

Chapter 6.04

DOG CONTROL

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6.04.010 Short title. This chapter shall be referred to as the county dog control ordinance. (Ord. 82-6-1 §1.05, 1982)

6.04.020 Definitions. Words, terms and phrases which are not specifically defined in this chapter shall have the ordinary meaning ascribed to them unless the context clearly indicates otherwise. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular include the plural. The word "shall" is mandatory and not merely directory. Unless the context clearly indicates otherwise, the following words, terms and phrases shall mean as follows:

A. "Animal control department" means the county special services department established to coordinate and regulate dogs and to control and destroy predatory animals.

B. "Dog" includes both domestic breeds of dogs and wolf-dog hybrids. A wolf-dog hybrid shall be deemed to be a dog for all purposes of this chapter except as set forth herein. Wolf-dog hybrids shall be exempt from the rabies vaccination requirements and penalties if all of the following conditions are met: (1) the dog is declared by the owner in writing to be a wolf-dog hybrid, (2) the dog is declared by an Oregon licensed veterinarian in writing to be a wolf-dog hybrid, (3) an Oregon licensed veterinarian declares in writing that inoculation of the wolf-dog hybrid with any rabies vaccine would be an unlawful use of the vaccine. (Ord. 98-11-1 §1, 1999)

C. "Dog control board" means an advisory body appointed by the board of commissioners.

D. "Dog control district" means the district established pursuant to Order of the Board of Commissioners dated January 2, 1937, on file in the County Journal at Volume 13, Page 507.

E. "Program" means the county dog control program established by this department.

F. "Supervisor" means the person appointed by the board of commissioners and as director of the special services department. (Ord. 82-6-1 §1.10, 1982; Ord. 93-4-1 §1, 1993)

6.04.030 Purpose. This chapter is designed to provide and coordinate regulations governing the control of dogs within the dog control district in the county. (Ord. 82-6-1 §1.15, 1982)

6.04.040 Interpretation. deleted (Ord. 97-1-4, §9, 1997)

6.04.050 Intergovernmental agreements. The board of commissioners may enter into intergovernmental agreements with municipal corporations within the county in order to provide county administration and enforcement of regulations controlling dogs. (Ord. 82-6-1 §1.30, 1982)

6.04.060 Animal control department--Created. The county animal control department referred to in this chapter as "department," is created in accordance with ORS 609.030 to coordinate and implement regulations concerning dogs. All employees of the department shall be employees of the county subject to the county personnel rules. (Ord. 82-6-1 §2.05, 1982)

6.04.070 Dog control fund. The county dog control fund is created as the fund for the accounting system for deposits and expenditures made on behalf of the department. (Ord. 82-6-1 §2.10, 1982)

6.04.080 Dog control board--Authority. The county dog control board, herein referred to as "dog control board," is created to serve as an advisory body with the authority to assist and advise the board of commissioners. The dog control board shall be composed of three members, two of whom shall be directly or indirectly involved with the livestock industry. The dog control board shall have the authority and duty to:

A. Serve as an advisory board to the board of commissioners regarding the appointment or removal of the supervisor.

B. Review and recommend enactment of policies and rules for the operation of the department.

C. Review and make recommendations on the annual budget of the department as prepared by the supervisor for submission to the board of commissioners and the budget committee.

D. Hear all claims by owners of livestock under ORS 609.170 through 609.190. (Ord. 84-2-4 §2, 1984; Ord. 82-6-1 §3.05, 1982)

6.04.090 Dog control board--Term of membership. Upon the effective date of the ordinance codified in this chapter, the persons presently serving on the dog control board shall serve the remaining portion of their terms which will expire as follows:

A. One member's terms shall expire on June 30, 1984;

B. One member's terms shall expire on June 30, 1985;

C. One member's terms shall expire on June 30, 1986;

Thereafter each member shall be appointed for a term of four years. At the expiration of a member's term, the board of commissioners shall appoint a new member or may reappoint a member for a term of four years. If a member is removed by the board of commissioners or resigns from the dog control board any replacement member shall serve for the remainder of the term of the member being replaced. (Ord. 82-6-1 §3.10, 1982)

