













The owner of livestock impounded under this Title may redeem said livestock within 48 hours from time of impounding by paying to the impounding authority a redemption fee as prescribed by resolution per animal for small livestock (i.e., goats, sheep, swine, ostriches, rhea, emu, etc.) and a redemption fee as prescribed by resolution per animal for larger livestock (i.e., cattle, horses, mules, llamas, etc.). 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 prescribed by resolution for each day, including the first and last days, that the animal is cared for at the impounding authority. The livestock may be cared for by a private boarding facility, in which case that facility's boarding fees shall be paid at the time of redemption.

#### **8.01.080 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 48 hours from the time of impounding by paying to the animal control agency a redemption fee as prescribed by resolution. In addition to the redemption fee, the redeemer shall pay, as a boarding charge for the caring and keeping of such animal, the sum prescribed by resolution per day for each day, including the first and last days, that the animal is retained by the impounding authority. If such animal is not redeemed by the owner within 48 hours, it may be humanely destroyed or otherwise disposed of at the discretion of the animal control agency; provided, however, that any animal so impounded less than two months of age, at the discretion of the animal control agency, may be humanely destroyed or otherwise disposed of at any time after impounding.

#### **8.01.085 Mandatory Spay/Neuter for Impounded Dogs and Cats.**

**(A) Mandatory Spay/Neuter.** 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 and neutered. The alteration shall be accomplished by transport of the animal by Humane Society personnel to any duly licensed veterinarian in Pierce County selected by the owner. If no veterinarian is named, the Humane Society shall transport the animal to any duly licensed veterinarian in Pierce County it selects. In all cases, the veterinarian fees shall be paid at the time of redemption.

**(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.

#### **8.01.090 Conditions of Release.**

The animal control agency is authorized to refuse to release to its owner any animal which has been impounded more than once in a 12-month period unless satisfied that the owner has taken steps that the violation will not occur again. The agency may impose reasonable conditions which must be satisfied by the owner before release of the animal, including conditions assuring that the animal will be confined. Any violation of the conditions of release is unlawful and shall constitute a violation pursuant to Chapter 1.20 UPMC.

#### **8.01.095 Injured or Diseased Animals.**

Any animal suffering from serious injury or disease may be humanely destroyed by the animal control agency; provided, that the animal control agency shall immediately notify the owner, if the owner is known, and if the owner is unknown, make a reasonable effort to locate and notify the owner.

#### **8.01.100 Duties Upon Injury or Death to an Animal.**

The operator of a vehicle involved in an accident resulting in injury or death to an animal 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 said animal and shall supply the information herein above 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 University Place Police Department.

**8.01.110 Poisoning of Animals.**

No person shall place or expose or cause to be placed or exposed in any yard or lot of vacant or enclosed land, or on any exposed place or public place, or on any street, alley, or highway, or other place where the same may be taken internally by a child, person, or by any domestic animal, or fowl, any poisonous substance which, if taken internally, may cause death or serious sickness. The provisions of this Section shall not apply to the killing by poison of any domestic animal, or fowl in a lawful and humane manner by its owner or by a duly authorized agent of such owner or by a person acting pursuant to instructions from a duly constituted public authority.

**8.01.120 Abatement of Nuisances.**

Any person convicted of a misdemeanor for violating any of the provisions of this Chapter in the keeping or maintenance of any nuisance as described in Chapter 8.05.090 shall, in addition to any fine or imprisonment imposed by the Court in such action, be ordered to forthwith abate and remove the nuisance; and if the same is not done by the offender within 24 hours, the same shall be abated and removed under the direction the officer authorized by the order of said Court, which order of abatement shall be entered upon the docket of the Court and made a part of the judgment in the action. Any such person shall be liable for all costs and expenses of abating the same when the nuisance has been abated by any officer of the City of University Place or the animal control agency of the City of University Place, which costs and expenses shall be taxed as part of the costs of the prosecution against the party, liable to be recovered as other costs are recovered; and in all cases where the officer is authorized by the Court, shall abate any nuisance and he/she shall keep an account of all expenses attending the abatement; and in addition to other powers herein given to collect the costs and expenses, the City of University Place may bring suit for the same in any Court of competent jurisdiction against the person keeping or maintaining the nuisance so abated.

**8.01.130 Human Society Adoptions.**

**(A) Mandatory Spay/Neuter.** No unaltered dog or cat that is otherwise eligible to be adopted from the Humane Society may be adopted by any person unless the animal is spayed or neutered. In all cases, the veterinarian fees shall be paid by the prospective owner. Any adopted, unaltered dog or cat shall be subject to impoundment.

**(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.

**8.01.200 Penalty for Violation.**

A person who violates any of the provisions of Chapters 8.01.050, 8.01.060, 8.01.100, and 8.01.110 of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor.

**8.01.210 Severability.**

If any provision of this Title or its application to any person or circumstances are held to be invalid, the remainder of this Title or the application of the provisions to other persons or circumstances shall not be affected.

**Chapter 8.05  
ANIMAL CONTROL**

**Sections:**

**8.05.010 Animals at Large on Public Grounds.**

**8.05.020 Animals at Large on Private Property.**

**8.05.025 Poultry Running at Large.**

**8.05.030 Confinement of Female Dogs and Cats in Heat.**

**8.05.035 Livestock at Large.**



**8.05.040 Dogs Chasing Vehicles on Public Roads.**

**8.05.045 Confinement of an Animal in a Motor Vehicle.**

**8.05.050 Dogs Jumping and/or Threatening Pedestrians.**

**8.05.070 Animals Injuring Humans, Domestic Animals, or Livestock – Gross Misdemeanor.**

**8.05.080 Animals Injuring Private and Public Property - Misdemeanor.**

**8.05.090 Public Disturbance Noise and Public Nuisance Noise Made by an Animal.**

**8.05.095 Sale or Transfer of Animals in Public Places Prohibited.**

**8.05.100 Violations - Civil Infractions.**

**8.05.010 Animals at Large on Public Grounds.**

It is unlawful for the owner or person having control or custody of any animal to allow such animal to be at large in any park, or to enter any public beach, pond, fountain, or stream therein, or upon any public playground or school ground or in any public building. Any animal entering or trespassing upon such property may be seized and impounded.

