

1 Title 6 – ~~ANIMALS~~ ANIMAL CONTROL

2  
3 Chapter 6.04 - ~~ANIMALS~~ GENERALLY ANIMAL CONTROL

4 6.04.010 - Definitions.

5 As used in this chapter, except where the context indicates otherwise:

6 “Aggressive dog” means any dog that has been found to have engaged in any of the behaviors specified  
7 in BMC 6.04.060(1)(a).

8 "Animal shelter" means facility designated or recognized by the city of Boardman for the purpose of  
9 impounding and caring for animals.

10 “At-Large” means that a dog is off or outside of the premises from which the keeper of the dog may  
11 lawfully exclude others, or is not in the company of and under the control of its keeper.

12 "City" means the city of Boardman, Oregon

13 "Council" means the governing body of the city.

14 "Dangerous animal" means ~~a member of an animal species or any individual animal which has a~~  
15 ~~demonstrable propensity to cause human personal injury or property damage.~~ any animal, other than a  
16 dog, that constitutes a physical threat to human beings or domestic animals.

17 “Dangerous dog” means any dog that has been found to have engaged in any of the behaviors specified  
18 in BMC 6.04.060 (1)(b).

19 "Dog run" means a secured structure not less than twelve (12) feet by five feet in size with a concrete  
20 floor, fencing surrounding and secured into the concrete and over the top of the enclosure, lockable  
21 gate and provisions for maintaining the animal in a humane manner.

22 “Euthanized” means put to death in a humane manner by a licensed veterinarian or certified euthanasia  
23 technician.

24 “Exotic animal” means any lion, tiger, leopard, cheetah, ocelot or any other cat not indigenous to  
25 Oregon, except the species Felis catus (domestic cat); any monkey, ape, gorilla or other nonhuman  
26 primate; any wolf or any canine not indigenous to Oregon, except the species Canis familiaris (domestic  
27 dog); any bear except the black bear (Ursus americanus); any venomous or poisonous reptile, any reptile  
28 of the order Crocodylia (crocodiles, alligators and caimans), or any snake of the family Pythonidae or  
29 Boinae capable of obtaining eight feet or more in length.

30 "Kennel" means an establishment kept for the purpose of breeding, selling or boarding dogs or engaged  
31 in training dogs.

32 "Licensing authority" means the agency or department of the city of Boardman or any designated  
33 representative thereof charged with administering the issuance and/or revocation of permits and  
34 licenses under the provisions of this chapter.

35 “Livestock” includes, but is not limited to, any horse, mule, burro, llama, cow, goat, sheep, swine, or  
36 poultry such as roosters, chickens, geese, turkeys or other domestic fowl, regardless of age.

37 “Minimum care” means care sufficient to preserve the health and well-being of an animal and, except  
38 for emergencies or circumstances beyond the reasonable control of the owner, includes, but is not  
39 limited to, the following requirements:

40 a. Food of sufficient quantity and quality to allow for normal growth or maintenance of body  
41 weight.

42 b. Open or adequate access to potable water in sufficient quantity to satisfy the animal’s needs.  
43 Access to snow or ice is not adequate access to potable water.

44 c. For a domestic animal other than a dog engaged in herding or protecting livestock, access to  
45 adequate shelter.

46 d. Veterinary care deemed necessary by a reasonably prudent person to relieve distress from  
47 injury, neglect or disease.

48 e. Domestic animal shall not be confined to an area without adequate space for exercise necessary  
49 for the health of the animal or which does not allow access to a dry place for the animal to rest.

50 The air temperature in a confinement area must be suitable for the animal involved.

51 Confinement areas must be kept reasonably clean and free from excess waste or other  
52 contaminants which could affect the animal's health.

53 "Neutered" or "Spayed" means rendered permanently incapable of reproduction.

54 "Officer" means any person employed by the city of Boardman as a Police Officer, Code Compliance  
55 Officer, or Animal Control Officer.

