

1 **OFFICE OF THE HEARING EXAMINER**

2 **CITY OF TACOMA**

3 **SUZANNE DYE,**

HEX2022-014

4 **Appellant,**

AMENDED ORDER

5 **v.**

6 **CITY OF TACOMA,**
7 **ANIMAL CONTROL AND**
8 **COMPLIANCE,**

9 **Respondent.**

10 **THIS MATTER** came before JEFF H. CAPELL, the Hearing Examiner for the City of
11 Tacoma, Washington for a hearing held on October 27, 2022. On November 2, 2022, the
12 Hearing Examiner issued his Findings of Fact, Conclusions of Law, Decision and Order. Later
13 that day, Appellant Suzanne Dye asked for an additional condition of “1 hour supervised play”
14 for her dog Jayde. In response on November 18, 2022, Respondent’s legal representative
15 Deputy City Attorney Jennifer J. Taylor emailed the Hearing Examiner’s office that Animal
16 Control & Compliance had no objection to Appellant’s request provided the following
17 conditions would be in effect:

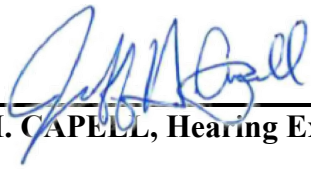
- 18 1. Ms. Dye remains outside with the dog;
19 2. The fence/gate remain securely locked so that the dog cannot escape;
20 3. The time is documented; and
21 4. Other conditions of the declaration remain in effect, e.g., permit, signage and
microchipping.

In light of Appellant Dye’s request and the City’s response the Examiner hereby

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amends the previous order to allow Jayde one hour of supervised outdoor play subject to the conditions proposed by the City. All else from the original order remains in effect.

DATED this 21st day of November, 2022.



JEFF H. CAPELL, Hearing Examiner

1 **NOTICE**

2 **RECONSIDERATION/APPEAL OF EXAMINER'S DECISION**

3 **RECONSIDERATION TO THE OFFICE OF THE HEARING EXAMINER:**

4 Any aggrieved person or entity having standing under the ordinance governing the matter, or
5 as otherwise provided by law, may file a motion with the Office of the Hearing Examiner
6 requesting reconsideration of a decision or recommendation entered by the Examiner. A
7 motion for reconsideration must be in writing and must set forth the alleged errors of
8 procedure, fact, or law and must be filed in the Office of the Hearing Examiner within 14
9 calendar days of the issuance of the Examiner's decision/recommendation, not counting the
10 day of issuance of the decision/recommendation. If the last day for filing the motion for
11 reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next
12 working day. The requirements set forth herein regarding the time limits for filing of motions
13 for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for
14 reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set
15 forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole
16 discretion of the Examiner to determine whether an opportunity shall be given to other parties
17 for response to a motion for reconsideration. The Examiner, after a review of the matter, shall
18 take such further action as he/she deems appropriate, which may include the issuance of a
19 revised decision/recommendation. (*Tacoma Municipal Code 1.23.140.*)

20 **NOTICE**

21 This matter may be appealed to Superior Court under applicable laws. If appealable, the
petition for review likely will have to be filed within thirty (30) days after service of the
final Order from the Office of the Hearing Examiner.