

ORDINANCE NO. 567

AN ORDINANCE RELATING TO DOG CONTROL; REPEALING ORDINANCE NO. 124 AND
DECLARING AN EMERGENCY

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 124 and any other ordinance or parts of ordinances which are in conflict herewith are hereby repealed.

Section 2. Definitions. As used in this Ordinance, (a) "Running at large" shall mean off or outside the premises belonging to the owner or person having the control, custody or possession of a dog while the dog is not under the complete control of such person by means of an adequate leash, or is not within a vehicle of such person.

(b) "Owner of property" shall mean any person who has legal or equitable interest in said real property or who has a possessory interest therein, or who resides on the property, or are guests of any person who owns, rents, or leases said property.

Section 3. Enforcement. It shall be the duty of the Chief of Police or any other designated Police Officer, or Dog Control Officer of the City of Canby to enforce the provisions of this Ordinance.

Section 4. Nuisance. It is determined as a matter of policy that any dog running at large in the City of Canby is a nuisance per se.

Section 5. Dogs Not To Be At Large. It shall be unlawful for any person, firm or corporation who is the owner or keeper of any dog to permit it to run at large upon any public street, highway or public place, or upon any other person's private property within the corporate limits of the City of Canby.

Section 6. Licensing. Every person owning or keeping any dog which has a set of permanent canine teeth shall, not later than March 1

of each year, or within thirty days after he becomes owner or keeper of such dog, obtain from the Canby City Recorder a license for such dog by paying to the City Recorder a license fee as established by State Law. The owner or keeper of such dog shall attach such license to a collar, which collar shall be worn by such dog at all times. If the person fails to obtain such license within the time provided by this Section, then the license fee shall be an additional \$2.00.

Section 7. Impounding. Any member of the Police Department or Dog Control Officer of the City of Canby is authorized to impound any dog found running at large or is found to be unlicensed in the City of Canby.

Section 8. Seizing Certain Dogs. A dog biting a person or which has bitten any person may be summarily seized by any person and promptly delivered to any member of the Canby Police Department or Dog Control Officer for impounding.

Section 9. Pound Regulations.

(a) Whenever a dog is impounded under the authority of this Ordinance and the owner or keeper of such dog is known, he shall be given notice of the impounding by personal service or by mailing the notice by certified mail, return receipt requested, to the owner or keeper's last known address. Such owner, or keeper of such dog shall have ten (10) days from the date of impoundment to claim the dog and pay the redemption fee hereinafter provided and if he fails to claim the dog within such time and pay the fees hereinafter provided, such dog shall be disposed of as hereinafter provided.

(b) Whenever a dog is impounded under the authority of this

Ordinance and the owner or keeper thereof is unknown, a notice shall forthwith be posted in three public places in or about the City of Canby. The notice shall contain a general description of the impounded dog, showing breed, sex, color and markings and shall designate the date which the described dog shall be disposed of unless sooner claimed and redeemed. Such date shall be not less than ten (10) days after impounding the dog; if no claim or redemption by the owner or keeper of the described dog be made within the time fixed by the notice, such dog shall be disposed of as hereinafter provided.

(c) Any dogs impounded for having bitten a person shall not be released until after expiration of a ten (10) day period to allow an appropriate health check.

(d) Any dog impounded under authority of this Ordinance may be released to the owner or keeper thereof upon payment to the City Recorder, or his authorized agent, of the following fees and charges: A redemption fee not to exceed \$5.00 for bookkeeping plus the actual costs of boarding of said dog together with all applicable license fees if said dog is not then licensed.

(e) If an impounded dog is not claimed by its owner or keeper within the time limits fixed above it may be released to any person on payment to the City Recorder, or his authorized agent, of the fees and charges fixed in Section 9, sub-section (d) above.

(f) If no claim or redemption by the owner or keeper of the described dog is made within the time fixed by the applicable notice and if no person claims the impounded dog pursuant to Section 9, sub-section (e) above, such dog shall be sold, given away or humanely

killed at the expiration of such time.

Section 10. Record of Impound. The Police Department or Dog Control Officer shall make in triplicate a detailed record of each dog impounded showing the date and time impounded, description of the dog, name and address of the owner or keeper, if known, and the name and address of the person to whom the dog is released, date of release, or date and method of other disposal. The original of such records shall be retained with the kennels, and the duplicate copy shall be kept by the Police Department or Dog Control Officer and the triplicate copy shall be filed with the City Recorder.

Section 11. Interference With Officer. It shall be unlawful for any person to interfere in any way with any Police Officer or Dog Control Officer of the City of Canby engaged in seizing or impounding any dog under authority of this Ordinance.

Section 12. Injured Or Sick Dogs.

(a) The member of the Police Department or Dog Control Officer of the City of Canby who impounds any dog which is in need of medical attention may in his discretion: (1) authorize the necessary medical attention, or (2) have the dog humanely killed.

(b) The member of the Police Department, or Dog Control Officer of the City of Canby shall make diligent effort to locate the owner or keeper of a dog in need of medical attention before authorizing such medical attention or disposal of said dog.

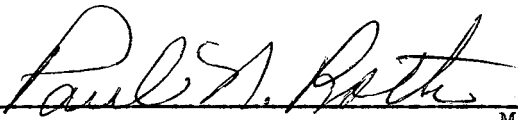
(c) Should the member of the Police Department, or Dog Control Officer of the City of Canby authorize the necessary medical attention, then and in that event the owner or keeper of said dog shall be liable

for the costs of the medical treatment rendered to said animal.

Section 13. Penalties. Any person violating any provisions of this Ordinance shall, upon conviction, be punished by a fine not exceeding \$100.00 or by imprisonment in the County Jail for not more than ten (10) days, or by both such fine and imprisonment.


Section 14. Emergency Clause. It being deemed by the Canby City Council that an emergency exists, this Ordinance shall take effect immediately upon its final passage and approval by the Canby City Council.

Passed on first reading at a regular meeting of the Canby City Council held on the 16th day of April, 1973; ordered posted in three public and conspicuous places in the City of Canby for a period of two full calendar weeks as provided by the Canby City Charter, and to come up for final reading and action of the Canby City Council at a regular meeting thereof to be held on Monday, May 7, 1973, at the hour of 7:30 o'clock p. m., Oregon Daylight Saving Time, at the Canby City Hall.



Mayor

ATTEST:

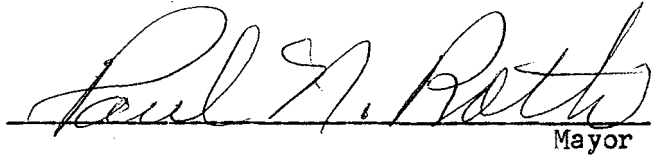


J. R. RICHARDSON - City Recorder

Passed on second and final reading at a regular meeting of the
Canby City Council held on the 7th day of May, 1973, by the following


vote: Yeas 6. Nays 0.

Approved:



Mayor

ATTEST:



J.R. RICHARDSON - City Recorder