

Ordinance No. 119998

Council Bill No. 113088

AN ORDINANCE relating to Animal Control; adding definitions of dangerous and potentially dangerous animals; adding and expanding definitions of different classifications of animals; clarifying the Director's authority to detain and dispose of certain animals; amending the appeals process and the authority of the Hearing Examiner on appeal; separating the licensing requirement from the vaccination requirement; increasing the insurance requirement for guard dogs, granting an exemption to the requirement to display a current license and amending Chapter 9.25 and Chapter 9.26 of the Seattle Municipal Code in accordance therewith.

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over 5/10

The City of Seattle
Council Bill/Ordinance

do Pass as amended

6-26-00 Pass

(Abstain)

This file is complete and ready for publication.

Law Department

Law Dept. Review

CF No. _____

Date Introduced:	FEB - 7 2000	
Date 1st Referred:	FEB - 7 2000	To: (committee) DRAGO
Date 2nd Referred:		To: (committee) <i>Finance, Budget and Economic Development</i>
Date 3rd Referred:		To: (committee)
Date of Final Passage:	6-26-00	Full Council Vote: 6-0
Date Presented to Mayor:	6-27-00	Date Approved: 7/3/00
Date Returned to City Clerk:	7/5/00	Date Published: 29 Apr. <input checked="" type="checkbox"/> T.D. <input type="checkbox"/> F.T.
Date Voted by Mayor:		Date Vote Published:
Date Passed Over Veto:		Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

Jan Page
Councilmember



Committee Action:

Pass as amended, 3-0, 6/21/00.

2600 Passed 6-0

(Absent: Compton, McWen, Wills)

This file is complete and ready for presentation to Full Council. Committee:

(initial/date)

Law Department

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ORDINANCE 119998

AN ORDINANCE relating to Animal Control; adding definitions of dangerous and potentially dangerous animals; adding and expanding definitions of different classifications of animals; clarifying the Director's authority to detain and dispose of certain animals; amending the appeals process and the authority of the Hearing Examiner on appeal; separating the licensing requirement from the vaccination requirement; increasing the insurance requirement for guard dogs, granting an exemption to the requirement to display a current license and amending Chapter 9.25 and Chapter 9.26 of the Seattle Municipal Code in accordance therewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 9.25.020 of the Seattle Municipal Code is amended as follows:

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.

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

C. "Animal" means any living non-human mammal, bird, reptile, or amphibian.

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

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.

~~((D))~~F. "City" means The City of Seattle.



1 ((E))G. "Dangerous animal" means any animal (~~(, other than the common household cat or dog,~~
2 ~~bees or other insects specifically provided for by ordinance, that is capable of killing or seriously~~
3 ~~injuring a human being)) that according to the records of the appropriate authority, (a) has inflicted
4 severe injury on a human being without provocation on public or private property, (b) has killed a
5 domestic animal without provocation while off the owner's property, or (c) has been previously found to
6 be potentially dangerous, whose owner has received notice of such, which animal again aggressively
7 bites, attacks, or endangers the safety of humans or domestic animals.~~

8 ((F))H. "Director" means the Executive Services Director of The City of Seattle or his/her
9 authorized representative.

10 ((G))I. "Department" means the Executive Services Department of The City of Seattle.

11 ((H))J. "Disposed of in a humane manner" means euthanized by a lethal dose of sodium
12 pentobarbital or its equivalent.

13 ((I))K. "Detain" means to place an animal in custody.

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

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

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

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

4 1. All animals of the order Primates (as primates) except humans;

5 2. All animals of the family Canidae (as dogs, wolves, jackals, or foxes) and their hybrid,
6 except for the domestic dog Canis familiaris;

7 3. All animals of the family Felidae (as lions, tigers, jaguars, leopards, cougars, or cheetahs)
8 and their hybrid, except for the domestic cat Felis catus;

9 4. All animals of the family Ursidae (as bears);

10 5. All animals of the family Hyaenidae (as hyenas);

11 6. All animals of the order Crocodylia (as alligators, crocodiles, gavials, or caimans);

12 7. All animals of the family Elephantidae (as elephants);

13 8. All animals of the order Perissodactyla (as horses, rhinoceroses, or tapirs);

14 9. All animals of the order Artiodactyla (as camels, cattle, deer, giraffes, goats,
15 hippopotamuses, llamas, pigs, or sheep);

16 "Exotic animal also includes all venomous reptiles and amphibians, (regardless of whether the
17 venom glands have been removed), and all snakes that are eight (8) feet or more in length. An animal that
18 is normally domesticated, but that is determined to be wild or feral, shall be considered an exotic animal.

19 Section 2. Section 9.25.021 of the Seattle Municipal Code is amended as follows:

20 **9.25.021 Definitions-F - J.**

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



1 A. "Guard dog" or "attack dog" means an((y)) animal in the taxonomic classification Canis
2 Familiaris (also referred to as the common household dog) ((member of the dog family (Canidae))), not
3 owned by a government agency, which has been trained and is used for the purpose of protecting
4 persons or property by exhibiting hostile and aggressive propensities, or which will attack on signal or
5 command.

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

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

12 Section 3. Section 9.25.023 of the Seattle Municipal Code is amended as follows:

13 **9.25.023 Definitions-P - T.**

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

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

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

20 C. "Potentially dangerous animal" means any animal that when unprovoked: (a) Inflicts bites on
21 a human or a domestic animal either on public or private property, or (b) chases or approaches a person
22 on public property or on private property (other than that of the animal's owner) in a menacing fashion



1 or apparent attitude of attack, or any animal with a known propensity, tendency, or disposition to attack
2 unprovoked, to cause injury, or otherwise to threaten the safety of humans or domestic animals.

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

5 1. Not to release the animal from the shelter for the rest of the animal's natural life;

6 2. Not to allow the animal to come into contact with the general public for the rest of the
7 animal's natural life;

8 3. Not to allow the former owner to have contact with the animal;

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

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

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

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

19 ((C))G. "Trespassing" means any animal which enters upon the property of another person
20 without the authorization of the lawful occupant.

21 Section 4. Section 9.25.024 of the Seattle Municipal Code is repealed.

22 Section 5. Section 9.25.030 of the Seattle Municipal Code is amended as follows:

23 **9.25.030 Authority of the Director.**



1 A. The Director is authorized to:

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

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

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

8 4. Direct immediate humane disposal of:

9 (a) any exotic animal;

10 (b) any animal surrendered to the City for humane disposal;~~((, or (b)))~~

11 (c) any animal determined by the Seattle Municipal Court or any other court of
12 law to be a nuisance;~~((,)) ((vicious, or dangerous, or (e)))~~

13 (d) any animal involved in a court proceeding in which the owner pled guilty or
14 was found to be guilty of owning a nuisance ~~((, vicious))~~ or dangerous animal
or in which the owner pled guilty or was found to be guilty of negligent
control of an animal;~~((, (d)))~~

15 (e) any animal unclaimed after the expiration of a holding period;~~((, or (e)))~~

16 (f) any animal determined by the Director to be ~~((vicious or))~~ dangerous pursuant
17 to SMC Section 9.25.035;

18 5. Detain animals found to be unlicensed, or abandoned, or at large, or in inhumane
19 conditions, or to be a nuisance, or to be ~~((vicious))~~ exotic or dangerous, or otherwise found to be in a
20 circumstance violative of this chapter or any other provision of law;

21 6. Collect cats, dogs and other animals found dead on the public areas of the City, or
22 from private property on request of the occupant of the property, and to bury, cremate, or arrange for the
23 disposal of such animal;
24



1 7. Appoint agents for the collection of pig, dog and cat license fees and other fees
2 established by Chapter 9.26 of the Seattle Municipal Code, including past due fees and penalties;

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

4 9. Administer the City Animal Shelter;

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

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

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

11 13. Appoint persons experienced in the humane trapping of animals to set and bait a trap
12 or use other devices that do not physically harm an animal trapped, when, in the judgment of the
13 Director, such action will protect the public peace, health, safety and welfare and issue live animal
14 trapping permits as authorized by the Director of Finance by rule;

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

17 15. Direct disposition of exotic animals, including but not limited to transfer to a
18 zoological garden or herpetarium.

19 16. Refund fees for overpayment or services not provided.

20 17. Detain an animal that is the subject of any violation of law, or whose owner is
21 accused of violating any law relating to that animal, and collect from the owner all costs of detainment,
22 care, feeding, and disposition.



1 18. Direct disposition of dangerous animals to a secured animal shelter as provided for in
2 this Chapter.

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

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

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

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

10 Section 6. Section 9.25.035 of the Seattle Municipal Code is amended as follows:

11 **9.25.035 Declaration that an animal is ~~((vicious or))~~ dangerous ~~((Order of humane~~
12 ~~disposal))~~ Disposition; Right to meeting.**

13 A. The Director, upon the petition of any person, or at his or her own discretion, may conduct an
14 investigation, and if the findings of the investigation so indicate, he or she may declare an animal to be
15 ~~((vicious or))~~ dangerous ~~((, and))~~. If a domestic animal is found to be dangerous, the Director shall enter
16 an order so stating and shall direct either: ~~((may order))~~ 1) humane disposal of the animal; or 2) that the
17 animal be sent at the owner's expense to a secure animal shelter. The owner is responsible for paying all
18 fees owed to the City for the care of the animal.

19 B. Before declaring an animal to be ~~((vicious or))~~ dangerous or directing the disposition of the
20 animal, the Director shall notify the owner in writing of the reasons why the animal is believed to be
21 ~~((vicious or))~~ dangerous ~~((and subject to humane disposal))~~, the proposed disposition of the animal, the
22 authority for the proposed action, and that the Director will make a final determination after the
23 expiration of twenty (20) days following service of the notice, or, if sent by certified mail, within twenty
24 (20) days after the date of delivery as shown on the returned receipt. In addition, the notice shall inform



1 the owner that he or she will be provided an opportunity to meet with the Director (~~or the Manager of~~
2 ~~the Animal Control Division as the Director's designee~~), at which meeting the owner may give, orally
3 (~~and~~) or in writing, any reasons or information as to why the animal should not be (~~destroyed~~)
4 declared to be dangerous, or why the Director should direct that the animal be sent to a secure animal
5 shelter instead of directing humane disposal. The notice shall state the date, time and location of the
6 meeting, which will occur prior to the expiration of twenty (20) days following delivery of the notice.
7 The notice shall be sent by regular and certified mail, return receipt requested, or delivered in person to
8 the owner at the owner's last address known to the Director.

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

13 ((C)) D. In the event the Director finds an animal to be (~~vicious or~~) dangerous (~~and orders~~
14 ~~humane disposal~~), and directs disposition of the animal, the declaration and (~~order~~) directive shall be
15 in writing in the form of an order, and shall include a recital of the authority for the action, a brief and
16 concise statement of the facts (~~which constitute the grounds for ordering humane disposal~~) that
17 supports the disposition, and contain the Director's signature. A copy of the order, including notice of
18 the right to appeal, shall be sent by regular and certified mail, return receipt requested, or delivered in
19 person to the owner.



1 Section 7. Section 9.25.036 of the Seattle Municipal Code is amended as follows:

2 **9.25.036 Appeal of Director's ~~((order))~~ determination.**

3 **Appeal.**

4 A. Availability of Appeal. An owner may appeal a determination of the Director declaring an
5 animal to be dangerous or ~~((ordering))~~ directing the ~~((humane disposal))~~ disposition of an ~~((vicious or~~
6 dangerous)) animal ~~((to the office of the Hearing Examiner))~~ by filing a notice of appeal and written
7 request for a hearing, with the Hearing Examiner by five o'clock (5:00 p.m.) on the tenth (10) calendar
8 day ~~((within ten (10) days))~~ after the date of delivery of the Director's order. ~~((;))~~ A notice that an animal
9 is to be humanely disposed of that is based either on a conviction of the animal's owner of possessing a
10 dangerous animal or on a conviction of the animal's owner of negligent control of an animal may not be
11 appealed under this Section. The date of delivery of the Director's order shall be the date evidenced by a
12 ~~((as noted by the))~~ signed returned receipt, an affidavit of service, or three days after the date of mailing
13 as shown in a declaration of mailing. When the last day of the appeal period falls on a Saturday,
14 Sunday, or City holiday, the period shall run until five o'clock p.m. (5:00 p.m.) on the next business day.
15 ~~((and mailing a copy of the notice to the Director. The Hearing Examiner may allow an appeal filed after~~
16 ~~the tenth day but within thirty (30) days of the date of delivery of the order, as noted by the signed return~~
17 ~~receipt, if the Hearing Examiner is satisfied that the delay in filing the appeal occurred as a result of~~
18 ~~circumstances beyond the control of the owner/appellant, and that the owner/appellant filed the notice as~~
19 ~~soon as he or she could reasonably do so.))~~

20 B. ~~((An order for humane disposal that is not appealed shall be final and authorize the~~
21 ~~animal's humane disposal.))~~ Process.

