

**CITY OF SEATTLE**  
**ORDINANCE \_\_\_\_\_**  
**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to animal regulations; changing shelter fees and regulations concerning the municipal spay and neuter clinic, and enhancing the Director's authority relating to pet adoptions, and amending Sections 9.25.030, 9.25.045, 9.25.081, 9.26.050 and 9.26.060 of the Seattle Municipal Code.

WHEREAS, the City of Seattle seeks to further ensure life-long loving homes for animals adopted from the Seattle Animal Shelter;

WHEREAS, the Director of Finance and Administrative Services or his or her designee is responsible for overseeing the Seattle Animal Shelter and administering its animal welfare and enforcement programs; and

WHEREAS, the City of Seattle recognizes the importance of providing sterilization services for privately owned rabbits to help reduce unwanted litters born each year; and

WHEREAS, the City of Seattle wants to send a clear policy message that small animals have intrinsic value similar to that of dogs and cats; NOW, THEREFORE,

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

**Section 1.** Effective January 1, 2013, subsection 9.25.030.A of the Seattle Municipal Code, which section was last amended by Ordinance 123668, is amended as follows:

**~~((SMC))~~9.25.030 Authority of the Director~~(-)~~**

A. The Director is authorized to:

1. Make rules for the interpretation and implementation of this ~~((chapter))~~ Chapter 9.25, pursuant to the Administrative Code;

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

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

4           4. Direct immediate humane disposal of: (a) any exotic animal when alternatives, such as  
5 placing the animal in a zoo or outside of the City, have been exhausted, (b) any animal  
6 surrendered to the City for humane disposal, (c) any animal determined by the Seattle Municipal  
7 Court or any other court of law to be a nuisance, (d) any animal involved in a court proceeding in  
8 which the owner pled guilty or was found to be guilty of owning a nuisance or dangerous animal  
9 or in which the owner pled guilty or was found to be guilty of negligent control of an animal, (e)  
10 any animal unclaimed after the expiration of a holding period, (f) any animal determined by the  
11 Director to be dangerous pursuant to ((SMC)) Section 9.25.035, (g) any animal found in the City  
12 of Seattle after removal pursuant to ((SMC 9.25.035.A(3))) subsection 9.25.035.A.3.  
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15           5. Detain animals found to be unlicensed, or abandoned, or at large, or in inhumane  
16 conditions, or to be a nuisance, or to be exotic or dangerous, or otherwise found to be in a  
17 circumstance violative of this chapter or any other provision of law;

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

22           7. Appoint agents for the collection of pig, miniature goat, dog and cat license fees and  
23 other fees established by Chapter 9.26 (( of the Seattle Municipal Code)), including past-due fees  
24 and penalties;  
25

26           8. Grant, renew, suspend, revoke, or deny licenses according to the terms of this chapter;  
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1           9. Administer the City Animal Shelter;

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

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

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

8           13. Increase fees for the adoption of any animal when such an increase is in the best  
9 interest of the animal;

10           ~~((13))~~14. Appoint persons experienced in the humane trapping of animals to set and bait a  
11 trap or use other devices that do not physically harm an animal trapped, when ~~((, in the judgment~~  
12 ~~of the Director,))~~ such action will protect the public peace, health, safety and welfare, and issue  
13 live animal trapping permits as authorized by the Director by rule;

14           ~~((14))~~15. Implant a microchip for identification purposes into animals leaving the shelter  
15 through adoption, redemption or release to another jurisdiction pursuant to Section 9.25.035; or  
16 whose owners have been found to have committed a violation of subsection 9.25.084,G or have  
17 been convicted of a crime under Section 12A.06.060 of the Seattle Municipal Code;

18           ~~((15))~~16. Photograph for identification purposes animals released to another jurisdiction  
19 pursuant to Section 9.25.035 or whose owners have been found to have committed a violation of  
20 subsection 9.25.084,G or has been convicted of a crime under Section 12A.06.060 of the Seattle  
21 Municipal Code.

1 ((16))17. Direct disposition of exotic animals, including but not limited to transfer to a  
2 zoological garden, herpetarium or other jurisdiction so long as the requirements of subsection  
3 9.25.035.E are met;

4 ((17))18. Refund fees for overpayment or services not provided;

5 ((18))19. Detain an animal that is the subject of any violation of law, or whose owner is  
6 accused of violating any law relating to that animal, and collect from the owner all costs of  
7 detainment, care, feeding, and disposition;

8 ((19))20. Direct disposition of dangerous animals to a secured animal shelter or otherwise  
9 as provided for in this chapter;

10 ((20))21. Appoint ad hoc advisory committees to advise the Mayor, City Council, and the  
11 Director on matters pertaining to animal control, animal welfare, and other functions related to  
12 Seattle Animal Control.

