owners
20 of noisy animals under Chapter 25.08 of the Municipal Code
21 (Noise Ordinance 106360) or its successor ordinance.

22 Section 9.24.100. Penalty Clause. Conduct made unlawful
23 by this Ordinance constitutes a crime subject to the provisions
24 of Sections 12A.02.010 and 12A.02.020 of the Seattle Municipal
25 Code (Ordinance 102843 as amended) and any person convicted
26 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.

27 (a) In addition, the court may revoke or deny any Pet
28 Kennel License, Guard or Attack Dog License and any Cat or

1 Dog License for a period not to exceed one year; provided,
2 that any person convicted on three (3) or more separate
3 occasions in any twelve (12) month period of an offense relating
4 to control as defined in Section 9.24.084 may have his or her
5 Cat or Dog License revoked or denied.

6 (b) Any person whose Pet Kennel License is revoked or
7 denied shall surrender all cats and dogs or combinations of
8 cats and dogs in excess of three (3) to the Director to be
9 disposed of in a humane manner.

10 (c) Any person whose Guard or Attack Dog License is
11 revoked or denied shall surrender all of his or her guard or
12 attack dogs to the Director to be disposed of in a humane
13 manner.

14 (d) Any person whose Cat or Dog License is revoked or
15 denied shall surrender all of his or her cats and dogs to
16 the Director to be disposed of in a humane manner.

17 Section 9.24.110. Severability Clause. The provisions
18 of this Ordinance are declared to be separate and severable.
19 The invalidity of any clause, sentence, paragraph, or the
20 invalidity of the application thereof to any person or
21 circumstance shall not affect the validity of the remainder
22 of this Ordinance, or the validity of its application to
23 other persons or circumstances.

24 Section 2. Chapter 9.04 (Ordinance 86749), Chapter 9.08
25 (Ordinance 81599), Chapter 9.16 (Sections 34, 35, 36
26 and 37 of Ordinance 16046), Chapter 6.16 (Sections 95, 95-A,
27 95-B, 95-C, 95-E, 95-F, and 95(g) of Ordinance 48022) and
28 Chapter 3.57 of the Seattle Municipal Code and all other
ordinances or part of Ordinances in conflict herewith are
hereby repealed.

(To be used for all Ordinances except Emergency.)

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 2nd day of November, 1981,
and signed by me in open session in authentication of its passage this 2nd day of
November, 1981. *[Signature]*
President of the City Council.

Approved by me this 13th day of November, 1981. *[Signature]*
Mayor.

Filed by me this 16th day of November, 1981. *[Signature]*
Attest: Jim Hill
City Comptroller and City Clerk.

(SEAL)

Published

By Theresa J. Dunbar
Deputy Clerk.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE

AN ORDINANCE establishing comprehensive animal control in the City by adding a new chapter, designated Chapter 9.24, to the Seattle Municipal Code and repealing Chapter 9.04 (Ordinance 86749), Chapter 9.08 (Ordinance 81599), Chapter 9.16 (Sections 34, 35, 36 and 37 of Ordinance 16046), Chapter 6.16 (Sections 95, 95-A, 95-B, 95-C, 95-E, 95-F and 95(g) of Ordinance 48022) and Ch. 3.54 (Ordinances 102923 and 100965) of the Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to Title 9 of the Seattle Municipal Code, a new Chapter 9.24 to be known as the "Animal Control Ordinance," as follows.

Section 9.24.010. Purpose and Policy. It is the purpose of this Ordinance 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.

It is the specific intent of this Ordinance to place the obligation of complying with its requirements upon the owners and possessors of animals. ~~The scope and method of implementation and enforcement of this Ordinance shall be discretionary with the City.~~ *el te*

Nothing contained in this Ordinance 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 Ordinance, or by reason or in consequence of any omission in connection with the implementation or enforcement of this Ordinance on the part of the City by its officers, employees or agents.

