

MAY 08 1986

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

County Clerk
for Lane County, Oregon
BY Ann Morello

ORDINANCE NO. 5-86)

) IN THE MATTER OF AMENDING CHAPTER 5
) OF LANE CODE TO REVISE PROVISIONS
) RELATING TO DOG LICENSE ISSUANCE
) AND FEES (LC 5.175, 5.180, 5.220
) 5.225)

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 page:

REMOVE THESE PAGES

INSERT THESE PAGES

5.165(8) - 5.175(3) to
5.180 - 5.195(2),
i.e. 5-8 to 5-9
(a total of two pages)

5.165(8) = 5.175(3) to
5.180 - 5.195(2),
i.e. 5-8 to 5-9
(a total of two pages)

5.215(3) - 5.220(4) to
5.220(5) - 5.230(1),
i.e. 5-13 to 5-14
(a total of two pages)

5.215(3) - 5.220(4) to
5.220(5) - 5.230(1),
i.e. 5-13 to 5-14
(a total of two pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to revise provisions relating to dog license issuance and fees (LC 5.175, 5.180, 5.220 and 5.225).

Enacted this 7th day of May , 1986.

[Signature]
Chair, Lane County Board of Commissioners

Hannah Bradford
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM
DATE 4/17/86
[Signature]
OFFICE OF LEGAL COUNSEL

IN THE MATTER OF AMENDING CHAPTER 5 OF LANE CODE TO REVISE PROVISIONS RELATING TO DOG LICENSE ISSUANCE AND FEES (LC 5.175, 5.180, 5.220 AND 5.225)

5.165(8)

Lane Code

5.175(3)

(8) Livestock. Includes but is not limited to cattle, sheep, horses, goats, swine, fowl, poultry, cats or any furbearing animal bred and maintained commercially or otherwise within pens, cages and hutches, or domesticated wild animals.

(9) Neutered. The removal of the ovaries and uterus, ovarian hysterectomy, in female dogs. The removal of the male gonads in male dogs. Any other method of neutering a dog which is certified and performed by a licensed veterinarian.

(10) Noncommercial Dog Kennel. An establishment or premises where three or more dogs, over six months of age, are kept or maintained. No more than two of the dogs shall be used for breeding. The term does not include any animal hospital.

(11) Vicious Dog. Any dog which has bitten, attacked or tried to attack a person without provocation, and has the capacity to inflict serious harm to a person, shall be regarded as a vicious dog.

(12) Watchdog. A dog confined at a business or residence to protect the people or property of said business or residence.

5.170 County Dog Control Regulations Supersede State Law.
 LC 5.165 to 5.298 shall be known as the "County Animal Control Regulations" and the purpose of these sections is to supersede the provisions of ORS Chapter 609 by providing Rules and Regulations governing the keeping, licensing, and control of dogs. These Code provisions do not supersede ORS 609.140.

5.175 Animal Regulation Authority Powers and Duties. The Powers and Duties of the Animal Regulation Authority shall be as follows:

(1) To enforce the provisions of LC 5.165 to 5.298 and discharge the duties provided therein.

(2) To maintain or contract for the maintenance of an animal shelter or other place for all animals which are subject to impoundment may be kept and safely held and provided with proper and sufficient food and water.

(3) To collect or provide for the collection of by contractually authorized private vendors, any costs, fees and charges hereinafter provided for the licensing, impounding and keeping of any animal.

19-72; 10.13.72
 23-72; 11.3.72
 16-75; 12.26.75
 2-82; 4.9.82
 12-83; 6.17.83
 21-83; 11.29.83
 4-85; 6.26.85

5.180

Lane Code

5.195(2)

- 5.180 Receipts. All receipts for fees collected in connection with LC 5.165 to 5.298 shall be deposited in the Animal Control Fund. However, private vendors under contract with the Animal Regulation Authority to dispense licenses may retain a handling fee of \$1 per license issued.
- 5.185 Summons and Complaints. Any peace officer or Animal Control Officer investigating an animal case may sign, issue, and serve upon an animal owner a Summons and Complaint alleging a violation of this chapter. A summons and complaint must be filed within six months of the date of the offense of an alleged violation of this chapter.
- 5.190 Entry Onto Private Land. Any Animal 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 chapter, 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.
- 5.193 Care of Stray Animals.
 (1) All persons must turn over to the Animal Regulation Authority stray animals within 24 after the person exercises control over the animal or must notify the Animal Regulation Authority of the description of the animal and the address where the animal is being kept and retain possession of the animal for three days after the Animal Regulation Authority is so notified.
 (2) A violation of this section is a Class B Infraction.
- 5.195 Impoundment of Dogs.
 (1) Any peace officer or Animal Control Officer may impound a dog that is in violation of this Chapter and may hold said dog until the infractions hearing is over or until the fine, if assessed, is paid subject to the provisions of LC 5.210.
 (2) If the fine assessed is not paid within five calendar days after the order, the dog may be disposed of as provided for in LC 5.210.

