

ORDINANCE NO. 863

AN ORDINANCE REGULATING DOGS WITHIN THE CITY OF PRINEVILLE; PROVIDING PENALTIES FOR VIOLATION THEREOF, AND REPEALING ORDINANCE NO'S 534, 722, and 725.

The people of the City of Prineville ordain as follows:

Section 1. Ordinance. In this Ordinance, the following definitions shall be used:

Public Park -- Harwood Park, Ochoco Park, Pioneer Park, Rimrock Park, Davidson Field, Kilowatt Field, and Stryker Field, and any other areas so designated and signed by the City Council.

Leash -- Lead rope, chain or line for leading or restraining a dog.

Nuisance -- dog which:

- (a) disturbs any person by frequent or prolonged noises;
- (b) roams about the City or runs at large;
- (c) trespasses on property not owned by or under the control or custody of the owner or custodian of the dog;
- (d) bites a person unless provoked.
- (e) shows a propensity to bite persons;
- (f) chases vehicles or persons;
- (g) injures or kills an animal or fowl belonging to a person other than the owner or custodian of the dog.
- (h) destroys or damages any property belonging to a person other than the owner or custodian of the dog, or
- (i) is a female dog in heat, and not properly confined;
or
- (j) Scatters garbage or refuse.

Section 2. No person shall own, possess, or be in control of a dog which:

- (a) is a nuisance;
- (b) is not controlled by a leash of less than 10 feet in length and adequate for said dog unless on the real property of the owner, possessor or controller;
- (c) is not licensed according to the laws of this State;
- (d) is rabid; or
- (e) diseased.

Section 3. Every person who resides within the corporate limits of the City of Prineville, Crook County, who owns or keeps any dog six months or age or older shall inoculate that dog for rabies. Such inoculation shall be kept current and shall be done by a veterinarian licensed by the State in which the veterinarian practices.

Section 4. Any person in possession or control of a dog when that dog defecates in any public park in the City of Prineville, except in an area set aside for this purpose, shall be in violation of this Ordinance, unless the defecation is immediately removed and placed in a proper receptacle.

Section 5. A dog described by Section 2, 3 or 4 of this Ordinance may be seized by any person who shall promptly notify the Prineville Police Department for impounding of the dog.

Section 6. All dogs taken up and impounded shall be held in an adequate and sanitary facility.

Section 7. If a dog is a female in heat and impounded for that reason, the court may order impoundment for a period not to exceed three weeks. In case of any impoundment, the owner or custodian of the dog shall pay for the care and custody of the dog at the rate of \$1.50 per day or any part of a day of

impoundment, plus \$7.50 if the impoundment is the first for that dog or \$15.00 for a second and subsequent impoundments.

Section 8.

(a) Whenever a dog is impounded pursuant to the provisions of this Ordinance and the owner or custodian of the dog is known to the Dog Control Officer, the officer shall forthwith give written notice of the impounding by personal service or a certified letter return receipt requested upon the owner or custodian, and if the owner or custodian does not within 5 days after the date of service or mailing of the notice, claim the dog and pay the fees required under Section 7 of this Ordinance, the dog shall be humanely disposed of or given for adoption to a suitable home.

(b) In case the owner or custodian of the dog is not known to the Dog Control Officer, if at the expiration of five (5) days after it has been impounded, neither its owners or custodian claims it and pays the fees required under Section 7 of this Ordinance, it shall be humanely disposed of or given for adoption to a suitable home.

Section 9. When a dog is obviously rabid, so vicious it cannot be impounded without risk to human life or safety or if a dog is so seriously injured that its suffering warrants its destruction, the dog may be killed immediately.

Section 10. A dog which is a nuisance as defined in this Ordinance may be abated under Prineville Ordinance No. 568.

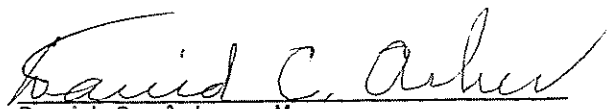
Section 11. Any person who violates this Ordinance may be punished by a fine of not more than \$1,000.00. A dog which has repeatedly been a nuisance may be ordered destroyed or disposed of in such a manner that the court considers necessary for the health or safety of the public. The first time a dog is found a nuisance under Subsections (d) or (g) of Section 1 of this Ordinance, the dog shall be ordered destroyed by the court unless the court finds that the general demeanor of the dog is such that the offenses are out of character for the dog or the owner, custodian or possessor of said dog is given specific instructions on keeping the dog from violating Subsections (d) and (g) of Section 1 of this Ordinance again. If said instructions are not followed or the dog violates subsections (d) and (g) of this Ordinance again, the dog shall be ordered destroyed.


Section 12. Ordinance #534, Ordinance #722, and Ordinance #725 are hereby repealed and in their entirety.

Section 13. It being deemed by the City Council of the City of Prineville that an emergency exists, this Ordinance shall be in full force and effect from and after its passage and approved by the City Council and Mayor.

Passed by the City Council this 27th day of July , 1982.

Approved by the Mayor this 27th day of July , 1982.


David C. Asher, Mayor


Henry Hartley, City Administrator/Recorder