22 1. An appeal shall conform to the requirements of Hearing Examiner Rule 3.01(d) in
23 that it must be in writing, and contain the following:
24



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

3 (b) A brief statement of the owner's issues on appeal, noting owner's specific exceptions
4 and objections to the Director's Determination and Order;

5 (c) The relief requested, such as reversal of the Director's Order;

6 (d) Signature, address, and phone number of the owner, and name and address
7 of owner's designated representative, if any.

8 2. The Hearing Examiner shall summarily dismiss an appeal without hearing which
9 the Hearing Examiner determines to be without merit on its face, frivolous, or brought merely to secure
10 a delay.

11 3. Any person beneficially interested or the Director shall only obtain judicial review
12 of the Hearing Examiner's decision by applying for a Writ of Review in the Superior Court of
13 Washington in and for King County in accordance with the procedure set forth in Chapter 7.16 RCW
14 and other applicable law and local court rules within ten (10) days of the date of the decision.

15 C. Standard of Review. Appeals shall be considered *de novo*. The owner shall have the burden
16 of proving by a preponderance of the evidence that the Director's decision was incorrect. In the case of
17 an order ordering the humane disposal of exotic animals or livestock under SMC 9.25.030(A)(4), the
18 owner shall have the burden of proving that a reasonable alternative disposition is available. In the case
19 of a directive of humane disposal for dangerous animals, the owner shall have the burden of proving that
20 the Director's decision not to allow the animal to be sent to a secure animal shelter was arbitrary and
21 capricious.

22 Section 8. Section 9.25.037 of the Seattle Municipal Code is amended as follows:

23 **9.25.037 Authority of Hearing Examiner.**



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

6 ~~((B. The Hearing Examiner shall have the power to:~~

- 7 ~~1. With the owner's consent, authorize an alternate disposition, such as placement of a dangerous~~
8 ~~animal in a zoological garden, or, if a snake, in a herpetarium;~~
9 ~~2. Assess the costs of care and feeding of the animal while in City detention; and/or~~
10 ~~3. Stay on order affirming the Director's order for humane disposal to allow an owner an~~
11 ~~opportunity to seek judicial review.~~

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

14 B. Hearing Examiner's Authority.

15 1. The Hearing Examiner may affirm or reverse the Director's decision in whole or
16 in part, or remand the decision to the Director for further consideration.

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

19 Section 9. Section 9.25.045 of the Seattle Municipal Code is amended as follows:

20 **9.25.045 Municipal Spay and Neuter Clinic.**

21 A. There shall be a Municipal Spay and Neuter Clinic, as provided by Ordinance 107631, at
22 which members of the public may have cats and dogs spayed or neutered in a humane manner upon
23 payment of fees as provided by the Animal Fee Ordinance (Seattle Municipal Code Chapter 9.26).
24



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

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

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

8 Section 10. Section 9.25.046 of the Seattle Municipal Code is amended as follows:

9 **9.25.046 Waiver of City liability.**

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

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

17 Section 11. Section 9.25.047 of the Seattle Municipal Code is amended as follows:

18 **9.25.047 Return date establishment.**

19 The Director shall establish a return date by which persons submitting animals for any of the
20 services identified in Section 9.25.045 of this chapter shall pick up said animals or be subject to a
21 reasonable board and care fee to commence on the day after such a return date. Failure to pick up an
22 animal within five (5) days of said return date shall be deemed abandonment of such animal. The
23
24



1 Director shall serve notice upon the owner or mail notice by regular and certified mail, return receipt
2 requested, and if fees are not paid, the Director may dispose of it by adoption or euthanasia.

3 Section 12. Section 9.25.048 of the Seattle Municipal Code is recodified in Section 9.25.045 and
4 Section 9.25.048 is repealed:

5 Section 13. There is added to the Seattle Municipal Code Chapter 9.25 a new Section 9.25.049
6 as follows:

7 **9.25.049 Rabies vaccination required.**

8 All dogs and cats four (4) months of age or older shall be vaccinated against rabies.

9 Section 14. Section 9.25.050 of the Seattle Municipal Code is amended as follows:

10 **9.25.050 Animal licenses and permits generally.**

11 A. The following animal licenses shall be required: potbelly pig, cat, and dog licenses, guard and
12 attack dog licenses, and ~~((dangerous))~~ exotic animal ~~((licenses))~~ permits.

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

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

18 ~~((D))~~ B. Licenses and permits are not transferable.

19 ~~((E))~~ C. Applications for licenses and permits shall be made on forms approved by the Director
20 and shall be accompanied by the fee set by the Animal Fee Ordinance (Seattle Municipal Code Chapter
21 9.26) and, in the case of cat or dog licenses, proof of alteration if the animal is altered. Licenses shall be
22 issued in the name of the owner, and shall be numbered. Licenses shall be issued for a twelve (12)
23 month period ~~((or a two-year period. A provisional license may be issued for dogs or cats as provided in~~



1 ~~Section 9.26.020 C.~~)and may include a twelve (12) month renewal. A provisional cat or dog license
2 shall be for a six-month period. Guard or Attack Dog licenses shall be issued for a twelve (12) month
3 period only upon the applicant's compliance with Section 9.25.054. Each permit or subsequent license
4 renewal for the same animal shall commence from the expiration date of the last valid license or permit.

5 D. A City of Seattle animal license does not relieve the owner of the obligation to obtain any
6 other permit or license otherwise required by local, state or federal law.

7 Section 15. Section 9.25.051 of the Seattle Municipal Code is amended as follows:

8 **9.25.051 Cat and dog licenses.**

9 Any owner of a ((weaned)) cat or dog over the age of eight (8) weeks must obtain a valid license
10 for each such animal. Within thirty (30) days of entry of any cat or dog into The City of Seattle, the
11 owner of the cat or dog must obtain a valid license for each such animal.

12 Section 16. Section 9.25.052 of the Seattle Municipal Code is amended as follows:

13 **9.25.052 ((Miniature p)) Potbelly pig licenses.**

14 No potbelly pig may be kept as a domestic pet in the city if it is greater than twenty-two inches
15 (22") in height at the shoulder or more than one hundred fifty (150) pounds in weight. Within thirty (30)
16 days of entry of any ((miniature)) potbelly pig into The City of Seattle, the owner of the pig must obtain
17 a valid license for each such animal. Along with the fee for such license or renewal, the owner must
18 present the following: proof that the pig is spayed or neutered; certification by a licensed veterinarian
19 that the pig has current vaccinations; certification within the prior thirty (30) days by a licensed
20 veterinarian of the weight of the pig; certification within the prior thirty (30) days by a licensed
21 veterinarian that no tusk appears outside of the mouth of the pig when the mouth is closed; and the
22 address of the property and description of the physical location(s) on the property where the pig will be
23 kept.



1 Section 17. Section 9.25.053 of the Seattle Municipal Code is amended as follows:

2 **9.25.053 ((~~Dangerous~~)) Exotic animals.**

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

12 B. If a permit for an exotic animal is granted pursuant to Subsection A, the owner of such exotic
13 animal must at all times keep the animal under control.

14 Section 18. Section 9.25.054 of the Seattle Municipal Code is amended as follows:

15 **9.25.054 Guard or attack dog license-Proof of insurance-**
16 **Posting notice and license.**

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

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

20 1. The name and address of the owner of the guard or attack dog, a description of the
21 dog, and the address and business name (if any) of the premises the dog will guard;

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



1 3. Proof of a policy of public liability insurance, such as homeowner's insurance, issued
2 by an insurer authorized to do business in the State of Washington in an amount of at least One Hundred
3 Thousand Dollars (\$100,000.00) (~~Fifty Thousand Dollars (\$50,000.00)~~), insuring the owner on account
4 of any liability for claims for death or personal injury inflicted by the guard or attack dog to any person;
5 and

6 4. Proof of microchip identification, microchip number and identification of the date and
7 location of microchip implant.

8 ~~((4))~~5. Such other information as the Director may reasonably require.

9 C. The applicant shall certify that:

10 1. The premises the dog will guard are adequately secured for the safety of the public;
11 2. Signs are displayed on the premises at all entrances and at thirty (30) foot intervals
12 clearly warning that a guard or attack dog is on duty; and

13 3. The ~~((user))~~ owner of the guard or attack dog is aware of and understands the
14 aggressive nature of the dog, certifies under penalty of perjury that the dog has been trained as a guard or
15 attack dog, and can demonstrate total voice control of the dog.

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

18 E. The premises where a guard or attack dog is to be located shall be subject to inspection by the
19 Director prior to approval of the license. Upon inspection by an Animal Control Officer, the applicant
20 may be requested to provide proof of compliance with the requirements of this Section.

21 F. It shall be the responsibility of the owner of a guard or attack dog to make application with
22 the Seattle Animal Control for a guard or attack dog license annually before the date of expiration of the
23 previous license.



1 Section 19. Section 9.25.080 of the Seattle Municipal Code is amended as follows:

2 **9.25.080 Offenses relating to licensing.**

3 It is unlawful for the owner of any animal to:

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

6 B. Fail to display conspicuously the current and valid license identification on the licensed
7 animal provided that cats need not display a license identification tag if the cat is licensed and has been
8 implanted with microchip identification and the microchip number is registered with Seattle Animal

9 Control;

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

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

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

14 F. Alter a license in any manner;

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

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

20 I. Remove a microchip implanted in an animal by the City for identification purposes.

21 Section 20. Section 9.25.081 of the Seattle Municipal Code is amended as follows:

22 **9.25.081 Offenses relating to cruelty.**

23 It is unlawful for any person to:

24



1 A. Injure, kill, or physically mistreat any animal under circumstances not amounting to first
2 degree animal cruelty as defined in (~~Section 8, Chapter 261, Laws of 1994~~) RCW 16.52.205, except as
3 is expressly permitted by law;

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

9 C. Set or bait any trap, except for rats or mice, unless (~~appointed by the Director~~) a permit to
10 do so has been issued as provided for in subsection 9.25.030.A. 13;

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

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

14 F. Tether or confine any animal in such a manner or in such a place as to cause injury or pain not
15 amounting to first degree animal cruelty defined in (~~Section 8, Chapter 261, Laws of 1994~~), RCW
16 16.52.205, or to endanger an animal; or to keep an animal in quarters that are injurious to the animal due
17 to inadequate protection from heat or cold, or that are of insufficient size to permit the animal to move
18 about freely;

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

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



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

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

8 K. Abandon any animal.

9 Section 21. Section 9.25.082 of the Seattle Municipal Code is amended as follows:

10 **9.25.082 Offenses relating to safety and sanitation.**

11 It is unlawful for an owner to:

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

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

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

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



1 Owners of ~~((duly licensed guide))~~ service dogs shall be exempted from subsections B and C of
2 this section.

3 Section 22. Section 9.25.083 of the Seattle Municipal Code is amended as follows:

4 **9.25.083 Owing ~~((vicious))~~ dangerous animals prohibited -Exception.**

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

8 B. An animal whose owner is convicted of or pleads guilty to violating this section shall be
9 humanely destroyed.

10 Section 23. Section 9.25.084 of the Seattle Municipal Code is amended as follows:

11 **9.25.084 Offenses relating to control.**

12 It is unlawful for the owner to:

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

16 It is not a violation of this subsection to have a dog off-leash in an area designated pursuant to Section
17 18.12.080 as an off-lease area provided that the requirements of Section 18.12.080 B are met.

18 B. Permit any cat, dog, potbelly pig or other animal to enter any public fountain, or any school
19 ground while school is in session or during after-school activities It is not a violation of this subsection
20 for an owner to permit an animal to enter on to any school ground when school is not in session and no
21 after-school activities are taking place if the animal is on leash and the owner has in his or her immediate
22 possession a device to remove properly any feces the animal may deposit on school grounds;



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

4 D. Permit any animal:

- 5 1. To damage public property or the private property of another, or
6 2. To bark, whine, howl, or otherwise vocalize in violation of Chapter 25.08 of the
7 Seattle Municipal Code (Noise Ordinance 106360) or its successor ordinance, or
8 3. To spread or spill garbage;

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

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

15 Section 24. Section 9.25.085 of the Seattle Municipal Code is amended as follows:

16 **9.25.085 Offenses relating to sale of animals.**

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

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

20 B. Sell any animal known to be ((vicious)) dangerous;

21 C. Sell any ((dangerous)) exotic animal except to zoos or other facilities possessing or
22 maintaining dangerous animals which are owned by any city, county, state, or federal agency or school,
23 college, university or similar educational facility.
24



1 Section 25. Section 9.25.090 of the Seattle Municipal Code is amended as follows:

2 **9.25.090 Detainment and disposal.**

3 A. No detained animal shall be released to the owner until all applicable fees are paid and
4 licenses obtained except as otherwise provided in this Chapter.

