



## EXHIBIT A: Proposed Code Updates

### CHAPTER 17.01 ANIMAL CONTROL – GENERAL PROVISIONS

#### 17.01.010 Definitions.

As used in this title, the following terms shall have the following meanings:

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“Community cat” refers to an unowned, free-roaming cat that may be receiving care from a community member or may be stable without intervention in its resident area. These cats are generally feral and may or may not be reproductively sterilized. Community cats are not defined as stray cats, and they do not have a legal owner and are not routinely microchipped.

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#### 17.01.080 Redemption of dogs.

Unless otherwise specifically provided in this title, the owner of any dog impounded under this title may redeem said dog within 48 hours from time of impounding by paying the appropriate redemption fee to the animal shelter, if the animal is in the animal shelter; otherwise, to the City. For the first impound within a one-year period, the redemption fee is ~~\$5025~~ and the dog will be required to be microchipped; for the second impound within a one-year period, the redemption fee is ~~\$7550~~; for the third and subsequent impounds within a one-year period, the redemption fee is ~~\$10075~~. In addition to the redemption fee, the redeemer shall pay as a boarding charge for the caring and keeping of such dog as determined by the animal shelter ~~the sum of \$6 per day for each day~~, including the first and last days that the dog is retained by the animal shelter and any licensing fees and penalties related to licensing. All fees and charges must be paid prior to redeeming the dog at the discretion of the animal shelter. A dog may not be redeemed unless it is properly licensed. If an impounded dog is not redeemed by the owner within ~~72~~ 48 hours, then any person may purchase it within the next ~~72~~ 48 hours by complying with the animal shelter’s purchase provisions. ~~In case such dog is not redeemed within 96 hours of impoundment, it may be humanely euthanized or otherwise disposed of within the discretion of the animal shelter.~~

#### 17.01.090 Redemption of livestock.

The owner of livestock impounded under this title may redeem said livestock within 48 hours from time of impounding by paying a redemption fee of ~~\$7535~~ per animal for small livestock (i.e., goats, sheep, swine, ostriches, rhea, emu, etc.) and a redemption fee of ~~\$15075~~ per animal for large livestock (i.e., cattle, horses, mules, llamas, etc.) to the animal shelter, if the animal is in the animal shelter; otherwise, to the City. In addition, the cost of a private livestock hauler, if one is used, is to be paid at the time of redemption. In addition to the redemption fee, the redeemer shall pay as a boarding charge for the caring and keeping of such animal ~~the sum of \$6~~ as determined by the animal shelter for each day, including the first and last days that the animal is cared for at the animal shelter. The livestock may be cared for by a private boarding facility, in which case that facility’s boarding fees shall be paid to the City at the time of redemption.

#### 17.01.100 Redemption of animals other than dogs and livestock.



The owner of any animal other than a dog or livestock impounded under the provisions of this title may redeem it within ~~72~~<sup>48</sup> hours from the time of impounding by paying a redemption fee of ~~\$25~~<sup>15</sup> to the animal shelter, if the animal is in the animal shelter; otherwise, to the City. In addition to the redemption fee, the redeemer shall pay as a boarding charge for the caring and keeping of such animal ~~the sum of \$4 per day for each day, including the first and last days that the animal is retained by the animal shelter~~ as determined by the animal shelter. Microchips are mandatory upon impounding cats (not to include community cats by definition) at an animal shelter and the cost of the microchip shall be included in the fees designated by the animal shelter. All fees and charges must be paid prior to redeeming a cat at the discretion of the animal shelter. A cat may not be redeemed unless it is properly licensed and community cats should not be returned until spayed or neutered. ~~If such animal is not redeemed by the owner within 48 hours, it may be humanely euthanized or otherwise disposed of at the discretion of the animal shelter; provided, however, at the discretion of the animal shelter, any animal so impounded less than two months of age may be humanely euthanized or otherwise disposed of at any time after impounding.~~

#### **17.01.110 Mandatory spay/neuter for impounded dogs and cats – exception.**

A. No unaltered dog or cat that is impounded ~~more than once in any 12-month period~~ may be redeemed by any person until the animal is spayed or neutered. The alteration shall be accomplished by the animal shelter or by any duly licensed veterinarian in Pierce County authorized by the animal shelter. In all cases, the veterinarian fees shall be paid at the time of redemption by the animal's owner.