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 Ordinance.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 9.24.020. Definitions. As used in this ordinance, except where a different meaning is plainly apparent from the context, the following definitions apply:

"Administrative Fee" means a charge levied by the City for apprehending an animal and placing it in custody.

"Alter" means to permanently render an animal incapable of reproduction for medical reasons, whether or not surgically altered.

"Animal" means any vertebrate except Homo sapiens.

"City" means The City of Seattle.

"Dangerous animal" means any animal other than a cat or dog determined by the Director, following hearing, to be a risk to human health or safety or health or safety of other animals.

"Director" means the Director of Licenses and Consumer Affairs to The City of Seattle or his/her authorized representative.

"Department" means the Department of Licenses and Consumer Affairs of The City of Seattle.

"Disposed of in a humane manner" means adopted or euthanized by an overdose of sodium pentobarbital.

"Detain" means to apprehend and keep an animal in custody.

"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.

"Harboring" means allowing any animal to remain, be lodged, fed, or sheltered on the property one owns, occupies

1
2 or controls, for more than twenty-four (24) hours.

3 "Holding Period" means seventy-two (72) hours commencing
4 1:00 a.m. following the day of detainment of any animal,
5 excluding days the City Animal Shelter is not open to the
6 public.

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

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

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

18 "Vicious Animal" means an animal which has bitten,
19 clawed or otherwise harmed a human being or another animal,
20 or which demonstrates menacing behavior toward human beings
21 or domestic animals, but does not include an animal that
22 bites, attacks or menaces a person or another animal that
23 has tormented or hurt it.

24 Section 9.24.025 Animal Control Commission.

25 A. There shall be an Animal Control Commission comprised
26 of eleven members, who shall serve without compensation.
27 Six commissioners shall be appointed by the Mayor, subject
28 to confirmation by a majority vote of all members of the

add
1 vet.

1 City Council; and five shall be appointed by the City Council.
2 No more than a simple majority shall be pet owners. At least
3 one commissioner shall be a veterinarian eligible to practice
4 veterinary medicine in Washington State. Commissioners
5 shall be selected to be representative of the various neighborhoods
6 of the City, and to be representative of the youthful,
7 middle-aged and elderly citizenry of the City. Each Commissioner
8 shall be appointed for a term of three years; provided, that
9 the Commission appointed pursuant to Ordinance 100965 as
10 amended (SMC 3.54.030) shall serve as the first Commission
11 contemplated by this section. The term of each Commissioner
12 appointed under SMC 3.54.030 shall expire as originally
13 scheduled, and each vacant position shall be filled by the
14 same appointing authority as filled the position under SMC
15 3.54.030.

15 B. The Commission shall organize, elect officers,
16 adopt rules for its procedures, and provide a statement of
17 organization and public disclosure index, all in accordance
18 with the public disclosure law (RCW 42.17.250 et. seq) and
19 the City's Administrative Procedures Ordinance (SMC 3.02).

19 C. The Animal Control Commission shall advise the
20 Mayor and the Director of the Department of Licenses and
21 Consumer Affairs regarding animal control in the City.

22 Section 9.24.030. Authority of the Director. The
23 Director is authorized to:

24 -Make rules for the interpretation and implementation
25 of this ordinance, pursuant to the Administrative Code.

26 -Accept the surrender of animals to the City Animal
27 Shelter.

28 -Permit adoption from the City Animal Shelter of animals
that have been surrendered to the City, or which are stray
or under detainment and not claimed during the holding
period.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

City Council; and five shall be appointed by the City Council.
No more than a simple majority shall be pet owners, Com-
missioners 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 years; provided, that the Commission appointed pursuant
to Ordinance 100965 as amended (SMC 3.54.030) shall serve as
the first Commission contemplated by this section. The
term of each Commissioner appointed under SMC 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 3.54.030.

of each one Commissioner shall
be a
veterinarian
eligible to
practice
veterinary
medicine
in
Washington
State.

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 the public disclosure law (RCW 42.17.250 et. seq) and
the City's Administrative Procedures Ordinance (SMC 3.02).