**8.05.020 Animals at Large on Private Property.**

It is unlawful for the owner or person having control or custody of any animal to allow such animal to enter or trespass upon private property without the express permission of the owner or caretaker of such property. Any such animal may be seized and impounded.

**8.05.025 Poultry Running at Large.**

It shall be unlawful for any person owning or having the charge and control of any chickens, geese, ducks, or other domestic fowl to allow such poultry to enter or trespass upon private property without the express permission of the owner or caretaker of such property. Any such fowl may be seized and impounded.

**8.05.030 Confinement of Female Dogs and Cats in Heat.**

Every female dog and cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with a male of the species, except for planned breeding. It is unlawful for any person having control or custody of a dog or cat in heat to allow such animal to be unconfined. Any dog or cat not so confined when in heat, whether or not such dog or cat is licensed, may be seized and impounded, and will be subject to mandatory spaying in accordance with the process in UPMC 8.01.085.

**8.05.035 Livestock at Large.**

No person owning or in control of any livestock is to allow such livestock to enter or trespass upon private property without the express permission of the owner or caretaker of such property. No person owning or in control of any livestock is to allow such livestock to enter or trespass upon public property, with the exception of public streets and rights-of-way, without the express permission of the owner.

**8.05.040 Dogs Chasing Vehicles on Public Roads.**

It is unlawful for the owner or other person having control of any dog to allow such dog to chase, run after, or jump at vehicles lawfully using the public road, street, avenues, alleys, and ways. Any such dog may be seized and impounded.

**8.05.045 Confinement of an Animal in a Motor Vehicle.**

No owner or person shall confine any animal in a motor vehicle in such a manner that places the animal in a life- or health-threatening situation by exposure to a prolonged period of extreme heat or cold, without proper ventilation or other protection from the extreme temperature. An animal control officer or law enforcement officer who reasonably believes that an animal is in imminent danger due to exposure to extreme temperatures may take reasonable steps to protect the animal including impounding the animal by removing the animal from the vehicle.

**8.05.050 Dogs Jumping and/or Threatening Pedestrians.**

It is unlawful for the owner or other person having control of any dog to allow such dog to frequently or habitually snarl at, growl at, jump upon, or threaten persons upon the public sidewalks, roads, streets, alleys, or public places. Any such dog may be seized and impounded.

**8.05.070 Animals Injuring Humans, Domestic Animals, or Livestock - Gross Misdemeanor.**

It is unlawful for the owner or other person having control or custody of any animal to allow such animal to cause injury to a human, domestic animal, or livestock which is acting in a lawful manner. Any such animal may be seized and impounded. Any violation of this Section is a gross misdemeanor with a maximum penalty of 365 days in jail and/or a \$5,000.00 fine.

**8.05.080 Animals Injuring Private and Public Property - Misdemeanor.**

It is unlawful for the owner or other person having control or custody of any animal to allow such animal to damage or destroy any property or thing of value upon the private property of another, or upon any public property. Any such animal may be seized and impounded. Any violation of this Section is a misdemeanor with a maximum penalty of 90 days in jail and/or a \$1,000.00 fine.

**8.05.090 Habitually Noisy Animal – Civil Violation.**

It is unlawful for the owner or other person having control or custody of any animal to allow such animal to habitually howl, yelp, bark, or make other noises which unreasonably disturb another person. Allowing an animal to habitually howl, yelp, bark or make other noises which unreasonably disturb another person shall carry a minimum penalty of \$100.00 and a maximum penalty of \$250.00. In addition to any such fine, the hearing examiner may declare the animal a nuisance, order that it be confined or impounded, declare the necessary measures which the owner must comply with to confine the animal, and impose on the owner or custodian of the animal all expenses of impoundment, including shelter, food, and veterinary expenses.

Upon receipt of a complaint of a noisy animal, the animal control officer shall notify the owner or custodian in writing of the nature of the complaint. If there is a second complaint within a three-month period, the animal control officer shall issue a Notice of Civil Violation. The notice shall be served on the owner or custodian in person or by certified mail. The notice shall state:

1. The description of the animal or animals.
2. The name and address of the animal's owner or custodian.
3. The number of complaints received within a three-month period.
4. The date and time of each such complaint.
5. The substance of each complaint.
6. The range of penalties which may be imposed.
7. The date, time and place of the hearing before the University Place Hearing Examiner.

At the hearing the City shall have the burden of proving by a preponderance of the evidence that the animal or animals habitually howl, yelp, bark, or make other noises which unreasonably disturb another person. The decision of the Hearing Examiner may be appealed to Superior Court within 21 days after it is issued.

**8.05.095 Sale or Transfer of Animals in Public Places Prohibited.**

It is unlawful to sell, barter or otherwise transfer for the purpose of changing ownership any animal in an area open to the public unless such activity is licensed pursuant to Chapter 8.10 of the University Place Municipal Code.

**8.05.100 Violations - Civil Infraction.**

Unless specifically designated in this Title as a gross misdemeanor or misdemeanor, any violation of this Title is unlawful and shall constitute a violation pursuant to Chapter 1.20 UPMC. Such penalty is in addition to any other remedies or penalties specifically provided in this Title. For each act herein prohibited of a continuing nature, each day shall be considered a separate offense.

