

Yamhill County  
Dog Control Ordinance  
Number 449

September 2, 1987

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Courthouse Room 106

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IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

An Ordinance Providing for the )  
Licensing of Dogs; Regulating )  
the Conduct, Care and Treatment )  
of Dogs and Kennels; Prohibiting ) ORDINANCE NO. 449  
Activities; Establishing Proce- )  
dures; Providing Penalties; )  
Repealing Preceding Ordinances, )  
and Declaring an Emergency )

THE BOARD OF COUNTY COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board), on the 2nd day of September, 1987, sat for the transaction of county business in regular session, Commissioners David E. Bishop and Ted Lopuszynski being present.

WHEREAS, ORS Chapters 609 and 203 enable Yamhill County to regulate dogs; and

WHEREAS, on August 26, 1981, the Board enacted the Yamhill County Dog Control Ordinance, Ordinance 274, and subsequently amended said Ordinance by Ordinances 285, 361, 366(a), 403 and 422; and

WHEREAS, it is the desire of the Board to make certain changes in the Dog Control Ordinance to make the regulation of dogs in Yamhill County more efficient; and

WHEREAS, on the 26th day of August, 1987, a public hearing was held to consider the revisions set forth in this ordinance and continued until September 2, 1987; and

WHEREAS, the adoption of this ordinance is in the best interests of the citizens of Yamhill County; NOW THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

## SECTION 1

### POLICY, PURPOSE AND TITLE

1.1 -- POLICY. The Board of Commissioners of Yamhill County recognizes that ORS Chapter 609 grants non-home rule counties the power to regulate dogs by ordinance and that on July 5, 1929, Yamhill County was declared to be a Dog Control District by vote of the electors of Yamhill County. Pursuant to the vote of the electors and to ORS Chapter 609, Yamhill County is declared to be a Dog Control District.

The Board further recognizes and finds that the regulation of dogs is a matter of county concern, and therefore, ORS Chapter 203 provides a separate and independent legal basis upon which to enact this ordinance. Pursuant to both ORS Chapter 609 and ORS Chapter 203, the Board finds it necessary to implement a program for the licensing and regulation of dogs and the facilities which house them; to protect the health, safety, and welfare of the residents and citizens of Yamhill County; to recognize the property rights of both owners and non-owners of dogs; and to provide for the control and protection of dogs located within the county.

1.2 -- PURPOSE. This ordinance is enacted to provide a comprehensive procedure and program for the implementation of the above described policy; to set forth all requirements for licensing, regulation, care and treatment of dogs; and to describe related activities that shall be prohibited in Yamhill County. This ordinance is intended to supercede ORS chapter 609 except as specifically provided in this ordinance, or in instances in which this ordinance does not provide a parallel rule, definition, or procedure.

1.3 -- TITLE. This ordinance may be cited as the "Yamhill County Dog Control Ordinance."

## SECTION 2

### DEFINITIONS

2.1 -- GENERAL DEFINITIONS. As used in this ordinance, the terms defined in this section shall have the defined meanings unless the context requires otherwise. Where appropriate, words in the present tense include the future, the singular includes the plural, plural usage includes the singular, and "shall" means mandatory, not discretionary.

2.2 -- SPECIFIC DEFINITIONS. As used in this ordinance:

- (a) "Animal" means any non-human mammal, bird, reptile, or amphibian.

- (b) "Bail" means money or its equivalent deposited by a defendant to secure his appearance in court for a dog control offense.
- (c) "Board" means the Yamhill County Board of Commissioners.
- (d) "Dog" means any mammal of the domestic canine family.
  - (1) "Small dog" means a dog of any breed for which the recognized standard specifies a height, measured perpendicularly at the withers, of 15 inches or less and/or a weight so specified not to exceed 30 pounds.
  - (2) "Medium dog" means a dog of any breed for which the recognized standard specifies a height, measured perpendicularly at the withers, of more than 15 inches but not exceeding 25 inches and/or a weight so specified of more than 30 pounds, but not exceeding 60 pounds.
  - (3) "Large dog" means a dog of any breed for which the recognized standard specifies a height, measured perpendicularly at the withers, of more than 25 inches and/or a weight so specified of more than 60 pounds.
- (e) "Holding facility (shelter)" means a facility built and maintained by a city, a humane society, or Yamhill County for the purpose of enforcing or administering an animal or dog control program.
- (f) "Household pet" means a domesticated animal kept for the personal use, pleasure, and enjoyment of the owner.
- (g) "Isolation (quarantine)" means the secure restraint of a specific animal by means of a closed cage, secured fenced-in area, pound, or other approved building or facility affording such security from any other animal or person.
- (h) "Kennel" means a site providing for the accommodation of four or more dogs of licensable age, where such dogs are kept for board, propagation, training, or sale.
- (i) "Livestock" means horses, mules, jackasses, cattle, llamas, sheep, goats, swine, domesticated fowl, and any fur-bearing animal bred and maintained commercially or otherwise, within pens, cages, and hutches.

- (j) "Owner or keeper" means any person who keeps, has custody of, possesses, harbors, or exercises control over a dog or other animal, with the exception of veterinary hospitals as defined in this ordinance. In a family situation, the head of the household is presumed to be the owner or keeper.
- (k) "Person" means an individual, a partnership, company, association, corporation, or any other legal entity.
- (l) "Sheriff" means the Yamhill County Sheriff or the sheriff's designee.
- (m) "Veterinarian" means a practicing veterinarian, licensed pursuant to the laws of the State of Oregon, to perform any of the acts set forth in ORS 686.030.
- (n) "Veterinary hospital" means any business establishment maintained and operated by a veterinarian for the diagnosis and treatment of diseases and injuries to animals.

### SECTION 3

#### ADVISORY COMMITTEE

3.1 -- DOG CONTROL ADVISORY COMMITTEE. There shall be a Dog Control Advisory Committee which shall consist of five residents of Yamhill County. At least one member of the committee shall reside within a city in Yamhill County; at least one member shall be directly connected with dogs; at least one member shall be selected from the unincorporated areas of the county; and at least one member shall be directly connected with the livestock industry. The members shall serve at the pleasure of the Board of Commissioners, without pay. Members of the committee shall serve for two years or until replaced by the Board. No person shall serve more than two consecutive terms as a member of the committee. Members of the committee shall select from their number a chairman who shall preside at all meetings and a secretary who shall keep the minutes of the meetings and other proceedings. A quorum for the transaction of business shall consist of three members. The committee shall meet upon the call of the chairman or upon the call of any three members. Regularly scheduled meetings may be established in the discretion of the committee.

