

**SUMMARY and FISCAL NOTE\***

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*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:**

AN ORDINANCE relating to service animals; conforming the definition of “service animal” to federal and state law; establishing a uniform definition for “service animal” by removing similar terms and including the definition in the Parks Code; making technical corrections; and amending Sections 6.310.465, 9.25.023, 9.25.082, 11.40.180, 14.04.030, 14.04.040, 14.04.050, 14.06.020, 14.06.030, 14.08.015, 14.08.020, 14.08.040, 14.08.045, 14.08.070, 14.08.190, 18.12.030, and 18.12.080 of the Seattle Municipal Code.

**Summary and background of the Legislation:** In 2019, the DOJ requested the CAO look into updating the "service animal" definition in Title 14 Human Rights Code and SMC 18.12.080.A (and other relevant sections in the Seattle Municipal Code (SMC)) to be in compliance with the ADA and WA state law. Our existing definition is: “an animal that provides medically necessary support for the benefit of an individual with a disability.” This definition has existed since 2011 and has been interpreted as providing broader protections for persons using service animals than its federal and WA state counterparts. However, CAO recommends SOCR amend Title 14 Human Rights Code and SMC 18.12.080.A (SMC 14.04, 14.06, 14.08 and other relevant sections in the SMC) to the satisfaction of the DOJ and to avoid potential enforcement action. This language has been approved by the DOJ and would not disrupt or otherwise impact current SOCR and City enforcement and practices.

**2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?** \_\_\_ Yes \_\_\_X\_\_\_ No

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation amend the Adopted Budget?** \_\_\_ Yes \_\_\_X\_\_\_ No

**Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

No. There are no financial implications for the Seattle Office for Civil Rights.

### **Is there financial cost or other impacts of *not* implementing the legislation?**

There are potential other impacts if the City does not implement the legislation. For instance, the DOJ may take enforcement action and/or a potential complainant may allege they are excluded from the use of a service animal as defined in the SMC when they are otherwise protected under the WA state or federal law.

## **4. OTHER IMPLICATIONS**

### **a. Does this legislation affect any departments besides the originating department?**

Yes, the service animal definition has been added to the Parks Code and updated in SMC 9.25 for the Animal Control division within FAS. There are potential operational impacts for both Parks and Animal Control because technical amendment now reads full protections for all service animals rather than just guide dogs. However, this technical amendment is consistent with Seattle Office for Civil Rights' existing interpretation and application of the definition for "service animal" for the instances stated in SMC 9.25 (Animal Control) and in the Parks Code.

### **b. Is a public hearing required for this legislation?**

No.

### **c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

### **d. Does this legislation affect a piece of property?**

No.

### **e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

This technical amendment will help realize the City's commitment to being a welcoming and equitable City for all its residents, visitors, and workers. To avoid any possible future exclusions for service animals and people with disabilities, we should align the City's definition with the ADA and WA state law. This will ensure our City has jurisdiction to investigate claims of discrimination and broaden pathways to justice for those most vulnerable.

### **f. Climate Change Implications**

#### **1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No.

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No.

- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s).**

N/A

**List attachments/exhibits below:**