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

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

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

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

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

21 G. The Director of Public Health may direct the detention of animals suspected of having rabies.
22 These animals shall be held until their release is approved by the Director of Public Health, and all
23 applicable fees are paid.
24



1 Section 26. Section 9.25.092 of the Seattle Municipal Code is amended as follows:

2 **9.25.092 Nuisance animals.**

3 A. Any animal which, by its actions or condition, presents a clear and present threat to the public
4 peace, health, or safety is a nuisance and may be summarily detained pending correction of the
5 condition, or pending the owner's trial, hearing, appeal or other judicial proceedings for violation of this
6 chapter or any other provision of law.

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

12 C. In addition, nothing shall prevent prosecution of owners of noisy animals under Chapter
13 25.08 of the Seattle Municipal Code (Noise Ordinance 106360) or its successor ordinance.

14 Section 27. Section 9.25.100 of the Seattle Municipal Code is amended as follows:

15 **9.25.100 Penalty clause.**

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

21 B. Conduct made unlawful by Sections 9.25.081 B and 9.25.081 I of this chapter constitutes a
22 gross misdemeanor subject to the provisions of Section 12A.02.010 and 12A.02.020 of the Seattle
23 Municipal Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by
24



1 a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for no more than three
2 hundred sixty-five (365) days, or by both such fine and imprisonment.

3 C. Conduct made unlawful by Sections 9.25.081 A, 9.25.081 C, 9.25.081 D, 9.25.081 E,
4 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
5 misdemeanor subject to the provisions of Sections 12A.02.010 and 12A.02.20 of the Seattle Municipal
6 Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by a fine of
7 not more than One Thousand Dollars (\$1,000.00) or by imprisonment for no more than ninety (90) days,
8 or by both such fine and imprisonment.

9 D. Conduct made unlawful by any other section of this chapter is a violation and any person
10 found to have committed a violation may be punished by a civil fine or forfeiture of not more than Five
11 Hundred Dollars (\$500.00), but a finding that a violation was committed shall not give rise to any
12 disability or legal disadvantage based on the conviction of a criminal offense. ~~((Failure to have
13 obtained, prior to December 1, 1997, a dog, cat, or potbelly pig license as required by Section 9.25.048,
14 9.25.051, or 9.25.052 shall not subject the owner to the civil fine or forfeiture established in this
15 subsection if, not later than December 31, 1997: (1) a current license is obtained for the animal; or (2) if
16 the owner has disposed of the animal, the owner notifies the Director of the disposition.))~~ Disposition
17 of violations under this chapter shall be governed by the procedures for disposition of traffic infractions
18 under Seattle Municipal Code Chapter 11.31 .

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

22 F. Any person whose guard or attack dog license is revoked, suspended, or denied shall
23 surrender all of his or her guard or attack dogs to the Director to be disposed of in a humane manner.
24



1 G. Any person whose cat or dog license is revoked, suspended, or denied shall surrender all of
2 his or her cats and dogs to the Director (~~((to be disposed of in a humane manner))~~).

3 Section 28. Section 9.25.110 of the Seattle Municipal Code is amended as follows:

4 **9.25.110 Denial, suspension, or revocation of license-
5 Order.**

6 The Director (~~((may))~~) shall deny, suspend, or revoke a license for an animal found to be a
7 "~~((vicious))~~ dangerous animal," in any jurisdiction, and may deny, suspend, or revoke (~~((and))~~) a license
8 for a guard or attack animal under Section 9.25.054 upon determining that the applicant or licensee has
9 violated or failed to comply with any provision of this chapter. The denial, suspension, or revocation of
10 a license shall be in writing in the form of an order, and shall include a recital of the authority for the
11 action, a brief and concise statement of facts which constitute the grounds for the denial, and the
12 Director's signature. A copy of the order, including notice of the right to a hearing, shall be mailed to
13 the applicant.

14 Section 29. Section 9.26.020 of the Seattle Municipal Code is amended as follows:

15 **9.26.020 Cat or dog license fee-Renewal.**

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

17 1. Cats

18 Altered\$10.00
19 Unaltered.....20.00

20 2. Dogs

21 Altered.....15.00
22 Unaltered.....33.00

23 B. The fee for each cat or dog license for an annual license with a twelve (12) month (~~((a two-
24 year period of))~~) renewal shall be:

1. Cats

Altered.....17.00



1 Unaltered35.00

2 2. Dogs

3 Altered25.00

4 Unaltered55.00

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

10 1. Cats\$5.00

11 2. Dogs8.00

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

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

15 \$10.00

16 ((E. Guide or service dog for the handicapped No fee))

17 F. Dog or cat owned by a member of the diplomatic or consular corps of a country having a
18 treaty with the United States granting immunity from local law, upon submission of proof of such status

19 No fee

20 G. Dog or cat owned by a person possessing a valid "senior citizen's identification card" or
21 "handicapped person's identification card" issued by The City of Seattle Human ((Resourees)) Services

22 Department. Fifty

23 (50) percent of license fee otherwise payable

24



1 H. Lost cat, ~~((or))~~ dog or potbelly pig license tag, ~~((upon submission of affidavit attesting to~~
2 ~~loss))~~

32.00

4 Section 30. Section 9.26.025 of the Seattle Municipal Code is amended as follows:

5 **9.26.025 ~~((Miniature))~~~~((p))~~Potbelly pig license fee.**

6 A. The fee for the initial annual potbelly pig license shall be One Hundred Fifteen Dollars
7 (\$115.00).

8 B. The fee for each annual period of license renewal for ~~((miniature))~~ potbelly pigs shall be
9 Twenty-five Dollars (\$25.00).

10 C. Late fee for renewal of a potbelly pig license more than thirty (30) days after its expiration

11\$10.00

12 Section 31. Section 9.26.040 of the Seattle Municipal Code is amended as follows:

13 **9.26.040 Guard or attack dog license.**

14 The annual fee for each guard dog or attack dog license shall be Fifty-five Dollars (\$55).

15 Section 32. Section 9.26.050 of the Seattle Municipal Code is amended as follows:

16 **9.26.050 Other animal control fees and charges.**

17 Other animal control fees shall be:

18 A. Administrative fee for each detained animal:

19 First detainment\$ 40.00
20 Second detainment80.00
21 Third and subsequent detainments120.00

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

23 C. For each animal adopted5.00

24 D. For each ~~((dangerous))~~ exotic animal permit30.00



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

F. For euthanizing an owner's animal15.00

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

Section 33. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 26th day of June, 2000, and signed by me in open session in authentication of its passage this 26th day of June, 2000.

Margaret Page
President _____ of the City Council

Approved by me this 3rd day of July, 2000.

Paul Schup

Mayor

Filed by me this 5th day of July, 2000.

Judith E. Peppin

City Clerk

(Seal)





City of Seattle

Paul Schell, Mayor

Executive Services Department

Dwight D. Dively, Director

MEMORANDUM

Date: January 24, 2000

To: Honorable Margaret Pageler
President, Seattle City Council

From: Dwight Dively, Director *DD*
Executive Services Department

Subject: Amending Seattle Municipal Code 9.25 & 9.26

The attached ordinance amends Chapter 9.25 (Animal Control Code) and Chapter 9.26 (Animal Fee Ordinance) of the Seattle Municipal Code. A summary of the proposed major changes with a brief history follows.

Sections 1 - 4:

Adopts the definitions of "dangerous" and "potentially dangerous" animals and "severe injury" from the State statute, in lieu of the current language referring to "vicious" animals.

The City's ordinance governing "vicious" animals was challenged recently in the Washington State Supreme Court. The Court ruled that the City's ordinance governing "vicious" animals is not preempted by State law governing "dangerous dogs." (The State uses the term "dangerous" rather than "vicious"). Establishing consistency with the State's definitions may help prevent future confusion and does not compromise the City's policy regarding humane disposition of dangerous animals. The new definitions clarify and create objectivity in what constitutes "dangerous" and "potentially dangerous" animals. The new definitions also provide for clear written notice that an animal is considered "potentially dangerous," while still allowing the City to deal effectively with an animal that severely injures a person.

Adds and expands the definitions of domestic animals, exotic animals, livestock and service animals.

These definitions clarify exactly what kind of animals are allowed in Seattle. The defined term "exotic animals" is similar to that of King County.



Sections 6, 7, 23:

Clarifies the Director's authority to detain and dispose of animals, and mandates humane disposal of animals that are declared to be dangerous or whose owners have been convicted of owning a dangerous animal.

The Washington State Supreme Court recently determined that when an animal's owner is convicted of owning a vicious (now defined as "dangerous") animal and the court does not order humane disposal of the animal, the owner is still entitled to a hearing on the disposition of the animal. The current code does not give the Director authority to allow an alternative disposition. In the past, when the Director declared an animal to be vicious (dangerous), the Director could only release the animal back to the owner or order humane destruction of the animal. However, the Supreme Court interpreted the powers of the Hearing Examiner in such a manner that would allow the Hearing Examiner to order an alternate disposition. This proposed change codifies the Department's long standing policy that if an animal is found to be dangerous, or if the owner of the animal is convicted of owning a dangerous animal, the animal is to be humanely destroyed without any further administrative process.

While there is nothing legally prohibiting the City from knowingly releasing a dangerous animal to live in another jurisdiction outside the City of Seattle, such action does not protect the safety of the public nor would it prevent the animal from returning to the City. Additionally, the City may expose itself to potential legal action should the animal injure another person outside the City. This amendment mandates humane disposal of animals that are declared dangerous by the Director or whose owners have been convicted of owning a dangerous animal in Seattle Municipal Court. The Department believes that there is no other viable alternative disposition available for dangerous animals that adequately protects public safety.

Section 8, 9:

Clarifies the authority of the Hearing Examiner and the process for appeals; specifies the standard of review on appeal, placing the burden of proof on the owner.

The code as currently written gives greater discretion to the Hearing Examiner than is given to the Director, specifically in the area of alternative dispositions of vicious (dangerous) animals. The proposed changes limit the Hearing Examiner's discretion concerning the disposition of dangerous animals to be the same as the Director. It also sets forth the burden of proof for an appeal of the Director's decision that is consistent with the burden of proof on appeal from other administrative determinations within the City.

Section 15:

Separates the rabies vaccination requirement for dogs and cats from the licensing requirement and makes the vaccination requirement a separate offense.



When the rabies vaccination requirement was implemented in 1994, a seemingly simple ordinance created a burdensome workload by requiring Animal Control staff to handle licenses numerous times, and to send out reminder letters to persons who fail to submit proper paperwork with their license application. In addition, this requirement has made the pet licensing process difficult for pet owners and, in some cases, has deterred people from getting a pet license. This proposed amendment does not compromise the rabies requirement or public safety, but allows for an easier licensing process which will help increase the number of licensed pets in our community. A letter of support from the Seattle-King County Department of Public Health is attached.

Section 19:

Increases the insurance requirement for licensed guard dogs from \$50,000 to \$100,000.

In reviewing the risk associated with owning a licensed guard dog, the City's Risk Manager recommended raising the insurance amount to the specified minimum.

Section 20:

Exempts cats from the requirement to display a pet license if the cat is microchipped and the microchip number is registered with Animal Control.

This amendment was proposed by Animal Control Commissioner, Dr. Gordon Leighton, and has been recommended by cat owners for several years. Since the City has historically chosen to exempt cats from the leash law, they are at an increased risk of injury by getting their collars hung up on a tree or fence, not to mention the fact that many cats refuse to wear collars. Lost cats that come to the Seattle Animal Shelter are scanned for a microchip. The microchip number is traced and the owner is notified.

Section 23:

Allows animals on school grounds under certain conditions.

ESD contacted the Seattle Public School District to ascertain whether they wanted to amend 9.25.084 (B) to allow animals to enter school grounds. Presently, under the SMC, all animals are prohibited from school grounds at any time. The signage presently contained on various school grounds is confusing since some of the signage states that dogs must be on leash. (This suggests that dogs are presently allowed on school grounds if on leash—which is not the case). When questioned, the Seattle Public School's Director of Logistics stated that he favored having dogs on school property since people with their pets on school grounds reduces vandalism and drug activity. A letter from Seattle Public School's General Counsel is attached stating that they prefer animals on school grounds at certain times with the provision that any feces be removed by the pet owner. The ordinance is amended to reflect the Seattle School District's desires.



Section 30:

Eliminates the free City issued "Guide or Service Dog License."

The Seattle Office of Civil Rights recommended this change. In their recommendations, OCR noted that license tags with this specification could give places of public accommodation the mistaken impression that the City screens and licenses all service animals. The City does not screen applicants or their animals, making the licensing program easily subject to fraud by those who are not entitled to protection under the Americans With Disabilities Act. The issuance of local service animal licenses is of little benefit because owners of "service animals" are afforded protection under ADA, regardless of whether the animal has an actual "service animal" license. Owners of service animals still must obtain a regular license, but may receive a 50% discount on the license fee by showing the City of Seattle's identification card. A copy of the memorandum received from the Seattle Office for Civil Rights is attached.

