

JAN 15 1980

CLERK OF COUNTY OF LANE COUNTY  
General Services  
OREGON  
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IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY,

ORDINANCE NO. 18-79 )  
 ) IN THE MATTER OF AMENDING CHAPTER 5  
 ) OF LANE CODE TO REVISE IMPOUNDING  
 ) REGULATIONS AND DISPOSITION OF IMPOUNDED  
 ) DOGS AND THE KILLING AND CHASING  
 ) LIVESTOCK, FOWL, POULTRY AND DOMESTIC  
 ) FURBEARING ANIMALS PROVISIONS

The Board of County Commissioners of Lane County ordains as follows:

Chapter 5 of Lane Code is hereby amended by removing and substituting the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

5.205(1) - 5.210(1)

5.205(1) - 5.205(5) to  
5.210(1) - 5.210(1) (a total of two pages)

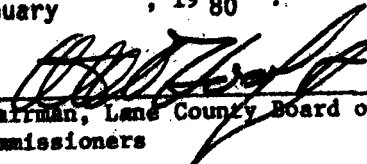
5.255(2) - 5.270(1)


5.255(2) - 5.270(1)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to revise impounding regulations and disposition of impounded dogs and the killing and chasing livestock, fowl, poultry and domestic furbearing animals provisions.

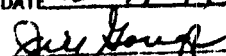
An emergency is hereby declared to exist and this ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately.

Enacted this 9th day of January, 1980

  
 \_\_\_\_\_  
 Chairman, Lane County Board of  
 Commissioners

  
 \_\_\_\_\_  
 Recording Secretary for this Meeting  
 of the Board

In the Matter of Amending Chapter 5 of Lane Code to Revise Impounding Regulations and Disposition of Impounded Dogs and the Killing and Chasing Livestock, Fowl, Poultry and Domestic Furbearing Animals Provisions

APPROVED AS TO FORM  
 DATE 12-19-79  
  
 OFFICE OF LEGAL COUNSEL

5.205(1)

Lane Code

5.205(5)

5.205 Impounding Regulations and Disposition of Impounded Dogs.

(1) The Dog Control Authority shall keep any dog impounded for the period of time hereinafter specified. A daily record of such dogs shall be kept at the place of impoundment and shall be made available to the public. The Dog Control Authority shall dispose of such dogs in accordance with the following provisions.

(a) An unlicensed dog or a dog, the owner of which is unknown which has not been redeemed within 72 hours after impoundment may be sold or destroyed.

(b) A licensed dog or a dog, the owner of which is known which has not been redeemed within 120 hours of notification of the owner by telephone contact or by mailing of impoundment notice may be destroyed or sold.

(2) Except as provided in LC 5.205(1)(a) above, the Dog Control Authority shall notify the owner by telephone or by the mailing of an impoundment notice as soon as practicable after impoundment that the dog will be destroyed 720 hours after such notification. The impoundment notice shall advise the owner of the place where the dog is kept, the procedures required for the redemption of the dog, the fees for the impoundment, daily care and redemption and the consequences of failure to redeem the dog.

(3) Dogs impounded under LC 5.190 above and LC 5.255 below shall be destroyed after the period of time set out in LC 5.205(1)(a) or (b) above, whichever is applicable. If LC 5.205(1)(b) above is applicable, the notification shall include a statement of the section under which the dog was impounded and that the dog will be destroyed unless the owner requests in writing, through the County Infractions Section, a hearing before the Infractions Hearing Officer to determine whether the dog is a vicious dog or did kill, wound or injure livestock. When a hearing has been so requested, the dog shall not be destroyed until at least 72 hours after the determination by the Infractions Hearing Officer. The determination shall be in writing and shall include the appropriate findings.

(4) In the event of an appeal to a court of competent jurisdiction of the Infractions Hearing Officer's determination to destroy a dog, the dog shall not be destroyed pending the disposition of that appeal.

(5) Notwithstanding the previous sections, any dog given to the Dog Control Authority by the owner for disposal may be destroyed immediately, or, in the alternative sold to any person (dogs specifically requested by the owner to be destroyed shall be destroyed).

12-72; 6.7.72  
 19-72; 10.13.72  
 23-72; 11.3.72  
 4-74; 7.1.74  
 16-75; 12.26.75

5.210(1)

Lane Code

5.210(1)

5.210 Redemption and Sale.

(1) Redemption of an impounded dog shall be made by exhibiting satisfactory proof of ownership and by paying the required fees and charges:

- (a) Impoundment fee.
- (b) Daily care fee.
- (c) License and rabies vaccination fees, if required.
- (d) Medical care fees, if required.

(Go To Next Page)

12-72; 6.7.72  
 19-72; 10.13.72  
 23-72; 11.3.72  
 4-74; 7.1.74  
 16-75; 12.26.75

5.255(2)

Lane Code

5.270(1)

(2) If any dog not under the control of any person is found chasing livestock not the property of its owner, it shall be deemed *prima facie* as engaged in killing, wounding or injuring livestock.

(3) No person shall own any dog with knowledge that it has killed or wounded livestock.

(4) No owner shall permit a dog to chase livestock not the property of its owner and which are off the premises owned or controlled by the owner.

5.260 Abandoned Dogs.

(1) No dog owner shall permit a dog to be abandoned.

(2) Any peace officer or Dog Control Officer may:

(a) Provide food and water to abandoned dogs.

The dog owner shall pay for such services.

(b) Impound any abandoned dog. As soon as practical, notice of impoundment under this section shall be posted at the house or be mailed to the owner, or if the owner is unknown, to the address at which the dog was found and impounded.

5.265 Entry Onto Private Land. Any Dog Control Officer or any peace officer shall have the privilege of entering onto private land in the course of the officer's duties in enforcing the provisions of this ordinance, but such officer shall not enter into any building or dwelling without legal authorization or the permission of the owner or occupant of the premises.

5.270 Sick or Injured Dogs.

(1) Any sick or injured dog found by a peace officer or Dog Control Officer off the premises of its owner shall be delivered to its owner. Any such dog for which the owner is either unknown or cannot be reached after reasonable attempts to do so, shall be delivered by the Dog Control Authority to a veterinarian for medical treatment. Upon delivery to a veterinarian, the following procedures shall apply:

(a) When the dog is unlicensed and the owner is unknown, the veterinarian shall determine whether the dog is so severely injured or incurably crippled that the humane thing to do would be to destroy the dog. If a determination is made to destroy the dog, the dog may be destroyed immediately. If the veterinarian determines treatment should be given, such treatment may be given; provided, however, the dog may be destroyed if unclaimed by its owner within 72 hours after being delivered to the veterinarian.

(b) When the dog is licensed or the owner is known and cannot be reached, the veterinarian shall determine whether the dog is so severely injured or incurably crippled that the humane thing to do would be to destroy

12-72; 6.7.72

16-75; 12.26.75