3.2 -- POWERS OF THE DOG CONTROL ADVISORY COMMITTEE. The Dog Control Advisory Committee shall review all claims against the Dog Control Fund for livestock killed by a dog, and shall make general policy recommendations to the Board of Commissioners concerning the amounts to be paid upon such claims. The committee shall, as it deems necessary, advise the Board on

matters related to dog control. Each year, the committee shall conduct a program directed toward the education of the public on the subject of the neutering or spaying of dogs and other responsibilities of dog ownership.

#### SECTION 4

##### ENFORCEMENT AND ADMINISTRATION

4.1 -- POWERS OF SHERIFF. The sheriff shall have authority under this ordinance:

- (a) To make arrests for violation of this ordinance;
- (b) To collect all fees specified by this ordinance;
- (c) To otherwise enforce and administer the provisions of this ordinance;
- (d) To take other action necessary to reduce the damage inflicted by dogs upon livestock and other domestic animals;
- (e) To investigate claims against the Dog Control Fund; and
- (f) To subpoena persons to testify in the hearing of claims against the Dog Control Fund.

The sheriff shall maintain a holding facility or place of impoundment where all dogs subject to impoundment shall be safely held and provided with proper and sufficient food, water, and shelter.

4.2 -- OFFICERS WORKING WITH DOGS. In designating personnel to work with dogs, the sheriff shall consider the following criteria:

- (a) Physical ability to do the work required;
- (b) Previous experience working with dogs;
- (c) Experience or training in the fields of law, business, or public relations;
- (d) Other relevant experience and/or training.

4.3 -- OTHER ENFORCEMENT OFFICERS. In addition to any power otherwise conferred by Oregon law, a peace officer shall have the power to arrest and cite violators of this ordinance and to impound dogs which have committed acts subjecting its owner or keeper to a penalty under this ordinance.

**4.4 -- YAMHILL COUNTY HEALTH OFFICER.** The Yamhill County Health Officer shall administer the rules and regulations of the Board of Health of the State of Oregon relating to rabies control in Yamhill County.

## SECTION 5

### LICENSING OF DOGS

#### 5.1 -- LICENSING PROCEDURE.

- (a) The owner or keeper of a dog that has permanent canine teeth or that is more than six months of age shall obtain a license for the dog for a one year period commencing at the time the dog:
  - (1) Acquires permanent canine teeth;
  - (2) Reaches six months of age; or
  - (3) Is present in Yamhill County for more than 30 days, whether consecutive or not.
- (b) When required, a license shall be purchased from the Yamhill County Dog Control office or a sales outlet authorized under Section 5.9 of this ordinance.
- (c) The first day of the month in which a dog is first licensed in Yamhill County shall be the dog's licensing anniversary date. The owner or keeper of the dog shall relicense the dog each year thereafter, on or before its anniversary date.
- (d) The Dog Control office shall keep a numbered record of all licenses issued, including information on the sex and breed of dog, and name and address of owner or keeper.
- (e) A license under this section is not required for a dog kept in this county, if the owner or the dog resides outside of Yamhill County and if the dog is validly licensed in the jurisdiction where the owner resides.

#### 5.2 -- RECIPROCAL LICENSING PROCEDURE.

- (a) Reciprocal licensing procedures shall apply:
  - (1) If the owner or keeper of a dog changes residence to Yamhill County while the dog is validly licensed in another Oregon jurisdiction; or

- (2) If ownership or possession of a dog is transferred to a resident of Yamhill County while the dog is validly licensed in another Oregon jurisdiction.
- (b) Upon payment of an administrative fee established by board order, a person eligible for reciprocal licensing shall relinquish the valid license from the other Oregon jurisdiction and be issued a Yamhill County dog license.
- (c) A license issued under this subsection shall be valid for the remainder of the original license period, but shall not be valid for more than one year even if the original license period extends for more than one year.
- (d) The licensing anniversary date of a dog receiving a reciprocal license under this subsection shall be the first day of the month in which the dog was licensed in an Oregon jurisdiction other than Yamhill County.

5.3 -- RABIES INOCULATION AND CERTIFICATE REQUIREMENTS. The owner or keeper of any dog with permanent canine teeth or that is more than six months of age shall have that dog inoculated against rabies with a modified live virus vaccine. No license shall be issued for any dog unless the applicant exhibits a certificate of such inoculation by a veterinarian.

5.4 -- LICENSE FEE AND LATE LICENSE FEE.

- (a) The license fee charged for the yearly license shall be established by order of the Board of Commissioners, and shall include separate fees in the following categories:
  - (1) For each spayed female or neutered male dog for which a veterinarian's certificate of operation for the spaying or neutering of the dog is presented to the county;
  - (2) For each spayed female or neutered male dog for which a veterinarian's certificate of operation for the spaying or neutering of the dog is presented to the county and the dog is owned by a person who is 65 years of age or older;
  - (3) For each dog kept in a kennel; and
  - (4) For all other dogs.
- (b) Any dog owned by a blind or deaf person and used as a guide dog shall be licensed as required in this

ordinance but shall not be required to pay a license fee; and

(c) Late License Fee. A late license fee shall be assessed against any owner or keeper of a dog who in any year fails to obtain a license within 30 days of the date specified in Section 5.1 of this ordinance. All late fees shall be paid in addition to the original license fee at the time of issuance of the license.

- (1) For a person or the owner of a licensed kennel who has not been cited for owning or keeping an unlicensed dog, the late fee shall be twice the amount of the original license fee.
- (2) For a person who is cited for owning or keeping an unlicensed dog and who thereafter obtains a license, the late fee shall be in an amount as specified by board order.
- (3) For the owner of a licensed kennel who is cited for owning or keeping an unlicensed dog and who thereafter obtains licenses, the late fee shall be as specified by board order for each unlicensed dog on the premises at the time of citation, unless such dogs are otherwise exempt from the licensing requirements of this ordinance.

5.5 -- LICENSE TAG. Upon payment of the fees required by this ordinance, the county shall issue to the owner of the dog a license tag suitable for attachment to the dog's collar. The owner of the dog shall attach the license tag to a collar on the dog and keep it on the dog at all times. If the dog is kept at all times in an enclosure or pen, the license tag may, at the option of the owner or keeper, be affixed to the enclosure or pen rather than to the collar of the dog.

5.6 -- LOST LICENSE TAG. If a license tag is lost, the owner may obtain a duplicate license tag from the county upon satisfactory proof of loss and payment of a fee as specified by board order.

