

## CHAPTER 9

### ANIMAL CONTROL

#### ADMINISTRATION

##### **9.005 Definitions.** As used in Benton County Code Chapter 9:

- (1) "**Abandon**" means either permanently or temporarily relinquishing all ownership rights and responsibilities in an animal.
- (2) "**Abuse**" means any mistreatment of a dog which results in the physical injury or death of the dog.
- (3) "**Adult dog**" means a dog which is at least six months old or which has a set of permanent canine teeth.
- (4) "**Animal**" means a dog or other animal of a species susceptible to rabies.
- (5) "**Animal Control Division**" means the animal control division of the Benton County Department of Law Enforcement.
- (6) "**Animal Control Officer**" means the person employed by and authorized by Benton County to enforce BCC Chapter 9 and ORS Chapters 167, 433, and 609 concerning animal control. The term includes any and all deputies of the Benton County Sheriff's Office, who are hereby authorized to enforce BCC Chapter 9 and ORS Chapters 167, 433, and 609.
- (7) "**At Large**" means a dog off the premises of the owner and not under the immediate control of the owner or of a competent person; except "at large" does not include exhibition in dog shows, obedience training or the use of a dog under the supervision of a person to hunt, chase or tree predatory animals or game birds, or the use of a dog to control or protect livestock or use in other related agricultural activities.
- (8) "**Barking Dog**" means a dog which repeatedly and for prolonged periods barks, or makes other noise, without provocation which disturbs the peace and quiet of any nearby County resident.
- (9) "**Estrus**" means the regularly recurrent period of ovulation and sexual excitement in female dogs, also known as "in heat".
- (10) "**Health Department**" means the Benton County Health Department.
- (11) "**Kennel, commercial**" means a lot or premise on which five or more adult dogs are kept for breeding purposes for profit and/or where five or more adult dogs are boarded for profit.

(12) "**Kennel, hobby**" means a lot or premise on which five or more adult dogs are kept for purposes other than those described for a commercial kennel. These purposes include, but are not limited to, show, hunting, stock raising or other personal use.

(13) "**Livestock**" for the purpose of dog control, means animals kept for husbandry. Livestock includes, but is not limited to, cattle, sheep, horses, mules, asses, burros, goats, swine, llamas and other hoofed domesticated animals and any forbearing animal bred and maintained within pens, cages, or hutches. Livestock, for all other purposes related to this Chapter, shall have the definition provided in Oregon Revised Statutes.

(14) "**Menacing**" means any behavior by a dog which would cause fear of imminent danger in a reasonable person.

(15) "**Minimum Care**" means provision of care sufficient to preserve the health and well-being of the specific dog. This level of care requires, but is not limited to:

(a) providing food of sufficient quantity and quality to allow for normal growth or maintenance of body weight;

(b) providing adequate access to potable water in sufficient quantity to satisfy the dog's needs. Snow or ice is not an adequate water source;

(c) providing access to an enclosed shelter sufficient to protect the dog from wind, rain, snow or sun and which has adequate bedding to protect against cold and dampness;

(d) providing veterinary care to the extent deemed necessary by a reasonably prudent person to relieve distress from injury, neglect or disease;

(e) providing adequate space for exercise necessary for the health of the dog; and

(f) providing a confinement area which is reasonably clean and free of contaminants which could affect the health of the dog. The air temperature in the confinement area must be suitable for the dog.

(16) "**Neglect**" means failure to provide minimum care to a dog, whether or not such failure results in physical injury or death of the dog.

(17) "**Neutered**" means the removal of the ovaries and uterus, or ovarian hysterectomy in female dogs or the removal of the male gonads in male dogs. This term also includes any other method of sterilizing a dog which is certified and performed by a licensed veterinarian.

(18) "**Owner**" means any person:

a) having a right of property in an animal;

b) harboring an animal;

- c) having an animal in his or her care;
- d) acting as an animal's custodian; or
- e) knowingly permitting an animal to remain on or about any premises occupied by the person.