23-72; 11.3.72
 16-75; 12.26.75
 2-82; 4.9.82
 21-83; 11.29.83
 4-85; 6.26.85

5-9

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5.215(3)

Lane Code

5.220(4)

(3) When a dog is sold, or adopted out by the Animal Regulation Authority, the purchaser shall pay any required license and rabies vaccination fees.

(4) No impoundment charge shall be made for a dog released after determination by the Hearings Officer that no infraction occurred.

(5) No live dog shall be sold by the Animal Regulation Authority for surgical or medical demonstration or research.

(6) Except as otherwise provided, if after 72 hours an impounded dog cannot be sold, the Animal Regulation Authority is authorized and empowered to destroy the dog by any humane method permitted under state law.

(7) If a dog is adopted or sold from the Animal Regulation Authority or from any other agency which accepts unwanted or abandoned animals, the owner must have the dog spayed or neutered within six months from the date of sale if the dog is too young to be spayed or neutered immediately. If a dog over six months old is adopted or sold by an agency which accepts unwanted or abandoned animals, the dog must be spayed or neutered within one month after it is turned over to its new owner. A violation of this subsection is a Class A Infraction.

(8) If a person who is the owner of an animal fails to reclaim it from the Animal Regulation Authority within five days after notification that the animal is ready to be released, then that person commits a Class A Infraction.

5.220 Dog Licenses.

(1) Every owner of a dog which has a set of permanent canine teeth or has attained the age of six months, whichever event occurs first, shall immediately obtain a license for the dog. If the dog owner moves into Lane County, the owner must obtain a license within five days of moving into the County.

(2) Licenses shall be valid for one year from the date of issuance or until the sale or gift of the dog, whichever occurs first.

(3) No license shall be issued until a certification of vaccination for rabies, valid for the license year, is presented to the Animal Regulation Authority or duly authorized issuer.

(4) Dog owners shall renew the dog license before it becomes delinquent for as long as they own the dog.

12-72; 6.7.72
4-74; 7.1.74
16-75; 12.26.75
2-82; 4.9.82
21.83; 11.29.83
4-85; 6.26.85

(5) A license tag issued to the dog shall be attached securely to a collar or harness on the dog for which it is issued. If a license is lost, the owner shall obtain a duplicate license tag upon satisfactory proof of loss and payment of the required fee.

(6) A person who violates this section commits a Class B Infraction.

5.225 License and Other Fees.

(1) A dog license fee shall be charged in the amount provided below. The fee is due and payable upon the issuance of the license. A person who purchases a kennel license does not have to license the individual dogs as long as they live at the kennel. Also, a person who purchases a license for a commercial breeding kennel need not also obtain a commercial kennel or noncommercial kennel license, and a person who purchases a commercial kennel license need not obtain a noncommercial kennel license if they choose to operate such a kennel.

(2) No license fee shall be required for any dog owned by a blind person who uses the dog as a guide. A license shall be issued for such dog upon proper proof of rabies vaccination and upon filing of an Affidavit by the blind person showing such dog to come within this exemption. Such Affidavit shall be filed with the Animal Regulation Authority.

(3) After application upon a form to be provided by the Animal Regulation Authority, a permit may be issued to a licensed owner to use that dog as a watchdog. A fee for that permit shall be in addition to the individual license fee.

(4) Fees shall be as follows:

| | |
|---------------------------------------------------------------------------------------------------------|----------|
| (a) Dog license | |
| (b) Dog license/neutered dog | \$ 10.00 |
| (c) Dog license/senior citizen 65 or over | 5.00 |
| (d) Duplicate license | 5.00 |
| (e) Noncommercial kennel license | 2.00 |
| (f) Commercial kennel license | 25.00 |
| (g) Commercial breeding kennel (three to 10 dogs over six months old, kept for breeding per year) | 50.00 |
| (h) Commercial breeding kennel (11 dogs or more over six months old kept for breeding per year) | 100.00 |
| (i) Impoundment | 200.00 |
| (j) Daily care (per day maximum) | 20.00 |
| (k) Watchdog permits | 8.00 |
| | 25.00 |

5.230 Kennel License.

(1) No person shall operate a kennel, whether commercial or noncommercial, without the appropriate kennel license. Kennel licenses shall be valid from one year from the date of issuance.

12-72; 6.7.72 2-82; 4.9.82
 4-74; 7.1.74 12-83; 6.17.83
 15-75; 11.12.75 21-83; 11.29.83
 16-75; 12.26.75 4-85; 6.26.85
 14-81; 8.19.81

5-14

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