5.7 -- LICENSE TAG TRANSFER. If the ownership of a dog which is currently licensed under this ordinance changes, the new owner shall, within thirty days, obtain from the county a transfer of the license tag upon payment of the required fee, as specified by board order.

5.8 -- LICENSE FEES ARE NOT PENALTIES. The fees required under this section are in addition to any penalties established by this ordinance for owning or keeping a dog without a license.

5.9 -- AUTHORITY TO PROVIDE FOR LICENSE OUTLETS. The Board may by order establish licensing outlets at any business within the territorial limits of Yamhill County for the purpose of selling dog licenses. The Board may promulgate rules for the administration of such a program. Any business participating in the program shall be entitled to retain an amount from the fee received for each license issued by the outlet to cover administrative costs. The amount that may be retained by a business participating in the program shall be established by board order.

## SECTION 6

### DOG FACILITIES, LICENSING AND INSPECTION

6.1 -- COVERAGE. This section applies to all dog facilities maintained in Yamhill County whether such facilities are denominated as kennels, holding facilities, shelters, or otherwise in this ordinance, and whether privately or publicly owned. However, this section does not apply to municipal holding facilities owned and operated by municipal corporations in Yamhill County unless the municipality consents to the application of this ordinance by the execution of an intergovernmental agreement as provided for in section 12.

### 6.2 -- LICENSING REQUIREMENT.

- (a) No person shall operate a commercial or noncommercial dog kennel, as specified in Section 6.1, without first obtaining an annual license from Yamhill County for each kennel operated. Fees for commercial and non-commercial kennels shall be established by board order.
- (b) A violation of subsection (a) of this section is a continuing violation punishable by a fine not to exceed \$100 per day.

6.3 -- LAND USE. The issuance of a license for a dog facility shall not constitute approval of the land use nor be evidence of compliance with land use restrictions or regulations which may apply to operation or location of the proposed facility.

### 6.4 -- COMMERCIAL AND NON-COMMERCIAL KENNELS.

- (a) A non-commercial kennel is a facility in or adjacent to a private residence where a minimum of four and a maximum of ten small or medium dogs of licensable age, or a maximum of five large dogs of licensable age are kept for the hobby of the householder, used for hunting, herding, exhibition in shows, field or obedience trials, or for the guarding and protection

of property. The sale to individuals of no more than 15 dogs per calendar year which were born and raised on the premises, or the occasional housing of adult dogs for propagation purposes shall not in itself make a kennel "commercial".

- (b) A "commercial kennel" is a facility intended to be operated as a business, where boarding, grooming, or training services for dogs are performed to realize a profit, or where dogs are bred or kept for the purpose of sale or resale to dealers, brokers, pet shops, kennels, or individuals.
- (c) The sheriff shall determine whether a kennel is commercial or non-commercial and assess fees accordingly. Appeal from the sheriff's determination shall be to the Board of Commissioners as provided in Section 6.9 of this ordinance.

6.5 -- LICENSE PROCEDURE. Upon receipt of an application for a dog kennel license, the sheriff shall inspect the facility and, upon determination that the facility and its operation complies with all applicable provisions of this ordinance and other applicable state and federal laws, shall issue a license. The sheriff shall approve or deny an application made under this ordinance within 60 days of its receipt and the payment of the applicable fees, or the application shall be deemed approved for the current year, subject only to revocation as provided in this ordinance.

6.6 -- DISPLAY OF LICENSE.

- (a) A license granted under this section shall be conspicuously displayed on the dog kennel facility premises. A holder of the license shall keep available for inspection by the sheriff:
  - (1) The name, address and telephone number of the owner of each dog kept at the facility;
  - (2) The date the dog was received;
  - (3) A description of each dog including age, sex, breed, and color;
  - (4) The animal's veterinarian, if known; and
  - (5) A record of the inoculation by a veterinarian of each animal kept in the kennel for rabies, using a modified live virus vaccine as required by Oregon law.

- (b) A violation of subsection (a) of this section is punishable by a fine not to exceed \$500.

6.7 -- STANDARDS FOR LICENSING OF KENNEL FACILITIES. After payment of fees and inspection, the sheriff shall issue a kennel license to a facility that meets the following criteria:

- (a) Housing structure shall be sound and maintained in good repair to protect dogs from injury, to confine them safely and to prevent entry of other animals;
- (b) Reliable and adequate electrical service and a potable water supply shall serve the facility;
- (c) Storage of food supplies and bedding materials shall be designed to prevent vermin infestation and infection;
- (d) Refrigeration shall be furnished for perishable foods;
- (e) Safe and sanitary disposal facilities shall be available to eliminate animal and food waste, used bedding, dead animals and debris, and to minimize vermin infestation, odors and disease hazards;
- (f) Cleanliness facilities shall be available to animal caretakers and handlers;
- (g) In enclosed structures, the interior ambient temperatures shall be maintained above 50 degrees Fahrenheit for dogs not acclimatized to lower temperatures;
- (h) In enclosed structures, adequate ventilation shall be maintained to assure animal comfort by such means as will provide sufficient fresh air and will minimize drafts, odors and moisture condensation. Mechanical ventilation must be available when ambient temperatures exceed 85 degrees Fahrenheit;
- (i) Interior areas shall have adequate natural or artificial lighting and primary enclosures for dogs shall be protected from excessive illumination;
- (j) Interior building surfaces shall be constructed and maintained to prevent moisture penetration;
- (k) Drainage facilities shall be available to assure rapid elimination of excess water from indoor housing facilities. The design shall assure obstruction-free flow and traps to prevent sewage backflow;

- (l) Outdoor facilities shall provide protective shading and an adequate shelter area designed to minimize harmful exposure to weather conditions for those animals not acclimatized to the environment;
- (m) The primary enclosure shall be of sufficient size to permit each dog housed in the facility to stand freely, sit, turn about, and lie in a comfortable, normal position. No more than 12 dogs may be housed in the same primary enclosure. Each dog housed in a primary enclosure shall be provided a minimum floor space equal to the mathematical square of the dog's length, as measured from the tip of its nose to the base of its tail, plus six inches. An exercise area or means to provide each dog with exercise shall be provided on the premises;
- (n) When restraining devices are used in connection with a primary enclosure intended to permit movement outside the enclosure, such devices shall be installed so as to prevent entanglement with the devices of other dogs or objects and shall be fitted to the dog by a harness or well-fitted collar, other than a choke-type collar, and shall not be shorter than three times the length of the dog as measured from the tip of its nose to the base of its tail;
- (o) Dogs shall be fed at least once daily with a diet of nutritionally adequate and uncontaminated food;
- (p) Potable water shall be continuously available unless otherwise recommended by a veterinarian in a particular situation;
- (q) Cages, rooms, hard surface pens, runs and food and water in receptacles shall be sanitized to prevent disease, not less than once every two weeks, by washing with hot water and soap or detergent, by washing with a combination disinfectant and cleanser, by washing with a safe detergent followed by a safe, effective disinfectant, or by cleaning with steam. Prior to the introduction of dogs into empty enclosures previously occupied, the enclosures shall be sanitized. Dogs shall be removed from the enclosure during the cleaning process and adequate care shall be taken to protect the animals in other enclosures; and

- (r) Excrement shall be removed from primary enclosures as often as necessary to prevent contamination, reduce disease hazards and minimize odors.