56 "Owner" or "Keeper" means any person, firm, association or corporation that owns, possesses, controls  
57 or otherwise has charge of a dog.

58 ~~"Domestic pets" means any animal usually kept in and about a residence as a pet.~~

59 "Pet" or "domestic animal" means an animal, other than livestock or equines, that is owned or  
60 possessed by a person, that lives and breeds in a tame condition and can be handled by an owner to the  
61 extent that minimum care is provided.

62 ~~"Farm animal" means any animal normally kept or maintained for farm purposes.~~

63 ~~"Fowl" means any goose, duck, chicken, turkey, pigeon or other domestic fowl.~~

64 ~~"Person" means every natural person, firm, partnership, association or corporation.~~

65 “Physical control device” means a sufficiently strong collar connected to a leash or tether made of chain  
66 links, or other material as strong, or fenced or enclosed in a structure so as to prevent the escape of an  
67 animal by breaking of the device.

68 “Physical injury” means impairment of physical condition or substantial pain.

69 “Possess” means to have physical possession or otherwise to exercise dominion or control over  
70 property. The act of providing food and water for feral animals is not sufficient grounds to claim  
71 possessory right.

72 "Public nuisance" means a dog is a public nuisance if it:

- 73 1. Bites a person;
- 74 2. Chases or menaces persons or chases vehicles on premises other than premises occupied  
75 exclusively by the keeper of the dog;
- 76 3. Damages or destroys property of persons other than the keeper of the dog;
- 77 4. Scatters garbage on premises other than premises occupied exclusively by the keeper of the  
78 dog;
- 79 5. Trespasses on private property of persons other than the keeper of the dog;
- 80 6. Disturbs any person by frequent or prolonged noises;
- 81 7. Is a female in heat and running at large; or
- 82 8. Injures or kills a domestic animal. ~~as defined in ORS 167.310.~~

83 "Restraint" means a dog will be considered under "restraint" if it is within the real property limits of the  
84 keeper of the dog and is under control of a responsible person, or it is contained with a fence that  
85 maintains control of the animal. While off of the property of the keeper of the dog, the animal must be  
86 on a leash or lead under control of a responsible person or be contained within a portable kennel. If the  
87 dog has been determined, by the city, to be a ~~menacing animal or a public nuisance~~ dangerous or

88 aggressive dog, consistent with the definitions of this chapter, restraint shall mean contained by means  
89 of city approved kennel or dog run, chained and muzzled, securely fenced and muzzled, inside of a  
90 secure structure, or leashed and muzzled when off the premises of the premises occupied by the keeper  
91 of the dog.

92 “Serious physical injury” means physical injury, which creates a substantial risk of death or that causes  
93 protracted disfigurement, protracted impairment of health or protracted loss or impairment of the  
94 function of a limb or bodily organ.

95 “Tethering” means to restrain a domestic animal by tying the domestic animal to any object or structure  
96 by any means. Tethering does not include using a handheld leash for the purpose of walking a domestic  
97 animal.

98 “Wildlife” means any undomesticated wild mammal or reptile that is wild by nature.

99 ~~“Wild animals” means animal species customarily found in the wild.~~

100 ~~6.04.020 Prohibited.—~~

101 ~~Excepting for the purposes of transportation, no person shall keep or maintain overnight within the city~~  
102 ~~any animal or fowl in any zone except an industrial zone or farm use zone.~~

103 ~~6.04.030 Scope.—~~

104 ~~This chapter does not apply to dogs, cats and similar household pets.~~

105 ~~6.04.040 Dangerous animals.—~~

106 ~~No person shall keep any animal dangerous to persons or permit such animals to run at large in the city.~~

107 ~~6.04.050 Removal of animal carcasses.—~~

1108 ~~No person shall permit any animal carcass owned by him or her or under his or her control to remain~~  
1109 ~~upon the public streets or places or any private property for a period of time longer than is reasonably~~  
1110 ~~necessary to remove such carcass.~~

