

ORDINANCE NO. C - _____

An ordinance relating to small domestic animals, amending SMC sections 17A.020.040, 17C.310.010, 17C.310.100 and 17C.310.120.

The City of Spokane does ordain:

Section 1. That SMC section 17C.310.010 is amended to read as follows:

17C.310.010 Purpose

A. Animal Keeping.

The purpose of this chapter is to make provisions for and set limits on the keeping of animals within the City limits. This section recognizes the commercial and sport animal keeping activities as well as the desire of citizens to keep pets. The provisions of this section strive to provide the broadest personal discretion in animal keeping. However, since the City is characterized as an intense urban environment with people living in close proximity, this section also emphasizes the significant responsibility of animal owners and keepers to protect the rights and lifestyles of their neighbors. Animal owners and keepers are expected to meet the following requirements as a reflection of their responsibility.

1. Unrestrained Animals.
Owners and keepers are to keep all animals contained within a structure or fenced yard or on a leash. As provided in chapter ((10.24 SMC)) 5.04 of the Spokane County Code, no animal may be permitted to run at large. Racing/homing pigeons are allowed to fly unrestrained during periods of exercise, training and racing.
2. Noisy Animals.
Owners and keepers are to prevent their animals from making unnecessary or unusual noises to the extent that other persons are annoyed. Chapter ((10.03 SMC)) 5.04 of the Spokane County Code and chapter 10.08 SMC relate to noisy animals.
3. Potentially Vicious Animals.
Chapter 10.03 SMC requires owners and keepers of potentially vicious animals to confine and control such animals at all times so as to prevent them from endangering any person or property.
4. Potentially Rabid Animals.
Chapter ((10.24 SMC)) 5.04 of the Spokane County Code prohibits the keeping of any dog over age six months that has not been properly inoculated against rabies. It also specifies that any animal afflicted with rabies or that has been bitten by a rabid animal be either destroyed or detained and treated in a manner directed by the health officer, license officer or licensed veterinarian.
5. Nuisance Related to Odors.

Owners and keepers are to maintain their animals in a clean and sanitary condition so as not to create offensive odors or other nuisances to the extent that other persons are annoyed. SMC 10.08.030 relates to the creation of a nuisance, including nuisance conditions related to odor.

Section 2. That SMC section 17C.310.100 is amended to read as follows:

17C.310.100 Keeping of Large or Small Domestic Animals

A. Where Permitted.

The keeping of large domestic animals is permitted outright only in the RA zone. The keeping of small domestic animals is permitted outright in the RA, RSF, RTF, RMF, and RHD zones and any zone that permits dwelling units. The definitions of large domestic animal and small domestic animal are stated in chapter 17A.020 SMC, Definitions.

B. Standards Applicable to Keeping of Large Domestic Animals.

1. The following ratios of area to animals apply:

a. Large Domestic Animals.

- i. Three animals per gross acre on irrigated land.
- ii. One animal per gross acre on non-irrigated land.

2. Animal Enclosure Setbacks.

A structure or enclosure for animals or ((poultry)) fowl shall meet the setback requirements for accessory structures. A side yard waiver may be used to reduce the side yard setback for covered accessory structures.

C. Standards Applicable to Keeping of Small Domestic Animals

1. The following ratios of area to animals apply:

a. Small Domestic Animals.

- i. One animal, other than small livestock, per one thousand square feet of lot area.
- ii. One small livestock, as defined in SMC 17A.020.040 Al. 2.c, per two thousand five hundred square feet of lot area.

b. The calculation of the number of small domestic animals shall be cumulative and the aggregate of total number of small domestic

animals shall not exceed the number permitted in this section. For example, a 10,000 square foot lot may be permitted for ten chickens(10 x 1,000) or four miniature goats (4 x 2,500) but not both.

2. Owners of small domestic animals shall obtain animal keeping certification from Washington State University prior to keeping the animal demonstrating that the owner has completed training relating to the safe and proper care of a small domestic animal, including appropriate shelter, food, veterinarian care, breeding and animal waste disposal.
3. Roosters are not allowed in residential zones within the city.
4. Animal Enclosure Setbacks.
A structure or enclosure for animals or fowl shall meet the setback requirements for accessory structures. A side yard waiver may be used to reduce the side yard setback for covered accessory structures.

D. A violation of this section is a class 2 civil infraction.

Section 3. That SMC section 17C.310.120 is amended to read as follows:

17C.310.120 Keeping Household Pets

In all zones where dwelling units are allowed outright or by Type II or III permit applications, small domestic animals are allowed to be kept as household pets consistent with the standards set forth in SMC 17C.310.100. An additional ((Up to an)) aggregate of four ~~((animals))~~ dogs and cats per dwelling unit is permitted. (Five or more dogs or cats constitute a kennel, and any number of large or small domestic animals that exceeds the allowed limits constitutes a zoo.) Small birds (canary, parakeet, etc.); small amphibian/reptile (turtle, lizard, etc.); rodent (rat, hamster, gerbil, etc.); ~~((and))~~ tropical fish and species of animals that are always housed entirely within the dwelling unit are excluded from the numerical limitations.

Section 4. That SMC section 17A.020.040 is amended to read as follows:

17A.020.040 “D” Definitions

AI. Domestic Animal.

1. Large Domestic Animals.

- a. Animals including, but not limited to, horses, donkeys, burros, llamas, alpacas bovines, goats, sheep, swine, and other animals or livestock of similar size and type.
- b. Young of horses, mules, donkeys, burros, and llamas under one year in age.
- c. Bovines under ten months in age.
- d. Sheep, goats, and swine under three months in age are not included when counting large animals.
- e. Miniature large animals above thirty six inches in shoulder height or over one hundred and fifty pounds are considered large animals.

2. Small Domestic Animals.

- a. Animals or fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type.
- b. Small livestock such as miniature sheep, goats and swine not exceeding thirty six inches in shoulder height and one hundred and fifty pounds in weight.
- c. Young small animals, livestock or fowl under three months in age are not included when counting small animal, livestock or fowl.

PASSED BY THE CITY COUNCIL ON _____, 2014.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date