6.8 -- DENIAL AND REVOCATION OF LICENSE. A dog kennel license required under this section may be denied or revoked for any of the following reasons:

- (a) Failure to comply substantially with any provision of this ordinance;
- (b) Conviction of the owner or any person subject to his direction or control for the violation of any provision of this ordinance or other applicable state or federal law, rule, order or regulation pertaining to any activity relating to animals; or
- (c) Furnishing false information on the application for a license under this ordinance.

6.9 -- APPEAL FROM DENIAL OR REVOCATION OF LICENSE. If an application for a dog kennel license is denied or approved subject to conditions, or revoked, the applicant may appeal denial, conditional approval, or revocation to the Board of Commissioners no later than 15 days after the date of the decision by the sheriff. The Board shall provide a hearing for the applicant within 30 days of notice of appeal. Notice of hearing by the Board shall be mailed to the applicant by certified mail no later than 10 days prior to the hearing. A decision by the Board resulting from an appeal under this section shall be reviewable only as provided in ORS Chapter 34.

6.10 -- INSPECTION. A dog kennel licensed under this ordinance shall be subject to inspection by the sheriff at any time for the purpose of determining compliance with this ordinance. The sheriff shall have the right to inspect the facility itself, as well as all records and other documents required to be kept by this ordinance.

6.11 -- RECORD KEEPING. The owner or operator of any dog kennel licensed under this ordinance shall keep records of all dogs of licensable age sold and make these records available to the sheriff upon request. Records of such sales shall be preserved by the owner or operator of any facility for at least 18 months following the sale.

## SECTION 7

### PROHIBITED CONDUCT

7.1 -- OWNER OR KEEPER OF DOGS. It shall be a violation of this ordinance for the owner or keeper of a dog to:

- (a) ~~Permit a dog to~~ run at large. A dog is considered to be "running at large" when it is not on the premises of the owner or keeper, and is not restrained by a rope, line, leash, chain, or other similar means, or is not under the immediate control and command of its owner or keeper. A dog that is being used under the supervision of a person in order to legally hunt, chase, or tree wildlife, is being used to control or protect livestock or in related agricultural activities shall not be deemed to be "running at large".
- (b) Allow a dog to become a public nuisance. A dog is a public nuisance if it:
  - (1) Bites a person, unless the person is wrongfully assaulting the dog or the dog's owner, or if the person provokes the dog and is trespassing on premises legally occupied by the dog's owner;
  - (2) Chases vehicles or persons on property that does not belong to the owner or keeper of the dog;
  - (3) Damages or destroys property that does not belong to the owner or keeper of the dog;
  - (4) Scatters garbage;
  - (5) Trespasses on private property of persons other than the owner or keeper of the dog;
  - (6) Disturbs a resident from each of three or more households within sight or sound of the complainant's residence or business by excessive noise. A dog shall not be considered a public nuisance under this ordinance if it barks at a person or animal trespassing on property belonging to the dog's owner or keeper, or on adjacent property; or
  - (7) Is a female in heat and running at large.
- (c) Keep a vicious or dangerous dog. "Vicious or dangerous dog" means:

- (1) Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to otherwise endanger the safety of human beings or domestic animals;
- (2) Any dog which bites a human being or domestic animal without provocation;
- (3) Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

A dog shall not be considered "vicious or dangerous" if it is defending property against a trespasser or if it bites or attacks a person who has tormented or abused it.

- (d) Keep a dog having been notified by the sheriff that it has injured, chased, wounded, or killed livestock.
- (e) Keep a dog without a license attached to its collar as required by this ordinance unless the dog is kept at all times in an enclosure or pen and the license tag is affixed to the enclosure or pen.
- (f) Keep an unlicensed dog when that dog is subject to the licensing provisions of this ordinance.
- (g) Keep a dog which has not received its rabies inoculation as required by ORS 433.365 and this ordinance. The charge may be dismissed upon the presentation to the trial court of a certificate of inoculation signed by a veterinarian.

#### 7.2 -- HINDERING IMPOUNDMENT.

- (a) It shall be a violation of this ordinance for any person to hinder or otherwise interfere with the apprehension or impoundment of any dog by the sheriff or any other peace officer.
- (b) It is not a defense to prosecution under this section that the sheriff or the peace officer lacked legal authority to impound or apprehend the dog, provided the sheriff or peace officer was acting under color of official authority.

#### 7.3 -- PENALTIES.

- (a) Except as provided in subsection (b) of this section, a violation of any provision in this section is punishable by a fine not to exceed \$500.

(b) Notwithstanding subsection (a) of this section:

(1) A violation of section 7.1(b) is punishable by a fine not to exceed \$25 for the first conviction and a fine not to exceed \$50 for each additional conviction.

(2) In addition to any fines, if the dog has been found to be vicious or dangerous, or has been found to be a public nuisance as defined in this ordinance on more than one occasion, the court may order whatever disposition of the dog that the court considers necessary for the safety, health, or protection of the public, including euthanasia of the dog.

(c) The penalties described in this section shall be in addition to any charges assessed against the owner or the keeper of any animal under this ordinance for the licensing, impoundment, and maintenance of the animal.

(d) The imposition of a penalty under this ordinance shall not preclude the use of any other remedy allowed by law to halt or prevent a violation of this ordinance.

## SECTION 8

### IMPOUNDMENT AND DISPOSITION OF IMPOUNDED DOGS

8.1 -- COUNTY DOG FACILITIES. The sheriff shall operate, maintain or provide for an adequate facility to receive, care for, and safely confine any animal delivered to its custody under the provisions of this ordinance. The facility shall be accessible to the public during reasonable hours for the conduct of necessary business concerning impounded animals.