**Chapter 8.10  
LICENSING OF DOGS AND CATS**

**Sections:**

**8.10.010 License Required.**

**8.10.020 Purchase of License.**

**8.10.030 Fees.**

**8.10.040 Late Payment Penalty.**

**8.10.050 License Not Transferable.**

**8.10.060 Dog Bite.**

**8.10.070 License Violation - Civil Infraction.**

**8.10.080 Impounding Dogs at Large.**

**8.10.010 Licenses Required.**

It is unlawful for any person to own, keep, or have control of a dog or cat over the age of eight weeks, whether confined or not, within the corporate boundaries of the City of University Place without having a current license tag attached to the collar or harness which is worn by the dog or cat. Any dog or cat which is off the premises of its owner must have a current license, regardless of its age. If any dog and/or cat which is required to be licensed is found without a current license, it may be seized and impounded by the animal control agency or the law enforcement agency of the City of University Place. Additionally, such seizure and impoundment will not preclude the issuance of a criminal complaint. Hunting dogs, during a controlled hunt, need not wear a license tag.

**8.10.020 Purchase of License.**

(A) All dog or cat licenses shall be obtained by paying the required license fee as prescribed by resolution or to such other agency as the City authorizes to issue licenses and collect license fees. The license shall remain in force for a period of twelve months from the date of issuance, expiring on the last day of the twelfth month. There is no prorating of any license fee. Renewal licenses will retain the original expiration period whether renewed prior to, on or after their respective renewal month. The applicant shall be furnished with such license and a metal tag. The tag shall be attached to a collar or harness which will be worn by the dog or cat at all times. The shape of the tag shall not be the same two consecutive years.

(B) Temporary dog or cat licenses, valid for 90 days, shall be available at no cost for previously unlicensed dogs and cats above the age of eight weeks. Temporary licenses shall be available from the Tacoma-Pierce County Humane Society; licensed kennels and catteries, grooming parlors, pet shops; and veterinary hospitals.

**8.10.030 Fees.**

The license fees for the ownership, keeping, or having control of dogs and/or cats in the City of University Place shall be prescribed by resolution.

In order to receive the fee advantage for altered dogs and cats, an individual must provide either proof of alteration from a licensed veterinarian or a written statement from a licensed veterinarian that the spay/neuter procedure would be harmful to the animal.

**8.10.040 Late Payment Penalty.**

(A) Any person who fails to obtain a license within 30 days after the license expiration date but before 60 days of the expiration date shall pay a penalty per license as prescribed by resolution. Any person who fails to obtain a license within 60 days of the license expiration date shall pay a penalty per license as prescribed by resolution.

(B) No late payment penalty shall be charged on new license applications if:

1. The owner submits proof of purchase or acquisition of the animal within the preceding 30 days; or
2. The owner has moved into the City within the preceding 30 days; or
3. The animal is currently, or has been within the preceding 30 days, under the age which requires a license; or
4. The owner purchases the license(s) voluntarily, prior to in person or field contact by animal control personnel; or

5. The owner submits other proof deemed acceptable in the animal control authority's administrative policy.

**8.10.050 License Not Transferable.**

Dog or cat licenses as provided for in this Chapter shall be nontransferable. A person may use a license for another dog or cat that he/she owns, if the dog or cat for which it was issued is no longer owned by such person. It is unlawful for any person to give, sell, exchange, or otherwise transfer a dog or cat license to another person, even if it is to be used for the same dog or cat for which it was originally issued.

**8.10.060 Dog Bite.**

It shall be unlawful for any person to keep or harbor any dog which, unprovoked, bites a human being while off the dog owner's property, and the dog may be seized and impounded for the protection of the public. The court may order the dog to be destroyed, if in the court's judgment such dog represents a continuing threat or serious harm to human beings.

**8.10.070 License Violation - Civil Infraction.**

A person who violates any of the provisions of Chapters 8.10.010, 8.10.020, or 8.10.030 of this Title shall, upon conviction thereof, be found guilty of a misdemeanor with a maximum penalty limited to a fine in an amount not to exceed \$250.00.

**8.10.080 Impounding Dogs at Large.**

The agency authorized by the City of University Place to enforce animal control laws shall impound dogs constituting the public nuisance described by Chapter 8.05.090. Upon impounding the dogs, the agency shall ascertain whether any of them are licensed, and if so, shall as soon as practicable notify the person to whom the licenses were issued that the dog or dogs have been impounded and can be redeemed. Any dog impounded pursuant to Chapters 8.10.070 through 8.10.100 shall be held 48 hours, during which time any person may redeem it. In case any such dog is not redeemed within 96 hours, it may be humanely destroyed or otherwise disposed of by the impounding agency. The fee for redeeming dogs and/or cats impounded pursuant to Chapters 8.10.070 through 8.10.100 shall be as set forth by resolution.

**Chapter 8.15**

**KENNELS, CATTERIES, GROOMING PARLORS, OR PET SHOPS**

**Sections:**

**8.15.010 Purpose.**

**8.15.020 Exemption.**

**8.15.030 License Requirement.**

**8.15.040 Application.**

**8.15.050 Fees.**

**8.15.060 License.**

**8.15.070 Director - Power and Duties.**

**8.15.080 Advertising Limitations.**

**8.15.090 License Expiration.**

**8.15.100 License Renewal.**

**8.15.110 License Suspension and Revocation.**

**8.15.120 Appeal of License Suspension or Revocation.**

**8.15.130 Inspection.**

**8.15.140 Impoundment.**

**8.15.150 Civil Remedy.**

**8.15.170 Compliance.**

**8.15.010 Purpose.**

This Chapter is necessary to the peace, health, safety, and welfare of the people in the City of University Place and has as its purpose to provide for the humane care and treatment of animals; to provide for the

control and regulation of facilities and kennels; to prevent nuisances; and to prevent endangerment of the health and safety of the public.

