

ORDINANCE NO. 010/2013

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING CHAPTER 8.04 OF THE MONROE MUNICIPAL CODE ANIMAL CONTROL; ESTABLISHING LICENSING AND OPERATIONAL REQUIREMENTS FOR CERTAIN ANIMAL BUSINESSES INCLUDING KENNELS, BOARDING FACILITIES, GROOMING PARLORS AND PET SHOPS; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, Chapter 8.04 MMC contains the City of Monroe regulations governing animal control; and

WHEREAS, the City desires to amend Chapter 8.04 MMC in order to establish licensing requirements and operational standards for certain animal businesses, including kennels, boarding facilities, grooming parlors and pet shops; and

WHEREAS, the regulations established under this ordinance will promote the public health, safety and welfare by facilitating the efficient and effective licensing and regulation of local animal businesses;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amendment of MMC 8.04.020. Section 8.04.020 of the Monroe Municipal Code is hereby amended to include new definitions for "grooming parlor", "licensing authority" and "pet shop", each as separate subsections, as follows:

8.04.020 Definitions.

"Grooming parlor" means any establishment, public or private, where animals are bathed, clipped, or combed for compensation.

"Licensing authority" means the City of Monroe Planning and Permitting Department.

"Pet shop" means any person or establishment that acquires, holds, or offers animals not bred and whelped from the facility for the purpose of sale or resale to the public.

The code reviser is hereby authorized and directed to integrate the above definitions into MMC 8.04.020 alphabetically and to re-order the other affected subsections as appropriate.

Section 2. Amendment of Chapter 8.04 MMC—Addition of New MMC 8.04.030.
Chapter 8.04 of the Monroe Municipal Code is hereby amended by the addition of a new Section 8.04.030 to provide in its entirety as follows:

8.04.030 Kennels, Grooming Parlors, and Pet Shops—Requirements.

Animal services facilities, including Kennels, Personal Kennels, Grooming Parlors, and Pet Shops, shall comply with the requirements set forth in this chapter.

A. License Requirement. Every animal services facility, including without limitation kennels (commercial and personal), within the city shall be licensed under this chapter. The licensing authority may issue a license upon application by the owner and only if the licensing authority is satisfied that the requirements applicable under this chapter are met.

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

2. Any license or renewal issued under this section may be denied or revoked for failure to conform to the applicable requirements of this chapter. Failure of any person to file an appeal of the animal control authority's decision in accordance with the procedures set forth in MMC 1.04.040 shall constitute a waiver of his or her right to such appeal.

B. License Application – Required. Any person applying for a license as required by this chapter shall submit to the enforcement agency the following:

1. The name and address, phone number, e-mail address of the person(s) owning the facility.

2. The name and address, phone number, e-mail 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. A diagram of the property, indicating locations and dimensions on the property where animals will be housed and/or exercised. The diagram must indicate both indoor and outdoor locations to be used for the animals.

6. A detailed drawing with dimensions indicating individual housing locations (cages) for animals enumerating the maximum number of animals to be housed in each location.

7. A written statement issued from the City of Monroe Planning and Permitting Department that the facility is in compliance with all applicable building, and zoning codes.

8. A statement by the applicant giving permission for inspection of the facilities at any reasonable time upon request.

9. The name and address of the licensed veterinarian who cares for the applicant's sick or injured animals.

10. The fee(s) as prescribed by the current City of Monroe fee schedule at the time of application.

11. 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 at the facility.

C. License renewals additional requirement. Each commercial kennel, personal kennel, or pet shop shall provide a list of all dogs and cats that it has given away or sold during the previous license period. The list shall include the origin, age, sex, color, breed, altered status and, if applicable, microchip number and license number of each dog or cat given away or sold, and the new owner's name, address and, if available, email address and telephone number.

D. Additional Requirements – In addition to all other applicable requirements set forth this chapter the following apply to all personal kennels, commercial kennels, grooming parlors and pet shops.

1. Any outdoor facilities for animals and birds shall:

a. Be constructed to provide shelter from excessive sunlight, rain, snow, wind, or other elements. In addition, such facilities shall be constructed to provide sufficient space for the reasonable exercise and movement of each animal contained therein.

b. Be constructed to provide adequate drainage and to prevent the unhealthy or unsanitary accumulation of water, mud, debris, excreta, or similar materials, and shall be designed to facilitate the removal of animal and food wastes.

c. Be constructed with adequate walls or fences to contain the animals kept therein and to prevent entrance of other animals.

d. Maintain quiet hours between 10:00 pm and 6:00 am Monday through Friday and 10:00 pm and 8:00 am Saturday and Sunday during which customers and members of the public are prohibited from access.