6.04.100 Dog control board--Meetings. The dog control board shall meet and organize by the election of a chairperson from among its members. The organizational meeting to elect a chairperson shall occur between July 1st and July 31st each year. The dog control board shall meet at the call of the chairperson or any two members as necessary to perform the duties required by Section 6.04.080 of this chapter. The supervisor shall assist the chairperson in scheduling meetings. The chairperson shall preside at all meetings of the dog control board and shall conduct the meetings in accordance with procedural rules established by the dog control board. (Ord. 82-6-1 §3.15, 1982)

6.04.110 Dog control board--Action. Two voting members shall constitute a quorum. No decision shall be made by the dog control board unless a quorum is present. A majority of the members present at a meeting must vote in favor of any proposed decision or action of the dog control board before it may be implemented. (Ord. 82-6-1 §3.20, 1982)

6.04.120 Dog control board--Compensation and reimbursement. The members of the dog control board shall receive no compensation for services provided as members, except for reimbursement of actual and necessary travel and other expenses incurred in the performance of their duties. Request for reimbursement of expenses shall be submitted to the supervisor. (Ord. 82-6-1 §3.25, 1982)

6.04.130 Supervisor--Appointment. The supervisor of the department shall be

appointed by the board of commissioners to administer the department and the provisions of this chapter. The board of commissioners shall review recommendations of the dog control board prior to making the appointment. The supervisor shall serve at the pleasure of the board of commissioners. (Ord. 82-6-1 §4.05, 1982)

6.04.140 Supervisor--Authority and duties. The supervisor shall be appointed as a peace officer by the county sheriff pursuant to ORS 204.635 and shall have the authority and duty to enforce the provisions of this chapter and other applicable state laws concerning the regulation and control of dogs. The supervisor shall have the authority and duty to perform the following acts:

- A. Review and make recommendations to the dog control board and the board of commissioners on all matters pertaining to the program and this chapter;
- B. Supervise the department and employ persons in the department;
- C. Negotiate and recommend contracts for personal services to the board of commissioners for final approval and execution;
- D. Investigate, collect and disburse fees for dog licensing;
- E. Purchase or lease equipment needed for the department;
- F. Perform any and all acts necessary to enforce the provisions of this chapter and applicable state laws. (Ord. 82-6-1 §4.10, 1982)

6.04.150 Administrative rules--Purpose. In order to implement the provisions of this chapter, the board of commissioners may adopt by resolution administrative rules to:

- A. Set policies and procedures as may be necessary to implement any provision of this chapter;
- B. Provide guidelines for the coordination and implementation of regulations concerning dogs;
- C. Establish and collect fees for licensing dogs. (Ord.82-6-1 §5.05, 1982)

6.04.160 Administrative rules--Interpretation. In the event of a conflict or discrepancy between the provisions of this chapter and the administrative rules, the provisions of this chapter shall take precedence over inconsistent provisions in the administrative rules. (Ord. 82-6-1 §5.10, 1982)

6.04.170 Administrative rules--Procedure for adoption. The dog control board or the board of commissioners may initiate proceedings for adoption of administrative rules. The dog control board shall review and recommend policies and rules as proposed by the supervisor. Rules proposed and recommended by the dog control board shall be presented to the board of commissioners for their approval. (Ord. 82-6-1 §5.15, 1982)

6.04.180 Dog control program--Created. The county dog control program, herein referred to as "program," is created pursuant to ORS Chapter 609 to coordinate and implement regulations concerning dogs. The administration of the program shall be conducted within the department. (Ord. 82-6-1 §6.05, 1982)