The attached legislation is a companion to an ordinance relating to exotic animals, which will be considered by the Parks and Culture Committee on February 9, 1999. Both pieces of legislation amend the same chapter of the Municipal Code. We have ensured that definitions common to both ordinances remain consistent.

If you have any questions or would like an individual briefing on this matter, please contact Mel McDonald, Director of the Revenue and Consumer Affairs Division at 233-0071, or Don Jordan, Manager of Animal Control at 386-4286.





City of Seattle
Paul Schell, Mayor

King County
Ron Sims, Executive

RECEIVED

AUG 6 1999

Seattle-King County Department of Public Health **ANIMAL CONTROL**

Alonzo L. Plough, Ph.D., MPH, Director

August 4, 1999

Mr. Donald E. Jordan
Seattle Animal Control
2061 15th Avenue West
Seattle, WA 98119

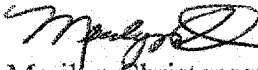
Dear Mr. Jordan:

I have reviewed the proposed code changes and as presented do not see the separation of the rabies vaccination requirement from that of licensing to be detrimental to the protection of health or the ability to provide an effective rabies control program.

As we discussed, proof of the vaccine is the paperwork provided by the veterinarian which specifically identifies the animal and the vaccine given. Many veterinarians do not provide tags, those that are lost cannot be re-issued without another vaccination and tags can be moved from one animal to another. Requiring the tag to be worn is not adequate proof of vaccination.

Dr. John Grendon, a veterinary epidemiologist from the Washington State Department of Health and Dr. Kathleen Connell, the Assistant State Veterinarian, have also reviewed the changes.

Sincerely,


Marilyn Christensen, DVM
Public Health Veterinarian
Public Health-Seattle & King County

MC:dm





The Seattle Public Schools

OFFICE OF THE GENERAL COUNSEL • 815 Fourth Avenue North M/S AA-151 • Seattle, Washington 98109 (206) 298-7110

General Counsel

Mark S. Green

FAX: 298-7111

Deputy General Counsel

Brenda J. Little

Assistant General Counsel

December 15, 1999

Esther L. Ervin
Ronald J. English
John M. Cerqui

Mel McDonald
City of Seattle
Revenue & Consumer Affairs
Executive Services Department
600 - 4th Avenue #103
Seattle, Washington 98104-1891

Re: Pet Ordinance

Dear Mr. McDonald:

We understand the City of Seattle is considering revising its ordinance regarding offenses relating to the control of pets on school grounds. Ordinance No. 9.25.084B. The Seattle School District is strongly opposed to any change that would permit pets on school grounds during school hours. As Dan Graczyk, the Director of Logistics, has previously indicated, the District is not opposed to the responsible use of our properties by pet owners when school is not in session. We would suggest the following amendment to the ordinance:

It is unlawful for the owner to:

- B. Permit any cat, dog, potbelly pig or other animal to enter any public fountain, or on to any school ground while school is in session or during after-school activities. However, it lawful for the owner to permit an animal to enter on to any school ground while school is not in session or after-school activities are not in progress, provided that the animal is leashed or constrained mechanically by its attendant, and the attendant is prepared to remove properly any feces the animal may deposit and do so in all cases. (new text underlined)

Very truly yours,

Mark S. Green
General Counsel

MSG:js

cc: Dan Graczyk
Larry Farrar
Education Directors



MEMORANDUM

DATE: July 20, 1999

TO: Don Jordan, Manager
Seattle Animal Control

FROM: Samuel Hendricks, Civil Rights Policy Analyst
Seattle Office for Civil Rights (SOCR)

CC: Dwight Dively, ESD
Germaine W. Covington, SOCR

SUBJECT: Service Animal Licenses

Thank you for taking the time on July 19 to speak with me about Seattle's Animal Fee Ordinance (SMC 9.26). Until I received a copy of your draft amendments to this ordinance, I was unaware that the City issues tags which officially designate some dogs as service animals. As the Citywide ADA Access Coordinator, I have several concerns about this practice. Although the ordinance changes you propose do clarify the definition of a "service animal," they do not address the fundamental problems with the service animal license classification.

Based on my recent conversations with federal ADA authorities and local disability interest groups, I strongly recommend that this category of license be eliminated completely. I make this recommendation for the following reasons:

1. Tags issued with this specific classification could give places of public accommodation the mistaken impression that the City screens and licenses all service animals. This may result in instances of business owners denying access to people with disabilities simply because their service animals lack this tag. The U.S. Department of Justice has issued clear guidelines prohibiting public accommodations from using local service animal licensing as a prerequisite for admission. Although the federal government does not ban local licensing programs, they are clearly seen as impediment to access by ADA enforcement authorities.¹
2. The City does not adequately screen applicants or their animals, making the licensing program easily subject to fraud by those who are not entitled to protection under the ADA. Currently, service animal tags are given out upon request, without any call for documentation of disability or of completed service animal training. When one considers the full range of physical,

¹ Americans with Disabilities Act Title III Technical Assistance Manual, U.S. Department of Justice, Section III-4.2300.



sensory, and mental disabilities which are now associated with the use of service animals, making an informed decision regarding ADA eligibility is a complicated matter. As we discussed, Seattle Animal Control (SAC) is not likely to have the staff resources to create and implement an effective screening program now or in the future.

3. By continuing to issue service animal licenses, SAC could be working at cross purposes with SOCR. If an SOCR public accommodations investigation were to conclude that a charging party has no legal basis for use of a service animal, the possibility of the person possessing a valid Service Animal License issued by another City department could unnecessarily complicate the investigation, leaving our findings open to undue criticism. Given the recent press attention devoted to service animals, and the resulting public interest in the issue, it is doubly important that SOCR and SAC be on the same page.

As we discussed, the discontinuation of these licenses is unlikely to have a major impact on the community, considering the relatively low number of tags currently issued. Although some licensees may find it useful to have official tags to show when challenged, I believe the negative impact of the current policy outweighs the benefit. I spoke recently with two ADA legal experts and disability advocates regarding the idea of discontinuing this license category. Lonnie Davis, Legal Advisor for the Washington Coalition of Citizens with Disabilities, and Toby Olsen, Executive Director of the Governor's Committee on Disability Issues and Employment, both agreed that the issuance of local of service animal licenses is of little benefit.

I hope this information is helpful to you. I would be happy to participate in further discussion on this subject. Please feel free to call me with questions or comments at 684-0207.



ORDINANCE _____

AN ORDINANCE relating to Animal Control; adding definitions of dangerous and potentially dangerous animals; adding and expanding definitions of different classifications of animals; clarifying the Director's authority to detain and dispose of certain animals; amending the appeals process and the authority of the Hearing Examiner on appeal; separating the licensing requirement from the vaccination requirement; increasing the insurance requirement for guard dogs, granting an exemption to the requirement to display a current license and amending Chapter 9.25 and Chapter 9.26 of the Seattle Municipal Code in accordance therewith.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 9.25.020 of the Seattle Municipal Code is amended as follows:

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.

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

C. "Animal" means any living non-human mammal, bird, reptile, or amphibian.

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

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.

~~((D))~~F. "City" means The City of Seattle.



1 ~~((E))G. "Dangerous animal" means any animal (~~(, other than the common household cat or dog,~~~~
2 ~~bees or other insects specifically provided for by ordinance, that is capable of killing or seriously~~
3 ~~injuring a human being)) that according to the records of the appropriate authority, (a) has inflicted~~
4 ~~severe injury on a human being without provocation on public or private property, (b) has killed a~~
5 ~~domestic animal without provocation while off the owner's property, or (c) has been previously found to~~
6 ~~be potentially dangerous, the owner having received notice of such and the animal again aggressively~~
7 ~~bites, attacks, or endangers the safety of humans or domestic animals.~~

8 ((F))H. "Director" means the Executive Services Director of the City of Seattle or his/her
9 authorized representative.

10 ((G))I. "Department" means the Executive Services Department of the City of Seattle.

11 ((H))J. "Disposed of in a humane manner" means euthanized by a lethal dose of sodium
12 pentobarbital or its equivalent.

13 ((I))K. "Detain" means to place an animal in custody.

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

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

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



1 M. "Exotic animal" means any species of animal that is both non-domestic and capable of
2 killing or seriously injuring a human being. The definition of "exotic animal" contained in this section
3 includes but is not limited to:

- 4 1. All animals of the order Primates (as primates) except humans;
- 5 2. All animals of the family Canidae (as wolves, jackals, or foxes) and their hybrid, except for
6 the domestic dog Canis familiaris;
- 7 3. All animals of the family Felidae (as lions, tigers, jaguars, leopards, cougars, or cheetahs)
8 and their hybrid, except for the domestic cat Felis catus;
- 9 4. All animals of the family Ursidae (as bears);
- 10 5. All animals of the family Hyaenidae (as hyenas);
- 11 6. All animals of the order Crocodylia (as alligators, crocodiles, gavials, or caimans);
- 12 7. All animals of the family Elephantidae (as elephants);
- 13 8. All animals of the order Perissodactyla (as rhinoceroses or tapirs);
- 14 9. All animals of the order Artiodactyla (as camels, giraffes, or hippopotamuses);
- 15 10. All venomous reptiles and amphibians, regardless of whether the venom glands have been
16 removed; and
- 17 11. All snakes that are eight (8) feet or more in length.

18 Section 2. Section 9.25.021 of the Seattle Municipal Code is amended as follows:

19 **9.25.021 Definitions F - J.**

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

22 A. "Guard dog" or "attack dog" means an((y)) animal in the taxonomic classification Canis
23 Familiaris (also referred to as the common household dog) ((member of the dog family (Canidae))), not
24



1 owned by a government agency, which has been trained and is used for the purpose of protecting persons
2 or property by exhibiting hostile and aggressive propensities, or which will attack on signal or command.

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

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

9 Section 3. Section 9.25.023 of the Seattle Municipal Code is amended as follows:

10 **9.25.023 Definitions-P - T.**

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

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

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

17 C. "Potentially dangerous animal" means any animal that when unprovoked: (a) Inflicts bites on
18 a human or a domestic animal either on public or private property, or (b) chases or approaches a person
19 on public property or on private property (other than that of the animal's owner) in a menacing fashion
20 or apparent attitude of attack, or any animal with a known propensity, tendency, or disposition to attack
21 unprovoked, to cause injury, or to otherwise threaten the safety of humans or domestic animals.

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



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

4 ~~((C))~~ F. "Trespassing" means any animal which enters upon the property of another person
5 without the authorization of the lawful occupant.

6 Section 4. Section 9.25.024 of the Seattle Municipal Code is repealed.

7 Section 5. Section 9.25.030 of the Seattle Municipal Code is amended as follows:

8 **9.25.030 Authority of the Director.**

9 A. The Director is authorized to:

- 10 1. Make rules for the interpretation and implementation of this chapter, pursuant to the
11 Administrative Code;
- 12 2. Accept the surrender of animals to the City Animal Shelter;
- 13 3. Permit or deny adoption from the City Animal Shelter of animals that have been
14 surrendered to the City, or which are stray or under detainment and unclaimed after the expiration of a
15 holding period;
- 16 4. Direct immediate humane disposal of:
- 17 (a) any exotic animal;
- 18 (b) any animal surrendered to the City for humane disposal;~~((, or (b)))~~
- 19 (c) any animal determined by the Seattle Municipal Court or any other court of
20 law to be a nuisance;~~((;)) ((vicious, or dangerous, or (e)))~~
- 21 (d) any animal involved in a court proceeding in which the owner pled guilty or
22 or in which the owner pled guilty or was found to be guilty of negligent
control of an animal;~~((; (d)))~~
- 23 (e) any animal unclaimed after the expiration of a holding period;~~((, or (e)))~~
- 24



1 (f) any animal determined by the Director to be ~~((vicious or))~~ dangerous pursuant
2 to SMC Section 9.25.035;

3 5. Detain animals found to be unlicensed, or abandoned, or at large, or in inhumane
4 conditions, or to be a nuisance, or to be ~~((vicious))~~ exotic or dangerous, or otherwise found to be in a
5 circumstance violative of this chapter or any other provision of law;

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

9 7. Appoint agents for the collection of pig, dog and cat license fees and other fees
10 established by Chapter 9.26 of the Seattle Municipal Code, including past due fees and penalties;

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

12 9. Administer the City Animal Shelter;

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

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

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

19 13. Appoint persons experienced in the humane trapping of animals to set and bait a trap
20 or use other devices that do not physically harm an animal trapped, when, in the judgment of the
21 Director, such action will protect the public peace, health, safety and welfare and issue live animal
22 trapping permits as authorized by the Director of Finance by rule;



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

3 15. Direct disposition of exotic animals, including but not limited to transfer to a
4 zoological garden or herpetarium.

5 16. Refund fees for overpayment or services not provided.