1111 ~~6.04.060—Impounding.~~

1112 ~~It is the duty of the chief of police or designated agent to take up and impound any animal or fowl found~~  
1113 ~~running at large or in violation of the provisions of this chapter. Immediately upon impounding an~~  
1114 ~~animal, the chief of police shall make every reasonable effort to notify the owner and inform the owner~~  
1115 ~~of the conditions for release of the animal. The chief of police shall not later than the day following,~~  
1116 ~~cause a notice to be published in a newspaper of general circulation in the city, such notice to contain a~~  
1117 ~~description of the animal or fowl so taken up, together with a description of any artificial marks or~~  
1118 ~~brands visible on the same, if any can be discovered by the use of reasonable care in looking at the~~  
1119 ~~animal or fowl. The notice shall also state that if the animal or fowl described is not claimed by the~~  
1120 ~~owners, or those entitled to possession thereof, and the cost, charges and expenses against them paid,~~  
1121 ~~and if they be not removed within ten (10) days from the date of the notice, the animal or fowl shall be~~  
1122 ~~sold to the highest bidder at public auction, and the proceeds of such sale applied to the payment of the~~  
1123 ~~costs, charges and expenses of taking up and keeping such animal or fowl and making such sale. In~~  
1124 ~~computing the ten (10) days, the day on which the notice is published shall be excluded.~~

1125 ~~6.04.070—Sale.~~

1126 ~~If at the end of the ten (10) day notice, the animal or fowl shall not have been claimed by any person, or~~  
1127 ~~if claimed, and the costs, charges and expenses of taking up, keeping and posting it or them shall not~~  
1128 ~~have been paid, then the chief of police shall at the time published in the notice of the day following the~~  
1129 ~~day on which such ten (10) days notice expires, offer the animal or fowl for sale at public auction, to the~~  
1130 ~~highest bidder, and shall sell the same for cash and apply the proceeds of such sale to the payment of all~~

131 ~~charges, costs and expenses of keeping such animal or fowl, the cost of posting such notice, taking up~~  
132 ~~such animal or fowl and the sale of the same. If there be any surplus, it shall be paid to the city clerk,~~  
133 ~~who shall keep a separate account of such moneys, and if such moneys are not claimed or refunded as~~  
134 ~~provided in Section 6.04.080, it shall after six months from receipt, be transferred to the general fund of~~  
135 ~~the city.~~

136 ~~6.04.080 – Redemption.~~

137 ~~Upon sufficient proof of ownership or proprietorship made to the chief of police after such animal or~~  
138 ~~fowl is taken up and impounded and before the sale, the chief of police shall restore the same to the~~  
139 ~~owner upon the payment to him or her of all charges, costs and expense, up to the time such proof is~~  
140 ~~made, and not otherwise. Upon sufficient proof made before the city clerk within six months from the~~  
141 ~~date of sale of such animal or fowl of the ownership or proprietorship of the same, and upon claim being~~  
142 ~~made therefore, the city clerk shall issue a refund out of the moneys collected and deposited, the~~  
143 ~~surplus received from the sale of the animal or fowl, so claimed and proven, to the person claiming and~~  
144 ~~proving the same, less the charges of making such proof and of writing such order.~~

145 ~~6.04.090 – Charges. —~~

146 ~~Charges are to be received and collected by the city clerk. For each animal or fowl taken up and~~  
147 ~~impounded, twenty-five dollars (\$25.00) except that if any such animal has been previously impounded,~~  
148 ~~the impoundment fee shall be fifty dollars (\$50.00), and the owner or proprietor shall also pay to the~~  
149 ~~chief of police, and the same shall be taxed as part of the costs, charges and expenses against such~~  
150 ~~animal or fowl, the necessary expenses of keeping, feeding and watering such animal or fowl.~~