C. The Animal Control Commission shall advise the
Mayor and the Director of the Department of Licenses and
Consumer Affairs regarding animal control in the City.

Section 9.24.030. Authority of the Director. The
Director is authorized to:

- Make rules for the interpretation and implementation of
this ordinance, pursuant to the Administrative Code.
- Accept the surrender of animals to the City Animal
Shelter.
- Permit adoption from the City Animal Shelter of animals
that have been surrendered to the City, or which are stray
or under detainment and not claimed during the holding period.

1 The Director shall issue a Pet Kennel License only
2 after it has been determined that the proposed use is consistent
3 with the Seattle Zoning Code as now or hereafter amended,
4 and the Director of Public Health has determined that the
5 premises proposed to be licensed are sanitary and that its use as
6 a kennel is consistent with public peace, health, safety and
7 welfare and in conformity with other Health Department Rules
8 and Regulations.

9 Section 9.24.053. Dangerous Animal. It is unlawful for
10 any person to procure or keep a dangerous animal without the
11 prior approval of the director, granted following a hearing to
12 determine that the animal will be adequately controlled to
13 protect the health and safety of humans and of other animals,
14 provided, that holders of valid Exotic Animal permits as
15 authorized under Section 7, Ordinance 81599, may possess such
16 exotic animal as named in the permit until the animal is disposed
17 of; and provided further this prohibition shall not apply to any
18 facilities possessing or maintaining dangerous animals which are
19 owned, operated or maintained by any City, County, State or
20 Federal Agency, nor to a properly licensed veterinary hospital
21 where a dangerous animal may be confined temporarily for treatment.
22 The Director may authorize by special permit, not to exceed thirty
23 (30) days, the keeping of dangerous animals for circuses or
24 special exhibits.

25 Section 9.24.054. Guard or Attack Dog License. No
26 person shall use a guard or attack dog without first obtaining
27 a "Guard or Attack Dog License" therefor.

28 The applicant for a Guard or Attack Dog License shall
certify 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, and the name
and address of the purveyor of the dog.

1 (f) Tether or confine any animal in such a manner or in
2 such a place as to cause injury or pain or to endanger an
3 animal; or to keep an animal in quarters that are injurious
4 to the animal due to inadequate protection from heat or cold,
5 or that are of insufficient size to permit the animal to move
6 about freely;

7 (g) Keep an animal in an unsanitary condition or to
8 provide insufficient food, water, shelter, or ventilation
9 necessary for the good health of that animal;

10 (h) Fail to provide his/her animal the medical care
11 that is necessary for its health or to alleviate its pain.

12 Section 9.24.082. Offenses Relating to Safety and
13 Sanitation. It is unlawful for an owner to:

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

18 (b) Fail to remove the fecal matter deposited by his/her
19 animal on public property before the owner leaves the immediate
20 area where the fecal matter was deposited;

21 (c) Fail to have in his/her possession the equipment
22 necessary to remove his/her animal's fecal matter when
23 accompanied by said animal on public property or public easement;

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

Section 9.24.083. It is unlawful to own a vicious
animal (other than a licensed guard or attack dog).

insert
7

1 Section 9.24.084. Offenses Relating to Control. It is
2 unlawful for the owner to:

3 (a) Permit any domestic animal except cats and pigeons
4 to be at large; provided, that pets may be removed from the
5 premises of the owner if restrained by a leash that is eight
6 (8) feet or shorter, and if in the physical control of a
7 person;

8 (b) Permit any cat or dog to enter any public fountain
9 or schoolground;

10 (c) Fail to confine any female cat or dog that is in
11 heat in a secure enclosure so that the female cat or dog
12 cannot come in contact with the male unless the male is
13 admitted by the owner of the female;

14 (d) Permit any animal (1) to damage public property or
15 the private property of another, or (2) to bark, whine, or
16 howl, in violation of Chapter 25.08 of the Municipal Code
17 (Noise Ordinance 106360) or its successor ordinance; or
18 (3) to spread or spill garbage;

19 (e) Permit any animal to trespass upon the property of
20 another;

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

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

 Section 9.24.085. Offenses Relating to Sale of Animals.
For the purpose of consumer protection it is unlawful to:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(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.

