

1 Sponsored by: Councilmembers Jani Hitchen and Robyn Denson
2 Requested by: County Executive/Prosecuting Attorney

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6 **ORDINANCE NO. 2023-28**
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9 **An Ordinance of the Pierce County Council Relating to Pet Shops:**
10 **Regulating the Sale of Dogs and Cats; Amending Chapter**
11 **5.24 of the Pierce County Code, "Kennel or Cattery,**
12 **Grooming Parlor, Short-Term Boarding Facility, or Pet Shop"**
13 **by Amending Sections 5.24.030, "License Requirement,"**
14 **5.24.075, "Pet Shop Sale Limitations – Records," and**
15 **5.24.078, "Dog Sale Violations"; and Adopting Findings of**
16 **Fact.**

17
18 **Whereas**, the Washington State Legislature adopted restrictions on the sale of
19 dogs and cats in 2021; and

20
21 **Whereas**, Revised Code of Washington (RCW) 16.52.360, as adopted in 2021,
22 prohibited the retail sales of dogs and cats. However, state law allowed retail pet stores
23 that were in business prior to July 25, 2021, to continue to sell dogs; and

24
25 **Whereas**, RCW 16.52.360 did not contain any regulatory requirements for those
26 retail pet stores that were allowed to continue selling dogs; and

27
28 **Whereas**, in response to the deficiencies in state law, Pierce County adopted
29 Ordinance No. 2022-10s, which become effective on January 1, 2023. This Ordinance
30 filled in the gaps in state law by providing regulations governing the sale of dogs in
31 those businesses that were still allowed to sell dogs. These regulations addressed
32 animal sourcing, advertising, and disclosure requirements in order to promote the
33 health, safety, and welfare of the citizens and animals in Pierce County; and

34
35 **Whereas**, in 2023, the Washington State Legislature amended Chapter 16.52
36 RCW, including RCW 16.52.360, and adopted regulations governing the sale of dogs
37 and cats that are more restrictive than the limitations contained in the Pierce County
38 Code, and

39
40 **Whereas**, in order to achieve consistency with state law, eliminate duplication,
41 and avoid confusion, the County is amending Chapter 5.24 of the Pierce County Code
42 to repeal the Pierce County limitations on the sale of dogs and instead require
43 compliance with Chapter 16.52 RCW; **Now Therefore**,



1 **BE IT ORDAINED by the Council of Pierce County:**

2
3 Section 1. Chapter 5.24 of the Pierce County Code, "Kennel or Cattery,
4 Grooming Parlor, Short-Term Boarding Facility, or Pet Shop," is hereby amended as
5 shown in Exhibit A, which is attached hereto and incorporated herein by reference.

6
7 Section 2. Findings of Fact are hereby adopted as shown in Exhibit B, which is
8 attached hereto and incorporated herein by reference.

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11 **PASSED this** 19th **day of** September, **2023.**

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14 **ATTEST:**

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17 Denise D. Johnson
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19 **Denise D. Johnson**
20 Clerk to the Council

PIERCE COUNTY COUNCIL
Pierce County, Washington

Ryan N. Mello
21
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23 **Ryan N. Mello**
24 Council Chair

Bruce F. Dammeier
25
26 **Bruce F. Dammeier**

Pierce County Executive

Approved Vetoed
27 10th day of September, this
28 2023.

29
30 Date of Publication of
31 Notice of Public Hearing: August 16, 2023

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33 Effective Date of Ordinance: September 28, 2023

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Note: The Section name for PCC 5.24.075 shall also be amended in the Table of Contents for Chapter 5.24 PCC.

Chapter 5.24

KENNEL OR CATTERY, GROOMING PARLOR, SHORT-TERM BOARDING FACILITY, OR PET SHOP

5.24.030 License Requirement.

F. *Records – Duty to Maintain.* ~~With the exception of breeder records otherwise provided for in PCC 5.24.075, e~~ 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 Auditor and/or agent of Pierce County at all reasonable times for a specific reason.

5.24.075 Pet Shop Sale Limitations—Records.

Pet shops must comply with Chapter 16.52 RCW as now or hereafter amended.