### 8.2 -- WHEN AN ANIMAL MAY BE IMPOUNDED.

(a) A dog shall be impounded by the sheriff or a peace officer as follows:

- (1) For allegedly injuring, chasing, wounding, or killing livestock; or
- (2) If it is ordered impounded by the court.

(b) A dog or other animal may be impounded by the sheriff or a peace officer when:

- (1) It is the subject of a violation of this ordinance;
- (2) It requires protective custody and care; or

(3) The dog control officer has probable cause to believe it has bitten a person.

8.3 -- WHEN AN ANIMAL IS DEEMED IMPOUNDED. An animal is deemed to be impounded when the sheriff or any peace officer takes custody of the animal.

8.4 -- IMMEDIATE DESTRUCTION OF AN IMPOUNDED ANIMAL. Any animal which has been impounded under this ordinance which, by reason of injury, disease, or other cause, is suffering great pain or is dangerous to keep impounded, may be destroyed immediately. The sheriff may request a veterinarian to certify this fact in writing before such immediate destruction is undertaken.

8.5 -- NOTICE OF IMPOUNDMENT. Whenever any dog is impounded which bears an identification of ownership, the sheriff shall make a reasonable effort within 24 hours of impoundment, by telephone, to give notice of the impoundment of the animal to its owner and, if unsuccessful, shall mail written notice by certified mail within 48 hours of impoundment to the last known address of record of the owner, advising of the impoundment, the date by which redemption must be made, and the fees to be paid prior to redemption and release.

8.6 -- PERIOD OF IMPOUNDMENT.

- (a) An impounded dog whose owner cannot be determined by license or other identification may be sold or destroyed in a manner consistent with this ordinance, if not redeemed within 3 working days of impoundment.
- (b) An impounded dog whose owner can be determined by license or other identification may be sold or destroyed in a manner consistent with this ordinance, if not redeemed within ten days after notice of impoundment is mailed to the suspected owner or keeper.
- (c) An animal that is impounded because it has bitten a person and it cannot be demonstrated by clear and convincing evidence that the animal has a valid and effective rabies inoculation as required by state law or because it is suspected of having rabies, shall be quarantined in a suitable holding facility for so long as is necessary to observe the dog for the required 10-day period to determine whether the animal is infected with or a carrier of rabies.
- (d) A dog that is impounded because it has bitten a person and is suspected of being vicious or dangerous, may be held until trial or other disposition of the charges, or until the court orders otherwise.

8.7 -- DETERMINATION OF IMPOUNDMENT PERIOD. Any period of time specified in this ordinance for the keeping of an impounded dog shall not include:

- (a) Sundays;
- (b) Legal holidays;
- (c) Days on which the facilities at which the animal is being held are not open for business;
- (d) The day that the animal is impounded; or
- (e) The day on which the animal is released or euthanized.

8.8 -- DISPOSITION OF ANIMALS GIVEN TO THE COUNTY BY OWNER. If the owner of an animal or the owner's authorized representative releases the animal to the sheriff, in writing, the sheriff may sell or destroy the animal in a manner consistent with this ordinance and with the written release. The Board may by order establish a fee to be charged for acceptance of an animal by the sheriff under this section.

8.9 -- DISPOSITION OF IMPOUNDED ANIMALS.

- (a) Upon the expiration of the impoundment period specified in this ordinance, and unless otherwise ordered by the court, the sheriff may have the animal destroyed or sold to another party.
- (b) If the owner of an impounded animal is unknown or if the owner has executed a release as specified in Section 8.8 of this ordinance, the sheriff shall determine proper disposition of the animal. In determining proper disposition of the impounded animal, the sheriff may consider:
  - (1) The temperament, health, age, and breed of the animal;
  - (2) The ability of any person requesting custody of the animal to provide proper care; and
  - (3) Other factors relevant to the health, safety, and welfare of the public and the animal.
- (c) If the animal is sold to another party, a new license must be purchased and an inoculation certificate must be produced within 30 days after the dog is released to the party by the sheriff. Failure of the new owner to license the dog or produce an inoculation certificate

within 30 days shall subject the new owner to liability under sections 7.1(f) and 7.1(g) of this ordinance.

- (d) If the sheriff determines that an animal impounded under section 8.6(c) is not rabid, the animal shall be released to its owner, if known, without charge, provided no citation has been issued warranting continued impoundment of the animal. An animal determined by the sheriff or a veterinarian to be rabid or a carrier of rabies shall be destroyed in a manner consistent with state law.

8.10 -- REDEMPTION. Unless otherwise required to protect the public health, safety, or welfare, a dog impounded under this ordinance shall be released to its owner upon payment of the redemption fees. Redemption fees shall include a basic impoundment charge and any boarding charges applicable, and may include an additional fee for a dog that is being impounded a second or subsequent time within one year. These fees and charges shall be established by order of the Board of Commissioners.

8.11 -- RIGHT OF ENTRY ONTO PRIVATE PROPERTY.

- (a) When the sheriff has probable cause to believe that a provision of this ordinance has been violated, the sheriff shall have the right to enter onto private land without permission in order to secure evidence or cite an owner or keeper, but shall not enter into any dwelling or building without permission, authorization, or search warrant.
- (b) The sheriff shall have the right to enter upon private property for the purpose of securing possession and impounding an animal for reasons specified by this ordinance, and shall not be subject, civilly or criminally, for trespass.

8.12 -- TRANSFER OF TITLE. If the sheriff sells a dog, pursuant to this ordinance, to any person other than the person who owned the dog when it was impounded, full and complete title to the dog shall vest in the new owner and the prior owner or any other third person shall be foreclosed from any right, title, or interest in the dog.

## SECTION 9

### DISPOSITION OF LICENSE FEES AND FINES

9.1 -- DOG CONTROL FUND. All license fees, impoundment costs, late charges, fines, and other money collected pursuant to this

ordinance shall be deposited in the Yamhill County Dog Control Fund unless otherwise provided by this ordinance.

9.2 -- ADMINISTRATION OF DOG CONTROL FUND. The sheriff shall administer the Dog Control Fund and pay out of the fund all costs of administering and enforcing this ordinance and all livestock claims allowed pursuant to this ordinance. Any surplus funds may be set aside for necessary improvements to the county facility and/or for control of feral, predatory, and nuisance animals.

9.3 -- RABIES OUTBREAK. In the event of a rabies outbreak within Yamhill County, the sheriff may use the Dog Control Fund as necessary to purchase rabies vaccines for administering to animals under the direction of state and local health officers.