Section 9.24.090. Detainment, Adoption and Disposal.

(a) No detained animal shall be released to the owner until all applicable fees are paid.

(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 to the satisfaction of the Director before redeeming the animal.

(d) Injured, diseased or wild animals need not be detained for the holding period, but may be disposed of at any time at the discretion of the Director. *add in a humane manner*

(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, at the end of the holding period, no owner has claimed the animal, the Director shall dispose of the animal in a humane manner;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

(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.

Section 9.24.091. Adoption. Strays and abandoned animals, following the holding period, and animals voluntarily surrendered to the Director shall become the property of The City of Seattle.

(a) 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.

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

(c) Any unaltered cat or dog selected for adoption must be spayed or neutered within a specified period of time. The expense of spaying or neutering will be paid by the adopter. A spay/neuter deposit is required at the time of adoption. 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 spay/neuter deposit shall be forfeited to The City of Seattle if not claimed on or before the due date.

(d) All dogs and cats adopted from the City Animal Shelter, regardless of age, must be licensed.

(e) Dog and Cat License fees may be refunded to any adopter, providing the animal is returned to the City Animal

1 Shelter within eight (8) days of the day of adoption accompanied
2 by a written request for the refund and documentation from
3 a licensed veterinarian certifying that the animal was
4 diseased or ill at the time of adoption.

5 Section 9.24.092. Nuisance. Any animal which, by its
6 actions or condition, presents a clear and present threat to
7 the public peace, health, or safety is a nuisance and may be
8 summarily detained pending correction of the condition, or
9 pending the owner's trial for violation of this Ordinance.

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

17 In addition, nothing shall prevent prosecution of owners
18 of noisy animals under Chapter 25.08 of the Municipal Code
19 (Noise Ordinance 106360) or its successor ordinance.

20 Section 9.24.100. Penalty Clause. Conduct made unlawful
21 by this Ordinance constitutes a crime subject to the provisions
22 of Sections 12A.02.010 and 12A.02.020 of the Seattle Municipal
23 Code (Ordinance 102843 as amended) and any person convicted
24 thereof may be punished by a fine of not more than Five
25 Hundred Dollars (\$500) or by imprisonment for no more than
26 one hundred eighty (180) days, or by both such fine and
27 imprisonment.

28 (a) In addition, the court may revoke or deny any Pet
Kennel License, Guard or Attack Dog License and any Cat or
Dog License for a period not to exceed one year; provided,
that any person convicted on three (3) or more separate

1 occasions in any twelve (12) month period of an offense relating
2 to control as defined in Section 9.24.084 may have his or her
3 Cat or Dog License revoked or denied.

4 (b) Any person whose Pet Kennel License is revoked or
5 denied shall surrender all cats and dogs or combinations of
6 cats and dogs in excess of three (3) to the Director to be
7 disposed of in a humane manner.

8 (c) Any person whose Guard or Attack Dog License is
9 revoked or denied shall surrender all of his or her guard or
10 attack dogs to the Director to be disposed of in a humane
11 manner.

12 (d) Any person whose Cat or Dog License is revoked or
13 denied shall surrender all of his or her cats and dogs to
14 the Director to be disposed of in a humane manner.

15 Section 9.24.110. Severability Clause. The provisions
16 of this Ordinance are declared to be separate and severable.
17 The invalidity of any clause, sentence, paragraph, or the
18 invalidity of the application thereof to any person or
19 circumstance shall not affect the validity of the remainder
20 of this Ordinance, or the validity of its application to
21 other persons or circumstances.

