

## Chapter 7.12

### LICENSING AND IMPOUNDMENT

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**7.12.010 Licensing.** Fees for licensing shall be set by resolution.

- A. All adult dogs, harbored, kept, or maintained within the City shall be licensed annually, and within thirty days of being moved into the City.
- B. Licenses shall be issued upon payment of the appropriate fee as set by resolution and upon proof of current vaccination for rabies from a licensed veterinarian. (Ord. 2022, 2003)
- C. All allowed exotic animals harbored, kept, or maintained within the City shall be licensed.
- D. Licenses.
  - 1. License tags shall be securely displayed at all times, except when the animal is displayed in any official exhibition. A license, with registration number, shall be supplied by the City of Snohomish.

- 2. Licenses are not transferable to another animal. License information may be transferred to a new owner upon payment of the applicable fee.
- 3. Lifetime licenses shall only be issued for altered pets.
- 4. With the exception of lifetime licenses, all licenses provided for in this section shall expire on December 31<sup>st</sup> of each year.
- 5. Animal license fees shall be specified by resolution.
- E. Any dog which is declared to be a “dangerous dog” as defined by SMC Section 7.04.020 shall be required to be micro-chipped by a veterinarian of the owner’s choice, at the owner’s expense pursuant to this title and also be licensed. The owner shall provide proof of micro-chip installation.  
(Ord. 1915, 1999; Ord. 2193, 2010)

#### **7.12.020 Kennels, Catteries, Shelters, and Boarding Facilities.**

- A. All kennels and catteries shall be licensed as provided by Chapter 7.04 and this chapter. No such facility may lawfully operate except upon lawful issuance of a license. Issuance of such license shall not constitute approval of the land use, nor evidence of compliance with applicable land use regulations.
- B. Kennels shall conform to regulations established in SMC Title 14, Land Use.
- C. Exceptions of subsection (A): a kennel license shall not be required for the following animal facilities:
  - 1. Licensed veterinary hospitals and clinics.

2. Temporary animal exhibitions located within the City limits for a period of up to fifteen (15) days.

3. Approved animal shelters maintained for the care and keeping of impounded or stray animals.

(Ord. 1915, 1999; Ord. 2193, 2010)

**7.12.030 Impoundment Procedures.**

A. Any animal may be impounded and held when it is the subject of a violation of this title, when an animal requires protective custody and care due to mistreatment or neglect by its lawful owner, or when otherwise ordered impounded by a court. (Ord. 2193, 2010)

B. An animal is deemed to be impounded from the time the Animal Control Officer or his/her designee, including the Snohomish Police personnel and contracted agents (such as on-call veterinarian hospitals), takes physical custody of such animal.

C. An Animal Control Officer or police officer may enter the private unenclosed property of another, with or without warrant, when in hot pursuit, to take possession of any animal observed at large. (Ord. 2022, 2003; Ord. 2193, 2010)

D. Regulations for Keeping a Found Dog.

1. Any person who finds a dog or cat, which is not lawfully on their property and/or without knowing the animal owner's identity, shall notify the Animal Control Authority and furnish a description of the animal. The finder may surrender the animal to the animal control shelter or retain its possession, subject to the discretion of the Animal Control Authority. (Ord. 2022, 2003; Ord. 2193, 2010)

2. Records of reported findings shall be maintained by the Animal Control Authority and made available to the public. (Ord. 2193, 2010)

3. If, within thirty days of the finding report made to animal control, no person makes claim upon the finder for return of the animal, the finder who chooses to retain possession of the animal shall obtain a license as required in this chapter, and thus shall become the legal owner.

4. Animals held by the City for periods prescribed in this chapter, and not redeemed by the owner, shall become the property of the City. (Ord. 2193, 2010)

E. Holding period and notice requirements: (Ord. 2193, 2010)

1. Any animal wearing a current license tag from a jurisdiction within the state shall be held for one hundred forty-four hours (six days) from time of impoundment. The impounding officer shall make reasonable effort by telephone to give notice of impoundment to the owner and if unsuccessful, shall mail written notice to the last known address of the owner advising of the impoundment and the date by which redemption must be made. (Ord. 2022, 2003)

2. Any animal not wearing a current license shall be held for seventy-two hours (three days) from time of impoundment before any disposition may be made of such animal. (Ord. 2022, 2003; Ord. 2193, 2010)

3. Litters of kittens and puppies, brought in as abandoned, may be disposed of immediately upon

custody, at the discretion of the shelter manager. (Ord. 2022, 2003; Ord. 2193, 2010)

4. Animals delivered for impoundment by a police officer who removed such animal from possession of a person in custody of the police officer shall be held for the period prescribed in section (1) of this subsection.