6 17. Detain an animal that is the subject of any violation of law, or whose owner is
7 accused of violating any law relating to that animal, and collect from the owner all costs of detainment,
8 care, feeding, and disposition.

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

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

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

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

16 Section 6. Section 9.25.035 of the Seattle Municipal Code is amended as follows:

17 **9.25.035 Declaration that an animal is ~~((vicious or))~~ dangerous-Order of humane disposal;**
18 **Right to meeting.**

19 A. The Director, upon the petition of any person, or at his or her own discretion, may conduct an
20 investigation, and if the findings of the investigation so indicate, he or she may declare an animal to be
21 ~~((vicious or))~~ dangerous ~~((, and))~~. If a domestic animal is found to be dangerous, the Director shall
22 ~~((may))~~ order humane disposal of the animal.



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

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

19 Section 7. Section 9.25.036 of the Seattle Municipal Code is amended as follows:

20 **9.25.036 Appeal of Director's ~~((order))~~determination.**

21 **Appeal.**

22 A. Availability of Appeal. An owner may appeal a determination of the Director declaring an
23 animal to be dangerous or ordering the humane disposal of an ~~((vicious or dangerous))~~ animal ~~((to the
24~~



1 office of the Hearing Examiner)) by filing a notice of appeal and written request for a hearing, with the
2 Hearing Examiner by five o'clock (5:00 p.m.) on the tenth (10) calendar day ~~((within ten (10) days)~~
3 after the date of delivery of the Director's order. ~~((;))~~ An order that an animal be humanely disposed of
4 that is based either on a conviction of the animal's owner of possessing a dangerous animal or on a
5 conviction of the animal's owner of negligent control of an animal may not be appealed under this
6 Section. The date of delivery of the Director's order shall be the date evidenced by a ~~((as noted by the))~~
7 signed returned receipt, an affidavit of service, or three days after the date of mailing as shown in a
8 declaration of mailing. When the last day of the appeal period falls on a Saturday, Sunday, or City
9 holiday, the period shall run until five o'clock p.m. (5:00 p.m.) on the next business day. ~~((and mailing a~~
10 ~~copy of the notice to the Director. The Hearing Examiner may allow an appeal filed after the tenth day~~
11 ~~but within thirty (30) days of the date of delivery of the order, as noted by the signed return receipt, if the~~
12 ~~Hearing Examiner is satisfied that the delay in filing the appeal occurred as a result of circumstances~~
13 ~~beyond the control of the owner/appellant, and that the owner/appellant filed the notice as soon as he or~~
14 ~~she could reasonably do so.))~~

15 B. ~~((An order for humane disposal that is not appealed shall be final and authorize the~~
16 ~~animal's humane disposal.))~~ Process.

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

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

21 (b) A brief statement of the owner's issues on appeal, noting owner's specific exceptions
22 and objections to the Director's Determination and Order;

23 (c) The relief requested, such as reversal of the Director's Order;



1
2 (d) Signature, address, and phone number of the owner, and name and address
3 of owner's designated representative, if any.

4 2. The Hearing Examiner shall summarily dismiss an appeal without hearing which
5 the Hearing Examiner determines to be without merit on its face, frivolous, or brought merely to secure a
6 delay.

7 3. Any person beneficially interested or the Director shall only obtain judicial review
8 of the Hearing Examiner's decision by applying for a Writ of Review in the Superior Court of
9 Washington in and for King County in accordance with the procedure set forth in Chapter 7.16 RCW
10 and other applicable law and local court rules within ten (10) days of the date of the decision.

11 C. Standard of Review. Appeals shall be considered *de novo*. The owner shall have the burden
12 of proving by a preponderance of the evidence that the Director's decision was incorrect. In the case of
13 an order ordering the humane disposal of exotic animals or livestock under SMC 9.25.030(A)(4), the
14 owner shall have the burden of proving that a reasonable alternative disposition is available.

15 Section 8. Section 9.25.037 of the Seattle Municipal Code is amended as follows:

16 **9.25.037 Authority of Hearing Examiner.**

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

22 ~~((B. The Hearing Examiner shall have the power to:~~



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

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

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

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

8 B. Hearing Examiner's Authority.

9 1. The Hearing Examiner may affirm or reverse the Director's decision in whole or
10 in part, or remand the decision to the Director for further consideration.

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

13 Section 9. Section 9.25.045 of the Seattle Municipal Code is amended as follows:

14 **9.25.045 Municipal Spay and Neuter Clinic.**

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

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

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



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

3 Section 10. Section 9.25.046 of the Seattle Municipal Code is amended as follows:

4 **9.25.046 Waiver of City liability.**

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

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

12 Section 11. Section 9.25.047 of the Seattle Municipal Code is amended as follows:

13 **9.25.047 Return date establishment.**

14 The Director shall establish a return date by which persons submitting animals for any of the
15 services identified in Section 9.25.045 of this chapter shall pick up said animals or be subject to a
16 reasonable board and care fee to commence on the day after such a return date. Failure to pick up an
17 animal within five (5) days of said return date shall be deemed abandonment of such animal. The
18 Director shall serve notice upon the owner or mail notice by regular and certified mail, return receipt
19 requested, and if fees are not paid, the Director may dispose of it by adoption or euthanasia.

20 Section 12. Section 9.25.048 of the Seattle Municipal Code is recodified in Section 9.25.045 and
21 Section 9.25.048 is repealed:

22 Section 13. There is added to the Seattle Municipal Code Chapter 9.25 a new Section 9.25.049
23 as follows:
24



1 **9.25.049 Rabies vaccination required.**

2 All dogs and cats four (4) months of age or older shall be vaccinated against rabies.

3 Section 14. Section 9.25.050 of the Seattle Municipal Code is amended as follows:

4 **9.25.050 Animal licenses and permits generally.**

5 A. The following animal licenses shall be required: potbelly pig, cat, and dog licenses, guard and
6 attack dog licenses, and ~~((dangerous))~~ exotic animal ~~((licenses))~~ permits.

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

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

12 ~~((D))~~B. Licenses and permits are not transferable.

13 ~~((E))~~C. Applications for licenses and permits shall be made on forms approved by the Director
14 and shall be accompanied by the fee set by the Animal Fee Ordinance (Seattle Municipal Code Chapter
15 9.26) and, in the case of cat or dog licenses, proof of alteration if the animal is altered. Licenses shall be
16 issued in the name of the owner, and shall be numbered. Licenses shall be issued for a twelve (12)
17 month period ~~((or a two-year period. A provisional license may be issued for dogs or cats as provided in
18 Section 9.26.020 C.))~~and may include a twelve (12) month renewal. A provisional cat or dog license
19 shall be for a six-month period. Guard or Attack Dog licenses shall be issued for a twelve (12) month
20 period only upon the applicant's compliance with Section 9.25.054. Each permit or subsequent license
21 renewal for the same animal shall commence from the expiration date of the last valid license or permit.

22 D. A City of Seattle animal license does not relieve the owner of the obligation to obtain any
23 other permit or license otherwise required by local, state or federal law.



1 Section 15. Section 9.25.051 of the Seattle Municipal Code is amended as follows:

2 **9.25.051 Cat and dog licenses.**

3 Any owner of a ~~((weaned))~~ cat or dog over the age of eight (8) weeks must obtain a valid license
4 for each such animal. Within thirty (30) days of entry of any cat or dog into The City of Seattle, the
5 owner of the cat or dog must obtain a valid license for each such animal.

6 Section 16. Section 9.25.052 of the Seattle Municipal Code is amended as follows:

7 **9.25.052 ~~((Miniature-p))~~ Potbelly pig licenses.**

8 No potbelly pig may be kept as a domestic pet in the city if it is greater than twenty-two inches
9 (22") in height at the shoulder or more than one hundred fifty (150) pounds in weight. Within thirty (30)
10 days of entry of any ~~((miniature))~~ potbelly pig into The City of Seattle, the owner of the pig must obtain
11 a valid license for each such animal. Along with the fee for such license or renewal, the owner must
12 present the following: proof that the pig is spayed or neutered; certification by a licensed veterinarian
13 that the pig has current vaccinations; certification within the prior thirty (30) days by a licensed
14 veterinarian of the weight of the pig; certification within the prior thirty (30) days by a licensed
15 veterinarian that no tusk appears outside of the mouth of the pig when the mouth is closed; and the
16 address of the property and description of the physical location(s) on the property where the pig will be
17 kept.

18 Section 17. Section 9.25.053 of the Seattle Municipal Code is amended as follows:

19 **9.25.053 ~~((Dangerous))~~ Exotic animals.**

20 A. It is unlawful for any person to procure or keep an exotic ~~((dangerous))~~ animal; provided, this
21 prohibition shall not apply to any ~~((facilities possessing or maintaining dangerous animals which are~~
22 ~~owned, operated or maintained by any))~~ city, county, state or federal agency, school, college, university
23 or similar educational facility, or to a properly licensed veterinary hospital where an exotic ~~((dangerous))~~
24



1 animal may be confined temporarily for treatment, or to the procurement of an exotic (~~dangerous~~)
2 animal by a properly licensed commercial animal dealer where the animal is confined temporarily for
3 sale to a zoo or other facility identified in Section 9.25.085 of this chapter. The Director may authorize
4 by special (~~license~~) permit, not to exceed thirty (30) days, the keeping of exotic (~~dangerous~~) animals
5 for circuses or special exhibits.

6 B. If a permit for an exotic animal is granted pursuant to Subsection A, the owner of such exotic
7 animal must at all times keep the animal under control.

8 Section 18. Section 9.25.054 of the Seattle Municipal Code is amended as follows:

9 **9.25.054 Guard or attack dog license-Proof of insurance-**
10 **Posting notice and license.**

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

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

- 14 1. The name and address of the owner of the guard or attack dog, a description of the
15 dog, and the address and business name (if any) of the premises the dog will guard;
- 16 2. The name and address of the trainer of the guard or attack dog, and the name and
17 address of the purveyor of the dog;
- 18 3. Proof of a policy of public liability insurance, such as homeowner's insurance, issued
19 by an insurer authorized to do business in the State of Washington in an amount of at least One Hundred
20 Thousand Dollars (\$100,000.00) (~~Fifty Thousand Dollars (\$50,000.00)~~), insuring the owner on account
21 of any liability for claims for death or personal injury inflicted by the guard or attack dog to any person;
22 and



1 4. Proof of microchip identification, microchip number and identification of the date and
2 location of microchip implant.

3 ((4))5. Such other information as the Director may reasonably require.

4 C. The applicant shall certify that:

- 5 1. The premises the dog will guard are adequately secured for the safety of the public;
- 6 2. Signs are displayed on the premises at all entrances and at thirty (30) foot intervals
- 7 clearly warning that a guard or attack dog is on duty; and
- 8 3. The ((user) owner of the guard or attack dog is aware of and understands the
- 9 aggressive nature of the dog, certifies under penalty of perjury that the dog has been trained as a guard or
- 10 attack dog, and can demonstrate total voice control of the dog.

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

12 police officer or the Director.

13 E. The premises where a guard or attack dog is to be located shall be subject to inspection by the

14 Director prior to approval of the license. Upon inspection by an Animal Control Officer, the applicant

15 may be requested to provide proof of compliance with the requirements of this Section.

16 F. It shall be the responsibility of the owner of a guard or attack dog to make application with

17 the Seattle Animal Control for a guard or attack dog license annually before the date of expiration of the

18 previous license.

19 Section 19. Section 9.25.080 of the Seattle Municipal Code is amended as follows:

20 **9.25.080 Offenses relating to licensing.**

21 It is unlawful for the owner of any animal to:

22 A. Fail to obtain the licenses required by the Animal Control Fee Ordinance (Seattle Municipal

23 Code Chapter 9.26);



1 B. Fail to display conspicuously the current and valid license identification on the licensed
2 animal provided that cats need not display a license identification tag if the cat is licensed and has been
3 implanted with microchip identification and the microchip number is registered with Seattle Animal

4 Control;

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

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

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

9 F. Alter a license in any manner;

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

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

15 I. Remove a microchip implanted in an animal by the City for identification purposes.

16 Section 20. Section 9.25.081 of the Seattle Municipal Code is amended as follows:

17 **9.25.081 Offenses relating to cruelty.**

18 It is unlawful for any person to:

19 A. Injure, kill, or physically mistreat any animal under circumstances not amounting to first
20 degree animal cruelty as defined in ((Section 8, Chapter 261, Laws of 1994)) RCW 16.52.205, except as
21 is expressly permitted by law;

22 B. Lay out to expose or leave exposed any kind of poison or poisoned food or drink where it is
23 accessible to an animal, or place such poisoned materials in a stream or other body of water, endangering
24



1 fish or shellfish; provided, that nothing shall prevent the reasonable use of rodent poison, insecticides,
2 fungicides or slug bait for their intended purposes; and provided, further, that nothing in this subsection
3 shall prohibit any governmental agency acting in the course of its governmental duties;

4 C. Set or bait any trap, except for rats or mice, unless ~~((appointed by the Director))~~ a permit to
5 do so has been issued as provided for in subsection 9.25.030.A. 13;

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

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

9 F. Tether or confine any animal in such a manner or in such a place as to cause injury or pain not
10 amounting to first degree animal cruelty defined in ~~((Section 8, Chapter 261, Laws of 1994,))~~ RCW
11 16.52.205, or to endanger an animal; or to keep an animal in quarters that are injurious to the animal due
12 to inadequate protection from heat or cold, or that are of insufficient size to permit the animal to move
13 about freely;

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

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

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



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

3 K. Abandon any animal.

4 Section 21. Section 9.25.082 of the Seattle Municipal Code is amended as follows:

5 **9.25.082 Offenses relating to safety and sanitation.**

6 It is unlawful for an owner to:

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

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

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

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

18 Owners of ~~((duly licensed guide))~~ service dogs shall be exempted from subsections B and C of
19 this section.

20 Section 22. Section 9.25.083 of the Seattle Municipal Code is amended as follows:

21 **9.25.083 Owning ~~((vicious))~~ dangerous animals prohibited -Exception.**



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

4 B. An animal whose owner is convicted of violating this section shall be humanely destroyed.

5 Section 23. Section 9.25.084 of the Seattle Municipal Code is amended as follows:

6 **9.25.084 Offenses relating to control.**

7 It is unlawful for the owner to:

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

11 It is not a violation of this subsection to have a dog off-leash in an area designated pursuant to Section
12 18.12.080 as an off-lease area provided that the requirements of Section 18.12.080 B are met.