22 Section 2. Chapter 9.04 (Ordinance 86749), Chapter 9.08
23 (Ordinance 81599), Chapter 9.16 (Sections 34, 35, 36
24 and 37 of Ordinance 16046), Chapter 6.16 (Sections 95, 95-A,
25 95-B, 95-C, 95-E, 95-F, and 95(g) of Ordinance 48022) and
26 Chapter 3.57 of the Seattle Municipal Code and all other
27 ordinances or part of Ordinances in conflict herewith are
28 hereby repealed.

COMPREHENSIVE ANIMAL CONTROL ORDINANCE AND COMPANION FEE ORDINANCE HIGHLIGHTS

ISSUE	AS NOW	PROPOSED	REASON	IMPACT
1. Purpose and Policy Statement	None	Explicit purpose, intent, and enforcement policy stated.	To provide a clearly stated rationale for the law.	Provides policy and enforcement guidelines.
2. Definitions	Minimal, scattered throughout the sections.	An alphabetized list of meaningful definitions contained in one section.	To provide clear and concise meanings with no ambiguous connotations.	Less requests for legal opinion. Fewer misinterpretations
3. Authority of Director	Minimal	Definitive set of action guidelines.	To provide the widest possible authority to deal with all potential animal-related issues.	Provides an administration "Action Plan".
4. Guard/Attack Dog License	None	To license any person using a dog for protecting persons or property.	To know who is keeping such animals and where. To make the possessors aware of and understand the aggressive nature of the dog. To insure public safety. (See Appendix "A")	Public awareness of such dogs. Reduced attacks on innocent persons.
5. Dangerous Animals	\$2.00 Dangerous Animal Permit with minimum public safety impact.	Possession by Permit following a hearing except, governmental agencies and Special Permits for temporary exhibits, i.e., circuses.	To insure public safety and consideration for the environmental welfare of Dangerous animals. (See Appendix "B").	Public safety. Less abandonment or surrender of dangerous animals.
6. Right of Entry and Inspection	None	Clearly stated authority and protection of rights of the property owner or tenant.	For investigative purposes. Guarantee due process. Save animals from imminent danger and harm.	Less animal injuries and deaths. Less violations of individual rights. More comprehensive investigations.

ISSUE	AS NOW	PROPOSED	REASON	IMPACT
7. Offenses detailed by Type: Licenses Cruelty Safety/Sanitation Control Sale/Transfer	Scattered throughout laws.	Itemized listing of situations resulting in animal problem for which a solution is necessary.	To provide means to solve or alleviate problems not addressed or insufficiently detailed in current law.	More efficient and timely resolution of problems. Reduction of violations through public knowledge of mandated controls.
8. Expanded penalties for revocation or denial of licenses.	Only Dog and Cat Licenses and Pet Kennel Licenses through the provisions of the License Code (Ord. 48022).	Any license or permit can be denied or revoked for just cause.	To remove pet keeping privileges from repeat offenders	Reduction of repeat violations for same pet owner. Reduction of bites by vicious animals.
9. Adoption	Vague with no specific guidelines.	Adoption criteria: -No warranty given. -Must agree to alter. -License regardless of age.	To affirm the policy of responsible pet owners sterilizing their animals thereby reducing any pet overpopulation.	More responsible pet owners Lower return rate of adopted animals as nuisances or their surplus offspring.
10. Nuisance	No clear definition. Ineffective resolution process.	Clear definition. Detainment when clear and present danger.	Furnish a workable and timely solution to nuisance problems that provides public safety and protection of animal owner's rights.	More timely and certain resolution to nuisance animal problems. Less bite and attack incidents.
11. "Scoop" Law	City Parks only.	City Wide. Removal from public property and accumulations from private property. Person who walks dog must carry suitable container or instrument to remove feces.	Public demand. (See Appendix "D").	Cleaner, more sanitary public property and private premises. Right to enjoy private property free from nuisance. Less disease.

