

DOG ORDINANCE #248.A -1

An ordinance prohibiting the running at large of dogs and bitches within the Town of Butte Falls; providing for the impounding of such animals in violation of this ordinance; providing for the disposition thereof and providing a penalty for the violation of this ordinance.

THE PEOPLE OF THE TOWN OF BUTTE FALLS DO ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person, firm or corporation which is the owner of, or custodian of any dog or bitch, to permit such dog or bitch to run at large upon any public street, alley or other property except the premises owned or controlled by the owner of such dog or bitch. **As defined in ORS 609.095 DOGS SHALL NOT BE ALLOWED TO BE A PUBLIC NUISANCE.** Any dog shall be considered a public nuisance if it:

- a) Bites a person.
- b) Chases vehicles or people.
- c) Damages or destroys property of people other than owner of the dog.
- d) Scatters garbage.
- e) Trespasses on private property of people other than owner of the dog.
- f) Disturbs any person by frequent or prolonged noises.

Section 2. It shall be unlawful for any person having custody of any dog unless it is licensed as required by the State of Oregon.

Section 3. Any animal referred to above shall be taken to be running at large unless in the control of the owner or some responsible person by means of a leash.

Section 4. No dog may be allowed in the City Park, unless it is on a leash. It shall be the responsibility of the owner or person in charge of the animal to clean up all refuse left by the animal.

Section 5. It shall be the duty of the Police Department and they are hereby authorized to seize dog(s) and place them in the City Pound for a period of not longer than 24 hours. Dogs not claimed will be delivered to Jackson County Dog Pound or the Humane Society. Cost of maintaining dog(s) while in the City Pound will be that of owner of said animal. If said owner is a minor, the parent or guardian of said minor would be held responsible. Costs will include any medical, feeding or transportation fees required by such animal while it is in the City Pound.

DOGS WITH A VALID LICENSE: Owners of dogs that have a valid license according to laws of the State of Oregon, shall be notified within 24 hours that said animal is in the City Pound and will be turned over to the County Pound within the 24 hour time frame.

Section 6. Any person, person, corporation or agents who shall violate any of the provisions of this ordinance may be issued a citation upon sanction of the Butte Falls Municipal Court.

Section 7. Fines for violation of this ordinance are as follows:

Licensed:

First (1st) offense per owner will be at the discretion of the police officer.

Second (2nd) offense per owner: up to a maximum fine of \$250.00 plus boarding costs not to exceed \$10.00 per day.

Unlicensed:

Dog owner must get license for the animal and show proof of rabies shot within 72 hours after release of animal.

Transportation Costs: If said animal is taken to the Jackson County Dog Pound an additional \$50.00 transportation fee will be required.

Section 8. It shall be the duty of the police department to enforce this ordinance by issuing such citations and/or seizing any such dog or bitch violating this ordinance.

Section 9. Citizen complaints must be in writing and signed by the complaining party. Complaints shall contain; color, size, approximate weight, hair length and whether restraining device is attached or not. Photos shall be accepted. Complaint forms will be furnished at the Butte Falls City Hall.

Section 10. All restraining devices shall be of sufficient strength to maintain control of animal without breakage.

Section 11. All ordinances, parts of ordinances and revised editions of any ordinance in conflict with the provision of this ordinance are hereby repealed.

PASSED BY THE TOWN COUNCIL OF THE TOWN OF BUTTE FALLS AND SIGNED BY ME IN AUTHENTICATION OF IT'S PASSAGE THIS 20th DAY OF APRIL 2004.

ATTEST: _____
Lori Paxton, City Recorder

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Steve Harvey, Mayor