#### **8.15.020 Exemption.**

The provisions of this Chapter shall not apply to any facility which is owned, operated, or maintained by any city, county, state, or the federal government for the purpose of maintaining or possessing dogs.

#### **8.15.030 License Requirement.**

**(A) License Requirements - Generally.** It shall be unlawful for any person to own, maintain, or have six or more dogs and/or cats, or operate a commercial kennel or cattery, boarding kennel/cattery, foster shelter/kennel/cattery, hobby kennel, grooming parlor, private kennel/cattery, or pet shop, within the City of University Place without an applicable license as provided for by this Chapter. Any person(s) who engages in more than one of the services or maintains more than one of the types of facilities cited in this section shall pay all appropriate license fees as provided in UPMC 8.15.050. Veterinarians shall obtain the required licenses for any service other than one which by law may be performed only by a veterinarian; provided, that no such license shall be required for a veterinarian's possession of animals solely for the purposes of veterinary care. The Tacoma - Pierce County Humane Society is designated by the City of University Place as the animal control authority and is exempt from the licensing requirements of this Chapter.

**(B) Transfer of License.** If there is any change in ownership of any commercial kennel or cattery, boarding kennel/cattery, foster shelter/kennel/cattery, hobby kennel/cattery grooming parlor, private kennel/cattery or pet shop, the new owner may have the current permit transferred to his or her name upon the payment of a transfer fee as prescribed by resolution and upon the approval of the Tacoma - Pierce County Humane Society. The transfer will be deemed approved if not rejected within 30 days from the date of the application.

**(C) Grounds for Denial.** A permit or license may be denied for the following causes:

1. Conviction by the applicant of cruelty to animals.
2. Withholding or falsifying any information on the application.

**(D) Renewal.** Upon compliance with Chapter 8.15.040 and the tender of any fees required by Chapter 8.15.050, the Tacoma - Pierce County Humane Society shall issue a renewal license, and the applicant for such license shall post such license in a conspicuous place upon the premise. A penalty fee of 100 percent of the license fee shall be assessed if the license application is not submitted by March 31. Payment of this penalty shall not preclude the imposition of penalties prescribed in Chapter 8.15.170.

**(E) License - Required Information.** Every license shall state on its face the name of the owner and operator of the animal facility, the address, the maximum number of animals which can be kept in the facility at any one time, and the expiration date of the license. The number of animals which can be kept in the facility at any one time shall be determined by the Director or agent of the Tacoma - Pierce County Humane Society who inspected the premises, and may be modified by the Director from time to time if the facility conditions change. The location of any kennel shall not be changed without prior permission of the Director and such permission will be granted only after appropriate inspections have been conducted.

**(F) Records - Duty to Maintain.** Every licensed person shall maintain records for three years (current year and past two years) on dogs and/or cats. Said records shall contain a list of the names and addresses of persons from whom animals are received and to whom animals are sold, traded, given away, or groomed. All animal transactions shall be listed on the records and these records shall be made available for inspection by the Director and/or agent of the Tacoma - Pierce County Humane Society at all reasonable times for a specific reason.

#### **8.15.040 Application.**

**(A) Application - Generally.** Application for a permit to establish a new license under the provisions of this Chapter may be made at any time.

**(B) Application - Required Information.** Any person applying for a license as required by this Chapter shall submit to the Tacoma - Pierce County Humane Society the following information:

1. The name and address of the person(s) owning the facility;
2. The name and address of the person(s) having the supervision of the facility;
3. The address or location of the facility;
4. The maximum number of dogs and/or cats or combination thereof which such facility will contain;
5. The name and address of the person designated by the applicant as agent for the service of legal process or notice;
6. A written statement issued by the appropriate University Place Division responsible for enforcing the City's Zoning Code that such commercial kennel or cattery, boarding kennel/cattery, foster shelter/kennel/cattery, hobby kennel/cattery, grooming parlor, private kennel/cattery, or pet shop is in compliance with applicable zoning provisions;
7. A statement by the applicant giving permission for inspection of the facilities at any reasonable time;
8. A statement or permit from the Tacoma-Pierce County Health Department to insure that adequate provisions for sanitary facilities can be provided;
9. If the applicant is a pet store, a list of all species of animals such as dogs, cats, birds, reptiles, primates, insects, fish, rodents, and any/or all others, that are to be sold;
10. The name and address of the licensed veterinarian who cares for the applicant's sick or injured animals;
11. Proof that the application indicates the appropriate type of kennel category (commercial kennel or cattery, boarding kennel/cattery, foster shelter/kennel/cattery, hobby kennel/cattery, grooming parlor, private kennel/cattery, or pet shop). Proof may be in the form of a business license, a bona fide membership in a purebred animal club, or other such evidence acceptable to the Director of the Humane Society.

#### **8.15.050 Fees.**

The application for a commercial kennel or cattery, foster shelter/ kennel/cattery, boarding kennel/cattery, hobby kennel/cattery, grooming parlor, private kennel/cattery or pet shop license as required by this Chapter may be accompanied by a fee as prescribed by resolution:

Any person who has a change in the category under which a permit was issued may be subject to reclassification and an appropriate adjustment of the permit fee. If the license is denied, no part of the application fee shall be refunded to the applicant.

#### **8.15.060 License.**

Upon compliance with Chapter 8.15.040 and the tender of any fees as required by Chapter 8.15.050, the Tacoma - Pierce County Humane Society shall issue a license for such commercial kennel or cattery, boarding kennel/ cattery, foster shelter/kennel/cattery, hobby kennel/cattery, grooming parlor, private kennel/cattery or pet shop.

**(A) Duty to Comply.** The licensee shall comply with all standards, rules and regulations set forth in this Chapter throughout the licensing period.