13 B. Permit any cat, dog, potbelly pig or other animal to enter any public fountain, or any school
14 ground while school is in session or during after-school activities It is not a violation of this subsection
15 for an owner to permit an animal to enter on to any school ground when school is not in session and no
16 after-school activities are taking place if the animal is on leash and the owner has in his or her immediate
17 possession a device to remove properly any feces the animal may deposit on school grounds;

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

21 D. Permit any animal:

- 22 1. To damage public property or the private property of another, or
23
24



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

3 3. To spread or spill garbage;

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

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

10 Section 24. Section 9.25.085 of the Seattle Municipal Code is amended as follows:

11 **9.25.085 Offenses relating to sale of animals.**

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

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

15 B. Sell any animal known to be ~~((vicious))~~ dangerous;

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

19 Section 25. Section 9.25.090 of the Seattle Municipal Code is amended as follows:

20 **9.25.090 Detainment and disposal.**

21 A. No detained animal shall be released to the owner until all applicable fees are paid and
22 licenses obtained except as otherwise provided in this Chapter.



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

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

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

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

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

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

20 Section 26. Section 9.25.092 of the Seattle Municipal Code is amended as follows:

21 **9.25.092 Nuisance animals.**

22 A. Any animal which, by its actions or condition, presents a clear and present threat to the public
23 peace, health, or safety is a nuisance and may be summarily detained pending correction of the
24



1 condition, or pending the owner's trial, hearing, appeal or other judicial proceedings for violation of this
2 chapter or any other provision of law.

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

8 C. In addition, nothing shall prevent prosecution of owners of noisy animals under Chapter
9 25.08 of the Seattle Municipal Code (Noise Ordinance 106360) or its successor ordinance.

10 Section 27. Section 9.25.100 of the Seattle Municipal Code is amended as follows:

11 **9.25.100 Penalty clause.**

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

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

22 C. Conduct made unlawful by Sections 9.25.081 A, 9.25.081 C, 9.25.081 D, 9.25.081 E,
23 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



1 misdemeanor subject to the provisions of Sections 12A.02.010 and 12A.02.20 of the Seattle Municipal
2 Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by a fine of
3 not more than One Thousand Dollars (\$1,000.00) or by imprisonment for no more than ninety (90) days,
4 or by both such fine and imprisonment.

5 D. Conduct made unlawful by any other section of this chapter is a violation and any person
6 found to have committed a violation may be punished by a civil fine or forfeiture of not more than Five
7 Hundred Dollars (\$500.00), but a finding that a violation was committed shall not give rise to any
8 disability or legal disadvantage based on the conviction of a criminal offense. ~~((Failure to have obtained,~~
9 ~~prior to December 1, 1997, a dog, cat, or potbelly pig license as required by Section 9.25.048, 9.25.051,~~
10 ~~or 9.25.052 shall not subject the owner to the civil fine or forfeiture established in this subsection if, not~~
11 ~~later than December 31, 1997: (1) a current license is obtained for the animal; or (2) if the owner has~~
12 ~~disposed of the animal, the owner notifies the Director of the disposition.))~~ Disposition of violations
13 under this chapter shall be governed by the procedures for disposition of traffic infractions under Seattle
14 Municipal Code Chapter 11.31 .

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

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

20 G. Any person whose cat or dog license is revoked, suspended, or denied shall surrender all of
21 his or her cats and dogs to the Director ~~((to be disposed of in a humane manner))~~.

22 Section 28. Section 9.25.110 of the Seattle Municipal Code is amended as follows:

23 **9.25.110 Denial, suspension, or revocation of license-**



Order.

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

Section 29. Section 9.26.020 of the Seattle Municipal Code is amended as follows:

9.26.020 Cat or dog license fee-Renewal.

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

1. Cats

Altered	\$10.00
Unaltered	20.00

2. Dogs

Altered.....	15.00
Unaltered.....	33.00

B. The fee for each cat or dog license for an annual license with a twelve (12) month ~~((a two-year period of))~~ renewal shall be:

1. Cats

Altered.....	17.00
Unaltered.....	35.00

2. Dogs

Altered	25.00
Unaltered.....	55.00



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

- 6 1. Cats\$5.00
7 2. Dogs8.00

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

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

11\$10.00

12 E-((Guide or service dog for the handicapped No fee))

13 ((F)) Dog or cat owned by a member of the diplomatic or consular corps of a country having a
14 treaty with the United States granting immunity from local law, upon submission of proof of such status

15 No fee

16 ((G))F. Dog or cat owned by a person possessing a valid "senior citizen's identification card" or
17 "handicapped person's identification card" issued by The City of Seattle Human ((Resources)) Services

18 Department. Fifty

19 (50) percent of license fee otherwise payable

20 ((H))G. Lost cat, ((or)) dog or potbelly pig license tag, ((upon submission of affidavit attesting to
21 loss))

222.00

23 Section 30. Section 9.26.025 of the Seattle Municipal Code is amended as follows:



1 **9.26.025 ((Miniature))((p))Potbelly pig license fee.**

2 A. The fee for the initial annual potbelly pig license shall be One Hundred Fifteen Dollars
3 (\$115.00).

4 B. The fee for each annual period of license renewal for ((miniature)) potbelly pigs shall be
5 Twenty-five Dollars (\$25.00).

6 C. Late fee for renewal of a potbelly pig license more than thirty (30) days after its expiration
7 shall be Ten Dollars (\$10.00).

8 Section 31. Section 9.26.040 of the Seattle Municipal Code is amended as follows:

9 **9.26.040 Guard or attack dog license.**

10 The annual fee for each guard dog or attack dog license shall be Fifty-five Dollars (\$55).

11 Section 32. Section 9.26.050 of the Seattle Municipal Code is amended as follows:

12 **9.26.050 Other animal control fees and charges.**

13 Other animal control fees shall be:

14 A. Administrative fee for each detained animal:

15	First detainment	\$ 40.00
16	Second detainment	80.00
17	Third <u>and subsequent</u> detainments	120.00

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

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

20 D. For each ((dangerous)) exotic animal permit30.00

21 E. For collecting and disposing of an owner's animal, whether the animal is dead or alive
2215.00

23 F. For euthanizing an owner's animal15.00



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

3 Section 33. This ordinance shall take effect and be in force thirty (30) days from and after its
4 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
5 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

6 Passed by the City Council the ____ day of _____, 2000, and signed by me in open
7 session in authentication of its passage this ____ day of _____, 2000.

8 _____
9 President _____ of the City Council

10
11 Approved by me this ____ day of _____, 2000.

12 _____
13 Mayor

14 Filed by me this ____ day of _____, 2000.

15 _____
16 City Clerk

17 (Seal)
18
19
20
21
22
23
24



ORDINANCE _____

1
2
3 AN ORDINANCE relating to Animal Control; adding definitions of dangerous and potentially
4 dangerous animals; adding and expanding definitions of different classifications of animals;
5 clarifying the Director's authority to detain and dispose of certain animals; amending the appeals
6 process and the authority of the Hearing Examiner on appeal; separating the licensing
7 requirement from the vaccination requirement; increasing the insurance requirement for guard
8 dogs, granting an exemption to the requirement to display a current license and amending
9 Chapter 9.25 and Chapter 9.26 of the Seattle Municipal Code in accordance therewith.

7 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

8 Section 1. Section 9.25.020 of the Seattle Municipal Code is amended as follows:

9 **9.25.020 Definitions-A - E.**

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

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

- 13 1. Without food, water, or care for twenty-four (24) hours or more; or
14 2. In a situation where the conditions present an immediate, direct, and serious threat to
15 the life, safety, or health of the animal.

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

17 C. "Animal" means any living non-human mammal, bird, reptile, or amphibian.

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

21 E. "At large" means a dog or other animal inside The City of Seattle, off the premises of the
22 owner, and not under control by a leash of eight (8) feet in length or shorter.

1 ~~((D))~~E. "City" means The City of Seattle.

2 ~~((E))~~G. "Dangerous animal" means any animal ~~((, other than the common household cat or dog,~~
3 ~~bees or other insects specifically provided for by ordinance, that is capable of killing or seriously~~
4 ~~injuring a human being))~~ that according to the records of the appropriate authority, (a) has inflicted
5 severe injury on a human being without provocation on public or private property, (b) has killed a
6 domestic animal without provocation while off the owner's property, or (c) has been previously found to
7 be potentially dangerous, ~~((the))~~ whose owner ~~((having))~~ has received notice of such, which ~~((~~
8 and the)) animal again aggressively bites, attacks, or endangers the safety of humans or domestic
9 animals.

10 ~~((F))~~H. "Director" means the Executive Services Director of The City of Seattle or his/her
11 authorized representative.

12 ~~((G))~~I. "Department" means the Executive Services Department of The City of Seattle.

13 ~~((H))~~J. "Disposed of in a humane manner" means euthanized by a lethal dose of sodium
14 pentobarbital or its equivalent.

15 ~~((I))~~K. "Detain" means to place an animal in custody.

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

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

19 2. "Companion animal" means any species of animal commonly kept by inhabitants of
20 Washington State as a pet or for companionship, except that snakes exceeding eight (8) feet in length,
21 venomous reptiles (regardless of whether the venom glands have been removed), and venomous

1 amphibians (regardless of whether the venom glands have been removed) are not domestic animals, even
2 if such animals are commonly kept by inhabitants of Washington State pets or for companionship.

3 M. "Exotic animal" means any species of animal that is both: (1) not a domestic animal; ((-
4 non-domestic -)) and (2) capable of killing or seriously injuring a human being. ((- The -)) Subject to
5 the preceding sentence, the definition of "exotic animal" contained in this section includes but is not
6 limited to species within the following categories:

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

19 "Exotic animal" also includes ((- All -)) all venomous reptiles and amphibians, (regardless of
20 whether the venom glands have been removed); and ((- All -)) all snakes that are eight (8) feet or more in
21 length. An animal that is a member of a species that is normally domesticated, but that is determined to be
22 wild or feral, shall be considered an exotic animal.

1 Section 2. Section 9.25.021 of the Seattle Municipal Code is amended as follows:

2 **9.25.021 Definitions-F - J.**

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

5 A. "Guard dog" or "attack dog" means an((y)) animal in the taxonomic classification Canis
6 Familiaris (also referred to as the common household dog) ((member of the dog family (Canidae))), not
7 owned by a government agency, which has been trained and is used for the purpose of protecting
8 persons or property by exhibiting hostile and aggressive propensities, or which will attack on signal or
9 command.

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

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

16 Section 3. Section 9.25.023 of the Seattle Municipal Code is amended as follows:

17 **9.25.023 Definitions-P - T.**

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

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

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

3 C. "Potentially dangerous animal" means any animal that when unprovoked: (a) Inflicts bites on
4 a human or a domestic animal either on public or private property, or (b) chases or approaches a person
5 on public property or on private property (other than that of the animal's owner) in a menacing fashion
6 or apparent attitude of attack, or any animal with a known propensity, tendency, or disposition to attack
7 unprovoked, to cause injury, ((- or to cause injury -)) or otherwise to threaten the safety of humans or
8 domestic animals.

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

11 1. Not to release the animal from the shelter for the rest of the animal's natural life;

12 2. Not to allow the animal to come into contact with the general public for the rest of the
13 animal's natural life;

14 3. Not to allow the former owner to have contact with the animal;

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

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

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

1 ~~((- E -))~~ F. "Severe Injury" means any physical injury that results in broken bones or disfiguring
2 lacerations requiring multiple sutures or cosmetic surgery. It also means transmittal of an infectious or
3 contagious disease by an animal.

