

CITY COUNCIL AGENDA TOPIC

Regional Animal Services Code Update

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EXECUTIVE SUMMARY**DIRECTION**

King County, the City of Bellevue, and 23 other cities have an interlocal agreement (ILA) for the County to provide animal services. When King County updates its animal care and control code, the ILA requires cities to align their animal care and control code with King County's. In August 2023, King County updated its animal control code to align with state law standards, clean up and repeal certain sections, and significantly reorganize the code. Staff recommends incorporating King County code into Bellevue's code by reference so that Bellevue remains in compliance with the ILA.

RECOMMENDATION

Direct staff to prepare and bring back for Council consideration at a future meeting an ordinance to update Bellevue City Code Title 8 (Animal Care and Control) by repealing certain existing chapters and sections and replacing them with King County Code Title 11 by incorporating by reference.

BACKGROUND/ANALYSIS

As described above, Bellevue and 23 other cities contract with King County for animal services, which include animal control, shelter care, adoption and pet licensing services. Generally speaking, participating in King County's Regional Animal Services is a cost-effective solution for cities that would otherwise need to operate their own animal services programs. Costs are allocated among participating cities and unincorporated King County based on usage (80 percent) and population (20 percent). Costs to Bellevue are offset by pet licensing revenue collected by Bellevue residents and Bellevue pays the remaining costs. In 2018-2022, Bellevue has paid approximately \$85,000 per year on average beyond the pet licensing fees. Bellevue also contributes staff time to promote pet licensing.

In order for the Regional Animal Services program to operate efficiently across jurisdictions, the ILA requires participating cities to have substantially similar animal services codes to King County's. This prevents a patchwork effect of differing codes across the 23 cities and unincorporated King County, which would be complex and challenging for King County to serve and would likely increase operational costs.

History of Regional Animal Services ILAs and Bellevue Code Updates

In 2010, the Bellevue City Council authorized an interlocal agreement with King County for animal services. The 2010 ILA established a regional model for animal care and control. The ILA required

Bellevue to update its code to be substantially similar to King County Code (KCC) Title 11, which describes animal licensing, fees, penalties, enforcement, impound, redemption and sheltering services. For this reason, Bellevue City Council approved Ordinance 5957 repealing then-existing chapters in Title 8 of the Bellevue City Code and enacting new chapters 8.04, 8.05, 8.06, 8.07, 8.08, and 8.09 to be substantially similar to KCC Title 11 as it was then codified.

With that change, Bellevue City Code authorized King County's regional animal services section of the County's records and licensing services division to provide animal care services and enforce animal care and control laws within the city of Bellevue.

While Ordinance 5957 stopped short of authorizing incorporation of King County Code Title 11 by reference into Bellevue City Code, the update to Bellevue City Code Title 8 had the effect of closely aligning Bellevue's animal care and control code with KCC Title 11.

In 2017, King County and Bellevue executed a new interlocal agreement, which guides the County's provision of animal care services and enforcement of animal care and control laws within the City of Bellevue (2018 ILA). Like the 2010 ILA, the 2018 ILA requires the City to enact updates to Bellevue City Code to make provisions on license, fee, penalty, enforcement, appeal, impound/redemption and sheltering substantially the same as provisions in KCC Title 11 as amended. The term of the 2018 ILA began January 1, 2018 for five years and was automatically extended for a five-year term, ending December 31, 2027.

Since 2010, King County has updated KCC Title 11 several times, but its most significant update to KCC Title 11 happened this year. In June 2023, the County concluded a multiyear effort to review and update KCC Title 11 by enacting Ordinance 19638.

2023 Update to KCC Title 11

Through its 2023 update, the County reorganized KCC Title 11, adopted changes to reflect current state law standards and align with certain defined terms in state law. It also included cleanup of Title 11 to repeal multiple sections that had become obsolete. For example, sections on pet shops, grooming parlors and commercial kennels were repealed because they are now regulated by Seattle King County Public Health under the Board of Health Code. The County updated defined terms and reorganized the code.

Obligation to Incorporate Updates to Bellevue City Code

If Bellevue's code isn't updated to align with King County's 2023 update to KCC Title 11, discrepancies between the County's and City's codes would make it more difficult for the County to enforce animal care and control laws in the city of Bellevue. The City has a contractual obligation under the 2018 ILA for animal services to promptly enact updates to the City's code when KCC Title 11 is amended. Failure to enact an update to Bellevue City Code Title 8 would cause Bellevue to be in non-compliance with its contractual obligation to King County.

Bellevue staff recommend updating Bellevue City Code to incorporate KCC Title 11 by reference. This action will keep Bellevue in compliance with the ILA and will support the efficiency of the Regional Animal Services program by maintaining consistency across participating jurisdictions.

Included are three attachments; in combination, they show what Bellevue's Code would look like after repeal of certain existing chapters and sections and incorporation of KCC Title 11 by reference.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Council chose to participate in the Regional Animal Services ILAs in 2010 and again in 2017. The 2018 ILA, which is in effect now, requires Bellevue and other cities to align their animal care and control code with King County's. Bellevue staff recommends updating Bellevue City Code to be consistent with the ILA and with Council's decision to participate in the Regional Animal Services Program. In the future, Bellevue City Council may choose to make a different policy decision, such as creating and operating a Bellevue-specific animal services program.

Fiscal Impact

There is no fiscal impact associated with implementing these changes to the Bellevue City Code.

OPTIONS

1. Direct staff to prepare an ordinance for Council consideration at a future meeting updating Bellevue City Code Title 8 (Animal Care and Control) by repealing certain existing chapters and sections and replacing with King County Code Title 11 by incorporating by reference.
2. Do not direct staff to prepare an ordinance as described above and provide alternative direction to staff.

ATTACHMENTS

- A. Draft Animal Code Update Ordinance
- B. Draft Amendment to Chapter 8.04 of Bellevue City Code
- C. King County Code Title 11 Updated 2023

AVAILABLE IN COUNCIL LIBRARY

N/A