151 ~~6.04.100 – Interference.~~

152 ~~No person shall interfere with, hinder, or molest any agent of the city the performance of any duty as~~  
153 ~~herein provided. Any person violating this section shall be deemed guilty of a misdemeanor and shall be~~  
154 ~~subject to a fine of not less than twenty-five dollars (\$25.00), or more than one hundred dollars~~  
155 ~~(\$100.00).~~

156 ~~6.04.110 – Penalty. —~~

157 ~~Violation of any provision of this chapter is punishable, upon conviction in the municipal court, by a fine~~  
158 ~~not exceeding two hundred fifty dollars (\$250.00), or by imprisonment in jail not to exceed sixty (60)~~  
159 ~~days, or by both.~~

160 ~~Chapter 6.08 – DOGS —~~

161 ~~6.08.010 – Definitions. —~~

162 ~~As used in this chapter:~~

163 ~~"Animal" means dog of any breed or type.~~

164 ~~"Animal control authority" means the person or persons designated to enforce this chapter.~~

165 ~~"Animal establishment" means any pet shop, grooming shop, animal auction, performing animal~~  
166 ~~exhibition, kennel or animal shelter.~~

167 ~~"Animal facility" means U.S. Government licensed or state of Oregon licensed facilities to provide~~  
168 ~~veterinary services, research, facilities operated by government agencies, or licensed animal dealers~~  
169 ~~regulated by the USDA under the provisions of U.S. Public Laws 89544 and 91579.~~

170 ~~"At large" means a dog shall be deemed to be at large when off the property of the owner and not~~  
171 ~~under restraint.~~



172 ~~"Humane manner" means care of an animal to include, but not be limited to, adequate heat, ventilation~~  
173 ~~and sanitary shelter, wholesome food and water, consistent with the normal requirements and feeding~~  
174 ~~habits of the animal's size, species and breed.~~

175 ~~"Keeper of the dog" means a person having the right of property or custody of a dog or who keeps or~~  
176 ~~harbors a dog or knowingly permits a dog to remain on or about any premises occupied by that person.~~

177 ~~"Menacing animal" means lunging, growling, snarling, or other behavior by a dog that would cause a~~  
178 ~~reasonable person to fear for the person's safety.~~

179 ~~"Owner" means a person having the right of property or custody of a dog or who keeps or harbors a dog~~  
180 ~~or knowingly permits a dog to remain on or about any premises occupied by that person.~~

181 ~~"Person" means any individual, limited liability company, partnership, organization or institution~~  
182 ~~commonly recognized by law as a legal entity.~~

183 ~~"Pet shop" means an establishment engaged in the business of buying or selling, at retail, dogs or other~~  
184 ~~animals for profit-making purpose.~~

185 6.084.020 - Licensing and rabies vaccination.

186 A. ~~Except as provided in Section 6.08.030, n~~No person shall own, keep, or harbor any unvaccinated  
187 or unlicensed dog over six months of age within the city unless a licensed veterinary doctor  
188 provides written documentation stating reasons the doctor will not vaccinate the dog. In no  
189 instance will an unvaccinated or unlicensed dog over one year of age be allowed within the city.  
190 The provisions of this section do not apply to animals owned by a licensed research facility or  
191 held in a veterinary medical facility or government operated or licensed animal shelter.