**(B) Duty to Post.** The licensee shall post such license in a conspicuous place upon the premises where such commercial kennel or cattery, boarding kennel/cattery, foster shelter/kennel/cattery, hobby kennel/cattery, grooming parlor, private kennel/cattery or pet shop is maintained.

**(C) Duty to Offer Temporary Licenses.** The licensee shall have and offer to clients the free, 90-day, temporary licenses.

**(D) Distribution.** The Tacoma - Pierce County Humane Society will distribute each license to the following agencies:

1. Office of Fire Prevention and Arson Control;
2. City of University Place Building Inspection Division;
3. City of University Place Planning Division;

4. The Tacoma - Pierce County Humane Society; and
5. Tacoma-Pierce County Health Department.

**8.15.070 Director - Power and Duties.**

- (A) The Tacoma - Pierce County Humane Society shall promulgate such standards, rules, and regulations as are necessary for the operation of this Chapter. These standards, rules, and regulations shall be developed in conjunction with one representative from each group covered under this Chapter and a representative from Departments listed in Chapter 8.15.060 (D). These standards, rules, and regulations may be updated at least annually and shall include but are not limited to the following:
1. Sanitation and safety regulations;
  2. Minimum standards for food and water;
  3. Standards for facility construction and maintenance;
  4. Classification and separation of animals;
  5. Requirements for veterinarian care; and
  6. Pet license tag requirements.
- (B) A copy of the standards, rules, and regulations promulgated by the Director shall be furnished to each applicant for a license or license renewal.
- (C) Initial application for any of the licenses covered under this Chapter shall be provisional and will be issued after the applicant complies with these regulations and any rules and regulations that may subsequently be formulated. The applicant must be in total compliance with the rules and regulations at the end of six months or within a correction time schedule for compliance with this Chapter.

**8.15.080 Advertising Limitations.**

No hobby kennel or private kennel/cattery shall have signs, displays, or other visual representation advertising animals for sale or breeding.

**8.15.090 License Expiration.**

Each license issued under the authority and provisions of this Chapter shall expire on December 31 of the year of issuance.

**8.15.100 License Renewal.**

All license renewals shall be processed in the same manner as the original application except that a written statement from the City of University Place Planning Division and the Tacoma-Pierce County Health Department, as required in Chapters 8.15.040 (B) (6) and (8), will not be required. License renewals shall require the applicant to prove that the facility is still used for the same category of kennel activity (commercial kennel or cattery, foster shelter/kennel/cattery, hobby kennel, grooming parlor, private kennel/cattery, or pet shop). Proof may be in the form of a business license, a bona fide membership in a purebred animal club, or other such evidence acceptable to the Director of the Humane Society.

**8.15.110 License Suspension and Revocation.**

Any license issued for commercial kennel or cattery, foster shelter/kennel/cattery, hobby kennel, grooming parlor, private kennel/cattery or pet shop under the provisions of this Chapter shall be subject to suspension or revocation if the Tacoma - Pierce County Humane Society determines that such commercial kennel or cattery, foster shelter/kennel/cattery, hobby kennel, grooming parlor, private kennel/cattery or pet shop is being operated in violation of this Title, but only after a fair and impartial hearing before the Hearing Examiner.

**8.15.120 Appeal of License Suspension or Revocation.**

Within 30 days after the hearing, as provided in Chapter 8.15.110, the Hearing Examiner shall notify the applicant or the holder of the license, in writing, of the determination and the reasons therefore. The sole method of judicial review from a decision of the City of University Place Hearing Examiner shall be before the Superior Court for Pierce County. Notice of appeal shall be filed with the Clerk of the Court within 21 days of the action or decision by which a person is aggrieved. Any person whose license or permit is

revoked shall, within 30 days thereafter, humanely dispose of all animals owned, kept, or harbored by such person, or be sold, or given away, and no part of the permit or license fee shall be refunded.

**8.15.130 Inspection.**

It shall be a condition of the issuance of any permit or license that the licensing authority be permitted to inspect all animals, and the premises where animals are kept, at reasonable intervals to protect the health and safety of the animals and of the community. If permission for such inspection is refused, the permit or license of the refusing owner may be revoked. An enforcement officer shall have the authority to enter the premises if a permit or license holder is keeping animals in his/her own residence.

**8.15.140 Impoundment.**

An enforcement officer may impound any animal that is disabled or diseased because of neglect, abuse, or improper care, or whose condition constitutes a threat or danger to the public health or safety.

**8.15.150 Civil Remedy.**

Whenever a violation of the provisions of this Chapter constitutes a public nuisance, the Prosecuting Attorney may bring action on behalf of the City or the enforcement agency, for abatement, damages, and/or mandatory or prohibitory relief as provided for by law.

**8.15.170 Compliance.**

Compliance with the provisions of this Chapter may not be deemed compliance with, or eliminate the necessity for compliance with other applicable provisions of the laws of the State of Washington or of the City of University Place.

**Chapter 8.20**

**POTENTIALLY DANGEROUS DOGS**

**Sections:**

**8.20.010 Declaration of Dogs as Potentially Dangerous - Procedure.**

**8.20.020 Permits and Fees.**

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**8.20.010 Declaration of Dogs as Potentially Dangerous - Procedure.**

(A) The animal control agency shall classify potentially dangerous dogs. The agency may find and declare an animal potentially dangerous if an animal control officer has probable cause to believe that the animal falls within the definitions set forth in Chapter 8.01.010. The finding must be based upon:

1. The written complaint of a citizen who is willing to testify that the animal has acted in a manner which causes it to fall within the definition of Chapter 8.01.010; or
2. Dog bite reports filed with the animal control agency; or
3. Actions of the dog witnessed by any animal control officer or law enforcement officer; or
4. Other substantial evidence.