ISSUE	AS NOW	PROPOSED	REASON	IMPACT
12. Dogs on school-grounds.	Must be on leash.	Specific prohibition on schoolgrounds.	Requested by the Seattle Council of Parent-Teacher-Student Association. (See Appendix "E")	Safety of children from injury or illness caused by dogs on schoolgrounds.
13. Fee Ordinance: Licenses Permits Charges	Fragmented throughout various sections of several ordinances..	All fees consolidated in one ordinance designed to be a companion to the control law.	Keeps primary ordinance clear of provisions not specifically related to control.	Easily amended
14. "Administrative Fee"	Progressive impound schedule no longer assessed upon advice of the Law Department - denies due process.	"Administrative Fee" to cover the cost of apprehending straying animals and placing them in safekeeping custody.	To supplement the income loss from cessation of the impound collections. (See Appendix "C")	Recover some costs. Less injured and/or dead animals on the streets.

Enforcement will be administered through Administrative Rules and Regulations established pursuant to the requirements of the Administrative Code (Ord. 102228), such rules to be consistent with the intent of the ordinances.

Prepared by: Warren W. Watson
Warren W. Watson, Administrative Assistant

Date: 10-14-81
Revised

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

October 29, 1981

M E M O R A N D U M

TO: Councilmember Sam Smith
Seattle City Council

FROM: *Regina L. Glenn*
Regina L. Glenn, Director
Department of Licenses and Consumer Affairs

SUBJECT: Comprehensive Animal Control Ordinance

The recommended new Animal Control Ordinance calls for the repeal of Sections 34, 35, 36 and 37 of Ordinance No. 16046 (Criminal Code) defining acts of cruelty against animals to be supplanted by Section 9.24.081 of the proposed ordinance. This Section, as worded, is vague when addressing the issue of animal fighting, and with recent increases in the activities in this area we feel it necessary to be more specific in the intent of the law.

Please insert under Section 9.24.081, Offenses Relating to Cruelty, the following sub-section:

- (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.

Thank you for considering the inclusion of the above in the proposed ordinance.

RLG:ww:1

An equal employment opportunity - affirmative action employer.

**PROGRESSIVE
ANIMAL WELFARE SOCIETY**
Humane Education & Animal Care Center

(206) 743-3845; 743-7707; 778-0651

P.O. Box 1037
Lynnwood, Washington 98036

PAWS

October 15, 1981

RECEIVED
OCT 15 1981
CITY CLERK
MILMAN

Seattle City Council
Public Safety & Justice Committee
Seattle Municipal Building
Seattle, Washington 98104

Dear Committee Members,

We have reviewed the final version of the proposed Animal Control Ordinance for the City and find it generally satisfactory to fulfill its stated purpose and policy.

We particularly appreciate the use of straight forward english language which makes it easy for the average citizen to understand.

We're sorry that we'll be unable to attend the public hearing on the Ordinance on the 21st but we wanted you to know our view of it.

Sincerely,

Lynne Smith
Lynne Smith,
Education Director

cc: Dorothy McCormick,
Office of the Mayor

Spay & Neuter Clinic,
17211 - 15th Ave NE.
Seattle, 98155.
29th October, 1981.

Public Safety and Justice Committee
Seattle City Council,
Seattle.

Dear Sirs,

re: Seattle spay and neuter facility

Since May of 1972 I have done business at my present location in north Seattle under the name and style 'Spay & Neuter Clinic'. The name 'Spay & Neuter Clinic' was duly filed and recorded with the King County Clerk in October 1972.

In the past, and in the ordinance establishing the clinic, the city has used the terms spay and neuter generically. In the new animal control ordinance, section 9.24.045, that no longer appears to be the case. Reference is made to Municipal Spay and Neuter Clinic.

To avoid confusion I am requesting that the city do business under another name, such as 'Municipal Dog and Cat Altering Clinic'. The terms altered and unaltered are already being used in the license fee ordinance. There are many other possibilities e.g. Low Cost Pet Altering Clinic, City Pet Sterilization Clinic, Seattle Municipal Animal Surgery Facility, Seattle Planned Pethood Clinic, City Planned Pet Population Clinic, etc.

If the City does business under a deceptively similar name it would constitute an unfair trade practice.

Thank you,



Dr. H. Kunnen.

