

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 14-04

IN THE MATTER OF AMENDING CHAPTER 7 OF  
LANE CODE TO REVISE DANGEROUS DOG  
LICENSE/FEE REQUIREMENTS (LC 7.135)

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

Chapter 7 of Lane Code is hereby amended by removing, substituting and adding new sections as follows:

**REMOVE THESE SECTIONS**


**INSERT THESE SECTIONS**

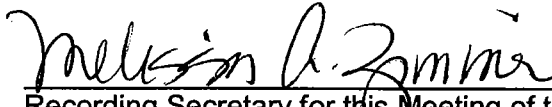
7.135  
as located on page 7-10  
(a total of 1 page)

7.135  
as located on pages 7-10 through 7-11  
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of these substitutions and additions is to revise dangerous dog license/fee requirements (LC 7.135).

ENACTED this 16<sup>th</sup> day of June 2004.

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

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

APPROVED AS TO FORM

Date 6-15-04 Lane County

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

- (a) a dog, while at large, bites or causes physical injury to any domestic animal which is not livestock;
- (b) a dog bites any person;
- (c) a dog, while at large, kills any domestic animal; or
- (d) a dog, while at large, bites or causes physical injury to livestock; or
- (e) a dog, whether or not confined, causes the serious injury or death of any person.

(4) (a) Notwithstanding LC 7.130(1) through (3) above, the Director shall have discretionary authority to refrain from prosecuting a violation, even if the dog has engaged in the behaviors specified in LC 7.130(1) through (3) above, if the Director determines that the behavior was a result of the victim abusing or tormenting the dog or other extenuating circumstances.

(b) No violation shall be found under LC 7.130(1) through (3) if:

(i) the behavior in question was directed against a trespasser on the property of a business which owns a licensed watchdog, providing the owner has complied with LC 7.080 above, or

(ii) the behavior in question was directed against a trespasser that has illegally entered any residence. *(Revised by Ordinance No. 16-75, Effective 12.26.75; 2-82, 4.9.82, 13-86, 11.7.86; 3-89, 5.12.89; 1-00, 4.12.00)*

#### **7.135 Dangerous Behavior Restrictions.**

In addition to the other requirements of this Animal Control Code, the owner of a dog that has committed dangerous behavior as described in LC 7.130 may be ordered by the court to comply with the following additional restrictions in addition to any other restrictions the court deems reasonable under the circumstances:

(1) If the dog has engaged in Class C violation dangerous behavior pursuant to LC 7.130(1), the dog shall be restricted by a physical device or structure that prevents the dog from reaching any public right-of-way or adjoining property whenever the dog is outside the owner's home and not on a leash off the owner's property.

(2) If the dog has engaged in Class B violation dangerous behavior pursuant to LC 7.130(2), or, if the dog has engaged in Class A violation dangerous behavior pursuant to LC 7.130(3)(a) the owner shall confine the dog within a secure enclosure whenever the dog is not on a leash off the owner's property or inside the home of the owner and shall also post warning signs, purchased from Lane County, on the property where the dog is kept.

(3) If the dog has engaged in Class A violation dangerous behavior pursuant to LC 7.130(3)(b), the owner shall meet the requirements of LC 7.135(2) and (3) above and shall, additionally, not permit the dog to be off the owner's property unless the dog is muzzled and restrained by an adequate leash and under the control of a capable person over the age of 18.

(4) Any dog that has been found to have engaged in Class A violation dangerous behavior pursuant to LC 7.130(3)(c) through (e) may be euthanized. Any dog that has been found to have engaged in Class A violation dangerous behavior pursuant to LC 7.130(3)(e) shall be euthanized. In addition, the hearings officer has the authority to suspend, for a period of time, the dog owner's right to be the owner of any dog in Lane County, including dogs currently owned by that person.

(5) To ensure correct identification, all dogs that have engaged in dangerous behavior described in LC 7.130 shall be marked with a permanent identifying mark. The dog will also be required to wear an identifying collar and ID tag.

(6) In addition to the normal licensing fees established in LC 7.075 above, there shall be an additional licensing and supervision fee for dogs that have been determined to have engaged in dangerous behavior pursuant to LC 7.130 in amounts provided by order of the Board of Commissioners. This additional fee shall first be

payable at the time that determination is made, and renewals are due upon the anniversary of the determination.

(7) A person who fails to comply with the provisions of LC 7.135 commits a Class A violation. *(Revised by Ordinance No. 13-86, Effective 11.7.86; 3-89, 5.12.89; 1-00, 4.12.00)*

(a) a dog, while at large, bites or causes physical injury to any domestic animal which is not livestock;  
(b) a dog bites any person;  
(c) a dog, while at large, kills any domestic animal; or  
(d) a dog, while at large, bites or causes physical injury to livestock; or  
(e) a dog, whether or not confined, causes the serious injury or death of any person.

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(b) No violation shall be found under LC 7.130(1) through (3) if:

(i) the behavior in question was directed against a trespasser on the property of a business which owns a licensed watchdog, providing the owner has complied with LC 7.080 above, or

(ii) the behavior in question was directed against a trespasser that has illegally entered any residence. *(Revised by Ordinance No. 16-75, Effective 12.26.75; 2-82, 4.9.82, 13-86, 11.7.86; 3-89, 5.12.89; 1-00, 4.12.00)*

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(5) To ensure correct identification, all dogs that have engaged in dangerous behavior described in LC 7.130 shall be marked with a permanent identifying mark. The dog will also be required to wear an identifying collar and ID tag.

(6) In addition to the normal licensing fees established in LC 7.075 above, there shall be an ~~annual~~ **additional licensing and supervision fee of \$25** for dogs that

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Bold indicates material being added  
~~Strikethrough~~ indicates material being deleted  
7.135 Lane Code

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FORMAT  
7.135

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