(19) **"Permit"** means human conduct in relation to a dog which is intentional knowing, reckless, careless or with criminal intent.

(20) **"Provocation"** means any action by a human which torments or abuses a dog.

(21) **"Records and Elections Division"** means the records and elections division of the Benton County Administrative Services Department.

(22) **"Trespasser"** means any person entering on the property of another for an illegitimate purpose or with criminal intent. Any person entering the property of another outside the reasonable access area shall be rebuttably presumed to be a trespasser.

(23) **"Vicious Dog"** means any dog which has bitten or attacked a person without provocation. "Vicious dog" does not include a dog which bites, attacks or menaces a trespasser on the property of its owner or which harms or menaces anyone who has tormented or abused it. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

**9.010 County Ordinance Supersedes State Law.** The purpose of Chapter 9 is to provide for animal control within Benton County. Chapter 9 supersedes certain provisions of ORS Chapters 167, 433 and 609 by providing regulations governing the control of animals in Benton County. Whenever this Chapter conflicts with ORS Chapters 167, 433 and 609, this Chapter shall prevail. Where no conflict exists, ORS Chapters 167, 433 and 609 shall be in full force and effect. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

## **ANIMAL CONTROL DIVISION AND OFFICER**

**9.105 Animal Control Division Powers and Duties.** The duties of the Division shall be:

- (1) To enforce the provisions of BCC Chapter 9 and ORS Chapters 167, 433, and 609 where applicable;
- (2) To maintain or contract for the maintenance of an animal shelter where all animals which are subject to impoundment may be safely and humanely kept; and
- (3) To collect any costs, fees, and charges provided by BCC Chapter 9. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord 90-0061; Ord. 97-0122]

**9.110 Dog License Revenue Account.** All funds derived from dog licensing and other fees and fines required to be paid under authority of Chapter 9 shall be paid to the Records and Elections

Division and maintained in an account within the County General Fund known as the Dog License Revenue Account. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

**9.115 Citation Authority.** The Animal Control Officer may issue to an owner a warning or a citation for any violation of BCC Chapter 9. A citation must be filed within three months of the date of the alleged violation.

(1) Unless otherwise provided, a violation of any mandatory provision of BCC Chapter 9 shall result in a citation being issued to the violator.

(2) The amount of fine or penalty for a violation of BCC Chapter 9 shall be established by order of the Board of Commissioners, and shall be recorded in the Department of Law Enforcement. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.120 Entry Onto Private Land.** The Animal Control officer may enter onto private land in the course of enforcing the provisions of BCC Chapter 9 and ORS Chapters 167, 433, and 609 but shall not enter any building or dwelling without first obtaining an administrative search warrant or the authorization of the owner or occupant of the premises. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.125 Interference with Animal Control Officer Prohibited.** No person shall intentionally interfere with the Animal Control Officer while the officer is performing his/her duties. [Ord. 90-0061; Ord. 97-0122]

## **MANDATORY PROVISIONS**

**9.205 Dogs At Large.** No owner shall permit his/her dog to be at large. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.206 Dogs in Estrus.** No dog owner shall permit his/her dog in estrus (heat) to become an attraction to other dogs. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.207 Barking Dogs.** No person shall own, keep or harbor a barking dog. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.208 Vicious Dogs.** No person shall own, keep or harbor a vicious dog. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

### **9.210 Unprovoked Attacks Against Non-livestock Animals.**

(1) No owner shall permit his/her dog to attack, without provocation, a dog, cat, non-commercially bred fowl, or other non-livestock animal of another person off the property owned or occupied by the owner of the attacking dog.

(2) In addition to any fine imposed, an owner found guilty in Circuit Court of permitting an unprovoked attack shall make full restitution to the owner of the injured animal(s) for the actual damages resulting from the unprovoked attack. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 99-0147]

### **9.215 Chasing, Injuring, Killing of Livestock/Commercially Bred Fowl.**

(1) No owner shall permit his/her dog to chase, injure or kill livestock or commercially bred fowl.