- 192 B. All dogs shall be vaccinated against rabies by a licensed veterinarian, in accordance with the  
193 latest Compendium of Animal Rabies Vaccines and Recommendations for Immunization  
194 published by the National Association of State Public Health Veterinarians.
- 195 C. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form  
196 recommended by the Compendium. Each keeper of a dog shall also receive a durable  
197 vaccination tag indicating the year in which it was issued.
- 198 D. 1. Application for a license must be made within thirty (30) days after obtaining a dog over six  
199 months of age, except that this requirement will not apply to a nonresident keeping a  
200 vaccinated dog within the city of Boardman for no longer than sixty (60) days.
- 201 2. ~~Written a~~Application for a dog license ~~shall~~ can be made to the city on the city of Boardman  
202 dog license application form online via Citizenseve, which includes the name, address, phone  
203 and other contact information of the keeper of the dog and the name, breed, color, age, sex and  
204 history of the dog. Applicants also shall pay the prescribed licensing fee and provide proof of  
205 current rabies vaccination.
- 206 E. The standard licensing period shall be for two years. License renewal may be applied for within  
207 sixty (60) days prior to the expiration date. New residents must apply for a license within thirty  
208 (30) days of establishing residence.
- 209 F. A dog determined, by the city or designee, to be a ~~menacing animal or a public nuisance~~  
210 dangerous or aggressive dog as defined by Section 6.084.010 of the Boardman Municipal Code  
211 shall have a licensing period of six months. Proof of liability insurance or a bond in the amount  
212 of ten thousand dollars (\$10,000.00) covering the actions of the dog is required for the length of  
213 the licensing period. Failure to renew the license for a ~~menacing animal or public nuisance~~  
214 dangerous or aggressive dog will be a violation of ~~Oregon Revised Statute 609.095~~ this code and

215 the keeper of the dog can be issued a citation with penalties which can include humane  
216  ~~euthanization euthanizing~~ of the dog.

217 G. Upon acceptance of the license application and fee, the city shall issue a durable license tag  
218 including an identifying number, ~~year of issuance, city, county and state~~. Both rabies and license  
219 tags must be attached to the collar of the dog. Tags must be worn at all times and are not  
220 transferable. The city shall maintain a record of all licenses issued, ~~and such records shall be~~  
221  ~~available to the animal control authority maintained by the city police department.~~

222 H. A license shall be issued after payment of a fee in an amount established by resolution of the  
223 city council. ~~Until such time as the city council changes this resolution the fee shall be ten dollars~~  
224  ~~(\$10.00) for each unneutered dog and five dollars (\$5.00) for each neutered dog.~~ Persons who  
225 fail to obtain a license as required within the time period specified will be subjected to a  
226 delinquent fee, ~~of five dollars (\$5.00).~~

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

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

234 6.04.030- Disease control

235 A. No owner shall permit any animal or bird that is afflicted with a communicable disease to come  
236  in contact with another animal, bird, or human that is susceptible to the affliction.

237 B. No owner shall permit the body of an animal to remain upon the public streets or private  
238  property for a period of time longer than is reasonably necessary to remove such carcass.

239 C. Any owner or person having custody or control of an animal shall immediately remove  
240 excrement or other solid waste deposited by the animal on public or private property. Nothing  
241 in this chapter authorizes a trespass by an animal or its owner onto private property of another  
242 or the creation of an unsanitary condition on private property of another or on public property.  
243 Excrement shall be removed from primary enclosures and areas as often as necessary to prevent  
244 contamination, reduce disease hazards and minimize odors.

245 D. No owner shall cause or allow any place or location where an animal is or may be kept, to  
246 become unclean or unwholesome. Storage of food supplies and bedding materials shall be  
247 designed to prevent vermin infestation.

248 E. An animal that is placed under quarantine by the city shall be kept separated from any other  
249 animals or people other than the owner's family or pets for a period of not less than 10 days.

250 F. Whenever any animal bites a person, the owner of said animal shall immediately notify Animal  
251 Control. Animal Control shall order the animal held on the owner's premises or shall have it  
252 impounded for a period of not less than 10 days if it has been determined that there is no proof  
253 of proper rabies inoculation which is current.

254 G. No person shall own, keep, or harbor any dog over six months of age unless the dog is  
255 vaccinated for rabies.

