

CITY OF LYNNWOOD

ORDINANCE NO. 3398

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING ANIMAL TAG REQUIREMENTS; AMENDING SECTIONS 3.104.060 AND 6.02.020 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, SUMMARY PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Lynnwood is a code city formed and operating under Title 35A RCW, among other laws, and as such has authority to regulate animals within the City's jurisdiction; and

WHEREAS, currently, LMC 6.02.020 requires that dogs, cats and pot-bellied pigs within the City limits must be licensed by the City, with certain exceptions; and

WHEREAS, the City's animal control officers have determined that there are difficulties in achieving compliance with the animal licensing system, an animal tag requirement would serve many of the same purposes as the formal licensing system, and an animal tag requirement would be a more cost effective approach; and

WHEREAS, animal tags are readily available for purchase or may be privately constructed or fabricated; and

WHEREAS, the City's animal control officers have determined that it is not necessary to require that pot-bellied pigs wear tags; and

WHEREAS, the City Council has determined that it is in the best interests of the citizens, and serves the public health, safety and general welfare, to eliminate the animal licensing system and replace it with a requirement that dogs and cats in the City must have attached or affixed to the animal an identifying tag, with certain exceptions; now, therefore

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1.** Section 6.02.020 of the Lynnwood Municipal Code is amended to read as follows:

**6.02.020 Animal tags Licensing.**

A. ~~License~~ Identifying Tags Required. All dogs, ~~and cats and miniature pot-bellied pigs~~ over the age of six months within the city limits must have attached or affixed to the animal an identifying tag ~~be licensed by the city~~ except:

1. Dogs and cats whose owners are nonresidents temporarily within the city;
2. Dogs and cats brought into the city for the purpose of participating in shows, exhibits, or competitions; and
3. ~~Dogs who are specially trained to assist visually impaired, hearing impaired, or otherwise physically disabled persons, if the dog is in training or is actually serving~~

50 as a guide or service dog as defined in Chapter 70.84 RCW, are required to be  
51 licensed; however, they are exempt from licensing fees;  
52 4. 3.Dogs and cats kept and intended for sale by licensed pet stores; and homeless  
53 or feral animals.

54 B. Identifying Tags and Fees.

55 1. Tags. The animal's owner shall affix to the animal a tag that at a minimum contains  
56 the address where the animal's owner resides and a telephone number where the  
57 owner of the animal may be contacted. Additional information may be placed on the  
58 tag but is not mandatory.~~The police department or other animal control agency~~  
59 ~~designated by the city council shall issue animal licenses consisting of a metal tag~~  
60 ~~with a number corresponding to the number of the application to the applicant. The~~  
61 ~~applicant is required to cause the tag to be attached or fixed to the animal. The tag~~  
62 ~~is not transferable.~~

63 2. Fees. The tags are to be obtained from commercial vendors or may be privately  
64 constructed or fabricated. There are no fees charged by the City.~~The fees for the~~  
65 ~~following, as shown in Chapter 3.104 LMC, shall be paid for licenses required under~~  
66 ~~this chapter. Animal licenses shall be valid for one year from the date of purchase.~~  
67 ~~The contract shelter for the animal control authority may sell animal licenses and~~  
68 ~~reimburse the city via monthly invoices less the shelter's administrative fee.~~

- 69 a. ~~Altered cats and dogs (annual).~~
- 70 b. ~~Unaltered cats and dogs (annual).~~
- 71 c. ~~Replacement tags (lost).~~
- 72 d. ~~Late fees shall be charged on all license renewal applications submitted more~~  
73 ~~than 30 days after the end of the assigned expiration month.~~

74 C. Any person who violates this section shall be guilty of a civil infraction and shall pay a  
75 monetary fine as follows: first offense, \$25.00; second offense, \$50.00. Any owner who  
76 fails to respond to a notice of civil infraction as promised or to appear at a requested  
77 hearing shall be guilty of a misdemeanor and may be punished by a fine not to exceed  
78 \$1,000 and confinement not to exceed 90 days. Any person who receives two infractions  
79 for violations of this section within one year and who subsequently violates this section  
80 shall be guilty of a misdemeanor and may, upon conviction, be punished by a fine not to  
81 exceed \$1,000 and confinement not to exceed 90 days.

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84 **Section 2.** Section 3.104.060 of the Lynnwood Municipal Code is amended to read as follows:

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86 **3.104.060 LMC Title 6 fees and charges.**

87 The fees and charges set forth in Table 3.104.060 are the city of Lynnwood fees and charges  
88 related to the provisions of LMC Title 6.  
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Table 3.104.060 – LMC Title 6 Fees and Charges

Type of Fee

LMC TITLE 6 – ANIMAL FEES

~~Animals Fees~~

<del>Spayed or neutered cats and dogs</del>	<del>Annual from date of purchase</del>	<del>20.00</del>
<del>Microchipped altered cats and dogs</del>	<del>Annual from date of purchase</del>	<del>40.00</del>
<del>Unspayed or unneutered cats and dogs</del>	<del>Annual from date of purchase</del>	<del>40.00</del>
<del>Late fee</del>	<del>-</del>	<del>40.00</del>
<del>Replacement tags (lost)</del>	<del>-</del>	<del>40.00</del>

Dangerous Animal

Annual registration fee		100.00
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Impound and Boarding Fees

Impound fees – Domestic animals		50.00
Boarding fees – Domestic animals	Per day	12.00
Per-animal fee based upon the cost that the contract shelter charges the city of Lynnwood – Domestic		Vendor rate
Transport fee – Domestic animals		25.00
Apprehension fee, first occurrence – Domestic animals		50.00
Apprehension fee, second occurrence – Domestic animals		75.00
Apprehension fee, third occurrence – Domestic animals		100.00
Impound fees – Livestock		100.00
Boarding fees – Livestock	Per day	Vendor rate
Impound fees – Other animals		80.00
Boarding fees – Other animals	Per day	Vendor rate

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98 **Section 3. Severability.** If any section, subsection, sentence, clause, phrase, or word of this  
 99 Ordinance should be held to be invalid or unconstitutional or inapplicable by a court of competent  
 100 jurisdiction, such invalidity or unconstitutionality or inapplicability thereof shall not affect the  
 101 validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of  
 102 this Ordinance.  
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104 **Section 4. Effective Date.** This Ordinance or a summary thereof consisting of the title shall  
105 be published in the official newspaper of the City and shall take effect and be in full force five (5)  
106 days after publication.

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109 PASSED BY THE CITY COUNCIL the 11th day of October, 2021.

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APPROVED:

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*Nicola Smith*

10/12/2021

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Nicola Smith, Mayor

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117 ATTEST/AUTHENTICATED:

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*Karen Fitzthum*

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Karen Fitzthum, Interim City Clerk

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APPROVED AS TO FORM:

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*Rosemary Larson*

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Rosemary Larson, City Attorney

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