## SECTION 10

### LIVESTOCK CLAIMS

10.1 -- SUBMISSION OF CLAIMS. An owner of livestock killed by a dog may submit a claim to the Dog Control Advisory Committee or the Yamhill County Dog Control office. Claims submitted to the Dog Control Office shall be forwarded to the committee to be heard at the committee's next regular session or as soon thereafter as is practicable. The claim must be submitted within 10 days of the killing or of the time the killing becomes known to the owner. The claim shall be in writing, and shall include:

- (a) A full, verified account of the killing;
- (b) The name and address of the owner or keeper of the dog, if known; and
- (c) A detailed statement of the damages claimed.

10.2 -- REVIEW OF CLAIMS. The Dog Control Advisory Committee shall review all livestock claims submitted and shall allow or deny any portion of the claim as it deems just, not to exceed the market value of the livestock. It shall be within the discretion of the committee to award less than fair market value to the owner of livestock killed by a dog. The livestock owner shall be notified of the committee's decision by mail within thirty days after the committee discusses the claim. If the committee allows all or part of a claim, the claim shall be paid out of the Dog Control Fund in return for a subrogation agreement allowing the Yamhill County District Attorney or County Counsel to seek damages against the owner of the dog for the amount paid out of the Dog Control Fund. The sheriff shall prepare forms for the submission of livestock claims and make those forms available to the public. Any funds collected by the district attorney or county counsel pursuant to this section shall, after deduction

for the costs of prosecution, be paid into the Dog Control Fund. The district attorney or county counsel shall have full discretion to prosecute, not prosecute, compromise, or settle any action arising out of this section.

10.3 -- RIGHT OF ACTION BY OWNER OF DAMAGED LIVESTOCK. Nothing in this ordinance is intended to affect the right of an owner of livestock injured, chased, wounded, or killed by a dog to a claim against the owner of the dog for double the damages suffered, as specified in ORS 609.140.

## SECTION 11

### DOGS THAT KILL OR INJURE LIVESTOCK

11.1 -- IMMEDIATE DESTRUCTION. Nothing in this ordinance is intended to affect the right of an owner of livestock killed or wounded by a dog to kill that dog under circumstances specified in ORS 609.150.

11.2 -- HEARING BY BOARD OF COMMISSIONERS. The procedure for hearing by the Board of Commissioners of a claim that a dog has been engaged in killing, wounding, injuring or chasing livestock shall be as specified in ORS 609.155. Clear and convincing evidence shall be necessary to sustain a claim that a dog has been engaged in killing, wounding, injuring, or chasing livestock.

11.3 -- DISPUTABLE PRESUMPTION. Nothing in this ordinance is intended to affect the disputable presumption that a dog has been engaged in killing, wounding, injuring, or chasing livestock contained in ORS 609.157, or the prohibition on harboring a dog with knowledge that it has killed or injured livestock contained in ORS 609.160.

11.4 -- ALTERNATIVE DISPOSITION - DOG CHASING LIVESTOCK.

(a) A dog that has been found by the Board to have engaged in chasing livestock may be disposed of in a manner other than the destruction of the dog if the Board finds as follows:

- (1) No physical injury to the livestock has occurred due to the chasing;
- (2) The dog has not been involved in the chasing of livestock on an earlier occasion;
- (3) Reasonable assurances have been given by a responsible party willing to take custody of the dog, that the dog will be properly restrained on a

permanent basis in a manner to prevent the dog from chasing or harming livestock in the future; and

- (4) The owner of livestock chased by a dog agrees to the proposed disposition of the dog.
- (b) Except as specified above, disposition of dogs engaged in killing, wounding, injuring or chasing of livestock shall be as specified in ORS Chapter 609.

## SECTION 12

### AUTHORITY TO CONTRACT WITH OTHER GOVERNMENTS

12.1 -- INTERGOVERNMENTAL AGREEMENTS. The Board of Commissioners may enter into intergovernmental agreements with any or all of the cities in Yamhill County to further the purposes of this ordinance. Any such agreements shall require the city to enact a dog control ordinance to subject all dogs within the city to the licensing requirements of this ordinance and provide for substantially the same violations and penalties as provided in this ordinance. The governing body of the city may consent to the application of this ordinance within its boundaries. An agreement may also provide for the sharing of revenues from the Dog Control Fund for the purpose of effective dog control within Yamhill County.

## SECTION 13

### ENACTMENT PROVISIONS

13.1 -- RELATION TO OTHER LAWS. Except as expressly provided herein, this ordinance shall not be a substitute for or eliminate the necessity of conforming with all state and federal laws, rules and regulations, and any other ordinances which are now, or may in the future be in effect relating to the requirements of this ordinance.

13.2 -- SEPARABILITY. If any chapter, section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

## SECTION 14

### ENFORCEMENT PROCEDURES

14.1 -- MANNER OF CITATION. A Uniform Dog Control Citation, conforming to the requirements of this section, shall be used for

all dog control violations committed in the presence of the complainant and which occur within the areas of Yamhill County covered by this ordinance.

14.2 -- UNIFORM DOG CONTROL CITATION.

- (a) The Uniform Dog Control Citation shall consist of three parts and any additional parts inserted for administrative use. The required parts are as follows:
  - (1) Complaint.
  - (2) Yamhill County Sheriff's record of the violation.
  - (3) Summons.
- (b) Each of the parts shall contain the following information or blanks in which the information shall be entered:
  - (1) Name of the court.
  - (2) Name of the person cited.
  - (3) Section of the Dog Control Ordinance violated.
  - (4) Brief description of the violation with which the person is charged, in such a manner as can readily be understood by a person making a reasonable effort to do so; the date, the time and the place at which the violation occurred; the date on which the citation was issued; and the name of the complainant.
  - (5) The time and place set for the person cited to appear in court.
- (c) Each of the parts may also contain any identifying and additional information necessary for the sheriff to administer this ordinance.

14.3 -- AMENDMENT OF UNIFORM DOG CONTROL CITATION. Any error in transcribing on the Uniform Dog Control Citation form, when determined by the court to be nonprejudicial to the defendant, may be corrected at the time of trial or prior to trial, with notice being given to the defendant.

14.4 -- TIME TO RAISE ERRORS ON CITATION. Except as provided in subsection 14.3 above, the complaint shall be set aside by the court for failure to conform to this section, only upon the motion of the defendant, before plea.

14.5 -- CERTIFICATION OF UNIFORM DOG CONTROL CITATION. The citation shall contain a certificate by the complainant or by the sheriff to the effect that the complainant or sheriff has reasonable grounds to believe and does believe that the person cited committed the offense contrary to law. If the certification is made by the sheriff or any peace officer, it need not be made before a magistrate or any other person. A private person shall certify before a magistrate, clerk, or deputy clerk of the court, and this action will be entered in the court record. A certificate conforming to this section shall be deemed equivalent to a sworn complaint.