13 \* \* \*

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17 **Section 2.** Effective January 1, 2013, subsection 9.25.045.D of the Seattle Municipal  
18 Code, which section was last amended by Ordinance 119998, is amended as follows:

19 ((SMC))9.25.045 **Municipal Spay and Neuter Clinic**((:))  
20

21 \* \* \*

22 D. Every dog and cat sterilized at the clinic shall be properly licensed with a current City of  
23 Seattle pet license if the animal resides in the City of Seattle, with the exception of free roaming  
24 cats that do not have an owner as defined by SMC 9.25.022.B.

1           **Section 3.** Effective January 1, 2013, subsection 9.25.081.C of the Seattle Municipal  
2 Code, which section was last amended by Ordinance 119998, is amended as follows:

3           ~~((SMC))~~**9.25.081 Offenses relating to cruelty**~~((-))~~

4  
5           It is unlawful for any person to:

6   \* \* \*

7           C.       Set or bait any trap, except for rats or mice, unless a permit to do so has been issued as  
8 provided for in Section 9.25.030~~((A13))~~;

9   \* \* \*

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11           **Section 4.** Effective January 1, 2013, Section 9.26.050 of the Seattle Municipal Code,  
12 last amended by Ordinance 121004, is amended as follows:

13           ~~((SMC))~~ **9.26.050 Other animal control fees and charges**~~((-))~~

14           Other animal control fees shall be:

15           A. Administrative fee for each detained animal:

16               First detainment....\$45

17               Second detainment....\$85

18               Third and subsequent detainments....\$125

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

20           C. For each animal adopted, with the exception of rabbits....~~((5))~~\$15

21           D. For each rabbit adopted....\$40

22           ~~((D))~~E. For each exotic animal permit....\$50

23           F. For each live animal trapping permit....\$100

1 ((E))G. For collecting and disposing of an owner's animal, whether the animal is dead or  
2 alive....\$20

3 ((F))H. For euthanizing an owner's animal....\$20

4 ((G))I. For the handling of animals, other than dogs and cats, charges may be assessed to recover  
5 the cost of special equipment.  
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8 **Section 5.** Effective January 1, 2013, subsection 9.26.060.A of the Seattle Municipal  
9 Code, which section was last amended by Ordinance 123361, is amended as follows:

10 ~~((SMC))~~**9.26.060 Spay and Neuter Clinic fees**~~((C))~~

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

12 A. Surgery fees:

13 Cats

14 Spaying....\$90

15 Neutering....\$85

16 Dogs

17 Dog neuter under 50 pounds....\$120

18 Dog neuter 50 -- 80 pounds....\$135

19 Dog neuter over 80 pounds....\$155

20 Dog spay under 50 pounds....\$130

21 Dog spay 50 -- 80 pounds....\$145

22 Dog spay over 80 pounds....\$155  
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Rabbits

Rabbit spay or neuter...\$75

Animals other than cats and dogs and rabbits may be spayed or neutered at the discretion of the Director of Finance and Administrative Services, or his/her designee, who shall charge a fee for the service that is based upon estimated costs, not to exceed \$100.00 per hour of surgery.

\* \* \*

**Section 6.** This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
signed by me in open session in authentication of its passage this  
\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)



**2013 BUDGET LEGISLATION FISCAL NOTE**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Finance and Administrative Services	Don Jordan 386-4286	Jennifer Devore 615-1328

**Legislation Title:**

AN ORDINANCE relating to animal regulations; changing shelter fees and regulations concerning the municipal spay and neuter clinic, and enhancing the Director’s authority relating to pet adoptions, and amending Sections 9.25.030, 9.25.045, 9.25.081, 9.26.050 and 9.26.060 of the Seattle Municipal Code.

**Summary of the Legislation:**

This legislation enhances the Director of Finance and Administrative Services’ or his or her designee’s authority to increase adoption fees for certain exotic animals, allows caretakers of free roaming /feral community cats to utilize spay and neuter services at the Shelter’s clinic by exempting them from the current pet licensing requirement, and sets a new adoption fee for small animals and rabbits. The proposed Council Bill also establishes a live animal trapping permit fee and sets a new fee for the sterilization of privately owned rabbits. The funds received by adoption of this Council Bill will help to further cover the Seattle Animal Shelter’s operations.

**Background:**

The Seattle Municipal Code currently sets a flat adoption fee of \$5.00 for animals such as exotic birds, reptiles, and other animal species that may be of considerable value on the open market. Allowing the Director to establish an adoption fee close to the market rate for exotic species will help prevent the likelihood of speculators who may try to resell the animal for a profit and helps to further ensure that these animals are adopted into life-long, loving homes. Establishing a new adoption fee of \$15.00 for small animals and increasing the fee for rabbits to \$40.00 sends a better policy message to potential adopters that these animals are of value.

The proposed Council Bill exempts free roaming community cats from the current requirement in the Seattle Municipal Code, which requires persons who utilize services at the Shelter’s spay and neuter clinic to purchase a pet license. As free roaming community cats are considered not to be owned by any one person and are often feral in nature, the proposed Council Bill will help to reduce the number of free roaming community cats born each year by making it more cost effective for Seattle residents to access shelter services.

