

Title 4 – Criminal Code

Chapter 8 – Offenses Involving Animals

Sec.

- 4-08.010 Cruelty to Animals
- 4-08.020 Menacing or Damage by Animals

Legislative History

Enacted:

Swinomish Criminal Code, Ord. 184 (9/30/03), BIA (10/7/03).

Repealed or superseded:

Swinomish Criminal Code, Ord. 75(4/2/91), Enacting Res. 91-4-37, BIA (6/13/91) (repealing and superseding Ord. 39 and Article XIII of Ord. 32).
Establishing Criminal Offenses, Ord. 39 (6/7/77) (superseding conflicting provisions of Ord. 32).
Swinomish Law and Order Code, Ord. 32 (3/4/75), BIA (5/30/75).
Swinomish Law and Order Code, Ord. 7 (6/1/38), BIA (3/24/38).
Adoption of Swinomish Law and Order Regulations, Ord. 1 (undated).

[Ed. Note. Ordinance 1 is undated and adopts the Law and Order Regulations approved by the Secretary of the Interior November 27, 1935 as part of the fundamental law governing the Swinomish Reservation. The referenced “regulations” are not located in tribal records.]

4-08.010 Cruelty to Animals.

- (A) Any person who tortures or cruelly mistreats or neglects any animal commits the offense of cruelty to animals.
- (B) Cruelty to animals is a **Class B offense** if a risk of serious injury to the animal is involved; otherwise it is a **Class C offense**.

[History] Ord. 184 (9/30/03); Ord. 75 (4/2/91).

4-08.020 Menacing or Damage by Animals.

- (A) Any person who owns or has custody of and cares for an animal of another and knowingly permits the animal to menace another person by causing him or her reasonable fear of harm or actual harm commits the offense of menacing by animals.
- (B) Any person who owns or has custody of and cares for an animal of another and knowingly fails to reasonably control the animal and as a result the animal causes damage to property of another commits the offense of damage by animals.

- (C) The first offense of menacing or damage by animals is a **Class C offense**, but repeated conduct of this type involving the same animal will constitute a **Class B offense**.

[History] Ord. 184 (9/30/03); Ord. 75 (4/2/91).