(2) Any dog at large which chases, injures, or kills any livestock not belonging to its owner may be killed immediately by any person.

(3) When a complaint has been received alleging that a dog at large chased, injured or killed livestock, and investigation by the Animal Control Officer supports such conclusion, the dog owner shall be cited for violation of BCC Chapter 9.

(4) If reasonable testing of a dog alleged to have injured or killed livestock, including, but not limited to, a fecal examination or examination of the teeth of the dog, is likely to provide substantial evidence as to whether the dog has injured or killed livestock, the owner must surrender the dog to the Animal Control Officer for testing. The Animal Control Division shall provide for the administration of the tests by a licensed veterinarian. Testing will only be done at the request of the livestock owner and if the results are negative, the livestock owner shall be responsible for all costs incurred. If the results are positive, the dog owner shall pay for all costs incurred.

(5) The dog of an owner found guilty in Circuit Court of permitting his/her dog to chase, injure, or kill livestock shall be disposed of in accordance with BCC 9.325(1).

(6) Any dog at large which chases, injures or kills any commercially bred fowl not belonging to its owner may be killed immediately by any person, except that no person shall kill a dog which has chased, injured, or killed chickens upon a public place or highway, or kill any dog acting under the direction of its owner, or the agents or the employees of its owner. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 99-0147]

### **9.220 Abandoned, Neglected, and Abused Dogs.**

(1) An owner shall not abandon his/her dog or permit his/her dog to be abandoned.

(2) An owner shall not neglect his/her dog.

(3) An owner shall not abuse his/her dog.

(4) The Animal Control Officer may issue a warning to any person violating BCC 9.220 (1) or (2), may impound the dog of any person violating BCC 9.220 (1) or (2), or may issue a citation to any person violating BCC 9.220 (1) or (2). If the Animal Control Officer issues a warning, the owner shall rectify the problem within seven calendar days. Should it be impossible to rectify the

problem fully within seven calendar days, the owner shall, at a minimum, take substantial steps toward rectifying the problem within that time period. The Animal Control Officer shall have full discretion as to whether the problem has been satisfactorily rectified and has authority to monitor the subsequent welfare of the dog. Impoundment shall be for a period not to exceed three calendar days unless extended pursuant to BCC Chapter 9.305(1) for the welfare of the dog. If, at the end of the seven day period for rectifying the problem or the three day period of impoundment, the violation has not been rectified, the dog owner may be cited.

(5) The Animal Control Officer shall issue a citation to any person violating BCC Chapter 9.220 (3) and immediately impound the abused dog until the Circuit Court has rendered a verdict on the citation and any appeals are exhausted. Any owner who has been found guilty of abusing any dog forfeits all ownership rights in the dog and no dog shall, under any circumstances, be returned to any owner found guilty of abusing any dog. [Ord. 4A, adopted February 7, 1979; Ord. 90-0061; Ord. 97-0122; Ord. 99-0147]

### **9.225 Biting Dogs to be Reported.**

(1) The owner of a dog which bites a human being shall immediately notify the Health Department or the Animal Control Division, and shall give the division the name and address of the person bitten, if known.

(2) Any person who is bitten by a dog shall immediately notify the Health Department or the Animal Control Division, giving a description of the dog and the name and address of the owner, if known.

(3) When a doctor, veterinarian or hospital employee has information that a person has been bitten by a dog, such person shall immediately notify the Health Department or the Animal Control Division. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

## **POTENTIALLY RABID DOGS**

### **9.230 Quarantine.**

(1) When either the Health Department or the Animal Control Division has grounds to suspect that a dog is infected with rabies, written notice shall be delivered both personally and by first class mail to the owner of the dog. The owner shall quarantine the dog for ten (10) calendar days beginning immediately upon receipt of any official notice. The biting of any person by the dog shall constitute adequate grounds for suspecting the dog to be infected. Delivery of the notice to any apparently responsible person over age fifteen (15) residing upon the premises where the dog is kept shall be considered personal delivery of notice to the owner.