14.6 -- SERVICE OF CITATION. The sheriff or peace officer issuing the citation shall deliver the summons to the person cited and shall deliver the complaint to the court. When the complaint is certified by a private person, the court shall deliver the summons to the defendant.

14.7 -- APPEARANCE BY DEFENDANT.

- (a) The defendant shall appear in court at the time mentioned in the summons if the citation is for:
  - (1) Owning a vicious or dangerous dog;
  - (2) Owning a dog not vaccinated for rabies; or
  - (3) An offense for which an owner or keeper of a dog has been convicted at least twice during the previous twelve (12) months if the offenses involve the dog which is subject to the present citation.
- (b) In other cases, the defendant shall either appear in court at the time indicated in the summons, or prior to such time shall deliver the summons to the court, together with a check or money order in the amount of bail set forth in the summons, and either:
  - (1) A request for a hearing;
  - (2) A statement of explanation or mitigation of the offense charged; or
  - (3) The executed appearance, waiver of hearing and plea of guilty appearing on the summons. A statement in explanation or mitigation also may be enclosed with a guilty plea.
- (c) If a defendant submits a written statement to the court as provided in this section, it operates as a waiver of hearing and consent to judgment by the court. Bail

shall be forfeited on the basis of such statement and any testimony or written statement of the arresting officer or other witnesses which may be presented to the court. A judgment by the court declaring a forfeiture of bail, pursuant to this section, shall be deemed a conviction of the offense charged in the citation.

14.8 -- FAILURE OF DEFENDANT TO APPEAR.

- (a) If the defendant fails to comply with section 14.7 or fails to appear at any time fixed by the court, the defendant may be charged with Failure to Appear, a Class A Misdemeanor, and a warrant for arrest may be issued.
- (b) If the defendant fails to appear at any time fixed by the court and has posted bail, the court may order a forfeiture of that bail. Unless a warrant has been issued the order of forfeiture shall be deemed the final disposition of the case and shall be deemed a conviction of the offense charged in the citation.

14.9 -- CONTINUING VIOLATION. A continuing violation of this ordinance shall constitute a nuisance and, at the option of the sheriff, may be abated pursuant to law.

**SECTION 15**

**EFFECTIVE DATE/EMERGENCY CLAUSE**

This ordinance being necessary for the health, safety and welfare of the people of Yamhill County, and the Board of Commissioners having declared an emergency to exist, shall be effective upon approval.

**SECTION 16**

**APPLICATION**

This ordinance shall apply to all of Yamhill County except those incorporated areas within Yamhill County which have established their own dog licensing and dog control programs.

SECTION 17

REPEAL OF PREVIOUS ORDINANCES

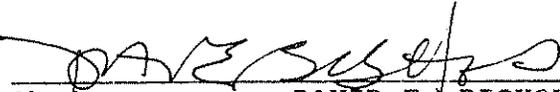
Ordinances 150, 168, 188, 274, 285, 361, 366(a), 403, and 422 are hereby repealed. Citations issued for violation of Ordinance 274, as amended, shall be subject to the provisions of Ordinance 274. Applications made prior to enactment of this ordinance, with approval pending subsequent to enactment, shall be governed by the provisions of this ordinance.

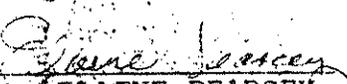
DATED this 2nd day of September, 1987.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN  
County Clerk

  
Chairman DAVID E. BISHOP

By:   
Deputy ELAINE PEARCEY

  
Commissioner TED LOPUSZYNSKI

FORM APPROVED BY:

  
TIMOTHY S. SADLO  
Assistant County Counsel

(not available for signature)  
Commissioner DONALD D. PORTER

9-2-87  
87-520.

APPENDIX  
Oregon Revised Statutes Referred to in Dog Control Ordinance

**203.030 Definition for ORS 203.030 to 203.065.** As used in ORS 203.030 to 203.065, "governing body" means the representative body vested with legislative power by statute or charter. [1973 c.282 §1]

**203.035 Power of county governing body or electors over matters of county concern.** (1) Subject to subsection (3) of this section, the governing body or the electors of a county may by ordinance exercise authority within the county over matters of county concern, to the fullest extent allowed by Constitutions and laws of the United States and of this state, as fully as if each particular power comprised in that general authority were specifically listed in ORS 203.030 to 203.065.

(2) The power granted by this section is in addition to other grants of power to counties, shall not be construed to limit or qualify any such grant and shall be liberally construed, to the end that counties have all powers over matters of county concern that it is possible for them to have under the Constitutions and laws of the United States and of this state.

(3) An ordinance adopted by a county governing body that changes the number or mode of selection of elective county officers shall not take effect unless the ordinance is submitted to and approved by the electors of the county at a primary or general election. However, no ordinance adopted under this section may change the mode of selection of a county assessor.

(4) Nothing in this section shall be construed to limit the rights of the electors of a county to propose county ordinances through exercise of the initiative power. [1973 c.282 §2; 1981 c.140 §1; 1985 c.756 §1]

**433.365 Inoculation against rabies; exception; costs.** (1) All dogs must be inoculated against rabies, unless specifically exempted by rule of the Health Division or the State Department of Agriculture.

(2) Unless pursuant to conditions specified in ORS 430.357, any regulations of the State Department of Agriculture or the Assistant Director for Health with respect to inoculation shall:

(a) Not apply to animals brought temporarily into the state for periods of less than 30 days but they may require that such animals be kept under strict supervision by their owners.

(b) Not apply to dogs or to any other animal specifically exempted from the inoculation requirement by rule of the Health Division or the State Department of Agriculture.

(3) The costs of all such required inoculations shall be borne by the owners of the animal. [1971 c.413 §7; 1975 c.750 §2]

**609.015 Application of ORS 609.010 to 609.190.** (1) ORS 609.010 to 609.190 apply in every county except as otherwise provided by county charter or ordinance. The provisions of ORS 609.010 to 609.190 shall not be construed to limit the powers of cities and counties to adopt ordinances and regulations, relating to the control of dogs.

(2) A county dog licensing and control program shall not apply within the limits of a city which has its own dog licensing and control program. [1967 c.496 §3; 1977 c.237 §1; subsection (2) enacted as 1977 c.802 §2]

**609.140 Right of action by owner of damaged livestock.** (1) The owner of any livestock which has been damaged by being injured, chased, wounded or killed by any dog shall have a cause of action against the owner of such dog for the damages resulting therefrom, including double the value of any livestock killed and double the amount of any damage to the livestock.

