

Chapter 6.08. ANIMAL CONTROL

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6.08.010. Definitions.

As used in DCC 6.08, the words and phrases are defined as set forth in DCC 6.08.015 through DCC 6.08.045.

(Ord. 95-031 §1, 1995)

6.08.015. Definition-At Large.

- A. "At large" means a dog or other animal found off the premises of the owner or keeper while the dog or animal is not under the complete control of a capable person.
- B. A dog shall not be considered to be at large under the following circumstances: (a) a dog in a duly recognized obedience school on field training exercises and under the direct supervision of a handler; (b) a dog within a vehicle; (c) a dog being used to hunt, chase, or tree wildlife while under the supervision of its owner or keeper; (d) use of a dog to control or protect livestock; and (e) use of a dog in other related agricultural activities.
- C. Livestock on the open range shall not be considered to be at large.

(Ord. 90-019 §1, 1990)

6.08.020. Definition-Dangerous Dog.

"Dangerous dog" means any dog:

- A. Whose owner has been convicted or has admitted responsibility, or has in effect admitted responsibility on a charge that the dog without provocation impermissibly placed a person in reasonable fear of imminent physical injury;
- B. Whose owner has been convicted or has admitted responsibility, or has in effect admitted responsibility on a charge that the dog attacked a person or domestic animal without provocation; or
- C. That is trained for or used in animal fighting.

(Ord. 90-019 §1, 1990)

6.08.025. Definition-Keeper.

"Keeper" means, in addition to its ordinary meaning, the parents or guardian of an animal owner when the owner is under the age of 18 years and when the owner resides with the parent or guardian on the date of the alleged violation of a provision of DCC 6.08.
(Ord. 90-019 §1, 1990)

6.08.030. Definition-Livestock.

"Livestock" means any animal that is defined to be livestock by the petition or order establishing the livestock district in which the subject livestock was found.
(Ord. 90-019 §1, 1990)

6.08.035. Definition-Livestock District.

"Livestock district" means any geographic area wherein as established pursuant to state law it is unlawful for livestock to be at large. This definition shall apply only to those livestock districts or portions of livestock districts lying within the jurisdiction of Deschutes County.
(Ord. 90-019 §1, 1990)

6.08.040. Definition-Open Range.

"Open range" means any area outside the boundaries of a city that is not within the boundaries of a livestock district, as defined in DCC 6.08.
(Ord. 90-019 §1, 1990)

6.08.045. Definition-Unconfined.

"Unconfined" means not securely confined indoors or confined in a securely locked pen or structure upon the premises of the owner or keeper of a dangerous dog. Such pen or structure must be constructed in a manner adequate to ensure the confinement of the dangerous dog.
(Ord. 90-019 §1, 1990)

6.08.050. Conditions When Animals Are Nuisances.

- A. An animal other than livestock is a public nuisance if it:
 - 1. Bites, injures or attacks a person;
 - 2. Chases vehicles or persons;
 - 3. Damages or destroys property of persons other than the owner of the animal;
 - 4. Scatters garbage;
 - 5. Trespasses on private property of persons other than the owner of the animal;
 - 6. Disturbs any person by frequent or prolonged noises;
 - 7. Places a person in reasonable fear of imminent physical injury, when such incident takes place off the premises of the animal's owner or keeper;
 - 8. Injures or kills an animal or fowl belonging to a person other than the owner or keeper of the animal;
 - 9. Is found to be in violation of DCC 6.08.060.
- B. An animal shall not be considered to be a nuisance under DCC 6.08.050 if the subject animal bites a person or another animal wrongfully assaulting the subject animal or if the subject animal bites a person or other animal trespassing upon premises occupied by the dog's owner or keeper after being provoked by that person.
- C. The owner or keeper of an animal that is a public nuisance under DCC 6.08.050(A)(1) shall be liable under DCC 6.08.090.

(Ord. 98-008 §1, 1998; Ord. 95-031 §1, 1995; Ord. 90-019 §1, 1990)

6.08.060. Animals at Large.

- A. Any dog found at large is a public nuisance.
 - B. Any livestock in a livestock control district found at large is a public nuisance.
 - C. An owner or keeper of a dog or livestock shall be liable for a violation of DCC 6.08.060 only if such public nuisance resulted from the owner or keeper's negligent conduct.
- (Ord. 98-008 §1, 1998; Ord. 97-011 §2, 1997; Ord. 95-031 §1, 1995; Ord. 90-019 §1, 1990)

6.08.070. Dangerous Dog.

- A. No owner or keeper of a dangerous dog shall suffer or permit such dog to go unconfined on the premises of the owner or keeper.
 - B. No owner or keeper of a dangerous dog shall suffer or permit such animal to go beyond the premises of such person unless such animal is humanely muzzled and securely leashed or otherwise securely restrained.
- (Ord. 98-008 §1, 1998; Ord. 95-031 §1, 1995; Ord. 90-019 §1, 1990)

6.08.080. Impermissible Harboring.

No person shall own, harbor, or keep any dog with knowledge that, while off the premises owned or controlled by its owner or keeper and while not acting under the direction of its owner or keeper or employees or agents of such persons, the dog has killed or injured any person.

(Ord. 98-008 §1, 1998; Ord. 90-019 §1, 1990)

6.08.090. Violations.

- A. Except as provided herein, violation of any provision of DCC 6.08 is a Class B violation.
 - B. Violation of DCC 6.08.050(A)(1), (7) or (8), DCC 6.08.060, DCC 6.08.070 or DCC 6.08.080 is a Class A violation.
- (Ord. 2003-021 §13, 2003; Ord. 98-008 §1, 1998; Ord. 97-011 §2, 1997; Ord. 95-031 §1, 1995; Ord. 90-019 §1, 1990)

6.08.100. When Impoundment of Dogs Authorized.

When a dog is a public nuisance under DCC 6.08, any peace officer or animal control officer may, in addition to citing the owner for a violation under DCC 6.08.090, impound the dog.

(Ord. 95-031 §1, 1995; Ord. 90-019 §1, 1990)