

Findings of Fact
City Council Review
DOG24-000050

REQUEST: To appeal the existing Aggressive Dog Classification for the dog known as “Angel” following a dog bite incident.

OWNER: David & Cheryl Bradley
208 Blalock Court
Boardman, Oregon 97818

DOG DESCRIPTION: Dark gray female, American Bully, approximately two years old

CLASSIFICATION: Aggressive

LOCATION: 208 Blalock Court

- I. GENERAL INFORMATION:** The City of Boardman classified the dog know as Angel as an aggressive dog pursuant to Boardman Municipal Code (BMC) Chapter 6.04.020 and 6.04.080 (A) (1) (c) which provide that a dog shall be classified as aggressive if it bites, causes physical injury, or otherwise threatens or endangers the safety of any person or domestic animal. On October 27, 2025, Angel was involved in an aggressive incident with a delivery driver. She bit him and maintained a grip on his leg as he attempted to retreat, effectively dragging her with him until she reached the street, at which point she released her hold. Although the initial attack occurred on her property, Angel was not adequately contained to reasonably prevent incidental contact and left the property. This incident is documented by the Animal Control Official under File No. 25-00761 and Case No. 25-0489 with the Police Department. “Exhibit A”

The following prior incidents involving the dog, Angel, have been documented:

September 20, 2025: Angel exhibited aggressive behavior through a fence and was believed to have killed the neighbor’s cat. (File No. 25-000796) “Exhibit B”

August 4, 2025: Staff responded to a call regarding an aggressive dog reported to be preventing a neighboring resident from safely exiting their home. During the response, staff were unable to safely access the owners property due to the dog barking and growling. Law enforcement was called to provide contact information. (File No. 25-000553) “Exhibit C”.

June 24, 2024: Prior incident involving aggressive behavior through a fence. (File No. 24-000479) “Exhibit D”.

II. APPLICABLE CRITERIA:

6.04.080 – (A-E) Dangerous or aggressive dog.

A. Classification of Levels of Dangerousness of Dogs.

1. A dog shall be classified as aggressive if it bites, causes physical injury, or otherwise threatens or endangers the safety of any person or domestic animal while:
"Aggressive dog" means any dog that has been found to have engaged in any of the behaviors specified in BMC 6.04.080(A)(1).

a. It is at-large;

Angel was found to be at large and to have threatened and endangered the safety of her neighbor by behaving aggressively outside the residence. Her actions prevented the neighbor from safely leaving his home, as she lunged aggressively at the window.

b. It is off the property of the owner and on a physical control device;

Angel left the property after the victim attempted to dislodge her, effectively dragging her while she remained attached to his leg.

c. It is on the property of the owner but not restrained or contained in a manner that would reasonably prevent incidental contact by any person; or

Angel bit a delivery driver, causing physical injury, without any provocation.

d. It is in or on a motor vehicle and not restrained or otherwise physically prevented from reaching any area outside the perimeter of the vehicle.

2. A dog shall be classified as dangerous if:

a. It causes the serious physical injury or death of any person;

b. While at-large or off the property of the owner it kills any domestic animal;
or

c. Causes physical injury to any person after the owner has received notice of the aggressive dog classification because of causing physical injury to a person.

Angel is not being classified as a dangerous dog at this time.

3. A dog shall not be classified as dangerous or aggressive, even if the dog has engaged in these behaviors, upon a determination that the behavior was caused by abuse or torment of the dog, or criminal activity on the part of any victim.

The owners stated that Angel was not taught this behavior and has not been abused or mistreated.

4. No dog shall be found to be dangerous or aggressive if it is a dog trained for law enforcement purposes and is on duty under the control of an officer.

The dog is not trained for law enforcement purposes.

B. Identification of Dangerous or Aggressive Dogs—Appeals—Restrictions Pending Appeal.

1. An officer shall determine whether any dog has engaged in the behaviors specified in subsection A of this section. The determination shall be based upon an investigation that includes observation of the dog's behavior by an officer, or by other witnesses who personally observed the behavior. Observations must be in writing attesting to the observed behavior.

I personally observed Angel's behavior when I responded to a call from a neighbor who reported being unable to leave his residence due to an aggressive dog outside. Upon my arrival, Angel was back in her yard. I attempted to make contact with the owners; however, based on Angel's continued behavior, including barking and growling even after I attempted to offer her a treat. I did not feel comfortable opening the gate to approach the residence. As a result, I contacted the Boardman Police Department to obtain the owners' contact information.

2. The officer shall give the dog's owner written notice by certified mail or personal service that includes;

A classification letter was hand delivered to the owners on Oct 29, 2025 with a File #:25-000761 along with the citation. "Exhibit E".

a. The dog's specific behavior;

b. The dog's classification as a dangerous or aggressive dog; and

c. Additional restrictions applicable because of the dog's classification.