~~A. Except as provided in this Section, a pet shop may not sell or offer for sale any dog.~~

~~B. A pet shop may sell or offer for sale a dog only if the pet shop meets the following requirements:~~

- ~~1. Any dog sold or offered for sale must be sold or offered for sale only at the address identified as the location address on the pet shop's business license, as defined in RCW 19.02.020;~~
- ~~2. Any dog sold or offered for sale must be obtained either: (a) directly from a USDA licensed breeder pursuant to the federal Animal Welfare Act, 7 U.S.C. Sec. 2131 et seq., or (b) from a USDA licensed broker pursuant to the federal Animal Welfare Act, 7 U.S.C. Sec. 2131 et seq., after the broker provides all breeder documentation required of a breeder by this Section as well as any applicable federal and state license numbers for the breeder and the broker;~~
- ~~3. Any dog sold or offered for sale must possess documentation obtained from its breeder, either directly or through a USDA licensed broker, demonstrating the dog was not separated from its mother prior to age eight weeks and further demonstrating the breeder's compliance with RCW 16.52.310 on the date the dog was obtained from the breeder;~~
- ~~4. A pet shop must, prior to obtaining a dog from a breeder or a broker, obtain all inspection reports for the breeder created by the USDA within the previous three years. A pet shop must maintain and, upon request, produce the records for a period of five years following the sale of a dog obtained from the breeder or broker;~~
- ~~5. Any advertisement offering to sell a dog must include on all advertisements, including website postings, a range of prices at which a dog, breed of dog or dogs having other distinguishing traits are offered for sale as well as age of the dog and supporting documentation providing the applicable federal or state license numbers for the breeder of the dog;~~



- 1 6. ~~Post in a location visible from the entrance of a pet shop on a kiosk or other form of~~
2 ~~bulletin board the purchase price and age of the dog and the following information~~
3 ~~on the dog's breeder: full name; kennel name, if applicable; city; state; and any~~
4 ~~applicable state or federal license numbers; and~~
5 7. ~~Disclose to a prospective consumer in writing, prior to the sale of a dog, the~~
6 ~~following information about the dog:~~
7 ~~a. The purchase price of the dog;~~
8 ~~b. The interest rate or range associated with any financing or credit card offered to~~
9 ~~the prospective purchaser; and~~
10 ~~c. Any applicable federal or state license numbers and an unredacted list of all~~
11 ~~violations of any federal or state law the dog breeder received in the previous~~
12 ~~two years on a federal or state inspection report.~~
13 C. ~~A pet shop may provide space and appropriate care for animals, including dogs, owned~~
14 ~~by an animal shelter, nonprofit humane society, or nonprofit animal rescue organization~~
15 ~~and maintained at the pet shop for the purpose of adopting those animals to the public.~~
16 ~~Each pet shop shall display on each cage or pen containing a dog or cat a label stating~~
17 ~~the certificate of source, including the name and address of the animal shelter or~~
18 ~~nonprofit humane society or animal rescue organization which is the source, for each~~
19 ~~dog or cat kept in the cage or pen.~~

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21 **5.24.078 Dog Sale Violations.**

22 Violations of this Chapter shall be subject to the applicable penalties of Chapter 16.52 RCW,
23 as now or hereafter amended.

24 A pet shop that violates PCC 5.24.075 is subject to a Class 1 civil infraction. Any pet shop
25 with three or more violations of any individually numbered subsection of PCC 5.24.075.B.1
26 through 5.24.075.B.4 over a one-year period or six or more violations of any numbered
27 subsection of PCC 5.24.075.B.5 through 5.24.075.B.7 over a one-year period is prohibited from
28 selling or offering to sell any dog.
29



FINDINGS OF FACT

The Pierce County Council finds that:

1. The Washington State Legislature adopted restrictions on the sale of dogs and cats in 2021.
2. Revised Code of Washington (RCW) 16.52.360, as adopted in 2021, prohibited the retail sales of dogs and cats. However, state law allowed retail pet stores that were in business prior to July 25, 2021, to continue to sell dogs.
3. RCW 16.52.360 did not contain any regulatory requirements for those retail pet stores that were allowed to continue to sell dogs.
4. In response to the deficiencies in state law, Pierce County adopted Ordinance No. 2022-10s, which became effective on January 1, 2023. This Ordinance filled in the gaps in state law by providing regulations governing the sale of dogs in those business that were still allowed to sell dogs. These regulations addressed animal sourcing, advertising, and disclosure requirements in order to promote the health, safety, and welfare of the citizens and animals in Pierce County.
5. In 2023, the Washington State legislature amended Chapter 16.52 RCW, including RCW 16.52.360, and adopted regulations governing the sale of dogs and cats that are more restrictive than the limitations contained in the Pierce County Code (PCC). This new state law will become effective on July 23, 2023.
6. In order to achieve consistency with state law, eliminate duplicative regulations, and avoid confusion, the County is amending Chapter 5.24 PCC to repeal the Pierce County limitations on the sale of dogs and instead require compliance with Chapter 16.52 RCW.
7. The penalties for violations of PCC 5.24.075 will be the same as those set forth in Chapter 16.52 RCW.
8. The Pierce County Auditor’s office will continue to license and inspect pet shops.

