

Amended by
Ordinance 98-1049

AN ORDINANCE RELATING TO DOG CONTROL REGULATIONS; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT THEREOF; REPEALING ORDINANCE NO. 584; AND DECLARING AN EMERGENCY.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. Adoption of Dog Control Ordinance. (1) The dog control ordinance of Washington County, being Ordinance No. 138, enacted November 20, 1973, by the Board of County Commissioners, and effective January 1, 1974, and as now or hereafter amended, is by this reference incorporated into this ordinance and made a part hereof as the dog control ordinance of the City of Sherwood, Oregon, except as hereinafter specifically amended, modified or deleted, and shall be known and pled as the "City Dog Control Ordinance." Violation of Ordinance No. 138, as now or hereafter constituted, shall be an offense against the City of Sherwood.

(2) One copy of Ordinance No. 138, and any amendments thereto, shall be kept on file in the office of the city recorder.

Section 2. Amendments to Dog Control Ordinance. Washington County Ordinance No. 138, as by this ordinance adopted for application to the City of Sherwood, is amended and changed in the following particulars:

(1) References to "Washington County," "Board of County Commissioners," "County Counsel," "District Court," "District Judge" and other similar references are amended to read "City of Sherwood," "City Council," "City Attorney," "Municipal Court of Sherwood," "Municipal Judge of Sherwood" and other city positions as appropriate.

(2) Section 2, relating to definitions, is amended to add an additional definition as follows:

"(17) DOG CONTROL OFFICER means any peace officer and any dog control officer of the City of Sherwood or of Washington County."

(3) Section 4, relating to prohibited activities, is amended to delete subsection A(10) relating to acts of cruelty to animals.

(4) Section 10, relating to claims for livestock killed by dogs, is amended to read:

"Sec. 10. Claims for Livestock Killed By Dogs. The owner of any livestock killed by any dog may submit claims to Washington County pursuant to the provisions of the Washington County dog control ordinance."

(5) Section 11 and Section 12 are deleted.

(6) Section 14, relating to penalties, is amended to replace the phrase "Ordinance No. 77 or Ordinance No. 93 of Washington County" in paragraph D with the phrase "City of Sherwood Ordinance No. 584."

(7) Section 15, relating to enforcement procedures, is amended by revising subsection A(1) to read:

"1. In addition to other procedures authorized by law, a Uniform Dog Control Citation conforming to the requirements of this subsection "A" may be used for all Dog Control Ordinance violations committed in the presence of the complainant and which occur in the City of Sherwood, Oregon."

(8) Section 16, relating to the effective date, is deleted.


Section 3. Repeal. City of Sherwood Ordinance No. 584, enacted December 18, 1968, is repealed.

Section 4. Emergency Clause. This ordinance being necessary for the immediate preservation of the public peace, health and safety of the City of Sherwood, in order to protect the City from the activities described herein, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

PASSED: By the Council, by unanimous vote of all council members present, after being read by caption three times, this 19 day of February, 1975.

ATTEST:

APPROVED:


POLLY BLANKENBAKER, Recorder


JACK O. HARPER, Mayor



WASHINGTON
COUNTY,
OREGON

*file W/ordinance
No. 658
SEP 4 1986*

29 August 1986

Polly Blankenbaker
City Recorder
City of Sherwood
City Hall
90 N. W. Park Avenue
Sherwood, OR 97140

Re: Dog Control Agreement - City of Sherwood

On August 26, 1986, the Washington County Board of Commissioners approved a Minute Order #86-347 declaring the Intergovernmental Agreements with all of the County's member cities for Dog Control Services.

We are herewith sending you a copy of the Minute Order and the Dog Control Agreement dated and signed by your city and the Chairman of the Board of Commissioners.

An apology for the delay, but we wanted to submit all the agreements at the same time. Thank you again for your participation.

If you have any questions about this matter, please feel free to call me at 684-4617 (toll free), Extension 2460.

Very truly yours,

DEPARTMENT OF ASSESSMENT AND TAXATION
Donald W. Mason, Director

By *Jay Wm. Smith, Jr.*
Jay Wm. Smith, Jr.,
Management Analyst

JWS/jw

Enclosure: 1 copy of Minute Order #86-347
Original Dog Control Agreement

DOG CONTROL AGREEMENT

THIS AGREEMENT, made and entered into this 26th day of August, 1986, by and between WASHINGTON COUNTY, a home rule subdivision of the State of Oregon, hereinafter referred to as "County" and City of Sherwood, a duly incorporated city in Washington County, Oregon, hereinafter referred to as "City".

WITNESSETH

ORS 203.040 provides that a County ordinance adopted in the exercise of its police powers may apply within an incorporated city, provided the electors of the city or its governing body consent thereto.

County has adopted Ordinance No. 306, a Dog Control Ordinance, which provides for enforcement of the Ordinance within the boundaries of municipal corporations in the County, upon intergovernmental agreement for such enforcement.