B. Exceptions. The alteration shall not be required upon a showing of proof of alteration from a licensed veterinarian. The alteration shall not be required if the owner or other person redeeming the animal provides a written statement from a licensed veterinarian stating that the spay or neuter procedure would be harmful to the animal. An unaltered animal must have an unaltered animal license with the City of Tacoma.

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#### **17.01.130 Conditions of release.**

The animal control authority may refuse to release to its owner any animal that has been impounded more than once in a 12-month period unless the owner demonstrates that ~~they have~~ he or she has taken steps to reasonably ensure that the violation will not occur again and the animal has been spayed or neutered. The animal shelter or the animal control authority may impose reasonable conditions that must be satisfied by the owner before release of the animal, including conditions assuring that the animal will be confined. Failure to comply with the conditions of release is a violation.

Exceptions. The alteration shall not be required upon a showing of proof of alteration from a licensed veterinarian. The alteration shall not be required if the owner or other person redeeming the animal provides a written statement from a licensed veterinarian stating that the spay or neuter procedure would be harmful to the animal. An unaltered animal must have an unaltered animal license with the City of Tacoma.

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#### **17.01.150 Duties upon injury or death to an animal – misdemeanor.**

The operator of a vehicle involved in an accident resulting in injury or death to a cat, dog, or livestock shall immediately stop the vehicle at or as near to the scene of the accident as possible and return thereto, and



shall give to the owner or other competent person having custody of the animal the name and address of the operator of the vehicle and the registration number of the vehicle involved in the accident. If the owner or other competent person is not the person at the scene of the accident, the operator shall take reasonable steps to locate the owner or custodian of the animal and shall supply the information hereinabove required. If the animal is injured to the extent that it requires immediate medical attention and there is no owner or custodian present to look after it, the operator of said vehicle shall immediately report the situation to the Tacoma Police Department. A person who violates this shall be guilty of a misdemeanor and face a \$250 fine.

## CHAPTER 17.02 ANIMAL CONTROL

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### 17.02.030 Stray dog, cat, or animal.

Any stray dog, cat, or animal running at large within the City may be seized and impounded. For the purposes of this section, “stray dog,” “stray cat,” and “stray animal” shall mean and include any dog, cat, or animal loitering in a neighborhood or any public place without an apparent owner or home. Community cats located outside who have a caretaker are not considered “stray.”

### XXXX Indoor Pigs

- No more than two (2) pigs may be kept as indoor household pets per property.
- Each pig must weigh less than 100 pounds.
- Pigs must be licensed, spayed/neutered, and microchipped by owner.
- Pigs may not be used for breeding or consumption.
- Pigs must be on leash when off property.
- No condition shall be allowed to develop or continue on any premises which creates objectionable odors or noises or is unsightly.

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### 17.02.085 Animals injuring domestic animals or livestock – misdemeanor.

The owner or other person having control or custody of any animal is guilty of a misdemeanor if they have possession, custody, or control of an animal that, because of the owner’s negligence, causes serious or grave injury to a domestic animal or livestock which is acting in a lawful manner. Any such animal may be seized and impounded.

Any penalties imposed under this section are in addition to any penalties or civil remedies imposed in relation to a declaration that a dog is dangerous or potentially dangerous.

### 17.02.090 Animals injuring humans, ~~domestic animals, or livestock~~ – gross misdemeanor.



The owner or other person having control or custody of any animal is guilty of a gross misdemeanor if they have ~~he or she has~~ possession, custody, or control of an animal that, because of the owner's negligence, causes serious or grave injury to a human, ~~domestic animal, or livestock~~ which is acting in a lawful manner. Any such animal may be seized and impounded.

Any penalties imposed under this section are in addition to any penalties or civil remedies imposed in relation to a declaration that a dog is dangerous or potentially dangerous.