6.04.190 License--Required. Every person residing within the county and owning

or keeping any dog which has a set of permanent canine teeth or is six months old, whichever comes first shall, within thirty days after he or she becomes owner or keeper of the dog procure from the county a license for the dog by paying to the county a license fee. (Ord. 82-6-1 §6.10, 1982)

6.04.200 License--Term, renewal. The license shall be valid for one year from the date of purchase. Renewal of the license shall be due on the last day of the same month one year from the date of purchase. (Ord. 82-6-1 §6.15, 1982)

6.04.210 License--Fees. License fees for dogs shall be twenty five dollars for each dog except that the fee for each spayed female or neutered male dog for which a veterinarian certification of operation for spaying or neutering of the dog is presented to the department shall be six dollars. (Ord. 82-6-1 §6.20, 1982; Ord. 02-1-1 §1, 2002)

6.04.215 License--Fees--Optional Program. Notwithstanding Douglas County Code sections 6.04.200 and 6.04.210, a dog owner has the option of licensing his or her dog for up to three years to coincide with the duration of his or her dog's rabies vaccination. License fees for unaltered dogs (within the meaning of Douglas County Code section 6.17.010.C.) shall be twenty five dollars per year plus 1/12th of \$25 per month for any additional month or months thereafter up to the termination of the dog's rabies vaccination. License fees for altered dogs (within the meaning of Douglas County Code section 6.17.010.C.) shall be six dollars per year plus 1/12th of \$6.00 per month for any additional month or months thereafter up to the termination of the dog's rabies vaccination. (Ord. 93-4-1 §2, 1993; Ord. 02-7-1 §1, 2002)

6.04.217 License-Fees--Duplicate and lost tags. The fee for duplicate and lost license tags shall be three dollars. (Ord. 93-4-1 §3, 1993)

6.04.220 Kennel license fees.

A. License fees as set forth in Section 6.04.210 do not apply to dogs that are kept primarily in kennels and are not permitted to run at large. License fees for dogs which are not taxed as inventory under ORS 307.407 and which are kept primarily in kennels and are not permitted to run at large shall be five dollars per dog except that the license fee for dogs in a kennel which is owned by a person licensed as a dealer under the Animal Welfare Act the United States Department of Agriculture Animal and Plant Health Inspection Service shall be a blanket license issued to the kennel according to the following schedule:

<u>Number of Dogs</u>	<u>Annual Fee</u>
1-10	\$15.00
11-20	20.00
21-30	25.00
31 and over	30.00

B. "Kennel" is defined, for the purpose of this chapter, as an establishment operated and maintained for the care and custody of pet animals for boarding, training or similar purposes, for varying periods of time, for profit or compensation or an establishment operated and maintained for the purpose of breeding, buying, selling or bartering of pet animals for profit or compensation. No structure or establishment shall qualify as a kennel unless it shall be of sound structural strength and in good repair to prevent injuries, capable of containing the animals and preventing the entrance of other animals. (Ord. 82-6-1 §6.25, 1982)

6.04.230 Payment on livestock claims. No payments will be made on claims under ORS 609.170 through 609.190 unless the person making the claim is in full compliance with the provisions of this chapter at the time the damage which is the subject of the claim occurs. (Ord. 84-2-4 §3, 1984: Ord. 82-6-1 §6.35, 1982)

6.04.240 Violation--Penalty.

A. Failure to procure a license in accordance with this chapter shall be a violation of this chapter.

B. If a person fails to procure a license within the time provided in accordance with this chapter, the person shall pay as a penalty in addition to the license fee, the sum of twenty dollars. However, if the owner of the dog purchases a license prior to issuance of a violation by the department the owner shall only pay two dollars for the first month the person is delinquent in procuring a license or five dollars if the person is more than a month delinquent in procuring a license, in addition to the license fee. (Ord. 93-4-1 §4, 1993)

C. Penalties provided in this section are not intended to limit or preclude the penalties provided in ORS 609.990. (Ord. 82-6-1 §6.30, 1982)