F. Release from Impoundment and Disposition of Animals.

1. Payment of applicable fees, penalties, fines, and forfeitures shall be required prior to the release of an animal. (Ord. 2913, 2010)
2. Any impounded animal shall be released to the owner unless in the discretion of the Animal Control Authority or his/her designee there is an ongoing investigation of a violation of this chapter or state law. Positive identification of the owner shall be provided to animal control prior to release. (Ord. 2193, 2010)
3. Any animal held for the prescribed period and not redeemed by its owner, and which is neither dangerous nor unhealthy, may be released for adoption, subject to the following conditions:
  - a. The adoptive owner agrees to furnish proper care to the animal in accordance with this chapter;
  - b. Payment of required fees, including any medical care costs incurred during impoundment;
  - c. In case of an unaltered animal, a spay/neuter deposit shall be made for dogs and cats that is only

refundable upon proof that such animal has been rendered sexually unproductive within the allotted time period; and (Ord. 2193, 2010)

- d. In the case of animals under six months of age, the execution of a written agreement by the adoptive owner to render any adopted dog or cat sexually unproductive within sixty days of adoption, or upon the animal attaining sexual maturity (six months), whichever event occurs last. Failure to perform the terms of the agreement shall be a violation, and shall be a forfeiture of the spay/neuter deposit and the manager may require return of the adopted animal to the shelter.
4. The owner of any animal retained at the shelter pending legal action pertaining to violations of this chapter and/or other judicial actions or hearings, pertaining to his/her ownership/responsibilities regarding the animal, shall upon conviction be liable for all fees prescribed by the fee schedule.
5. The shelter manager shall dispose of animals by means of euthanasia or adoption. However, irrespective of a prescribed holding period, the manager, upon advice of a licensed veterinarian, may immediately euthanize a sick or injured impounded animal.
6. The decision of whether to release an animal to an individual for the purposes of adoption shall be at the discretion of the Animal Control Authority. In making the determination the Animal Control Authority or his/her designee shall

base his/her decision on what is in the best interest of the animal and what is in the best interest of public safety. (Ord. 1915, 1999; Ord. 2193, 2010)

**7.12.040 Shelter Operation.**

- A. The shelter manager shall operate, maintain, or provide an adequate facility to receive and care for any animal delivered to his/her custody for disposition under the provisions of this chapter, which facility shall be accessible to the public during reasonable hours for the conduct of necessary business concerning impounded animals.
- B. The City Council may authorize the City Manager to contract with another agency or entity for impoundment and shelter services.  
(Ord. 1915, 1999; Ord. 2193, 2010)

**7.12.050 Facilities, Licensing, Requirements – Regulations and Procedures.**

- A. Applications for a kennel license shall be made upon forms furnished by the Police Department, including all information required therein, and shall be accompanied by payment of the required fee as set by resolution.
- B. An initial kennel license shall expire one year from the date of application. Applications for renewal must be filed one month prior to the expiration of the kennel license. All renewals will refer back to the original date of expiration.
- C. Facilities shall be located and conform to Title 14 SMC.
- D. Facilities including all animal runs, buildings, and structures devoted primarily to housing animals must be located at least thirty (30) feet from all external property lines.  
(Ord. 1915, 1999; Ord. 2193, 2010)

**7.12.060 Change in Classification.** Any person who has a change in the category under which a permit was issued is subject to reclassification. (Ord. 2193, 2010)

**7.12.070 Right of Inspection.** It is a condition of issuance of any permit under this chapter that the Animal Control Officer is permitted to inspect all animals and the premises where the animals are kept at any reasonable time. (Ord. 2193, 2010)

**7.12.080 Denial or Revocation of a License.**

- A. The Animal Control Officer may deny an application or renewal for a license, or may revoke any license issued under this chapter, for any failure to meet the requirements of the chapter.
- B. In the event that a license application or renewal is denied or a license is revoked for a kennel, the applicant and/or operator may not make a new application for a kennel or facility until such applicant and/or operator meets the requirements of this chapter to the satisfaction of the Animal Control Authority.
- C. No person who has been convicted of cruelty to animals shall be issued a permit to operate any type of kennel or boarding facility. Any such permit which has been issued will be automatically revoked upon proof of conviction of the holder for cruelty to animals.
- D. The City of Snohomish may revoke any permit under this chapter if the person holding the permit refuses or fails to comply with the ordinance codes in this title, or any law governing the protection and keeping of animals, or if the person holding a permit has withheld or falsified any information on the application for such permit. Such revocation of permit shall not affect the

permit holder's liability to prosecution under this title.  
(Ord. 2193, 2010)

**7.12.085 Penalties.**

- A. The first and second offense for violation of this Chapter shall be considered a civil violation pursuant to SMC 1.01.080 and Chapter 1.14 SMC, except as otherwise provided therein. (Ord. 1935, 1999; Ord. 2155, 2008; Ord. 2193, 2010)
  
- B. The third offense of this chapter within a 365 day period shall be a misdemeanor subject to a jail term not more than 90 days, a fine of not more than \$1,000.00, or both such fine and imprisonment. (Ord. 2193, 2010)

**7.12.090 Citizen Right to Appeal.** Any applicant and/or operator aggrieved by a decision of the Animal Control Authority to deny or revoke a license may file an administrative appeal to the hearing examiner within 14 days after receiving a notice of violation, or being denied a license pursuant to this Chapter. Failure to file an appeal within 14 days will constitute a waiver of all rights to an administrative hearing and determination of the matter. (Ord. 2193, 2010)

**7.12.100 Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation. The City Council of the City of Snohomish hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, or portions be declared

invalid or unconstitutional. (Ord. 1915, 1999)

**7.12.110 Third Party Liability.** It is expressly the purpose of this ordinance to provide for and promote the health, safety, and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this ordinance. (Ord. 1915, 1999)