

CITY OF SHERWOOD, OREGON

ORDINANCE No. 584

AN ORDINANCE PROVIDING FOR CONTROL OF DOGS RUNNING AT LARGE, AUTHORIZING THE ANIMAL CONTROL DIVISION AND DEPARTMENT OF PUBLIC HEALTH OF WASHINGTON COUNTY TO ENFORCE PROVISIONS THEREOF, REQUIRING RABIES VACCINATION, LICENSING OF DOGS, PRESCRIBING PROCEDURES FOR PAYMENT OF CLAIMS, AND PROVIDING PENALTIES FOR VIOLATION

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

This Ordinance shall be known and may be referred to in all proceedings as the "CITY OF SHERWOOD DOG CONTROL ORDINANCE OF 1968."

Section 1: PURPOSE: The purpose of this Ordinance is to provide rules, regulations and standards to govern the keeping of dogs; to prevent dogs from running at large; requiring dogs to be on a leash or under the control of the owner thereof when such dog is not on the owner's property; authorizing impoundment of dogs found running at large; requiring all dogs to be currently inoculated against rabies; requiring reports to be made of dogs that have bitten a person or are suspected of having rabies, and providing for the quarantining of such dog pursuant to rules and regulations promulgated by the Washington County Department of Public Health; establishing fees and charges; and imposing penalties for violation of this ordinance.

Section 2: DEFINITIONS: As used in this ordinance the following words and phrases, unless the content otherwise requires, shall mean:

1. Dog. An animal of the canine family.
2. Owner. Any person who owns, keeps or harbors an animal for fifteen or more consecutive days except a veterinarian or an operator of a kennel or a pet shop engaged in the regular business as such.
3. Dog license. The license required to be annually issued for each individual dog.
4. Animal Control Division. Means the Division of Washington County government authorized to exercise the control of animals as prescribed by this ordinance.
5. Animal Control Officer. Means an authorized officer of Washington County, Oregon, acting under authority of agreement with the City of Sherwood pursuant to the provisions of this ordinance.
6. Dog running at large. Whenever a dog is not on the property of the owner and is not held by a rope, line, leash, chain or other similar means, or is not under the immediate control and command of the owner thereof.

7. Kennel. A place of business for the care of dogs, including, but not limited to, the boarding, grooming and breeding thereof.

Section 3: PROHIBITING DOGS RUNNING AT LARGE: No dog shall run at large within the City of Sherwood.

Section 4: ANIMAL CONTROL OFFICER - POWER AND DUTIES: When acting pursuant to agreement with the City of Sherwood, the duties and powers of the Department of Public Health of Washington County and the Animal Control Officers of Washington County shall be as follows:

- (a) To enforce all provisions of this ordinance relating to the care, treatment and impounding of animals.
- (b) To maintain and keep an animal shelter or other place where all animals which are subject to impoundment may be kept and safely held and provided with proper and sufficient food and water.
- (c) To take up and safely keep any animals found to be in violation of the provisions of this ordinance.
- (d) To collect any costs and charges hereinafter provided in this ordinance for the licensing, impounding and keeping of any animal.
- (e) To dispose of all dogs that come into his possession pursuant to the terms of this ordinance.

Section 5: IMPOUNDMENT: (a) When any dog is found running at large, the Animal Control Officer shall impound it immediately. (b) Any dog impounded which by reason of injury, disease or other cause is unfit for further use or is dangerous to keep impounded, shall be forthwith destroyed.

Section 6: DISPOSITION OF IMPOUNDED ANIMALS: The Animal Control Division may keep any dog impounded for violation of the provisions of this ordinance, or turned over to a dog control officer for disposal, for the period of time hereinafter specified and may dispose of the same in accordance with the following provisions:

- (a) Unlicensed Dogs: Unless an unlicensed dog shall have been redeemed within five days after being impounded, it may be destroyed. As an alternative to destruction, it may be sold by the Animal Control Division, provided that the purchaser shall not be given possession of any such dog until he has paid the license fee and all impoundment charges:

1. Upon payment of said charges the purchaser will be given a receipt therefor and within 7 days thereafter purchaser must furnish to the Animal Control Division a certificate of vaccination as set forth in Section 10.

2. Upon presentment of said certificate, the purchaser shall be issued a license for such dog.

(b) Licensed Dogs: Unless a licensed dog shall have been redeemed within seven days after notice of impoundment, such dog may be sold by the Animal Control Division after giving notice to the registered owner of the dog as follows:

1. Deposit in the United States Mail, postage prepaid, a certified letter addressed to the person who purchased the license for the dog, advising that the dog has been impounded.

2. The notice shall advise said person the place where the dog is kept and the procedures required for redemption of the dog.

3. The amount of charges imposed for the impoundment and a statement of the daily charges for food and care.

4. In the event the dog is not claimed by the lawful owner thereof within 7 days from date of sending the letter, that the Animal Control Division will sell the dog to a bona fide purchaser, or, in the event such sale is not made, that the dog will be destroyed in a humane manner.