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**17.02.110 Directing dog to harass or attack public officer – gross misdemeanor – minimum mandatory.**

It shall be unlawful for any person having control or custody of any dog to allow, direct, encourage, cause, or otherwise aid or assist any dog to threaten, charge, intimidate, bite, harass, menace, or attack any animal control or other public officer engaged in the conduct of their ~~his or her~~ duties. Any such animal may be seized and impounded. Any violation of this section is a gross misdemeanor, and shall carry a minimum mandatory sentence of five days in jail and a fine of no less than \$1000.

“Public officer” means any general authority, limited authority, or specially commissioned Washington peace officer or federal peace officer, as those terms are defined in RCW 10.93.020, and other public officers who are responsible for enforcement of fire, building, zoning, and life and safety codes.

**CHAPTER 17.04  
DANGEROUS DOGS AND POTENTIALLY DANGEROUS DOGS**

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**17.04.040 Permits and fees.**

A. Within ten days following a declaration of potentially dangerous dog, and the exhaustion of any appeal therefrom, the owner of a potentially dangerous dog shall obtain a permit for such dog from the Finance Department of the City and shall be required to pay a fee for such permit in the amount of ~~\$250~~300, have the dog implanted with a microchip, and provide the microchip number to the Finance Department of the City.

B. Any potentially dangerous dog is also subject to any additional conditions of confinement set forth in RCW 16.08, as now exists or as may be amended hereafter, including, but not limited to, posting of warning signs and maintenance of liability insurance coverage.

C. The owner of a potentially dangerous dog shall pay an annual renewal fee for such permit in the amount of ~~\$100~~50 for two years. After two years, the permit requirement ends.

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**17.04.070 Confiscation and destruction of potentially dangerous dog.**

Any potentially dangerous dog confiscated pursuant to this chapter shall be returned to the owner upon the owner's compliance with this chapter. ~~However, if the owner does not comply with the provisions of this~~



~~chapter within 72 hours following confiscation of said dog, said dog shall be euthanized in an expeditious and humane manner, except as otherwise specifically provided in this chapter.~~ The owner is subject to boarding charges as set forth in Section 17.01.080, in addition to all penalties set forth in this chapter. If the owner does not comply or seek to regain the potentially dangerous dog from confiscation, the animal shelter is required to alert potential adopters to the dog's status as potentially dangerous.

This section also applies to any dog declared dangerous under any prior ordinance and prior to the effective date of this ordinance.

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## **CHAPTER 17.05 DOG AND CAT LICENSES**

### **17.05.010 License required.**

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D. ~~After August 1, 2002, absent proof of prior ownership, the~~ The following are the maximum number of dogs and cats which may be licensed by a resident of the City or kept at a street address or physical location in the City:

1. six dogs or six cats or any combination of dogs and cats totaling six animals.

2. After June 1, 2025, absent proof of prior ownership, only one of the total maximum number of dogs and cats may be licensed as unaltered.

E. The maximum limits on dogs and cats at a street address or physical location does not apply to the facilities of the Humane Society or other animal shelter, veterinary hospitals, or kennel in compliance with this title.

### **17.05.012 Repealed. Puppies and kittens.**

~~A. It is a violation to sell or give away puppies unless the puppies were born to a dog licensed as an unaltered animal.~~

~~B. It is a violation to sell or give away kittens unless the kittens were born to a cat licensed as an unaltered animal.~~

~~C. If the owner provides proof to the court that the dog or cat that bore the puppies or kittens was subsequently spayed and is currently licensed, the court shall consider this a mitigating factor in determining the whether to impose a penalty or the amount of any penalty that is imposed.~~

~~D. Any advertisement, sign, placard, or notice that puppies or kittens are available for sale or may be obtained free of charge must include the license tag number of the mother of the puppies or kittens. Failure to include the license tag information is a violation.~~

~~E. This section does not apply to the Humane Society or an animal shelter as defined in this title.~~

**XXXXX. Banning breeding, advertising, and sale of companion animals for profit****A. The Deliberate Breeding of Companion Animals for Profit is Prohibited.**

It shall be unlawful for any person to deliberately breed any companion animal, namely any dog, cat, or rabbit, for the purposes of profit without a current business license issued under 6B.20 in Tacoma Municipal Code. Violation of this subsection by any person or corporation shall be a civil violation punishable by a fine of not more than one thousand dollars (\$1000) per litter deliberately bred. Anyone found guilty of this provision may cure this fine by providing proof that all of the animals bred and their offspring have been spayed or neutered to the Animal Control Officer, via inspection of the animals in question and veterinary records, and that all breeding activity on the property has ceased.