(2) If one or more of several dogs owned by different persons participate in damaging any livestock, the owners of the respective dogs shall be jointly and severally liable under this section. The owners of dogs jointly or severally liable under this section have a right of contribution among themselves. The right exists only in favor of an owner who has paid more than the pro rata share of the owner, determined by dividing the total damage by the number of dogs involved, of the common liability, and the total recovery of the owner is limited to the amount paid by the owner in excess of the pro rata share of the owner.

(3) An action brought under this section may be tried as an action at law in any court of competent jurisdiction.

(4) As used in this section:

(a) "Owner" means the head of the family of the home where the dog is cared for at the time of the damage.

(b) "Head of the family" means any person who has charge or manages the affairs of a collective body of persons residing together, the relations between whom are of a permanent and domestic character. [Amended by 1973 c.655 §7; 1975 c.749 §1]

**609.150 Right to kill dog that kills or injures livestock.** (1) Except as provided in subsection (3) of this section, any dog, whether licensed or not, which, while off the premises owned or under control of its owner, kills, wounds, or injures any livestock not belonging to the master of such dog, is a public nuisance and may be killed immediately by any person. However, nothing in this section applies to any dog acting under the direction of its master, or the agents or employes of such master.

(2) If any dog, not under the control of its owner or keeper, is found chasing or feeding upon the warm carcass of livestock not the property of such owner or keeper it shall be deemed, prima facie, as engaged in killing, wounding or injuring livestock.

(3) No person shall kill any dog for killing, wounding, injuring or chasing chickens upon a public place, highway or within the corporate limits of any city. [Amended by 1975 c.749 §6]

**609.155 Impounding dog that kills or injures livestock; testing dog; killing dog; release.** (1) In a county with a dog control program, upon finding a dog engaged in killing, wounding, injuring or chasing livestock or upon receipt from a complainant of evidence that a dog has been so engaged, the dog control officer or other law enforcement officer shall impound the dog.

(2) If there is reason to believe that reasonable testing of a dog impounded pursuant to subsection (1) of this section, including but not limited to a fecal examination or examination of the teeth of the dog, will provide substantial further evidence as to whether the dog has been engaged in killing, wounding, injuring or chasing livestock, the county governing body shall provide for the administration of the tests by a licensed veterinarian.

(3)(a) After completion of such tests as are administered pursuant to subsection (2) of this section, the county governing body shall determine whether the dog has been engaged in killing, wounding, injuring or chasing livestock. If the county governing body determines that the dog has been so engaged, the dog shall be killed in a humane manner and costs of keeping and testing of the dog during the impoundment shall be paid by the owner of the dog. If the county governing body determines that the dog has not been so engaged, the dog shall be released to its owner

and, if the dog had been impounded upon receipt of evidence from a complainant, the complainant shall pay the costs of keeping and testing of the dog during the impoundment.

(b) Notwithstanding ORS 609.090, a dog impounded pursuant to subsection (1) of this section shall not be released until a determination is made by the county governing body pursuant to this subsection. [1975 c.749 §4; 1977 c.802 §9]

**609.157 Disputable presumption that dog kills or injures livestock.** A disputable presumption shall arise that a dog has been engaged in killing, wounding, injuring or chasing livestock within the meaning of ORS 609.140 and 609.155 if:

(1) The dog is found chasing livestock not the property of the owner of the dog in an area where freshly damaged livestock are found;

(2) The dog is found feeding upon a warm carcass of a livestock animal;

(3) An examination of the dog's feces indicates ingestion of portions of the anatomy or covering of the anatomy of livestock by the dog; or

(4) Portions of the anatomy or covering of the anatomy of livestock is found on the teeth of the dog, unless the dog is regularly used for the purpose of herding sheep. [1975 c.749 §5]

**609.160 Keeping dog with knowledge that it has injured livestock.** (1) No person shall own, harbor or keep any dog with knowledge that it has killed or wounded any livestock or, with knowledge that, while off the premises owned or under the control of its owner and while not acting under the direction of its master or the agents or employes of such master, it has killed or seriously injured any person.

(2) However, no person shall be liable for harboring or keeping such dog, with knowledge that it has killed or wounded chickens, unless the owner fails to pay full damages for the chickens killed or wounded within three days after receipt of a demand for such damages from the owner. [Amended by 1975 c.499 §2]

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL  
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Adopting Fees )  
for Administration of the )  
Yamhill County Dog Control ) BOARD ORDER 87-522  
Ordinance )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business in regular session on September 2, 1987, Commissioners David E. Bishop and Ted Lopuszynski being present.

IT APPEARING TO THE BOARD that the Yamhill County Dog Control Ordinance, Ordinance No. 449, adopted on September 2, 1987 provides that fees for administration of the dog control program in the county be adopted by board order; and

IT FURTHER APPEARING TO THE BOARD that the attached schedule of fees is fair and will provide sufficient funds for administration of the dog control program in Yamhill County; and

IT FURTHER APPEARING TO THE BOARD that adoption of the attached schedule of fees is necessary to protect the health, safety, and welfare of Yamhill County citizens; NOW THEREFORE,

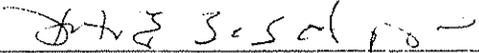
IT IS HEREBY ORDERED BY THE BOARD that as specified by Ordinance No. 449, fees for administration of the dog control program in Yamhill County shall be assessed and collected as detailed in the attached schedule of fees dated September 2, 1987. This order shall take effect upon signing and shall supercede any previously adopted fee schedules relating to dog control in Yamhill County.

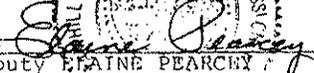
DONE at McMinnville, Oregon this 2nd day of September, 1987.

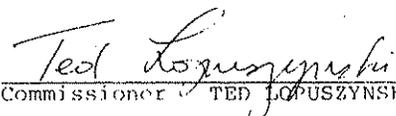
ATTEST:

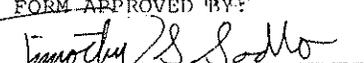
YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES SPERN  
County Clerk

  
Chairman DAVID E. BISHOP

By:   
Deputy ELAINE PEARCEY

  
Commissioner TED LOPUSZYNSKI

FORM APPROVED BY:  
  
TIMOTHY S. SADLO  
Assistant County Counsel

(Not available for signature)  
Commissioner DONALD D. PORTER