4 ~~((C))~~ ~~((- F -))~~ G. "Trespassing" means any animal which enters upon the property of another
5 person without the authorization of the lawful occupant.

6 Section 4. 9.25.024 of the Seattle Municipal Code is repealed.

7 Section 5. 9.25.030 of the Seattle Municipal Code is amended as follows:

8 **9.25.030 Authority of the Director.**

9 A. The Director is authorized to:

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

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

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

16 4. Direct immediate humane disposal of:

17 (a) any exotic animal;

18 (b) any animal surrendered to the City for humane disposal;~~((- or (b) -))~~

19 (c) any animal determined by the Seattle Municipal Court or any other court of
20 law to be a nuisance;~~((-))~~ ~~((vicious, or dangerous, or (c) -))~~

21 (d) any animal involved in a court proceeding in which the owner pled guilty or
22 was found to be guilty of owning a nuisance ~~((- vicious))~~ or dangerous animal
23 or in which the owner pled guilty or was found to be guilty of negligent
24 control of an animal; ~~((- (d) -))~~

1 (e) any animal unclaimed after the expiration of a holding period;~~((~~or~~ (e)))~~

2 (f) any animal determined by the Director to be ~~((~~vicious~~ or))~~ dangerous pursuant
3 to SMC Section 9.25.035;

4 5. Detain animals found to be unlicensed, or abandoned, or at large, or in inhumane
5 conditions, or to be a nuisance, or to be ~~((~~vicious~~))~~ exotic or dangerous, or otherwise found to be in a
6 circumstance violative of this chapter or any other provision of law;

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

10 7. Appoint agents for the collection of pig, dog and cat license fees and other fees
11 established by Chapter 9.26 of the Seattle Municipal Code, including past due fees and penalties;

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

13 9. Administer the City Animal Shelter;

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

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

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

20 13. Appoint persons experienced in the humane trapping of animals to set and bait a trap
21 or use other devices that do not physically harm an animal trapped, when, in the judgment of the
22 Director, such action will protect the public peace, health, safety and welfare and issue live animal
23 trapping permits as authorized by the Director of Finance by rule;

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

3 15. Direct disposition of exotic animals, including but not limited to transfer to a
4 zoological garden or herpetarium.

5 16. Refund fees for overpayment or services not provided.

6 17. Detain an animal that is the subject of any violation of law, or whose owner is
7 accused of violating any law relating to that animal, and collect from the owner all costs of detainment,
8 care, feeding, and disposition.

9 18. Direct disposition of dangerous animals to a secured animal shelter as provided for in
10 this Chapter.

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

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

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

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

18 Section 6. Section 9.25.035 of the Seattle Municipal Code is amended as follows:

19 **9.25.035 Declaration that an animal is ~~((vicious or))~~ dangerous-~~((- Order of humane~~
20 ~~disposal--)) Disposition; Right to meeting.~~**

21 A. The Director, upon the petition of any person, or at his or her own discretion, may conduct an
22 investigation, and if the findings of the investigation so indicate, he or she may declare an animal to be
23
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1 ~~((vicious or))~~ dangerous ~~((, and))~~. If a domestic animal is found to be dangerous, the Director ~~((shall -~~
2) ~~((may)) shall enter an order so stating, and shall direct either: 1) ~~((order -)) humane disposal of the~~~~
3 animal; or 2) that the animal be sent at the owner's expense to a secure animal shelter. The owner is
4 responsible for paying all fees owed to the City for the care of the animal.

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

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

1 ((- €-)) D. In the event the Director finds an animal to be ~~((vicious or))~~ dangerous ~~((and orders~~
2 ~~humane disposal))~~ and directs disposition of the animal, the declaration and ~~((order -))~~ directive shall
3 be in writing in the form of an order, and shall include a recital of the authority for the action, a brief and
4 concise statement of the facts ~~((which constitute the grounds for ordering humane disposal -))~~ that
5 supports the disposition, and contain the Director's signature. A copy of the order, including notice of
6 the right to appeal, shall be sent by regular and certified mail, return receipt requested, or delivered in
7 person to the owner.

8 Section 7. Section 9.25.036 of the Seattle Municipal Code is amended as follows:

9 **9.25.036 Appeal of Director's ~~((order))~~ determination.**

10 Appeal.

11 A. Availability of Appeal. An owner may appeal a determination of the Director declaring an
12 animal to be dangerous or ~~((ordering -))~~ directing the ~~((humane disposal -))~~ disposition of an ~~((vicious~~
13 ~~or dangerous-))~~ animal ~~((to the office of the Hearing Examiner-))~~ by filing a notice of appeal and written
14 request for a hearing, with the Hearing Examiner by five o'clock (5:00 p.m.) on the tenth (10) calendar
15 day ~~((within ten (10) days-))~~ after the date of delivery of the Director's order, ~~((;))~~ ~~((An order))~~ A notice
16 that an animal is to be humanely disposed of that is based either on a conviction of the animal's owner of
17 possessing a dangerous animal or on a conviction of the animal's owner of negligent control of an
18 animal in the first degree may not be appealed under this Section. The date of delivery of the Director's
19 order shall be the date evidenced by a ~~((as noted by the))~~ signed returned receipt, an affidavit of service,
20 or three days after the date of mailing as shown in a declaration of mailing. When the last day of the
21 appeal period falls on a Saturday, Sunday, or City holiday, the period shall run until five o'clock p.m.
22 (5:00 p.m.) on the next business day. ~~((and mailing a copy of the notice to the Director. The Hearing~~

1 ~~Examiner may allow an appeal filed after the tenth day but within thirty (30) days of the date of delivery~~
2 ~~of the order, as noted by the signed return receipt, if the Hearing Examiner is satisfied that the delay in~~
3 ~~filing the appeal occurred as a result of circumstances beyond the control of the owner/appellant, and~~
4 ~~that the owner/appellant filed the notice as soon as he or she could reasonably do so.))~~

5 B. ~~((An order for humane disposal that is not appealed shall be final and authorize the~~
6 ~~animal's humane disposal.))~~Process.

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

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

11 (b) A brief statement of the owner's issues on appeal, noting owner's specific exceptions
12 and objections to the Director's Determination and Order;

13 (c) The relief requested, such as reversal of the Director's Order;

14 (d) Signature, address, and phone number of the owner, and name and address
15 of owner's designated representative, if any.

16 2. The Hearing Examiner shall summarily dismiss an appeal without hearing which
17 the Hearing Examiner determines to be without merit on its face, frivolous, or brought merely to secure
18 a delay.

19 3. Any person beneficially interested or the Director shall only obtain judicial review
20 of the Hearing Examiner's decision by applying for a Writ of Review in the Superior Court of
21 Washington in and for King County in accordance with the procedure set forth in Chapter 7.16 RCW
22 and other applicable law and local court rules within ten (10) days of the date of the decision.

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

8 Section 8. Section 9.25.037 of the Seattle Municipal Code is amended as follows:

9 **9.25.037 Authority of Hearing Examiner.**

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

15 (~~B. The Hearing Examiner shall have the power to:~~

- 16 1. ~~With the owner's consent, authorize an alternate disposition, such as placement of a dangerous~~
17 ~~animal in a zoological garden, or, if a snake, in a herpetarium;~~
18 2. ~~Assess the costs of care and feeding of the animal while in City detention; and/or~~
19 3. ~~Stay on order affirming the Director's order for humane disposal to allow an owner an~~
20 ~~opportunity to seek judicial review.~~

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

23 B. Hearing Examiner's Authority.

1 1. The Hearing Examiner may affirm or reverse the Director's decision in whole or
2 in part, or remand the decision to the Director for further consideration.

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

5 Section 9. Section 9.25.045 of the Seattle Municipal Code is amended as follows:

6 **9.25.045 Municipal Spay and Neuter Clinic.**

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

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

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

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

17 Section 10. Section 9.25.046 of the Seattle Municipal Code is amended as follows:

18 **9.25.046 Waiver of City liability.**

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

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

4 Section 11. Section 9.25.047 of the Seattle Municipal Code is amended as follows:

5 **9.25.047 Return date establishment.**

6 The Director shall establish a return date by which persons submitting animals for any of the
7 services identified in Section 9.25.045 of this chapter shall pick up said animals or be subject to a
8 reasonable board and care fee to commence on the day after such a return date. Failure to pick up an
9 animal within five (5) days of said return date shall be deemed abandonment of such animal. The
10 Director shall serve notice upon the owner or mail notice by regular and certified mail, return receipt
11 requested, and if fees are not paid, the Director may dispose of it by adoption or euthanasia.

12 Section 12. Section 9.25.048 of the Seattle Municipal Code is recodified in Section 9.25.045 and
13 Section 9.25.048 is repealed:

14 Section 13. There is added to the Seattle Municipal Code Chapter 9.25 a new Section 9.25.049
15 as follows:

16 **9.25.049 Rabies vaccination required.**

17 All dogs and cats four (4) months of age or older shall be vaccinated against rabies.

18 Section 14. Section 9.25.050 of the Seattle Municipal Code is amended as follows:

19 **9.25.050 Animal licenses and permits generally.**

20 A. The following animal licenses shall be required: potbelly pig, cat, and dog licenses, guard and
21 attack dog licenses, and ~~((dangerous))~~ exotic animal ~~((licenses))~~ permits.

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

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

6 ~~((D))~~B. Licenses and permits are not transferable.

7 ~~((E))~~C. Applications for licenses and permits shall be made on forms approved by the Director
8 and shall be accompanied by the fee set by the Animal Fee Ordinance (Seattle Municipal Code Chapter
9 9.26) and, in the case of cat or dog licenses, proof of alteration if the animal is altered. Licenses shall be
10 issued in the name of the owner, and shall be numbered. Licenses shall be issued for a twelve (12)
11 month period ~~((or a two year period. A provisional license may be issued for dogs or cats as provided in~~
12 ~~Section 9.26.020 C.))~~and may include a twelve (12) month renewal. A provisional cat or dog license
13 shall be for a six-month period. Guard or Attack Dog licenses shall be issued for a twelve (12) month
14 period only upon the applicant's compliance with Section 9.25.054. Each permit or subsequent license
15 renewal for the same animal shall commence from the expiration date of the last valid license or permit.

16 D. A City of Seattle animal license does not relieve the owner of the obligation to obtain any
17 other permit or license otherwise required by local, state or federal law.

18 Section 15. Section 9.25.051 of the Seattle Municipal Code is amended as follows:

19 **9.25.051 Cat and dog licenses.**

20 Any owner of a ~~((weaned))~~ cat or dog over the age of eight (8) weeks must obtain a valid license
21 for each such animal. Within thirty (30) days of entry of any cat or dog into The City of Seattle, the
22 owner of the cat or dog must obtain a valid license for each such animal.

1 Section 16. Section 9.25.052 of the Seattle Municipal Code is amended as follows:

2 **9.25.052 ((~~Miniature p~~)) Potbelly pig licenses.**

3 No potbelly pig may be kept as a domestic pet in the city if it is greater than twenty-two inches
4 (22") in height at the shoulder or more than one hundred fifty (150) pounds in weight. Within thirty (30)
5 days of entry of any ((~~miniature~~)) potbelly pig into The City of Seattle, the owner of the pig must obtain
6 a valid license for each such animal. Along with the fee for such license or renewal, the owner must
7 present the following: proof that the pig is spayed or neutered; certification by a licensed veterinarian
8 that the pig has current vaccinations; certification within the prior thirty (30) days by a licensed
9 veterinarian of the weight of the pig; certification within the prior thirty (30) days by a licensed
10 veterinarian that no tusk appears outside of the mouth of the pig when the mouth is closed; and the
11 address of the property and description of the physical location(s) on the property where the pig will be
12 kept.

13 Section 17. Section 9.25.053 of the Seattle Municipal Code is amended as follows:

14 **9.25.053 ((~~Dangerous~~)) Exotic animals.**

15 A. It is unlawful for any person to procure or keep an exotic ((~~dangerous~~)) animal; provided, this
16 prohibition shall not apply to any ((~~facilities possessing or maintaining dangerous animals which are~~
17 ~~owned, operated or maintained by any~~)) city, county, state or federal agency, school, college, university
18 or similar educational facility, or to a properly licensed veterinary hospital where an exotic ((~~dangerous~~))
19 animal may be confined temporarily for treatment, or to the procurement of an exotic ((~~dangerous~~))
20 animal by a properly licensed commercial animal dealer where the animal is confined temporarily for
21 sale to a zoo or other facility identified in Section 9.25.085 of this chapter. The Director may authorize

1 by special ((license)) permit, not to exceed thirty (30) days, the keeping of exotic ((dangerous)) animals
2 for circuses or special exhibits.