**B. Advertisement and Sale of Companion Animals Prohibited.**

It shall be unlawful for any person to sell or offer for sale any companion animal, namely any dog, cat, or rabbit without a current business license issued under 6B.20 in Tacoma Municipal Code. A retail pet store may provide space and appropriate care for animals owned by a publicly operated Animal Control agency or non-profit animal welfare organization for the purpose of adopting spayed or neutered dogs, cats, or rabbits to the public. Violation of this subsection by any person or corporation shall be a civil violation, punishable by a fine of two hundred fifty dollars (\$250) per animal per day.

**C. Exception for Accidental Litters.**

The prohibition on the deliberate breeding of companion animals for profit shall not apply to litters of companion animals which we were bred due to accident, provided that the person responsible for the animals provides proof to the Animal Control Officer that the animals bred have been spayed or neutered.

**D. Exception for Rehoming Fees:**

The prohibition on the advertisement and sale of companion animals in 5.05.134(b) shall not apply to rehoming fees required when adopting any companion animal for the purposes of ensuring that the animal is adopted into a safe environment.

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**17.05.040 Annual license fees.**

The annual license fees for the ownership, keeping, or having control of dogs or cats in the City shall be as follows:

**A. Adult Dogs and Cats:**

Cat Altered	\$ <del>30</del> <sup>20</sup>
Cat Unaltered	\$ <del>175</del> <sup>65</sup>
Dog Altered	\$ <del>40</del> <sup>30</sup>
Dog Unaltered	\$ <del>175</del> <sup>65</sup>



B. Reduced rates for senior citizens, 65 years of age or older, ~~and~~ individuals with a permanent disability, and individuals who qualify for the Tacoma Public Utility bill assistance program:

Cat Altered	\$5
Cat Unaltered	<del>\$100</del> 35
Dog Altered	\$10
Dog Unaltered	<del>\$100</del> 35

\* \* \*

C. License for Indoor Pig: \$40.00

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H.G. In addition to the infraction penalty set forth in Section 17.05.070, any person who fails to obtain a license 30 days after the license expiration date but before 60 days of the expiration date shall pay a penalty of ~~\$15~~40 per license. Any person who fails to obtain a license after 60 days of the license expiration shall pay a penalty of ~~\$25~~20 per license.

\* \* \*

I. One replacement tag per license term will be given per animal at no fee, and each additional replacement tag shall be ~~\$10~~5.00 each.

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## CHAPTER 5.23 ANIMALS – KEEPING

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### 5.23.010 Keeping prohibited except in compliance with chapter.

It shall be unlawful for any person to keep any horses, asses, mules, cattle, goats, ~~or~~ sheep, pigs, boars, sows, gilts, barrows, shoats, and piglets within the city limits of the City of Tacoma; provided that this chapter shall not apply in areas in which slaughterhouses or stockyards are permitted by appropriate ordinances of the City of Tacoma; provided, further, that upon full compliance with the provisions of Section 5.23.020 of this chapter, the keeping of any such animal or animals may be permitted when the conditions of said Section are and continue to be complied with in all respects.

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## CHAPTER 5.32 HOGS

### 5.32.010 Prohibited places.

The keeping of any member of the swine family, including hogs, pigs, boars, sows, gilts, barrows, shoats, and piglets, for slaughter ~~hog or hogs~~ within the City of Tacoma is hereby declared to be a public nuisance; provided that this chapter shall not apply in areas in which abattoirs or stockyards are permitted by appropriate ordinance.

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