256 ~~6.08.030 - Permits. ———~~

257 ~~A. No person shall operate an animal establishment without first obtaining a permit in compliance~~  
258 ~~with this section. The permit shall be obtained from the city or its designees.~~

259 ~~B. The permit period shall begin with the first day of the fiscal year, July 1st, and shall run for one~~  
260 ~~year. Renewal applications for permits may be made within sixty (60) days prior to the~~  
261 ~~expiration date of the current permit. Application for a permit to establish a new breeding~~

262 animal establishment under the provisions of this chapter may be made at any time and will run  
263 to the end of the fiscal year.

264 ~~C. Failure to comply with the provisions of this section is subject to a fine of twenty five dollars~~  
265 ~~(\$25.00).~~

266 ~~6.08.040 – Issuance and revocation of permits and licenses. —~~

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

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

274 ~~6.084.0540~~ - Owner responsibility.

275 A. All dogs shall be kept under restraint as defined in this chapter.

276 B. Every dog determined by the city to be a ~~menacing animal or public nuisance~~ dangerous or  
277 aggressive dog shall be confined by the keeper of the dog, within a secure building, secure  
278 kennel or dog run. Whenever off the premises, the dog shall be securely muzzled and leashed or  
279 muzzled and caged. ~~whenever off the premises of the keeper of the dog.~~

280 C. No dog shall be allowed to cause a public nuisance. The keeper of every dog shall be held  
281 responsible for every behavior of such dog under the provisions of this chapter.

282 D. Any person, ~~with the exception of a sightless person,~~ responsible for any dog, shall remove  
283 excrement deposited by the dog:

- 284 1. In any public area not specifically designated to receive those wastes, including, but not  
285 limited to, streets, sidewalks, parking strips, city parks, trails or pathways paralleling  
286 swales, ditches, culverts or other similar facilities operated by the city; or  
287 2. On any private property, other than property owned by or controlled by the owner or  
288 keeper of the dog, without prior permission by any other property owner where said  
289 excrement is deposited by the dog.

290 E. A person commits the offense of unlawful tethering if the person tethers a domestic animal in  
291 the person's custody or control:

- 292 1. With a tether that is not reasonable length given the size of the domestic animal and  
293 available space that allows the domestic animal to become entangled in a manner that  
294 risks the health or safety of the domestic animal;  
295 2. With a collar that pinches or chokes the domestic animal when pulled;  
296 3. For more than 10 hours in a 24-hour period; or  
297 ~~1.4.~~ For more than 15 hours in a 24-hour period if the tether is attached to a running line,  
298 pulley or trolley system.

299 6.04.050 – Animal restrictions and prohibitions

300 A. Exotic Animals. No person shall possess, maintain, or keep any exotic animal in the city limits.

301 B. Livestock. No person shall possess, maintain, or keep any livestock in the city limits.

302 C. Wildlife. No person shall possess, maintain, or keep any wildlife in the city limits.

303 D. Dangerous Animals. No person shall possess, maintain, or keep any dangerous animals inside  
304 city limits.

305 -6.04.060 – Dangerous or aggressive dog

306 1. Classification of Levels of Dangerousness of Dogs.

307 A. A dog shall be classified as aggressive if it bites, causes physical injury, or otherwise threatens or  
308 endangers the safety of any person or domestic animal while:

309 1. It is at-large;

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

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

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

315 B. A dog shall be classified as dangerous if:

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

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

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

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

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

325 2. Identification of Dangerous or Aggressive Dogs – Appeals – Restrictions Pending Appeal.

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

330 B. The officer shall give the dog's owner written notice by certified mail or personal service that  
331 includes:  
332 1. the dog's specific behavior;  
333 2. the dog's classification as a dangerous or aggressive dog; and  
334 3. additional restrictions applicable because of the dog's classification.  
335 4. The owner may appeal the officer's decision to the City Clerk by filing within 10 days  
336 of the date the notice was mailed or the owner was personally served, a written  
337 request for a hearing with the city council.

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

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

342 B. Notifying the city where the dog is kept and renotify within 10 days of any change; and

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

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

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

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



352 A. Be an owner of a dangerous dog;

353 B. Fail to comply with the requirements applicable to aggressive dogs.

354 6.04.070 Declassification of aggressive dogs.