(2) Any dog required to be quarantined shall be confined at the owner's expense in a veterinary hospital, the Benton Humane Society, or a kennel or other facility approved by the Health Department or by the Animal Control Division. At the discretion of the Animal Control Division,

the dog may be quarantined on property designated by the Animal Control Officer pursuant to an "Agreement of Confinement" as established in BCC Chapter 9.310.

(3) If a dog exhibits symptoms of rabies while it is under quarantine, the Health Administrator may order in writing that it be destroyed and that its head be submitted to the Oregon State Public Health Laboratory. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.235 General Provisions.** Any animal that has been bitten by a rabid dog shall be destroyed. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

## **IMPOUNDMENT/DESTRUCTION OF DOGS**

### **9.305 Impoundment of Dogs.**

(1) The Animal Control Officer is authorized to impound and hold, for as long as necessary, any dog which is the subject of a violation of BCC Chapter 9 or ORS Chapters 167, 433, or 609.

(2) The Animal Control Officer is authorized to impound and hold, for as long as necessary, any dog which the Animal Control Officer reasonably believes constitutes a continuing threat to the health and welfare of a human, livestock, any animal other than livestock, or fowl.

(3) The Animal Control Officer is authorized to impound and hold, for as long as necessary for the welfare of the dog, any dog which has been abandoned, neglected, or abused by its owner.

(4) The Animal Control Officer is authorized to impound a dog whose owner is guilty of three (3) or more violations of BCC Chapter 9 or ORS Chapters 167, 433, or 609.

(5) An owner shall be liable for all costs to house and maintain an impounded dog. [Ord. 4A, adopted February 7, 1,979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

### **9.310 Agreement of Confinement in Lieu of Impoundment.**

(1) If the owner requests and the Animal Control Officer concludes that a dog which is subject to impoundment under BCC Chapter 9.305 can be safely maintained at its current residence, the owner must sign an "Agreement of Confinement." The agreement shall be negotiated by the Animal Control officer and be executed by the Benton County Sheriff on behalf of the County and shall provide:

(a) That the dog must remain confined to the designated property at all times;

(b) That the dog shall not be sold, given, or transferred in any manner to another owner, person, or entity;

(c) That the dog at all times must wear a color-designated tag indicating that it is currently under confinement;

- (d) That any subsequent violation of BCC Chapter 9 or ORS Chapters 167, 433, and 609 concerning the control of dogs or violation of the terms of the agreement of confinement will result in the issuance of an additional citation and immediate impoundment of the dog;
- (e) That the dog must be surrendered upon demand of the Animal Control Officer following conviction of the owner in Circuit Court on any charges concerning the dog; and
- (f) That the owner shall be fully responsible for any damage caused by his/her dog while under confinement and shall agree to defend, indemnify, and hold the County harmless against any claim or award for such damages. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.315 Redemption or Sale of Impounded Dogs.**

- (1) Redemption of an impounded dog by the owner shall be made by exhibiting satisfactory proof of ownership and by paying charges for impoundment, board, any necessary license fees, and any reasonable medical expenses which have been incurred during the impoundment.
- (2) An impounded dog may, pursuant to BCC Chapter 9.320, be destroyed or be sold to any person for any reasonable price established by the Animal Control Division or its designated agent.
- (3) A new owner shall, at his/her own expense, obtain any necessary license and vaccination at the time of purchase. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

**9.320 Disposition of Impounded Dogs.** Any dog impounded for alleged violation of BCC Chapter 9 or ORS Chapters 167, 433, or 609 shall be held and disposed of in accordance with the following provisions:

- (1) An unlicensed dog which has not been redeemed within three (3) working days after impoundment may be sold or destroyed.
- (2) An impounded dog with a valid license shall be disposed of in the following manner:
  - (a) The Animal Control Division or its designated agent shall attempt to notify the owner by phone or personal contact.
  - (b) If the dog is not redeemed within twenty-four (24) hours of impoundment, the Animal Control Division shall notify the owner by regular and certified mail at the owner's last known address that the dog must be redeemed within three (3) days of receipt of notice or it will be sold or destroyed.
  - (c) If the notice sent by certified mail returns unsigned and the dog is not redeemed by its owner, the dog may be sold or destroyed immediately.

