

PGSHA Pet Policy

Policy:

The Board of Commissioners (BOC) desires to establish and apply a consistent Pet Policy for All Housing tenants. The BOC recognizes individuals value pets as family members and pets may bring physical and emotional support to individuals. The Board of Commissioners will review this Pet Policy at least every two years.

Rules and Procedures:

1. One dog, cat, or caged animal will be allowed per rental unit.
2. A written request must be turned into Port Gamble S’Klallam Housing Authority (PGSHA) prior to acquiring a pet in a rental unit.
3. Tenant will provide PGSHA a statement of health from a veterinarian and a timeline for required vaccines and health checkups within 30 days of acquiring approved pet. Tenant is responsible for following the timeline and providing PGSHA with all subsequent documentation.
4. A refundable deposit of \$400 will be charged for an approved cat or dog. Once pet is approved, the tenant can pay the deposit in full or establish an acceptable payment plan as follows: one quarter of the refundable deposit prior to acquiring the pet and the balance of the refundable deposit is required within 6 months of approval.
 - A. A deposit is not required for a caged animal.
 - B. Elders 55 years and older are exempt from refundable deposit.
 - C. A service animal is exempt from the refundable deposit. A service dog, per the American Disability Act (ADA), is defined as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability”.
 - D. An emotional support animal is subject to the \$400 refundable deposit. An emotional support animal is defined as a type of animal that provides comfort to

help relieve a symptom or effect of a person's disability and are not considered service animals by the ADA.

5. Pet deposits will remain with the lease until the tenant moves out. At this time, any pet damages will be assessed and any deposit balance remaining will be returned to the tenant.
6. Tenants will be given a copy of Chapter 13.03 Animal Control portion of the Tribal Code and PGSHA Pet Policy and Procedure prior to approval of pet. Tenant will sign they have received copies and acknowledge their understanding of the requirements and responsibilities of the pet ownership in the PGSHA rental unit.
7. All dogs and cats must be spayed or neutered. No permit will be issued without this certification. Breeding is prohibited in PGSHA units.
 - A. Within 30 days of move-in or acquiring pet, a spay/neuter certification or proof of appointment must be provided to PGSHA. If providing proof of appointment, tenant will need to bring in a certificate of spay or neuter within 10 days after the appointment date.
 - B. If pet is unable to be spayed/neutered due to age, tenant must provide a letter from a veterinarian with a recommendation for an appropriate time to spay/neuter. Tenant will have 30 days after the recommended date to provide proof of appointment and spay or neuter.
 - C. PGSHA will issue a permit for the pet when all requirements are met.
8. Pet must be contained either by leash, runner, portable kennel, or other such approved humane means of containment of pets while outside.
9. Pets must not be a nuisance to other Tenants in neighborhood.
 - A. No person shall keep, maintain, or permit, either willfully or through failure to control, on any premises under the tenant's control any animal which by sound or cry shall disturb the peace and comfort of the inhabitants of the neighborhood or interfere with any person in the reasonable and comfortable enjoyment of life or property.

- B.** No person shall keep, maintain, or permit, either willfully or through failure to control, on any premises under the tenant's control any animal which by the animal causes damage to any PGSHA properties.
 - C.** No person shall keep, maintain, or permit, either willfully or through failure to control, on any premises under the tenant's control any animal which by displays aggressive behavior and may cause health or safety concerns for other tenants, their guests, or any person providing services for any PGSHA properties.
Aggressive behavior includes, but is not limited to, behavior meant to intimidate or harm a person or another animal, such as growling, baring teeth, snarling, snapping, or biting.
 - D.** All persons approved with a pet permit must maintain proper cleanup of all animal waste and any other debris caused by the approved pet that may cause health and safety concerns for other tenants, their guests, or any person providing services for the PGSHA properties.
- 10.** Tenant has the right to appeal any decision of the PGSHA staff through the Port Gamble S'Klallam Housing Authority Board of Commissioners.
- 11.** Failure to comply with this policy will result in the tenant having to remove the animal from PGSHA properties. Failure to remove the animal will be considered a breach of tenant document and will result in non-compliance and subject to termination.