(B) The declaration of potentially dangerous dog shall be in writing and shall be served on the owner in one of the following methods:

1. Certified mail to the owner's last known address; or
2. Personally; or
3. If the owner cannot be located by one of the first two methods, by publication in a newspaper of general circulation.

(C) The declaration shall state at least:

1. The description of the animal;
2. The name and address of the owner of the animal, if known;
3. The whereabouts of the animal if it is not in the custody of the owner;
4. The facts upon which the declaration of potentially dangerous dog is based;



5. The availability of a hearing in case the person objects to the declaration, if a request is made within ten days;
6. The restrictions placed on the animal as a result of the declaration of potentially dangerous dog; and
7. The penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner.

**(D)** If the owner of the animal wishes to object to the declaration of potentially dangerous dog:

1. The owner may request a hearing before the director of the animal control agency or the director's designee by submitting a written request and payment of a administrative review fee as prescribed by resolution to said director or the director's designee within ten days of receipt of the declaration, or within ten days of the publication of the declaration pursuant to Chapter 8.20.010 (B).
2. If the director or the director's designee finds that there is insufficient evidence to support the declaration, it shall be rescinded, and the restrictions imposed thereby annulled.
3. If the director or the director's designee finds sufficient evidence to support declaration, the owner may appeal such decision pursuant to the City of University Place Hearing Examiner Code, provided that the appeal and the payment of an appeal fee as prescribed by resolution must be submitted to the Animal Control Agency within ten working days after the director or the director's designee finds sufficient evidence to support the declaration.
4. An appeal of the Hearing Examiner's decision must be filed in Superior Court within 21 days of the date of the Hearing Examiner's written decision.
5. During the entire appeal process, it shall be unlawful for the owner appealing the declaration of potentially dangerous dogs to allow or permit such dog to:
  - a. Be unconfined on the premises of the owner; or
  - b. Go beyond the premises of the owner unless such dog is securely leashed and humanely muzzled or otherwise securely restrained.

**8.20.020 Permits and Fees.**

Following a declaration of potentially dangerous dog and the exhaustion of the appeal therefrom, the owner of a potentially dangerous dog shall obtain a permit for such dog from the animal control agency, and shall be required to pay the fee for such permit as prescribed by resolution. In addition, the owner of a potentially dangerous dog shall pay an annual renewal fee for such permit as prescribed by resolution. Should the owner of a potentially dangerous dog fail to obtain a permit for such dog from the animal control agency or to appeal the declaration of potentially dangerous dog, the animal control agency is authorized to seize and impound such dog and, after notification to the owner, hold the dog for a period of no more than five days before destruction of such dog by the animal control agency.

**8.20.030 Confinement and Identification of Potentially Dangerous Dogs.**

**(A)** Following a declaration of potentially dangerous dog and the exhaustion of the appeal therefrom, it shall be unlawful for the person owning or harboring or having care of such potentially dangerous dog to allow and/or permit such dog to:

1. Be unconfined on the premises of such person; or
2. Go beyond the premises of such person unless such dog is securely leashed and humanely muzzled or otherwise securely restrained.

**(B)** Potentially dangerous dogs must be tattooed or have a microchip implanted for permanent identification. This information must be on record at the offices of the Tacoma - Pierce County Humane Society.

**(C)** The residence or property where a potentially dangerous dog is confined must have a warning sign conspicuously posted and visible from all streets and public rights-of-way adjacent thereto, clearly stating "Warning, Potentially Dangerous Dog," with letter size not smaller than two and one-half inches in height.

**8.20.040 Notification of Status of Potentially Dangerous Dog.**

(A) The owner of a dog that has been classified as a potentially dangerous dog shall immediately notify the animal control agency when such dog:

- A. Is loose or unconfined; or
- B. Has bitten or otherwise injured a human being or attacked another animal or livestock; or
- C. Is sold or given away or dies; or
- D. Is moved to another address.

(B) Prior to a potentially dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control agency. The new owner shall comply with all of the requirements of this Title if that person lives in the City or with those of whichever jurisdiction within which the new owner lives.

#### **8.20.050 Penalty for Violation.**

Any person who violates a provision of this Chapter shall, upon conviction thereof, be found guilty of a misdemeanor. In addition, any person found guilty of violating this Chapter shall pay all expenses, including shelter, food, veterinary expenses for identification or certification of the breed of the animal or boarding and veterinary expenses necessitated by the seizure of any dog for the protection of the public, and such other expenses as may be required for the destruction of any such dog. Provided, that any potentially dangerous dog which is in violation of the restrictions contained in Chapter 8.20.020 of this Code or restrictions imposed as part of a declaration as a potentially dangerous dog, shall be seized and impounded. Furthermore, any potentially dangerous dog which attacks a human being, domestic animal, or livestock may be ordered destroyed when, in the court's judgment, such potentially dangerous dog represents a continuing threat of serious harm to human beings or domestic animals.

### **Chapter 8.25**

#### **RABIES CONTROL**

##### **Sections:**

**8.25.010 Duty of Owner, Custodian and Health Officer.**

**8.25.020 Quarantine - Notice to Owner.**

**8.25.030 Quarantine - Duties of Owner.**

**8.25.040 Handling of an Animal Bitten by Rabid Animal.**

**8.25.050 Publication of Notice of Outbreak of Rabies.**

**8.25.060 Procedures.**

**8.25.200 Violation - Penalty.**

**8.25.080 Severability.**

#### **8.25.010 Duty of Owner, Custodian and Health Officer.**

(A) It shall be the duty of the owner and/or custodian of any dog or cat within the City to quarantine any dog or cat within the City which he has grounds to suspect of being infected with the disease of rabies or hydrophobia.

