

Title 6 ANIMAL CONTROL

Chapter 6.04 ANIMAL CONTROL

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6.04.020 Definitions.

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

"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).

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

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

"Chicken" means the common domestic fowl or its young.

"Chicken run" means an outdoor enclosed or fenced area where chickens feed or exercise.

"City" means the city of Boardman, Oregon.

"Coop" means a cage or roofed enclosure in which chickens are kept.

"Council" means the governing body of the city.

"Dangerous animal" means any animal, other than a dog, that constitutes a physical threat to human beings or domestic animals.

"Dangerous dog" means any dog that has been found to have engaged in any of the behaviors specified in BMC 6.04.080(A)(2).

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

"Euthanized" means put to death in a humane manner by a licensed veterinarian or certified euthanasia technician.

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

"Hen" means a female adult chicken.

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

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

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

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

- A. Food of sufficient quantity and quality to allow for normal growth or maintenance of body weight.
- B. Open or adequate access to potable water in sufficient quantity to satisfy the animal's needs. Access to snow or ice is not adequate access to potable water.
- C. For a domestic animal other than a dog engaged in herding or protecting livestock, access to adequate shelter.
- D. Veterinary care deemed necessary by a reasonably prudent person to relieve distress from injury, neglect or disease.
- E. Domestic animal shall not be confined to an area without adequate space for exercise necessary for the health of the animal or which does not allow access to a dry place for the animal to rest. The air temperature in a confinement area must be suitable for the animal involved. Confinement areas must be kept reasonably clean and free from excess waste or other contaminants which could affect the animal's health.

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

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

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

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

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

"Physical injury" means impairment of physical condition or substantial pain.

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

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

- A. Bites a person;
- B. Chases or menaces persons or chases vehicles on-premises other than premises occupied exclusively by the keeper of the dog;
- C. Damages or destroys property of persons other than the keeper of the dog;
- D. Scatters garbage on-premises other than premises occupied exclusively by the keeper of the dog;
- E. Trespasses on private property of persons other than the keeper of the dog;
- F. Disturbs any person by frequent or prolonged noises;
- G. Is a female in heat and running at large; or
- H. Injures or kills a domestic animal.

"Restraint" means a dog will be considered under "restraint" if it is within the real property limits of the keeper of the dog and is under control of a responsible person, or it is contained with a fence that maintains control of the animal. While off of the property of the keeper of the dog, the animal must be on a leash or lead under control of a responsible person or be contained within a portable kennel. If the dog has been determined, by the city, to be a dangerous or aggressive dog, consistent with the definitions of this chapter, restraint shall mean contained by means of city approved kennel or dog run, chained and muzzled, securely fenced and muzzled, inside of a secure structure, or leashed and muzzled when off the premises of the premises occupied by the keeper of the dog.

"Rooster" means a male adult chicken.

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

"Targeted grazing" means the application of goats to accomplish a defined vegetation or landscape goal.

"Targeted grazing area" means the area within a specific property on which targeted grazing occurs.

"Targeted grazing days per acre" means the number of goats applied to a specific property for targeted grazing multiplied by the number of days of targeted grazing on that property and divided by the size of the grazing area in that property in acres. For example, forty goats that graze a five-acre grazing area for ten days is eighty targeting days per acre.

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

"Wildlife" means any undomesticated wild mammal or reptile that is wild by nature.

(Ord. No. 6-2025, § 1(Exh. A), 8-5-2025)

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6.04.130 Targeted Grazing

A. Notwithstanding Section 6.04.070(B), goats may be present on properties within the City for the purpose of targeted grazing, subject to the following restrictions:

1. The duration of a targeted grazing period is for no more than 400 consecutive grazing days per acre of grazing area.
2. There are no more than two targeted grazing periods per property per calendar year.
3. There are at least thirty consecutive calendar days of no targeted grazing between targeted grazing periods.
4. During targeted grazing, goats must be contained in the grazing area through physical fencing. Electric fencing may be used only in compliance with Chapter 8.04.100(B).
5. During targeted grazing, signs must be posted on the property lines of all sides of the property subject to targeted grazing that are adjacent to public property or a public right-of-way. The signs must be legible from the adjacent public property or public right-of-way. The signs must contain the following information:
 - a. A statement that the property is conducting targeted grazing pursuant to Chapter 6.04.130 of the Boardman Municipal Code.
 - b. A statement that worrying, molesting, harassing, or otherwise interacting with the goats is prohibited.

- c. If electric fencing is used to contain the goats, a warning that the fence is electrified and must not be touched.
- d. The name and contact information of the vendor providing the goats for targeted fencing or of the owner of the goats.
- 6. Only female or castrated male goats may be used for targeted grazing.
- 7. Sufficient water must be available to goats during targeted grazing.
- B. Individuals who offer targeted grazing services for hire within the City must obtain a transient merchant license under Chapter 5.04.
- C. Properties owned by the City are exempt from the requirements of this Section.

6.04.1430 Penalties.

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

TITLE 5 BUSINESS REGULATIONS

Chapter 5.04 TRANSIENT MERCHANT PERMITS AND REGULATIONS

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5.04.080 Transient merchant requirements.

With the exception of transient merchants engaging in targeted grazing under Chapter 6.04.130, tTransient merchants shall not be permitted in residential zones within the city of Boardman. In addition to the application requirements stated above the following additional information shall be submitted for review.

- A. A description of the nature of the business operation the applicant will conduct.
- B. If prepared food is offered for sale, evidence that the Morrow County Health Department or other applicable state or local agency has approved of the activity.
- C. The location from which the applicant will operate or the area(s) within Boardman that the transient merchant activities will occur.
- D. The length of time the applicant will conduct the business.
- E. The hours of operation.
- F. Authorization of the landowner(s) for placement of a mobile or sidewalk vending unit, if applicable. Mobile vending units cannot be placed in public right-of-way. Sidewalk vending units can be placed on public streets through this permitting process.
- G. A mobile or sidewalk unit, including all items associated with the operation, shall not obstruct pedestrian pathways, driveways, or drive aisles of any off-street parking area, and shall not be located to create a traffic or safety hazards.
- H. Mobile or sidewalk unit operators shall pick up any paper, cardboard, wood, or plastic containers, wrappers, or any litter which is deposited by any person within twenty (20) feet of the mobile unit when conducting business. Trash cans or other trash containers shall be available for customer use.
- I. The use of the right-of-way or public property will not interfere with existing utilities, pedestrian use, or pose a hazard to vehicular traffic. The use shall be consistent with the use for which the property is zoned. The location shall be limited to that which was approved on the permit or license.
- J. Proof of general liability insurance and proof of products liability and errors and omissions insurance if applicable to the type of business being conducted.

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TITLE 8 HEALTH AND SAFETY

(...)

Chapter 8.06

VEGETATION MANAGEMENT

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8.06.040 Prohibited vegetation declared nuisance.

- A. It shall be unlawful for any owner(s) or occupant(s) of real property in Boardman to allow prohibited vegetation to remain upon such real property. Prohibited vegetation is hereby declared a nuisance.
- B. The owner(s) and/or occupant(s) of any real property within the limits of the city of Boardman shall mow, or otherwise trim, including by application of targeted grazing under Chapter 6.04.130, prohibited vegetation growing thereon, including on adjacent and abutting rights-of-way, throughout the year.
- C. For vacant lots or parcels over one acre in size (43,560 square feet), it shall be a requirement for any owner(s) or occupant(s) of real property in Boardman to establish and maintain a 20-foot fire break along property boundaries, fences, and structures, with a 100- foot fire break further required running adjacent to all such 20-foot fire breaks.

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