A notice was sent via certified mail, which was refused. Subsequently, when the individuals met with the City Manager, he was able to hand-deliver the notice to them. "Exhibit F".

d. The owner may appeal the officer's decision to the city clerk by filing within ten (10) days of the date the notice was mailed or the owner was personally served, a written request for a hearing with the city council.

The City Clerk did receive this appeal.

C. Regulation of Aggressive Dogs. In addition to complying with all other requirements of this section, the owner of an aggressive dog shall comply with the following by:

1. Restraining the dog to prevent it from interfering with the public's legal access to the owner's property or from reaching any public sidewalk or road or adjoining property;

Proper restraint ensures the dog remains confined to the owner's property, eliminating the risk of unprovoked contact with members of the public, neighbors, and delivery personnel. This directly addresses prior incidents involving the dog being at large and ensures the owners maintain physical control at all times.

2. Notifying the city where the dog is kept and renotify within ten (10) days of any change; and

Timely notification allows the City to maintain accurate records, conduct follow-up inspections if necessary, and ensure ongoing compliance. This requirement also prevents the dog from being relocated without oversight or enforcement.

3. Posting warning signs in a conspicuous place visible from the public sidewalk, the road adjoining the property, or the boundary line of the property where access is provided to the property.

I observed that a "Beware of Dog" sign has since been posted on their fence.

4. The requirements of this section shall apply to any person who is transferred ownership or who keeps an aggressive dog within city limits.

This ensures accountability does not lapse through transfer or relocation and that the dog remains subject to the same restrictions regardless of ownership changes.

D. Euthanasia for Dangerous Dogs. Any dangerous dog causing serious physical injury to a person shall be euthanized. The court may order that any dangerous dog be euthanized in addition to penalties for separate chapter violations.

Angel is not currently identified as dangerous.

E. Dog Owner Regulations. It is unlawful for any person to:

- 1. Be an owner of a dangerous dog;**
- 2. Fail to comply with the requirements applicable to aggressive dogs.**

This provision establishes clear legal consequences for noncompliance, reinforcing the owners' obligation to strictly follow all imposed regulations.

6.04.100 - Impoundment.

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C. In the event the city determines a dog to be a dangerous or aggressive dog as defined in this chapter, the city may impound the dog from the premises of the keeper of the dog to prevent further attacks on domestic animals or humans.

Following these incidents, the dog remained at the residence and was not impounded.

D. Disposal of an animal by any method specified herein does not relieve the keeper of the dog of liability for violations and any accrued charges.

6.04.090 - Declassification of aggressive dogs.

- A. An owner or keeper of an aggressive dog may file a petition with the city clerk requesting an order declassifying a dog as aggressive if the following conditions have been met:**
 - 1. The dog has been classified for one year without further incident; and**
 - 2. There have been no violations of the animal control regulations; and**
 - 3. All other conditions ordered at the time of classification have been met.**
- B. The city clerk shall forward such petition to an officer who may condition declassification on the following provisions:**
 - 1. The owner or keeper provides the officer with written certification of satisfactory completion of obedience training for the dog classified;**
 - 2. The officer may require the dog owner or keeper to provide written verification that the classified dog has been spayed or neutered.**
- C. If the request is denied. The owner may appeal the officer's decision to the city clerk, by filing within ten (10) days of the date the notice was mailed or the owner was personally served, a written request for a hearing with the city council.**

Should the City Council determine that Angel is aggressive, the information above outlines the process by which the owner may seek removal of that classification.

6.04.030 - Licensing and rabies vaccinations for dogs.

A. No person shall own, keep, or harbor any unvaccinated or unlicensed dog over six months of age within the city unless a licensed veterinary doctor provides written documentation stating reasons the doctor will not vaccinate the dog. In no instance will an unvaccinated or unlicensed dog over one year of age be allowed within the city. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or government operated or licensed animal shelter.

The owners have failed to provide the City with an updated rabies vaccination certificate, despite a formal request. The dog's rabies vaccination expired on June 24th of this year. "Exhibit G".

B. All dogs shall be vaccinated against rabies by a licensed veterinarian, in accordance with the latest Compendium of Animal Rabies Vaccines and Recommendations for Immunization published by the National Association of State Public Health Veterinarians.

C. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the compendium. Each keeper of a dog shall also receive a durable vaccination tag indicating the year in which it was issued.

D. 1. Application for a license must be made within thirty (30) days after obtaining a dog over six months of age, except that this requirement will not apply to a nonresident keeping a vaccinated dog within the city of Boardman for no longer than sixty (60) days.