(3) The owner of any dog impounded pursuant BCC Chapter 9.305(4) shall be notified that the dog may be offered for adoption, for a period to be determined at the discretion of the Animal Control Officer, before the dog shall be destroyed.

(4) Any dog whose owner forfeits, either voluntarily or involuntarily, ownership rights in the dog, may be sold or destroyed immediately.

(5) A daily record of impounded dogs shall be maintained by the County or its designated agent, and shall be made available to the public. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

### **9.325 Grounds for Destruction of Dogs.**

(1) A dog shall be impounded and destroyed upon conviction of the owner in Circuit Court on the charge that the dog killed or injured livestock.

(2) A dog shall be impounded and destroyed upon conviction of the owner in Circuit Court on the charge that he/she keeps or harbors a vicious dog. [Ord. 97-0122; Ord. 99-0147]

### **9.330 Process for Destruction of Dogs.**

Within two (2) working days after conviction of a violation of BCC 9.325(1) or (2), and impoundment of the dog, the owner shall be notified in writing that the dog will be destroyed in a humane manner three (3) working days following the date of notice. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 99-0147; Ord. 2007-0218]

## **DOG LICENSES**

### **9.405 Licenses Required.**

(1) An owner shall have a valid Benton County dog license for every adult dog owned by that owner.

(2) An owner who owns five (5) or more dogs shall be eligible to purchase a multiple dog license in lieu of a regular license for each dog.

(3) Except as provided in BCC 9.440, an owner who moves into Benton County, or who acquires a dog or multiple dogs of more than six (6) months of age, has thirty (30) days within which to purchase a license for the dog(s) before being subject to the delinquent license penalty.

(4) Upon receipt of applicable fee a dog license shall be valid for the period of the fee or through the expiration date of the rabies inoculation, whichever comes first, or until death or transfer of ownership of the dog(s).

(5) The amount of the fees shall be established by order of the Board of Commissioners, and shall be recorded. Dog license fees are non-refundable. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

#### **9.410 License Requirements.**

(1) All dogs owned by residents of Benton County shall be inoculated against rabies. No dog license shall be issued absent proof that the dog has been inoculated against rabies pursuant to ORS Chapter 433. Proof shall consist of a certificate of inoculation which must demonstrate that the vaccination is valid for immunity against rabies for the licensing period. The certificate shall include the name and breed of the dog and shall include the name and address of the owner. A license tag issued to an owner shall constitute proof that the dog has been inoculated.

(2) Veterinarians who maintain offices within Benton County shall, within thirty (30) calendar days of administering each rabies inoculation, submit to the Animal Control Division a true and complete copy of each certificate of inoculation. The certificate shall include the name and breed of the dog and shall include the name and address of the owner. Failure to comply with this section may, absent a showing of cause, subject the veterinarian to a civil penalty in a sum not to exceed Fifty Dollars (\$50) per occurrence.

(3) The Records and Elections Division shall maintain a current file of dog license records and, beginning January 1, 2007, any certificates of inoculation delivered by the Animal Control Division to Records and Licenses office. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

#### **9.420 Penalties for Failure to Acquire License.**

(1) An owner who is cited for failure to possess a current dog license shall, at the time of citation, pay all fees due the County for a dog license and shall be issued a receipt. The owner shall then have seven (7) calendar days within which to present a certificate of inoculation to the Records and Elections Division and claim the dog license and tag. Owners who fail to claim their license and tag within seven calendar days shall be issued an additional citation for failure to acquire a license or a citation for failure to have a dog vaccinated against rabies or both.