2. Any indoor facilities for animals and birds shall:

a. Be sufficiently heated or cooled to protect the animals contained therein from temperatures to which they are not normally acclimatized appropriate to each specific animal breed so as not to unreasonably cause or contribute to disease, death or a public health concern.

b. Be adequately ventilated to reasonably ensure the health of animals contained therein and to assist in the removal of foul and obnoxious odors. Provision shall be made so that the volume of air within any enclosed indoor facility shall be changed or otherwise recycled at least three times each hour. This may be accomplished through the location and periodic opening of doors, windows or other ventilated openings. If mechanical fans or ventilating equipment are used, they shall be constructed in conformance with current standards of good engineering practice with respect to noise and minimization of drafts.

c. Have sufficient natural or artificial lighting to permit routine inspection and cleaning at any time of day.

d. Have interior wall and ceiling surfaces constructed of materials which are resistant to the absorption of moisture and odors, or such surfaces shall be treated with a sealant or with paint, when such materials are not originally resistant to moisture or odors. Floor surfaces shall not be made of unsealed wood.

e. Be constructed with adequate walls or fences to contain the animals kept therein and to prevent entrance of other animals.

f. Contain a drainage system which shall be connected to a sanitary sewer or septic tank system which conforms to the standards of building codes in force within the city of Monroe.

g. Be maintained in a clean and sanitary condition. Provision shall be made so that cleaning and disinfecting of animal housing facilities, and cages, shall occur daily.

h. All facilities shall provide licensing information in writing to each dog and cat purchaser or adopter.

i. Contain a means of disposal of animal waste in compliance with applicable procedures established by the Snohomish County Health District.

3. Whenever animals are present at an animal services facility, provision shall be made to ensure that appropriate Feeding, watering and necessary cleaning shall occur on a daily basis even when the facility is closed.

E. Additional Requirements - Personal kennels - In addition to other applicable requirements stated in this chapter the following apply to all personal kennels.

1. All signage shall comply fully with the applicable provisions of the City's sign code. No commercial signs or other display advertising the personal kennel are permitted on the property except for the signs advertising the sale of the allowable offspring set forth in this section.

2. Personal kennel owners and/or operators may not purchase and/or acquire animals for the purpose of resale or adoption without first obtaining a pet shop license.

3. Total dog and cat reproduction at each personal kennel shall be limited to no more than four litters per license year.

F. Additional Requirements - Grooming parlors – In addition to other applicable requirements stated in this chapter the following apply to all grooming parlors.

1. The grooming parlor shall not board animals but shall keep them only for the period of time reasonably necessary to perform the business of grooming.

2. Restraints shall be provided for each animal while it is being groomed such to reasonably ensure that the animal is not harmed.

3. The owner/operator shall sterilize all equipment after each animal has been groomed.

4. All cages, pens, kennels used for holding animals, grooming tables and washing basins shall be kept clean and disinfected between use of each animal.

Section 3. Amendment of Chapter 8.04 MMC—Addition of New MMC 8.04.035.
Chapter 8.04 of the Monroe Municipal Code is hereby amended by the addition of a new Section — 8.04.035 to provide in its entirety as follows:

**8.04.035 Kennels, Grooming Parlors, and Pet Shops—
Inspection.**

The licensing authority or the animal control officer may make or cause to be made such reasonable, lawful inspections as may be necessary to ensure compliance with provisions of this chapter. As a condition of license issuance, the owner or keeper of a kennel, boarding facility, grooming parlor, or pet shop shall admit to the premises for the purpose of making inspection, any officer, agent or employee of the licensing authority, or animal control officer at any reasonable time when admission is requested. If such entry is

refused, the licensing authority or animal control officer may seek a court order authorizing the official's access to the premises.

Section 4. Amendment of MMC 8.04.040. Section 8.04.040 of the Monroe Municipal Code is hereby amended to include new subsections (S) and (T) to provide in their respective entirety as follows:

8.04.040 Prohibited Activities.

S. It shall be unlawful to keep, use or maintain within the city a kennel, pet shop or grooming parlor which is unsanitary, nauseous, foul or offensive, or in any way detrimental to public health and/or safety.

T. It shall be unlawful for an employee, keeper or owner of a kennel, or pet shop to knowingly sell a sick, diseased and/or injured animal;

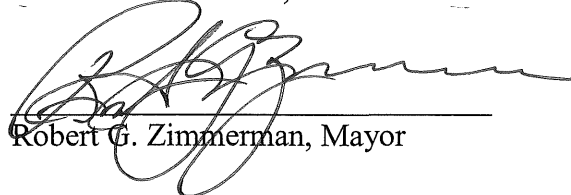
Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall take effect thirty (30) days after final passage by the City Council.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 16th day of July 2013.

1st Reading: 06/18/13
2nd Reading: 07/16/13
Published: 07/23/13
Effective: 07/28/13

CITY OF MONROE, WASHINGTON


Robert G. Zimmerman, Mayor

ATTEST/AUTHENTICATED:


Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:


J. Zachary Lell, City Attorney