(B) If the Health Officer:

1. Has grounds to suspect that any dog or cat running at large in the City is infected with rabies or hydrophobia; and
  2. Has notice that said dog or cat's owner or custodian cannot be determined; and
  3. Is able to locate and confine said animal;
- the Health Officer shall quarantine the animal as provided in this Chapter.

(C) The biting of a human being by a dog or cat causing penetration of the skin by the animal's teeth is specifically declared a ground for suspecting that such animal is so infected.

#### **8.25.020 Quarantine - Notice to Owner.**

The Health Officer may initiate a quarantine by delivering to the owner or custodian of such suspected animal, by either certified mail or by hand delivering to a responsible person present on the premises, a written notice of such quarantine which shall prescribe the duration of the quarantine period; provided,

that the period of the quarantine shall not exceed ten days, unless it is determined that the animal is infected with rabies. The delivery of the notice of quarantine to a responsible person present upon the premises where such animal is kept shall be considered service of a notice upon the owner or custodian. Any such animals so quarantined shall be impounded in the Tacoma-Pierce County Humane Society Animal Shelter or a local veterinary clinic's kennel. In the discretion of the Health Officer, the animal may be quarantined upon the premises of the owner or any other person so long as the requirements of the quarantine are strictly fulfilled.

#### **8.25.030 Quarantine - Duties of Owner.**

(A) During the period of any quarantine, the owner or custodian of a quarantined animal shall not allow the animal to come in contact with any other animal or person or permit such animal to run at large outside of the premises where quarantined or upon the premises itself, unless the premises is enclosed by a secure fence from which the animal cannot escape. When the fence encloses the access to the premises, the animal must be restricted to leave free access to those persons lawfully entering the premises.

(B) The owner or custodian shall not remove or cause the animal to be removed from the premises without the prior consent of the Health Officer. These restrictions shall continue until the animal is released from quarantine. If any animal is found running at large after the commencement of the quarantine period or is removed from the premises where quarantined, it shall be impounded and unless claimed and redeemed by its owner or custodian within two days after the expiration of the quarantine period, may be destroyed by the proper authorities.

(C) Upon redemption of a dog, cat or other animal released from quarantine from the Tacoma-Pierce County Humane Society Animal Shelter, the owner or custodian shall pay the same impound fee and board fee for any dog, cat or other animal quarantined in the Animal Shelter, as provided for in Chapter 8.01.070 of the City of University Place Code; provided, however, if the animal is brought to the Animal Shelter by the owner or custodian, the service fee shall be waived.

#### **8.25.040 Handling of an Animal Bitten by Rabid Animal.**

When an animal is known to have been bitten by a rabid animal, the following procedures shall be followed:

(A) **Unvaccinated Animal.** An unvaccinated animal shall be immediately destroyed; provided, that upon the election of the owner, the animal may be kept, at its owner's expense, in strict isolation in a kennel under veterinary supervision for a minimum period of six months following the bite.

(B) **Vaccinated Animal.** A vaccinated animal shall be handled as follows:

1. The animal shall be immediately revaccinated with an approved rabies vaccine and confined under the supervision of a veterinarian for a period of thirty days following revaccination; or
2. If the animal is not immediately revaccinated, it shall be confined in strict isolation in a kennel for six months under the supervision of a veterinarian; or
3. The animal may be destroyed if the owner or custodian does not comply with subsections 1. or 2. above.

#### **8.25.050 Publication of Notice of Outbreak of Rabies.**

Upon any outbreak of rabies or when rabies has been diagnosed within the City, and when in the judgment of the Health Officer there is imminent danger of the spread of the disease, the Health Officer shall publish a notice to that effect in the official newspaper of the City for three successive days. For a period of six weeks following the final publication of the notice, the owner or custodian of a dog shall keep the dog securely confined at all times by leash or in a tight enclosure from which the dog cannot escape. During said period any dog found running at large in the City shall be impounded and unless claimed and redeemed by its owner within two days following such impounding, may be destroyed by the proper authorities. Any person charged with the enforcement of this chapter may destroy any dog found running at large within the City when, after reasonable effort, he is unable to impound the dog, or after reasonable investigation, is unable to locate the owner or custodian thereof. The Health Officer shall have authority to extend the six-week time period for additional six-week periods by notice given in the manner provided above until, in his judgment, the imminent danger of the spread of the disease is no longer present.

**8.25.060 Procedures.**

The Health Officer is authorized and directed to develop a quarantine program for dogs, cats, and other household pets and otherwise to develop procedures for the enforcement of this Chapter.

**8.25.200 Violation - Penalty.**

Any person, firm or corporation violating any of the provisions of this Chapter shall be guilty of a misdemeanor and shall be penalized by a fine.

**8.25.080 Severability.**

If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances shall not be affected.

**Chapter 8.30**

**DOG CONTROL ZONES**

**Sections:**

**8.30.010 Dog Control Zone Established.**

**8.30.020 Dogs Off Premises.**

**8.30.030 Violation - Civil Infraction.**

**8.30.040 Penalty.**

**8.30.010 Dog Control Zone Established.**

The City of University Place is hereby established as a Dog Control Zone.

**8.30.020 Dogs Off Premises.**

Within a Dog Control Zone, any person owning or having charge, care, custody, or control of any dog shall keep such dog exclusively upon his own premises, except that the dog may be off the premises if it is under control of its owner or a competent person by a leash.

**8.30.030 Violation - Civil Infraction.**

Any violation of this Chapter is unlawful and shall constitute a violation pursuant to Chapter 1.20 UPMC. Such penalty is in addition to any other remedies or penalties specifically provided in this Title.

**8.30.040 Penalty.**

Any person convicted of a violation of this Chapter shall be deemed guilty of a misdemeanor, and, in addition to any other remedies or penalties specifically provided for herein, may be punished by a fine of not more than \$1,000.00, or by imprisonment not to exceed 90 days in jail, or by both such fine and imprisonment.