County does maintain a Dog Control Department with a staff responsible for the enforcement and administration of the County Dog Control Program.

City desires to maintain a Dog Control program within its territory by means of this intergovernmental agreement and the terms of County Ordinance No. 306, except as otherwise provided herein.

City desires to contract with the County for the administration and enforcement of the City's Dog Control Program, and to terminate any prior agreements for dog control between City and County.

County is agreeable to rendering those services on the terms and conditions as set forth in this Agreement.

It would be in the best interest of City and County to enter into such an agreement to avoid duplication of effort and to minimize personnel costs, as authorized and provided by ORS 190.010 through 190.030.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth in this Agreement, it is mutually agreed as follows:

1. County Ordinance No. 306, attached as Exhibit "A" and incorporated herein by this reference, shall be enforced within the boundaries of the City. The term "Washington County" appearing in Ordinance No. 306 shall be deemed to include City for the purposes of this Agreement. The Washington County Dog Control Division shall administer the Dog Control Program and enforce Ordinance No. 306 within the City. The Dog Control Program shall include those duties and functions of the type

coming within the jurisdiction of and customarily performed by the County in the administration and enforcement of the County's Dog Control Program.

2. The rendition of such service, standards of performance, and employment of Dog Control Officers, and other matters incident to the performance of these services shall remain in the County. County shall retain full responsibility for the acts and omissions of its officers and employees, and shall hold City harmless for County employees' negligence subject to the provisions of ORS 30.260-30.300.

3. County shall furnish and supply all necessary personnel, equipment, communication facilities and shelter for animals as necessary to maintain the level of services to be rendered under this Agreement. All citations issued for a violation of Ordinance No. 306 shall be adjudicated in Washington County District Court.

4. County will issue all licenses and permits required by Ordinance No. 306 and collect and retain all fees from sale of licenses and permits. City agrees that County shall retain all fees, charges and fines collected in the enforcement and administration of Ordinance No. 306. These monies are intended to defray partially the expenses incurred by County in the administration and enforcement of Ordinance No. 306 and shall be

the consideration for the services rendered. County shall perform the services and duties described herein at no cost to City.

5. Any prior agreement between City and County shall terminate on the effective time and date of this Agreement.

6. City retains full authority to enact regulations pertaining to all other subjects which may relate to dog control, including but not limited to land use and noise regulations. City may enact additional or more stringent ordinances pertaining to dog control not otherwise inconsistent with County Ordinance No. 306. Enforcement of such ordinances and provisions shall be the exclusive responsibility of City. City may choose to supplement the Dog Control Program within its territory using its personnel at its own expense. City shall hold County harmless from negligent acts or omissions of City employees under this Agreement subject to the provisions of ORS 30.260-30.300.

7. This Agreement shall be effective upon the date of its execution, and shall remain in effect for three (3) years. It shall be automatically renewed for successive three (3) year terms unless modified, renegotiated or terminated by either party. Either party may terminate by giving no less than thirty (30) days written notice of termination.

IN WITNESS WHEREOF, the City of Sherwood acting by and through its Mayor and City Recorder, has executed this Agreement on the date appearing below, and Washington County, through its duly organized and authorized Board of County Commissioners, has caused this Agreement to be executed.

DATED this 9th day of April, 1986 at Sherwood, Oregon.

CITY OF Sherwood
By Mary L. Tobias
Mayor

By Polly Blankenbaker
City Recorder

DATED this 26th day of August, 1986, at Hillsboro, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

Wesman
Chairman

Stella M. Manabe
Recording Secretary

APPROVED WASHINGTON COUNTY
BOARD OF COMMISSIONERS
MINUTE ORDER # 86-347
DATE 8-26-86

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APPROVED AS TO FORM
Loetta Skurdahl
Assistant County Counsel
For Washington County, Oregon

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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Assessment and Taxation

Agenda Category _____

Agenda Title 114 Dog Control - Intergovernmental Agreement

To be presented by Don Mason, Director, Assessment and Taxation

SUMMARY (Attach Supporting Documents if Necessary)

As your Board may recall, in the past their has been divided jurisdictional authority for Dog Control among the County and its member cities. These intergovernmental agreements (provided for your inspection at the clerks desk) with all of the cities provide for Dog Control services under the centralized authority of your adopted ordinance. For your information, the Ordinance establishes that all fees and fines go to the County,

DEPARTMENT'S REQUESTED ACTION:

That your Board approve the intergovernmental agreements with all of the County's member cities for Dog Control Services.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

The agreements are provided for your inspection at the clerk's desk.

APPROVED WASHINGTON COUNTY BOARD OF COMMISSIONERS

MINUTE ORDER # 86-347
DATE 8-26-86
BY Stella K. Manale
CLERK OF THE BOARD

Agenda Item No. 10
Date: 8-26-86