- (B) A person who is cruel to an animal or fails to control an animal may be subject to prosecution as provided under PGST Code 5.04.08 or 5.04.10.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.04 Liability

- (A) An owner of an animal is responsible for damages to persons or property caused by the animal.
- (B) The liability under this section includes any damages covered by the Port Gamble S’Klallam Tribe, as approved by the Tribal Council, including medical treatment, lost wages, repairs, and other costs incurred due to the animal’s conduct.
 - (1) The Port Gamble S’Klallam Tribe may pursue reimbursement for any damages covered by the Tribe under this section by issuing an invoice to the individual whose animal caused the damages.
 - (2) If the individual contests the invoice or fails to pay by the required date, then the Port Gamble S’Klallam Tribe may file a complaint for reimbursement against the individual as provided under Title 3 of the PGST Code.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.05 Vicious Animals

A person may not own, keep, harbor, or otherwise control a vicious animal within the jurisdiction of the Port Gamble S’Klallam Tribe.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.06 Running at Large

- (A) An owner of an animal may not allow the animal to run at large.
- (B) The prohibition of this section does not include an off-leash animal if:
 - (1) The animal is under the voice control of the owner;
 - (2) The animal has been properly trained to not approach people or other animals without permission; and
 - (3) The presence of the off-leash animal is permitted by the lot

holder, Tribe, or other relevant authority where the animal is off-leash.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.07 Public Nuisance

- (A) An animal is considered a public nuisance if it:
 - (1) Harasses or chases any passerby or passing vehicle;
 - (2) Barks, howls, or creates other animal noises so as to disturb the peace and quiet of any person;
 - (3) Is repeatedly at large;
 - (4) Overturns or spreads garbage about; or
 - (5) Attacks other animals.
- (B) An owner of an animal that is a public nuisance may be prosecuted for maintaining a public nuisance under PGST Code 5.02.07.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.08 Abandonment & Removal

- (A) A person may not abandon an animal within the jurisdiction of the Port Gamble S'Klallam Tribe.
- (B) A person may not remove or otherwise take a dog or cat from the jurisdiction of the Port Gamble S'Klallam Tribe unless the person:
 - (1) Is the owner;
 - (2) Is acting with the permission of the owner;
 - (3) Is a Port Gamble S'Klallam Tribe law enforcement officer;
 - (4) Is an animal control officer of any agency who has been requested to provide assistance by a Port Gamble S'Klallam Tribe law enforcement officer; or
 - (5) Is otherwise employed or authorized by the Port Gamble S'Klallam Tribe to provide animal control services.
- (C) A person who violates this section may be removed and excluded from the territory of the Port Gamble S'Klallam Tribe as provided under PGST Code 22.02.01.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.09 Impoundment

- (A) An animal found in violation of this Chapter may be seized or impounded by:
 - (1) A Port Gamble S'Klallam Tribe law enforcement officer;
 - (2) An animal control officer of any agency whose assistance has been requested by a Port Gamble S'Klallam Tribe law enforcement officer; or
 - (3) Any person otherwise employed or authorized by the Port Gamble S'Klallam Tribe to provide animal control services.

- (B) If an animal has been seized or impounded:
 - (1) The Port Gamble S'Klallam Police Department shall make reasonable efforts to identify and notify the owner;
 - (2) The animal may be seized or impounded as long as is deemed appropriate by the Port Gamble S'Klallam Police Department;
 - (3) The owner shall be responsible for the fees related to the seizure, impoundment, reclamation, or destruction of the animal; and
 - (4) Consistent with the policies and procedures of the Port Gamble S'Klallam Police Department or the impounding facility, as relevant, the animal may be put up for adoption destroyed if the owner fails to reclaim the animal or pay the required fees in a timely manner.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code.]

13.03.010 Responding to Bites, Attacks, & Rabies

- (A) The owner of an animal that bites or otherwise injures or causes injury to a human being without sufficient provocation:
 - (1) Is deemed to own a vicious animal in violation of this Chapter; and
 - (2) May be prosecuted for failure to control an animal as provided under PGST Code 5.04.10.

- (B) If an animal bites or otherwise injures a human, the incident shall be reported to the Port Gamble S'Klallam Police Department.
 - (1) A health care provider who treats a person for an animal bite or other related injury shall report all known details of the incident to the Port Gamble S'Klallam Police Department. The health care provider is not required to receive the patient's consent to make this report.
 - (2) A health care provider who reports under this section is not liable for making the report.
- (C) When responding to an animal bite, reported injury, or any other incident involving a vicious animal, a Port Gamble S'Klallam Tribe law enforcement officer:
 - (1) Shall make reasonable efforts to seize and impound the animal for the examination and diagnosis of rabies; and
 - (2) May destroy the animal at any time if:
 - (a) The animal is wild, meaning there is no known owner or obvious signs of ownership;
 - (b) The animal displays signs that would cause a reasonable person to suspect rabies;
 - (c) The animal is unable to be seized, subjugated, or otherwise controlled without serious threat to the responding officer or others; or
 - (d) The owner of the animal consents to the destruction.
- (D) If an animal has been diagnosed with rabies, the animal must be destroyed humanely. The owner of the animal is responsible for any costs and fees related to the seizure, impoundment, or destruction.

[HIST: Source - Resolution No. 24-A-137, passed 09/09/2024, repealing and replacing the animal control code]