(c) Unwanted Animals: Any animal given to the Animal Control Division for disposal by the owner thereof may be destroyed or, in the alternative, sold to a bona fide purchaser pursuant to paragraph (a) subsections 1 and 2 of this section.

1. If the dog is less than 6 months of age, it may be sold for impoundment charge.

Section 7: FEES: All license fees, redemption fees, delinquent fees or other charges imposed under Ordinances of Washington County, Oregon, or authorized to be collected by the Animal Control Division of Washington County, Oregon, be, and the same are hereby, adopted as lawful charges hereunder.

Section 8: LICENSE: Every person owning or keeping a dog six months of age or more shall procure from the Animal Control Division of Washington County, Oregon, a license for each such dog for each calendar year or any part thereof. Such license shall be procured not later than March 1st in any year, or within 30 days after the day upon which the dog is 6 months old, or within 30 days after the day upon which the dog, if over 6 months of age, is first brought into the ^{CITY} county; thereafter, such dog shall be licensed on a calendar basis from year to year.

Section 9: RABIES VACCINATION OF DOGS REQUIRED: As a condition to securing a license the owner must present a certificate from a licensed veterinarian certifying that the animal has received a rabies immunization which will effectively protect said animal against this disease through the period of time covered by the license.

Section 10: DISPLAY OF LICENSE TAG: The license tag issued to the owner shall be attached securely to a collar or harness on the dog for which issued at all times that the dog is not indoors or in an enclosed pen.

Section 11: EXCEPTIONS: Any dog owned and used by a blind person is exempt from the license fee while so owned and used, but is not exempt from being licensed or from any required rabies vaccination.

Section 12: DOGS PROHIBITED IN CERTAIN AREAS: It shall be unlawful for the owner or person having control of any dog to suffer or permit the same, under any circumstances, to run at large in any public park, on any public school ground, in any public game refuge or in any public watershed area; and every dog found running at large in any of these areas shall be immediately seized and impounded.

Section 13: VICIOUS DOGS PROHIBITED: It shall be unlawful to keep a dangerous or vicious dog.

Section 14: BITING DOGS TO BE REPORTED:

(a) The owner or other person having custody or control of a dog which bites a human being shall immediately notify the Department of Public Health of Washington County of such bite, giving the name and address of the person bitten, if known to him, and shall abide by the quarantine instructions given by the Department of Public Health.

(b) Any person who is bitten by a dog shall forthwith notify the Department of Public Health of such bite, giving a description of the dog and the name and address of the owner, if known to him.

(c) When a doctor, veterinarian or hospital has information that a person has been bitten by a dog, such person or hospital shall forthwith notify Washington County Department of Public Health.

Section 15: QUARANTINE: The Department of Public Health of Washington County is hereby authorized to promulgate rules and regulations requiring the owner of a dog that has bitten a person to quarantine said dog for a period of time that is necessary to determine whether said dog has rabies.

Section 16: CONTRACT WITH WASHINGTON COUNTY, OREGON FOR CONTROL OF DOGS WITHIN CITY OF SHERWOOD:

Pursuant to §190.010 Oregon Revised Statutes, the City Council of Sherwood does hereby direct the Mayor to negotiate a contract for dog control services in accordance with the terms and provisions hereof with Washington County, Oregon for the control of dogs within the City and to submit said contract for ratification by the City Council of Sherwood, and, effective with the ratification of said contract, all authorities, duties and responsibilities relative to the control of dogs hereunder and otherwise as provided by law, shall be vested in the Animal Control Division of Washington County, Oregon.

Section 17: EFFECTIVE DATE: This ordinance shall be effective on and after the 31st day after its enactment by the City Council of the City of Sherwood, Oregon.

Any person who has already obtained a current dog license prior to the effective date of this ordinance shall not be required

to obtain another or additional license until Jan. 1, 1969. All other provisions of this ordinance shall be in full force and effect as herein provided.

Section 18: SAVINGS CLAUSE: If any title, section, subsection, phrase, clause, sentence or word of this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby and shall remain in full force and effect.

Section 19: PENALTIES:

(a) Violation of this ordinance shall be punished by a fine of not more than \$100. or by imprisonment in the Municipal or County Jail for not more than sixty (60) days, or by both such fine and imprisonment.

(b) In addition to any penalty imposed as provided in Paragraph (a) of this section, the Court may order the impoundment or destruction of any dog found to be vicious.

Section 20: REPEAL OF CONFLICTING LAWS: All ordinances or statutes concerning the licensing and control of dogs that are in conflict herewith are hereby repealed and declared to be of no further force and effect from and after the effective date of this ordinance.

PASSED: By the Council, by unanimous vote of all Council members present, after being read by caption three times, and in body once, this 18 day of December, 1968.

Marjorie Stewart
Recorder - City of Sherwood

APPROVED: By the Mayor, this 18 day of December 1968.

D. D. Hicks
Mayor - City of Sherwood