

**City of Ione  
Dog Ordinance  
Public Safety Section  
Ordinance PS-1 - 2016**

AN ORDINANCE, Regulating the keeping of dogs within the limits of the City of Ione, Oregon.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF IONE, OREGON.

**Section 1. Summary:**

This ordinance of the City of Ione regulates the keeping of dogs and to prevent any and all dogs from running at large within the city or any part thereof, and to fine those who allow animals to run at large and to provide for the licensing of dogs and the collection of such license fees as relating to these animals.

**Section 2. Scope:**

This ordinance shall apply to all persons who own land and/or reside within the city limits of the City of Ione, and to all persons, resident and non-residents whose dogs may be labeled as nuisance under this ordinance or caught running loose within the city limits of the City of Ione.

**Section 3. Definitions:**

All captions used here in are intended solely for a convenience of reference and shall in no way limit any of the provisions of this ordinance.

Allow: To neglect to restrain, or permit.

Attempts to bite: The overt actions of a dog which constitute a substantial step towards the actual biting of one or more persons.

City: The City of Ione, Oregon, a municipal corporation.

Court: A court of law having jurisdiction of charter and ordinance violations of the City of Ione.

Kennel: Any lot or premises on which four or more adult dogs are kept, whether by owners of the animals or by persons providing facilities and care, whether or not for compensation. An adult dog is one which has reached the age of six months.

Owner: Any person having a right of property in a dog or who harbors a dog or who has it in his care, or acts as its custodian, or who knowingly permits a dog to remain on or about the premises occupied by him.

Running at Large: Any dog shall be considered running at large when it is off or outside of the premises belonging to the owner or keeper of such dog, or not under the control of its owner or keeper by means of a leash, obeyed verbal control or contained in or on any vehicle.

Unlicensed: Any dog not wearing a current dog license as provided for in this ordinance.

**Section 4.** Dogs considered personal property:  
Dogs are hereby declared to be personal property.

**Section 5.** Dogs not allowed in City Parks during the 4th of July Celebrations.  
The only exceptions to this would be any dog used primarily as a guide dog for a blind or deaf person or any such service dog.

**Section 6.** Dog License, Tags and Fees:  
Every person owning or keeping any dog in the City which is six months old, shall procure from the City, a license for the dog by paying to the City Recorder the following license fees.

Lifetime License: \$10.00 for any unaltered male or female dog or \$5.00 for any spayed or neutered dog (with proof).  
This dog license shall entitle such person to keep the licensed dog within the city limits of Lone for the lifetime of the dog.  
Applicant will also have to provide proof of rabies inoculation within two years prior to application.

At the time of licensing, the applicant shall furnish information for such dog to include the breed, coloring, sex, and name.

The City shall, at time of issuing a license, supply the licensee, at no additional charge, with a suitable identification tag, which shall be fastened by the licensee to a collar and worn about the neck of the dog at all times. The tag will be of a durable substance, upon which appears the name of the City and the number of such license for the lifetime dog license

Any owner of a dog failing to comply with a provision of this ordinance shall be guilty of a violation.

**Section 7.** Inoculation Required:  
At the time of licensing, the owner shall provide proof that the dog has been inoculated against rabies within two years prior to application of the license.

**Section 8.** Exemption from Fees:  
Any dog used primarily as a guide dog for a blind or deaf person or any such service dog shall be licensed at not cost to the owner.

**Section 9.** Dogs Running at Large:  
Every person owning a dog shall ensure that such dog does not run at large in the City. Any person owning a dog running at large in the City shall be guilty of a violation of the ordinance.

**Section 10. Nuisance Dogs:**

A dog shall be declared a public nuisance if it:

- A. Bites or attempts to bite one or more persons.
- B. Chases a vehicle or person.
- C. Damages or destroys property of a person other than the owner of the dog.
- D. Scatters garbage or is in a city park during the 4th of July celebrations.
- E. Trespasses on private property of person(s) other than the owner of the dog.
- F. Disturbs any person by frequent or prolonged noises; or is a female in heat and running at large.

The owner of a dog shall be guilty of a violation if his dog is a public nuisance under these guidelines.

**Section 11. Defenses to a Dog as a Public Nuisance:**

In a prosecution under the above guidelines, it is an affirmative defense that:

The dog's owner did not allow the dog to be a public nuisance.

The dog bites or attempts to bite a person wrongfully provoking or assaulting the dog or dog's owner.

The dog bites a person or attempts to bite a person trespassing upon premises occupied by the dog's owner.

Affirmative defense means that the defendant has the burden of proving the defense by a preponderance of the evidence.

**Section 12. Penalties:**

Violation, when a dog is a public nuisance, this is punishable by a fine of not more than two hundred and fifty (250) dollars, but not less than twenty-five (25) dollars for the first violation, and not less than fifty (50) dollars for each additional violation. In addition to any fines, if a dog has been found to be a public nuisance according to this ordinance, the court may order such disposition of the dog as the court considers necessary for the safety or health of the public.

Violation of Section 9, Dogs running at large, is punishable by a fine of not more than two hundred fifty (250) dollars, but not less than ten (10) dollars for the first violation, and not less than twenty-five (25) dollars for each additional violation.

Minors, Parental Responsibility: It shall be no defense of any violation of this Ordinance when the true or registered owner of a dog is of such minor age as to prohibit his appearance to answer such charges in court, and upon such occurrence, the parent or guardian of such minor owner shall be required to appear in his stead and assume the full responsibility for action of their minor owner.

**Section 13.** Application to Prior and Subsequent Action:

This ordinance shall not apply to or govern the construction of or punishment for any dog control offense committed before this ordinance goes into effect, or the construction and application of any defense to a prosecution for such an offense.

PASSED and ADOPTED by the COMMON COUNCIL of the Lone City, County of Morrow, on this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Linda LaRue  
Mayor

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Kim Carter  
City Recorder