

## Ordinance No. 89.

An Ordinance to prevent animals from running at large within the City of Canby.

Canby does Ordain as follows:

Sec. 1. That no horse, sheep, goat, swine, Mule, ass, nor Cattle of any kind, nor any poultry, Chickens, ducks, Turkeys or geese shall be permitted to run at large within the City of Canby, nor to be pastured in or upon any street of said City, nor to be permitted to graze or feed in or upon any of the said streets, except in such parts of said streets as are in front of, or adjoin lands owned or occupied by the owner, or keeper of the animals grazing or feeding therein, and any such animals so feeding or grazing upon any such streets shall be secured by halter or rope and staked out, or held by some competent person, while so feeding or grazing upon all streets,

If found running at large, or grazing or feeding in the streets, or walking upon any sidewalks, each and every one of the aforesaid animals may be impounded in the City pound, such animal or animals shall not be released from such pound until the owner or owners thereof shall pay the Marshal having such animal or animals in charge a fee of One dollar (\$1.00) for each and every animal so impounded, also; any reasonable expense of said Marshall in taking up, and for suitable and proper maintenance of such animal during the time the same shall have been impounded, any owner of any animal above specified, or any person in whose custody or charge the same may be who shall permit the same to run at large, within the limits of the City of Canby, or feed or graze within the streets of the said City contrary to the provisions of this Ordinance, shall upon conviction thereof before the Recorder's Court of the said City, be punished by a fine of not less than Five dollars (\$5.00) nor more than

Twenty five dollars (\$25.00) and may be imprisoned until such fine is paid, not exceeding one day for each two dollars (\$2.00) of such fine.

Sec. 2. That it shall be the duty of the Marshall to provide and necessary sustenance for animals so impounded, and the reasonable cost for providing such sustenance for such animals shall be paid to the Marshall before such animals shall be released from the pound.

Sec. 3. That immediately upon taking up any such animal, the Marshall shall notify the owner thereof, if such owner be known, and after keeping such animal two days, if the same shall not be claimed and the fees and expenses of impounding and feeding such animal or animals be not paid, the Marshall shall proceed to sell such animal or animals to the highest bidder for cash. The Marshall shall give not less than ten days notice of the time and place of sale, and description of the animal or animals to be sold by publishing such notice in the City Newspaper, and by posting three notices, written or printed, (or partly written and printed) in three different conspicuous public places in the City of Canby, one of which shall be on the outside of the City Hall on front street, and in plain view of the traveling public. For such notices the Marshall shall charge the sum of 25¢ each, and also the expense of publishing such notice in the Newspaper as herein provided, provided that if any such is redeemed on payment, or tender made for that purpose, by the owner or his agent, of the fees for impounding such animal, cost of keeping same, and of advertising and posting notices at any time before such animal or animals are actually sold, the same shall not be sold, but released by the Marshall.

Sec. 4. That whenever any animal shall be sold as herein provided, and shall not bring enough to pay the fee, charges and penalty, as herein provided, the same may be recovered

from the owner of such animal, or person having the same in charge and permitting such animal to go at large, by an action before the Recorder's Court of the said City in the name of the City, the amount received to be put in the Treasury of the City.

Sec. 5. That any person or persons who shall break open, or in any manner directly or indirectly advise, direct, or aid in breaking open the City pound, or who shall hinder, delay, or in any manner obstruct or interfere with the Marshall, or any person employed by him, while engaged in driving or taking to the City pound any animal or animals liable to be impounded in the City pound, as in this Ordinance provided. Shall for such offense on conviction thereof before the Recorder's Court of said City, be punished by a fine of not less than five nor more than Twenty five dollars, and may be imprisoned in the City jail until such fine be paid not to exceed one day for each two dollars of such fine.

Sec. 6. That any poultry, ducks, Chickens, Turkeys or geese which shall be permitted to roam or go without the enclosure of the owner thereof, or to roam or go upon the premises occupied or owned by another, to the annoyance of such owner or occupant, shall be deemed at large within the meaning of this Ordinance, and any owner of such poultry ducks, chickens, turkeys or geese, who shall permit the same to go at large within the limits of the said City, upon conviction thereof before the Recorder's Court, shall be punished by a fine of not less than five dollars, nor more than Twenty five dollars, and may be imprisoned in the City jail, not to exceed one day for each two dollars of such fine.

Sec. 7. That shall be the duty of the Marshall, upon notification, that animals are running

at large, at any place in the City limits, contrary to the provisions of this Ordinance, to proceed immediately to such place and take up and impound such animals.

Sec. 8. That any animal sold under the provisions of this Ordinance, the sale price of which shall equal the sum of Fifteen dollars or upwards, may be redeemed from the purchaser at any time within thirty days from the date of sale thereof, upon paying the costs of taking up, advertising, keeping, and publishing, and posting Notices, sale price and six per. cent, in addition, and all reasonable charges for keeping the same after sale, over and above the value of the use of same.

Sec. 9. That this Ordinance take effect, and be in full force from and after its final passage and approval by the Mayor.

Passed the City Council June 7<sup>th</sup> 1909.  
William Knight  
Recorder

Approved June 11<sup>th</sup> 1909  
J. A. Mitts  
Mayor.