

## TUMWATER MUNICIPAL CODE

### Chapter 6.05 PET SHOPS

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#### **6.05.010 Definitions.**

The following words and phrases shall have the following meanings for purposes of this chapter:

A. "Pet Animal" means dogs, cats, monkeys and primates, rabbits, birds, guinea pigs, hamsters, mice, snakes, iguanas, turtles, fish and any other species of animal sold or retained for the purpose of being kept as a household pet.

B. "Pet Shop" means any store, place or establishment within the City of Tumwater where pet animals are held for sale either at wholesale or retail with the intent of making a profit. The term shall not include Hobby Kennels as defined by this code.

(1263, Added, 05/19/1992)

#### **6.05.020 License required.**

A. No person, firm, partnership, corporation or other entity shall own, maintain or operate a pet shop without first obtaining a pet shop license issued pursuant to this chapter.

B. Applications for pet shop licenses shall be made to the City of Tumwater/Finance Dept. An application for a pet shop license shall contain the following information:

1. The name, address, telephone number and emergency telephone number of the person, firm or corporation owning the pet shop.
2. The name, address, phone number and emergency phone number of the person managing, operating or otherwise having supervision of the pet shop.
3. The business name, address and location of the pet shop.
4. The name and address of a licensed veterinarian who will care for any animals which become sick or injured while at the pet shop.
5. The applicant must attach to the application any necessary approvals from the County Health Department, which is required to assure that adequate provisions for sanitary facilities will be provided.
6. The applicant shall be required to pay a non-refundable business license fee upon filing the application.
7. Within Five (5) days after receipt of an application for a pet shop license, the department receiving the application shall transmit copies of such application to the Department of Planning and Community Development and to the Director of Animal Services.
8. Within thirty (30) days of receipt of an application for a pet shop license, the license shall be issued unless the Department of Planning and Community Development has advised that the use or proposed use of the premises is not in conformity with the City of Tumwater Municipal Code, Title 18, Zoning code, or other applicable land use laws and regulations or that the buildings upon the subject premises fail to meet the requirements of the building, fire, mechanical or plumbing codes applicable to

the proposed use or the Director of Animal Services has determined that the applicant has previously been convicted of neglect or cruelty to animals or that a pet shop or other similar license held by such applicant has been revoked or renewal refused either pursuant to the terms of this ordinance or by any other licensing jurisdiction.

9. The pet shop license shall expire on December 31 each year and must be renewed annually. (1263, Added, 05/19/1992)

#### **6.05.030 License Renewal.**

Pet shop licenses must be renewed annually. All license renewals shall be processed in the same manner as the original application except that the written statement from the Health Department and referral to the Planning Department shall not be necessary. The renewal fee shall be the same as a regular business license.

(1263, Added, 05/19/1992)

#### **6.05.040 Transfer of license.**

If there is a change in ownership of any pet shop, the new owner may have the current license transferred into the name of such new owner upon proof that the new owner meets the requirements of this ordinance and upon a payment of a transfer fee which will be the same as a regular business license. (1263, Added, 05/19/1992)

#### **6.05.050 Facility Requirements.**

Any building used for pet shop shall meet the following requirements.

A. Animal housing shall be structurally sound and designed to prevent the pet animals from injury and shall provide sufficient security to contain the pet animals while preventing entry of unwanted pets.

B. The facilities shall include a washroom with sinks for hot and cold running water.

C. Heating, air-cooling and shade shall be provided to protect the pet animals from temperatures to which they are not acclimated.

D. Adequate ventilation shall be provided.

(1263, Added, 05/19/1992)

#### **6.05.060 Operational requirements.**

Any person, firm, or corporation owning, operating or maintaining a pet shop shall do so in accordance with the following requirements:

A. The license issued in accordance with this chapter shall be prominently displayed on the premises at all times.

B. Nutrition and care information for all pets offered for sale shall be available on the premises.

C. No species of pet animals shall be sold on the premises if such sale is in violation of state or federal law. No pet animal shall be maintained on the premises if such possession is in violation of state or federal law.

D. Suitable food and bedding and adequate potable water shall be provided. The food shall be free from contamination, wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition, age and size of the animal.

E. Food shall be stored in a manner which prevents contamination or infestation.

F. Provision shall be made for the timely removal of animal excreta, food wastes, soiled bedding, dead animals and debris. Disposal facilities shall be maintained so as not to be a health hazard.

G. Sick animals shall be separated from those appearing healthy and normal and shall be removed from display and sale and kept in isolation quarters with adequate ventilation to keep from contaminating well animals. Timely veterinary care shall be provided for sick or injured animals.

H. There shall be an employee on duty at all times during any hours a pet shop is open whose responsibilities shall include the care and welfare of the animals in the facility. An employee or owner shall feed, water and perform the necessary cleaning of pet animals on each day that the pet shop is

closed.

I. Pet animals shall be immunized from disease as is usual and customary for the animal's age and species. Records of vaccination shall be subject to inspection and shall be provided to a buyer.

J. Reasonable care shall be taken not to place for sale, trade or adoption any pet animal which is diseased or injured.

(1263, Added, 05/19/1992)

**6.05.070 Inspection.**

It shall be a condition of the issuance of a license that Animal Services Officers shall be permitted to inspect all animals and the premises where the animals are kept, at reasonable intervals to protect the health and safety of the animals and the community. Such right of inspection shall extend not only to the pet shop, but to any place where pet animals held for sale through said pet shop are located or kept. If permission for such inspection is refused the license may be revoked or denied. (1263, Added, 05/19/1992)

**6.05.080 Impoundment.**

An Animal Services Officer may impound any animal in the possession or under the control of a pet shop if such officer deems the animal to be disabled or diseased due to neglect, abuse or improper care, or any animal whose condition constitutes a threat or danger to the public health or safety. The animal being impounded shall be taken to or seen by a veterinarian for treatment as soon as possible after impoundment.

(1263, Added, 05/19/1992)

**6.05.090 Violation.**

Any person, firm or corporation who violates any provision of this ordinance shall upon conviction, be deemed guilty of a misdemeanor and subject to punishment in accordance with the provisions of this code.

(1263, Added, 05/19/1992)

**6.05.100 Revocation or Non-renewal of License.**

If the Director of Animal Services determines that a licensee has violated the terms of this chapter either after conviction as set forth .090 or upon other competent evidence, the Director may petition the Mayor's office of the City of Tumwater to revoke said license or deny an application to renew said license. The nature of said petition, its processing and determination shall be as follows:

A. The petition shall set forth the specific violations upon which it is based.

B. If the Mayor determines upon the basis of the evidence presented that it is necessary in order to provide for humane care and treatment of animals or to protect the public health and safety that such license either be revoked or an application for a renewal of said license be denied, the Mayor shall direct that the license be revoked or deny the renewal of such license. If the Mayor finds that there have been violations of this Chapter, but that such violations do not warrant the revocation or non-renewal of the license, the Mayor may set forth such lesser conditions for continued operation as shall be appropriate in order to promote humane care and treatment of animals or to better protect the public health and safety. The decision of the Mayor shall be final.

(1263, Added, 05/19/1992)

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