(2) An owner who fails to acquire a license within the time periods provided in this chapter shall pay a delinquent license penalty. The amount of the penalty shall be established by order of the Board of Commissioners, and shall be recorded. The penalty shall be in addition to the applicable license fee and shall be paid at the time of the issuance of the license. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007]

#### **9.425 Guide Dogs and Assistance Animals Exempt From Fees.**

(1) No fee shall be charged to license a guide dog owned by a blind or deaf person. A license shall be issued for such a dog upon exhibiting proof of compliance with exemption along with a valid rabies certificate.

(2) No fee shall be charged to license a dog under the 4-H Guide Dog Program for the blind and deaf. A license shall be issued upon exhibiting proof of compliance with the exemption along with a valid rabies certificate.

(3) No fee shall be charged a fee to license a dog used as an assistance animal as defined in ORS 346.680.

(4) A signed statement, from the dog owners physician that identifies the need or recommends a guide or assistance animal, must accompany a license application accepted under this section. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

#### **9.430 Fees for Persons Aged 65 or older.**

License fees for dogs owned by persons aged 65 or older, at the time they license their dog(s), shall be less than the regular license fee. The amount of the fee shall be established by order of the Board of Commissioners, and shall be recorded. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

#### **9.435 Fee for Neutered Dog.**

(1) The license fee for neutered dogs shall be less than the regular license fee. The amount of the fee shall be established by order of the Board of Commissioners, and shall be recorded.

(2) A certificate of neutering, or equivalent proof that a dog has been neutered, signed by a licensed veterinarian, must be filed with the Records and Elections Division before a license will be sold at the lesser rate. All certificates or proof shall be kept on file in the Records and Elections Division. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

#### **9.440 Dog License Reciprocity.**

(1) A dog licensed in another Oregon county or city shall be considered to have a current license in Benton County through the expiration date of the original license or one-year after the owner's residence in Benton County is established, whichever comes first.

(2) A reciprocity license may be issued in accordance with the established fees with proof of licensing and vaccination information provided. [Ord. 90-0061; Ord. 97-0122; Ord. 2007-0218]

#### **9.445 Tags.**

(1) A license tag shall be issued to the owner, and shall be attached securely to a collar or harness on the dog whenever the dog is outdoors and not in an enclosed pen or confined by a chain.

(2) If a license tag is lost, the owner may obtain a duplicate license tag upon satisfactory proof of loss and payment of a fee established by order of the Board of Commissioners, and recorded.

(3) Dogs licensed under a multiple dog license are exempted from the requirements of BCC Chapter 9.445(1) while on the property of the kennel. [Ord. 90-0061; Ord. 97-0122]

## **LOST DOGS**

### **9.505 Finders of Lost Dogs.**

- (1) Any person who finds and harbors a dog shall notify the Animal Control Division and furnish a description of the dog within forty-eight (48) hours of finding the dog.
- (2) The finder may surrender the dog to the Animal Control Division or retain possession of it, subject to surrender upon demand of the Animal Control Officer.
- (3) Ownership of a lost dog which has been found can be acquired through compliance with provisions of ORS 98.005. [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122]

## **DOG KENNELS**

**9.605 Kennels.** Use, operation and conditions of hobby and commercial kennels shall be in accordance with all applicable provisions of the Benton County Development Code. [Ord. 90-0061; Ord. 97-0122]

## **APPEALS**

**9.705 Animal Control Hearings.** [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 99-0147; repealed by Ord. 2007-0218]

**9.720 Hearing Procedures.** [Ord. 4A, adopted February 7, 1979; Ord. 85-0002; Ord. 90-0061; Ord. 97-0122; Ord. 99-0147; repealed by Ord. 2007-0218]