**Chapter 8.35**

**BABY CHICKS, RABBITS, AND DUCKLINGS**

**Sections:**

**8.35.010 Unlawful to Sell or Give Away in Quantity Under Six.**

**8.35.020 Exception - Sale or Gift for Educational Purposes.**

**8.35.030 Artificial Coloring Unlawful.**

**8.35.040 Commercial Sale Not Affected.**

**8.35.050 Violation - Civil Infraction.**

**8.35.010 Unlawful to Sell or Give Away in Quantity Under Six.**

It shall be unlawful for any person, firm or corporation to sell or offer for sale, barter or giveaway living baby chicks, rabbits, ducklings or other fowl under two months of age in any quantity less than six.

**8.35.020 Exception - Sale or Gift for Educational Purposes.**

Chapter 8.35.010 shall not apply to the sale, offer for sale, barter or gift of living baby chicks, rabbits, ducklings, or other fowl when such transaction is for organized institutional and/or educational purposes.

**8.35.030 Artificial Coloring Unlawful.**

It shall be unlawful for any person, firm or corporation to sell, offer for sale, barter, giveaway, or display living baby chicks, rabbits, ducklings or other fowl, which have been dyed, colored or otherwise treated so as to impart to them an artificial color.

**8.35.040 Commercial Sale Not Affected.**

This Chapter shall not be construed to prohibit the sale or display of natural baby chicks, rabbits, ducklings or other fowl in proper brooder facilities by hatcheries or stores engaged in the business of selling them for commercial purposes.

**8.35.050 Violation - Civil Infraction.**

Any violation of this Chapter is unlawful and shall constitute a violation pursuant to Chapter 1.20 UPMC. For each act herein prohibited of a continuing nature, each day shall be considered a separate offense.

**Chapter 8.40**

**WILD ANIMALS AND REPTILES**

**Sections:**

**8.40.010 Animal Defined.**

**8.40.020 Vicious, Venomous/Poisonous or Dangerous Wild Animals.**

**8.40.030 Duty to Advise Purchaser/Recipient.**

**8.40.040 Allowing Wild or Vicious Animals to Run at Large Prohibited.**

**8.40.050 Exceptions for Circuses, Zoos, and Transportation of Wild Animals.**

**8.40.060 Violations - Penalty - Continuing Offenses.**

**Cross-reference: RCW 9.08.010**

**8.40.010 Animal Defined.**

For purposes of this Chapter, "animal" means all reptiles, birds, invertebrates, mammals, amphibians, and fish.

**8.40.020 Vicious, Venomous/Poisonous or Dangerous Wild Animals.**

No person shall have, keep, maintain, or have in his/her possession or under his/her control, within the City of University Place, any lion, tiger, bear, chimpanzee, gorilla, cougar, mountain lion, badger, wolf, coyote, fox, lynx, or any other vicious or venomous/poisonous wild animal; provided, persons residing in the City of University Place may keep potentially dangerous wild animals other than a lion, tiger, bear, chimpanzee, gorilla, cougar, mountain lion, badger, wolf, coyote, fox, lynx, or other vicious or venomous/poisonous wild animal, if they obtain a permit from the Tacoma-Pierce County Humane Society. Such permits shall be granted only upon a showing by the applicant that adequate safeguards have been instituted and will be maintained which effectively control any dangerous or vicious propensities of such animal, and eliminate any danger to individuals and property, and that the keeping and maintaining of such animal will be in the best interests of the animal and will in no way constitute a nuisance to the occupant of any surrounding property. Nothing in this Section shall be construed to exonerate anyone from liability that may occur from the keeping of such wild animal whether under permit or not.

**8.40.030 Duty to Advise Purchaser/Recipient.**

Any person offering for sale or gift any animal in the City of University Place which falls within Chapter 8.40.020 shall have the duty to advise the purchaser or recipient of the wild nature of the animal and its vicious, venomous/poisonous, or dangerous propensities and of the fact that possession of such animal is regulated or prohibited by the City of University Place Municipal Code.

**8.40.040 Allowing Wild or Vicious Animals to Run at Large Prohibited.**

No person owning or having charge, custody, control, or possession of any animal specified in Chapter 8.40.020 shall permit or allow the same to run at large upon any highway, street, lane, alley, court, or any other place, public or private, or within the premises of such person in such a manner as to endanger any person lawfully entering such premises.

**8.40.050 Exception for Circuses, Zoos, and Transportation of Wild Animals.**

**(A)** Chapter 8.40.020 shall not apply to any person who has custody of any animal described in that Chapter in connection with the operation of any zoo or circus or any program of medical or scientific research, provided such person has taken adequate measures to safeguard persons and property.

**(B)** Chapter 8.40.020 shall not apply to any person keeping, maintaining or having in his possession or under his control any animal defined in that Chapter when such person is transporting such animal through the City of University Place, provided he has taken adequate safeguards to protect the public, and has notified the Police of his proposed route of transportation and of the time that such trip is to take place.

**8.40.060 Violations - Penalty - Continuing Offenses.**

Any person, firm, or corporation violating any of the provisions of this Chapter shall, upon conviction thereof, be subjected to a fine not exceeding the sum of \$250.00 or imprisonment for a period not exceeding 90 days, or both such fine and imprisonment at the discretion of the Court.

**Chapter 8.45**

**LIVESTOCK DISTRICTS**

**Sections:**

**8.45.010 Stock Restricted Area.**

**8.45.020 Violations.**

**8.45.010 Stock Restricted Area.**

All areas of the City of University Place are restricted areas where livestock may not run at large.

**8.45.020 Violations.**

The owner or other person having control or custody of any livestock at large is in violation of PCC 8.05.035.