UNIVERSITY OF WASHINGTON
SEATTLE, WASHINGTON 98195

Office of the Vice President for Health Sciences
Warren G. Magnuson Health Sciences Center

SCHOOLS

School of Dentistry
School of Medicine
School of Nursing
School of Pharmacy
School of Public Health
and Community Medicine
School of Social Work

HOSPITALS

Harborview Medical Center
University Hospital

CENTERS AND INSTITUTES

Alcoholism and
Drug Abuse Institute
Center for Research
in Oral Biology
Child Development and
Mental Retardation Center
Hill Health Center
Institute on Aging
Regional Primate
Research Center

October 29, 1981

Councilman Sam Smith
Seattle City Council
600 4th Avenue
Seattle, WA 98104

Dear Councilman Smith:

On behalf of the University of Washington, the following information is submitted for consideration in association with hearings on October 29, 1981, on the animal control ordinance.

Our specific concern relates to Section 9.24.040, which prohibits any use of animals from the City Animal Shelter for use in biomedical teaching and research. It is our firm belief that continued progress in human and animal health depends on biomedical research, and that biomedical research depends in part on the use of animals. Prohibiting the appropriate use of unwanted animals from the Animal Shelter for certain teaching and research purposes may be considered a statement against progress in medicine by the City of Seattle.

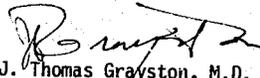
We feel that the ethical questions regarding the use of animals in teaching and research must be considered in the overall context of medical ethics. The principles developed by the National Commission for the Protection of Human Subjects, established by the National Research Act of 1974, can be summarized as follows: respect for person, justice, and beneficence. Well-designed animal experiments are necessary for at least two of these three ethical principles. A "respect for person" requires background information if the informed consent process is to be meaningful, and some background information must be developed in animals. "Beneficence" requires not only doing good, but also its reciprocal, minimizing harm. Minimizing the potential harm of new approaches to health care problems requires prior trials in animals. The importance of animal use in medicine has been made a part of two international codes of medical ethics, the Helsinki Declaration and the Nuremberg Code.

Councilman Sam Smith
October 29, 1981
Page Two

The concept of alternatives to the use of animals in biomedical teaching and research is sometimes offered as the rationale for prohibiting the use of animals. "Alternatives" are not new, and are either a part of current research, or their use has been considered and has been found to be not applicable. An example of an alternative is a laboratory test to determine pregnancy in women in lieu of the use of rabbits. An example where an alternative is not applicable is the study of the effects in rat offspring of maternal exposure to nicotine, alcohol, and other drugs. This area of "behavioral teratology" has the goal of discovering what types of behavioral deficits in the offspring may occur as a result of moderate doses of drug ingestion by the mother. Available research alternatives, such as cell culture and computer simulation, are either wholly inappropriate or woefully inadequate as models of complex functions such as fetal and offspring development.

In conclusion, we feel that the City of Seattle should act in favor of the appropriate use of unwanted and unclaimed animals for medical teaching and research purposes. We therefore urge that the section prohibiting such use be deleted from the proposed ordinance.

Sincerely yours,


J. Thomas Grayston, M.D.
Vice President for Health Sciences

JTG:pp

The City of Seattle--Legislative Department

MR. PRESIDENT:

Your Committee on *PS4J*
to which was referred

Date Reported
and Adopted

Nov 2 - 1961

C.B. 102521 Establishing comprehensive animal control in the City by adding a new chapter, designated Chapter 9.24, to the Seattle Municipal Code and repealing Chapter 9.04 (Ordinance 86749), Chapter 9.08 (Ordinance 81599), Chapter 9.16 (Sections 34, 35, 56 and 37 of Ordinance 16046), Chapter 6.16 (Sections 95, 95-A, 95-B, 95-C, 95-E, 95-F and 95-G of Ordinance 48022) and Ch. 3.54 (Ordinances 102923 and 100965) of the Code.

Chairman

Chairman

Committee

Committee