3 B. If a permit for an exotic animal is granted pursuant to Subsection A, the owner of such exotic
4 animal must at all times keep the animal under control.

5 Section 18. Section 9.25.054 of the Seattle Municipal Code is amended as follows:

6 **9.25.054 Guard or attack dog license-Proof of insurance-**
7 **Posting notice and license.**

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

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

11 1. The name and address of the owner of the guard or attack dog, a description of the
12 dog, and the address and business name (if any) of the premises the dog will guard;

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

15 3. Proof of a policy of public liability insurance, such as homeowner's insurance, issued
16 by an insurer authorized to do business in the State of Washington in an amount of at least One Hundred
17 Thousand Dollars (\$100,000.00) ((Fifty Thousand Dollars (\$50,000.00))), insuring the owner on account
18 of any liability for claims for death or personal injury inflicted by the guard or attack dog to any person;
19 and

20 4. Proof of microchip identification, microchip number and identification of the date and
21 location of microchip implant.

22 ((4))5. Such other information as the Director may reasonably require.
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1 C. The applicant shall certify that:

- 2 1. The premises the dog will guard are adequately secured for the safety of the public;
- 3 2. Signs are displayed on the premises at all entrances and at thirty (30) foot intervals
- 4 clearly warning that a guard or attack dog is on duty; and
- 5 3. The ((user) owner) of the guard or attack dog is aware of and understands the
- 6 aggressive nature of the dog, certifies under penalty of perjury that the dog has been trained as a guard or
- 7 attack dog, and can demonstrate total voice control of the dog.

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

9 police officer or the Director.

10 E. The premises where a guard or attack dog is to be located shall be subject to inspection by the

11 Director prior to approval of the license. Upon inspection by an Animal Control Officer, the applicant

12 may be requested to provide proof of compliance with the requirements of this Section.

13 F. It shall be the responsibility of the owner of a guard or attack dog to make application with

14 the Seattle Animal Control for a guard or attack dog license annually before the date of expiration of the

15 previous license.

16 Section 19. Section 9.25.080 of the Seattle Municipal Code is amended as follows:

17 **9.25.080 Offenses relating to licensing.**

18 It is unlawful for the owner of any animal to:

19 A. Fail to obtain the licenses required by the Animal Control Fee Ordinance (Seattle Municipal

20 Code Chapter 9.26);

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

22 animal provided that cats need not display a license identification tag if the cat is licensed and has been

1 implanted with microchip identification and the microchip number is registered with Seattle Animal

2 Control;

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

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

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

7 F. Alter a license in any manner;

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

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

13 I. Remove a microchip implanted in an animal by the City for identification purposes.

14 Section 20. Section 9.25.081 of the Seattle Municipal Code is amended as follows:

15 **9.25.081 Offenses relating to cruelty.**

16 It is unlawful for any person to:

17 A. Injure, kill, or physically mistreat any animal under circumstances not amounting to first
18 degree animal cruelty as defined in ~~((Section 8, Chapter 261, Laws of 1994))~~ RCW 16.52.205, except as
19 is expressly permitted by law;

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

3 C. Set or bait any trap, except for rats or mice, unless (~~appointed by the Director~~) a permit to
4 do so has been issued as provided for in subsection 9.25.030.A. 13;

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

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

8 F. Tether or confine any animal in such a manner or in such a place as to cause injury or pain not
9 amounting to first degree animal cruelty defined in (~~Section 8, Chapter 261, Laws of 1994,~~) RCW
10 16.52.205, or to endanger an animal; or to keep an animal in quarters that are injurious to the animal due
11 to inadequate protection from heat or cold, or that are of insufficient size to permit the animal to move
12 about freely;

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

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

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

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

3 K. Abandon any animal.

4 Section 21. Section 9.25.082 of the Seattle Municipal Code is amended as follows:

5 **9.25.082 Offenses relating to safety and sanitation.**

6 It is unlawful for an owner to:

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

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

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

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

18 Owners of ~~((duly licensed guide))~~ service dogs shall be exempted from subsections B and C of
19 this section.

20 Section 22. Section 9.25.083 of the Seattle Municipal Code is amended as follows:

21 **9.25.083 Owning ~~((vicious))~~ dangerous animals prohibited -Exception.**

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

4 B. An animal whose owner is convicted of or pleads guilty to violating this section shall be
5 humanely destroyed.

6 Section 23. Section 9.25.084 of the Seattle Municipal Code is amended as follows:

7 **9.25.084 Offenses relating to control.**

8 It is unlawful for the owner to:

9 A. Permit any (~~potbelly pig, domestic~~) animal, except cats and pigeons, to be at large or
10 trespass upon the property of another, ~~((- ; -)) ((provided, that pets may be removed from the premises of~~
11 ~~the owner if restrained by a leash that is eight feet (8') or shorter, and if in the physical control of a~~
12 ~~person;))~~ It is not a violation of this subsection to have a dog off-leash in an area designated pursuant to
13 Section 18.12.080 as an off-lease area provided that the requirements of Section 18.12.080 B are met.

14 B. Permit any cat, dog, potbelly pig or other animal to enter any public fountain, or any school
15 ground while school is in session or during after-school activities. It is not a violation of this subsection
16 for an owner to permit an animal to enter on to any school ground when school is not in session and no
17 after-school activities are taking place if the animal is on leash and the owner has in his or her immediate
18 possession a device to remove properly any feces the animal may deposit on school grounds;

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

22 D. Permit any animal:
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1 1. To damage public property or the private property of another, or

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

4 3. To spread or spill garbage;

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

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

11 Section 24. Section 9.25.085 of the Seattle Municipal Code is amended as follows:

12 **9.25.085 Offenses relating to sale of animals.**

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

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

16 B. Sell any animal known to be ~~((vicious))~~ dangerous;

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

20 Section 25. Section 9.25.090 of the Seattle Municipal Code is amended as follows:

21 **9.25.090 Detainment and disposal.**

1 A. No detained animal shall be released to the owner until all applicable fees are paid and
2 licenses obtained except as otherwise provided in this Chapter.

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

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

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

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

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

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

22 Section 26. Section 9.25.092 of the Seattle Municipal Code is amended as follows:
23
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1 **9.25.092 Nuisance animals.**

2 A. Any animal which, by its actions or condition, presents a clear and present threat to the public
3 peace, health, or safety is a nuisance and may be summarily detained pending correction of the
4 condition, or pending the owner's trial, hearing, appeal or other judicial proceedings for violation of this
5 chapter or any other provision of law.

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

11 C. In addition, nothing shall prevent prosecution of owners of noisy animals under Chapter
12 25.08 of the Seattle Municipal Code (Noise Ordinance 106360) or its successor ordinance.

13 Section 27. Section 9.25.100 of the Seattle Municipal Code is amended as follows:

14 **9.25.100 Penalty clause.**

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

20 B. Conduct made unlawful by Sections 9.25.081 B and 9.25.081 I of this chapter constitutes a
21 gross misdemeanor subject to the provisions of Section 12A.02.010 and 12A.02.020 of the Seattle
22 Municipal Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by
23
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1 a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for no more than three
2 hundred sixty-five (365) days, or by both such fine and imprisonment.

3 C. Conduct made unlawful by Sections 9.25.081 A, 9.25.081 C, 9.25.081 D, 9.25.081 E,
4 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
5 misdemeanor subject to the provisions of Sections 12A.02.010 and 12A.02.20 of the Seattle Municipal
6 Code (Ordinance 102843 as amended) and any person convicted thereof may be punished by a fine of
7 not more than One Thousand Dollars (\$1,000.00) or by imprisonment for no more than ninety (90) days,
8 or by both such fine and imprisonment.

9 D. Conduct made unlawful by any other section of this chapter is a violation and any person
10 found to have committed a violation may be punished by a civil fine or forfeiture of not more than Five
11 Hundred Dollars (\$500.00), but a finding that a violation was committed shall not give rise to any
12 disability or legal disadvantage based on the conviction of a criminal offense. ~~((Failure to have
13 obtained, prior to December 1, 1997, a dog, cat, or potbelly pig license as required by Section 9.25.048,
14 9.25.051, or 9.25.052 shall not subject the owner to the civil fine or forfeiture established in this
15 subsection if, not later than December 31, 1997: (1) a current license is obtained for the animal; or (2) if
16 the owner has disposed of the animal, the owner notifies the Director of the disposition.))~~ Disposition
17 of violations under this chapter shall be governed by the procedures for disposition of traffic infractions
18 under Seattle Municipal Code Chapter 11.31 .

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

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

3 G. Any person whose cat or dog license is revoked, suspended, or denied shall surrender all of
4 his or her cats and dogs to the Director (~~(to be disposed of in a humane manner)~~).

5 Section 28. Section 9.25.110 of the Seattle Municipal Code is amended as follows:

6 **9.25.110 Denial, suspension, or revocation of license-**
7 **Order.**

8 The Director (~~(may)~~) shall deny, suspend, or revoke a license for an animal found to be a
9 "~~((vicious))~~ dangerous animal, " in any jurisdiction, and may deny, suspend, or revoke (~~((and))~~) a license
10 for a guard or attack animal under Section 9.25.054 upon determining that the applicant or licensee has
11 violated or failed to comply with any provision of this chapter. The denial, suspension, or revocation of
12 a license shall be in writing in the form of an order, and shall include a recital of the authority for the
13 action, a brief and concise statement of facts which constitute the grounds for the denial, and the
14 Director' s signature. A copy of the order, including notice of the right to a hearing, shall be mailed to
15 the applicant.

16 Section 29. Section 9.26.020 of the Seattle Municipal Code is amended as follows:

17 **9.26.020 Cat or dog license fee-Renewal.**

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

19

1. Cats	
Altered	\$10.00
Unaltered.....	20.00
20	
2. Dogs	
Altered.....	15.00
Unaltered.....	33.00

21
22
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1 B. The fee for each cat or dog license for an annual license with a twelve (12) month ~~((a two-~~
2 ~~year period of))~~ renewal shall be:

3 1. Cats

4 Altered.....17.00
5 Unaltered.....35.00

6 2. Dogs

7 Altered25.00
8 Unaltered.....55.00

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

14 1. Cats\$5.00
15 2. Dogs8.00

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

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

19 \$10.00

20 ~~((E. Guide or service dog for the handicapped No fee))~~

21 F. Dog or cat owned by a member of the diplomatic or consular corps of a country having a
22 treaty with the United States granting immunity from local law, upon submission of proof of such status

23 No fee
24

1 G. Dog or cat owned by a person possessing a valid "senior citizen's identification card" or
2 "handicapped person's identification card" issued by The City of Seattle Human ~~((Resources))~~ Services
3 Department. Fifty
4 (50) percent of license fee otherwise payable

5 H. Lost cat, ~~((or))~~ dog or potbelly pig license tag, ~~((upon submission of affidavit attesting to~~
6 ~~less))~~
72.00

8 Section 30. Section 9.26.025 of the Seattle Municipal Code is amended as follows:

9 **9.26.025 ~~((Miniature))((-p))Potbelly pig license fee.~~**

10 A. The fee for the initial annual potbelly pig license shall be One Hundred Fifteen Dollars
11 (\$115.00).

12 B. The fee for each annual period of license renewal for ~~((miniature))~~ potbelly pigs shall be
13 Twenty-five Dollars (\$25.00).

14 C. Late fee for renewal of a potbelly pig license more than thirty (30) days after its expiration
15\$10.00

16 Section 31. Section 9.26.040 of the Seattle Municipal Code is amended as follows:

17 **9.26.040 Guard or attack dog license.**

18 The annual fee for each guard dog or attack dog license shall be Fifty-five Dollars (\$55).

19 Section 32. Section 9.26.050 of the Seattle Municipal Code is amended as follows:

20 **9.26.050 Other animal control fees and charges.**

21 Other animal control fees shall be:

22 A. Administrative fee for each detained animal:

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1 First detainment\$ 40.00
Second detainment80.00
2 Third and subsequent detainments120.00

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

4 C. For each animal adopted5.00

5 D. For each (~~dangerous~~) exotic animal permit30.00

6 E. For collecting and disposing of an owner's animal, whether the animal is dead or alive
715.00

8 F. For euthanizing an owner's animal15.00

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

11 Section 33 This ordinance shall take effect and be in force thirty (30) days from and after its
12 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
13 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

14 Passed by the City Council the ____ day of _____, 2000, and signed by me in open
15 session in authentication of its passage this ____ day of _____, 2000.

16
17 _____
18 President _____ of the City Council

19 Approved by me this ____ day of _____, 2000.

20 _____
21 Mayor

22 Filed by me this ____ day of _____, 2000.

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(Seal)

City Clerk

STATE OF WASHINGTON - KING COUNTY

120499

City of Seattle, City Clerk

-ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:119998/ORD IN FUL

was published on

07/17/00

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

Subscribed and sworn to before me on

07/17/00

Notary Public for the State of Washington, residing in Seattle