355 1. An owner or keeper of an aggressive dog may file a petition with the City Clerk requesting an order  
356 declassifying a dog as aggressive if the following conditions have been met:

357 A. The dog has been classified for one year without further incident; and

358 B. There have been no violations of the Animal Control regulations; and

359 C. All other conditions ordered at the time of classification have been met.

360 2. The City Clerk shall forward such petition to an officer who may condition declassification on the  
361 following provisions:

362 A. The owner or keeper provides the officer with written certification of satisfactory completion of  
363 obedience training for the dog classified;

364 B. The officer may require the dog owner or keeper to provide written verification that the  
365 classified dog has been spayed or neutered.

366 C. If the request is denied. The owner may appeal the officer's decision to the City Clerk, by filling  
367 within 10 days of the date the notice was mailed or the owner was personally served, a written  
368 request for a hearing with the city council.

369 6.084.0680 - Impoundment.

370 A. A dog found running at large may be impounded by the city, and restrained in the city's  
371 designated animal shelter. Within a reasonable time following the impounding of a dog, the city  
372 shall make every reasonable effort to notify the keeper of the dog and inform the keeper of the

373 dog of the conditions for release of the animal. Any animal not claimed by the keeper of the dog  
374 within a period of five full days in which the shelter is open to the public shall become the  
375 property of the city.

376 B. In the event that the city finds dogs to be suffering, it shall have the right forthwith to remove or  
377 cause to have removed any such animals to a safe place for care at the expense of the keeper of  
378 the dog or to euthanize them, at the expense of the keeper of the dog, when necessary to  
379 prevent further suffering. Return to the keeper of the dog may be withheld until the keeper of  
380 the dog shall have made full payment for all expenses so incurred.

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

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

386 6.084.0790 - Redemption.

387 A. Any animal impounded may be redeemed by the keeper of the dog thereof within five days of  
388 impounding upon payment of an impoundment fee.

389 B. Any animal confined for rabies quarantine, evidence, ~~menacing or public nuisance~~ dangerous or  
390 aggressive dog as defined in this chapter, or other purpose may be redeemed by the keeper of  
391 the dog, after release is authorized by the investigating ~~police officer or compliance official,~~  
392 upon payment of an impoundment fee, which may include all associated costs at the  
393 impoundment or veterinary facility.

394 C. No animal required to be licensed or vaccinated under this chapter may be redeemed until the  
395 animal has been vaccinated and the appropriate license has been issued by the city.

396 ~~6.08.080 Adoption.~~

397 ~~An adoption fee of five dollars (\$5.00) shall be assessed at the time of adoption. No dog shall be~~  
398 ~~released for adoption as a pet without being neutered or without a written agreement from the adopter~~  
399 ~~guaranteeing that the animal will be neutered. Vaccination fees, licensing fees, and veterinary costs may~~  
400 ~~be assessed above and beyond the adoption fee.~~

401 ~~6.08.090~~100 - Interference.

402 A. A person commits the crime of interfering with ~~an code compliance official or peace officer in~~  
403 ~~the enforcement of the provisions of this chapter,~~ if the person, knowing that another person is  
404 ~~code compliance official or peace~~ an officer: as defined in this chapter.

- 405 1. Intentionally acts in a manner that prevents, or attempts to prevent, ~~a code compliance~~  
406 ~~official or peace~~ the officer from performing the lawful duties of the ~~code compliance~~  
407 ~~official or peace~~ officer with regards to another person; or
- 408 2. Refuses to obey a lawful order by the ~~code compliance official or peace~~ officer.

409 ~~B.~~ Interfering with ~~an code compliance official or peace~~ officer shall be punishable as a Class A  
410 misdemeanor as defined by Oregon Revised Statutes.

411 6.04.110 Penalties.

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