Domestic rabbits are the third most common pet in homes and animal shelters. The proposed Council Bill sets a fee for the sterilization of privately owned rabbits, which is the average fee charged by local humane societies. Providing this service to Seattle residents will help to reduce the number of unwanted rabbits born each year.

Finally, Humane Law Enforcement Officers investigate and deploy numerous humane live animal traps each year. This legislation institutes a new fee to help defray the City’s cost of administering the program, regardless of whether a homeowner uses their own humane trap or one provided by the City. The fee shall not apply in cases where the Director determines an animal must be trapped in order to protect the peace, health, or safety of the public.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

**Summary of Changes to Revenue Generated Specifically from this Legislation:**

	<b>Revenue Source</b>	<b>2013 Proposed</b>	<b>2014 Endorsed</b>
<b>Total Fees and Charges Resulting From Passage of This Ordinance</b>	Rabbit Surgery Fees <sup>1</sup> Per SMC 9.26.060	\$7,500	\$7,500
	Feral Cat Spay/Neuter Fees <sup>2</sup> Per SMC 9.26.060	\$15,000	\$15,000
	Small Pet Adoption Fees <sup>3</sup> Per SMC 9.26.050	\$3,000	\$3,000
	Animal Trapping Permit Fees <sup>4</sup> Per SMC 9.26.050	\$5,000	\$5,000

**Revenue Change Notes:**

<sup>1</sup> Additional surgery fees for rabbits in 2013 & 2014 provided by SMC 9.26.060 is based upon 100 rabbit spay and neuter surgeries to be completed annually. The proposed fee of \$75.00 is a new fee and is comparable to the fee charged by the other local humane society. This fee will increase the services provided by the Seattle Animal Shelter Spay & Neuter Clinic and will allow the Clinic to provide this service both locally and at a reasonable price for Seattle residents.

<sup>2</sup> Additional surgery fees for feral cats in 2013 & 2014 provided by SMC 9.26.060 is based upon 175 feral cat spay and neuter surgeries to be completed annually. The fee for cat surgeries was last changed in 2010. Although this legislation does not change the surgery fees for cats, it increases the capacity of the Clinic to provide this service by making it more cost effective for caretakers of free roaming community cats to utilize Clinic services.

<sup>3</sup> Additional small pet adoption fees in 2013 & 2014 is based upon an average of 175 small pet and rabbit adoptions annually. This fee was last changed over 20 years ago. The proposed fees are comparable to fees charged by other local humane societies. This nominal increase in the price of adopting a small animal should have a minimal effect on potential adopters.

<sup>4</sup> Additional revenue from live animal trapping permit fees in 2013 & 2014 is based upon an average of 50 traps approved annually. This is a new fee and we are not aware of another local municipality charging for this service. The proposed fee of \$100.00 is based on an average of 3-4 hours of an Officer's time spent in investigating a need for a trap, setting the trap and picking up trapped cats from the property owner. Although it unknown, the new fee may act as disincentive for homeowner's to trap nuisance cats.

**Anticipated Total Revenue from Entire Program, Including Changes Resulting from this Legislation:**

<b>Fund Name and Number</b>	<b>Revenue Source</b>	<b>Total 2013 Revenue</b>	<b>Total 2014 Revenue</b>
Seattle Animal Shelter subfund of the Department of Finance and Administrative Services subfund 50355	Surgery Fees Per SMC 9.26.060	\$207,500	\$207,500
	Administrative Fees Per SMC 9.26.050	\$32,500	\$32,500
	Small Pet Adoption Fees Per SMC 9.26.050	\$10,500	\$10,500
<b>TOTAL</b>		<b>\$250,500</b>	<b>\$250,500</b>

Total Revenue Notes: Revenue from 2013 Surgery Fees will cover approximately 3,400 spays and neuters of dogs, cats and rabbits,

**Other Implications:**

- a) Does the legislation have indirect financial implications, or long-term implications?  
 Yes. The legislation increases the services provided to taxpayers by providing sterilization services for rabbits and free roaming community cats. The legislation also sends a policy message that small animals other than dogs and cats have intrinsic value. While unknown, the proposed fee for trapping live animals make act as a disincentive for homeowners to trap nuisance cats.
- b) What is the financial cost of not implementing this legislation?  
 If the legislation is not implemented, the City will forego \$22,500 in annual revenue from sterilizations services for rabbits and free roaming community cats; \$3,000 in annual revenue from small pet adoption fees; and \$5,000 in annual revenue from live animal trapping permit fees.
- c) Does this legislation affect any departments besides the originating department?  
 No

- d) What are the possible alternatives to the legislation that could achieve the same or similar objectives? There are no alternatives to this legislation that could achieve the same or similar results.
  
- e) Is the legislation subject to public hearing requirements?  
No
  
- f) Other Issues:

Please list attachments to the fiscal note below:  
N/A