2. Application for a dog license can be made to the city on the city of Boardman dog license application form online via Citizenserve, which includes the name, address, phone and other contact information of the keeper of the dog and the name, breed, color, age, sex and history of the dog. Applicants also shall pay the prescribed licensing fee and provide proof of current rabies vaccination.

E. The standard licensing period shall be for two years. License renewal may be applied for within sixty (60) days prior to the expiration date. New residents must apply for a license within thirty (30) days of establishing residence.

F. A dog determined, by the city or designee, to be a dangerous or aggressive dog as defined by Section [6.04.010](#) of the Boardman Municipal Code shall have a licensing period of six months. Proof of liability insurance or a bond in the amount of ten thousand dollars (\$10,000.00) covering the actions of the dog is required for the length of the licensing period. Failure to renew the license for a dangerous or aggressive dog will be a violation of this code and the keeper of the dog can be issued a citation with penalties which can include humane euthanizing of the dog.

This information was provided to the owners in a letter hand-delivered on October 29, 2025. An updated version was subsequently hand-delivered after they refused to accept the certified letter mailed on December 10, 2025. "Exhibit F".

G. Upon acceptance of the license application and fee, the city shall issue a durable license tag including an identifying number. Both rabies and license tags must be attached to the collar of the dog. Tags must be worn at all times and are not transferable. The city shall maintain a record of all licenses issued.

H. A license shall be issued after payment of a fee in an amount established by resolution of the city council. Persons who fail to obtain a license as required within the time period specified will be subjected to a delinquent fee.

I. The city may revoke any license if the person holding the license refuses or fails to comply with this chapter, the regulations promulgated by the city or any other law governing the protection and keeping of animals.

J. If any applicant is shown to have withheld or falsified any material information on the application, the city may refuse to issue or may revoke a license. The city will attempt to notify the respective license holder by certified mail within ten (10) working days after refusing to issue a license, or revoking any license previously issued.

6.04.130 - Penalties.

Any person violating any of the provisions of this chapter is liable for a citation for a Class B violation consistent with Boardman Municipal Code Chapter 1.16

A citation was issued on Oct 29, 2025, citing:

6.04.060 Owner responsibility (c). No dog shall be allowed to cause a public nuisance. The keeper of every dog shall be held responsible for every behavior of such dog under the provisions of this chapter.

The charges were dismissed due to a clerical error. Although the Honorable Judge Glen G. Diehl indicated that a new citation could be issued, we do not intend to pursue it at this time.

III. ANIMAL CONTROL OFFICIAL RECOMMENDATION: *The Animal Control Official recommendation is a denial of the petitioner's request.*

The City of Boardman is acting in accordance with BMC 6.04.080(A)(1)(c) by classifying the dog, Angel, as aggressive based on the evidence and multiple documented incidents involving the animal. Following these incidents, the dog remained at the residence and was not impounded. A citation was issued but was dismissed solely due to a clerical error. At this time, we are not pursuing the citation. We respectfully request that the owners take this

matter seriously and take all necessary steps to prevent further incidents by fully complying with the assigned regulations.

Should the council deny the appeal, Bradley's need to immediately do the following:

- A. License Angel with the City and every six months thereafter
- B. Provide current rabies vaccination
- C. Angel must wear rabies tag and license tag at all times
- D. Owner must have proof of liability insurance or bond in amount of \$10,000 covering any actions of dog
- E. Dog to be confined by keeper of dog within a secure building, secure kennel or dog run, chained and muzzled or securely fenced and muzzled
- F. When off premises, dog must be leashed and muzzled or muzzled and caged

In addition to complying with all other requirements of this section, the owner of an aggressive dog shall comply with the following by:

- A. Restraining the dog to prevent it from interfering with the public's legal access to the owner's property or from reaching any public sidewalk or road or adjoining property;
- B. Notifying the city where the dog is kept and renotify within 10 days of any change; and
- C. Posting warning signs in a conspicuous place visible from the public sidewalk, the road adjoining the property, or the boundary line of the property where access is provided to the property.
- D. The requirements of this section shall apply to any person who is transferred ownership or who keeps an aggressive dog within city limits



Code Compliance/ Animal Control Official

Date:12/26/2025

Attachments:

1. "Exhibit A" File No. 25-000761, Dog Bite Pictures, and Police Report.
2. "Exhibit B" File No. 25-000796 September 2025 Incident.
3. "Exhibit C" File No. 25-000553 August 2025 Incident.
4. "Exhibit D" File No. 24-000479 June 2024 Incident.
5. "Exhibit E" First Letter of classification.
6. "Exhibit F" Second Letter of classification.
7. "Exhibit G" Expired Rabies Vaccine on File