

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 276

An ordinance relating to adoption of animals, creating new provisions; amending Multnomah County Code Chapter 8.10.

Multnomah County ordains as follows:

Section 1. Findings

(A) The Board of County Commissioners has determined that it is desirable to encourage adoption of animals under conditions established to protect both the animals and the health, safety and welfare of the people residing in Multnomah County.

Section 2. MCC 8.10.040 shall be amended to read:

8.10.040 Shelter operation; impoundment, release and disposal.

(A) The director shall operate, maintain or provide for an adequate facility to receive, care for and safely confine any animal delivered to the director's custody under provisions of this chapter, which facility shall be accessible to the public during reasonable hours for the conduct of necessary business concerning impounded animals.

(B) Any animal may be impounded and held at the facility when it is the subject of a violation of this chapter, when an animal requires protective custody and care because of mistreatment or neglect by its owner or when otherwise ordered impounded by a court.

(C) An animal shall be considered impounded from the time the director or the director's designee takes physical custody of the animal.

(D) Impoundment is subject to the following holding period and notice requirements:

(1) A dog bearing identification of ownership shall be held for 144 hours from time of impoundment. The director

shall make reasonable effort within 24 hours of impoundment by telephone to give notice of the impoundment to the owner and, if unsuccessful, shall mail written notice by certified mail within 48 hours of impoundment to the last-known address of the owner advising of the impoundment, the date by which redemption must be made and the fees payable prior to redemption release.

(2) A dog for which no identification of ownership is known or reasonably determinable shall be held for 72 hours from time of impoundment before any disposition may be made of the animal.

(3) Animals held for periods prescribed under this section, or as otherwise required by ORS 433.340 to 433.390, and not redeemed by the owner, shall be subject to such means of disposal as the director considers most humane.

(4) Animals delivered for impoundment by a peace officer who removed the animal from possession of a person in custody of the peace officer shall be held for the period prescribed in paragraph (1) of this subsection. A receipt shall be given the peace officer, who shall deliver the receipt to the person in custody from whom the animal was taken. The receipt shall recite redemption requirements and shall serve as the notice required by this section.

(E)(1) Any impounded animal, unless restrained by court order, shall be released to the owner or the owner's authorized representative upon payment of impoundment, care, rabies and license fees.

(2) A dog held for the prescribed period and not redeemed by its owner, and which is neither vicious nor in a dangerous condition of health, may be released for adoption subject to the following conditions:

(a) The adoptive owner shall agree in writing to furnish proper care to the dog in accordance with this chapter;

(b) Payment of required fees, including any medical care costs incurred during impoundment;

(c) In the case of a dog not sexually unproductive, deposit of \$20, refundable upon furnishing evidence that the animal has been rendered sexually unproductive; and

(d) A written agreement by the adoptive owner to render any adopted dog sexually unproductive within 30 days of adoption or upon the animal attaining sexual maturity, whichever event last occurs. Failure to perform the agreement shall be a forfeiture of the deposited \$20 and the director may

require return of the adopted dog to the shelter.] provisions of Section 4 of this ordinance.

(3) The director shall dispose of animals held for the prescribed period without redemption or adoption only by means of euthanasia, provided, however, that, irrespective of any prescribed holding period, the director, upon advice of a licensed veterinarian, may dispose of any unhealthy or injured impounded animal by euthanasia.

(4) Any device attached to an animal upon impoundment shall be retained by the director should the animal be disposed of as provided in paragraph (3) of this subsection. Otherwise, the device shall accompany the animal when redeemed or adopted.

Section 3. Section 4 of this ordinance is added to and made a part of MCC Chapter 8.10.

Section 4.

(A) A dog may be released for adoption subject to the following conditions:

(1) The adoptive owner shall agree in writing to furnish proper care to the dog in accordance with this chapter;

(2) Payment of required fees, including any medical care costs incurred during impoundment;

(3) In the case of a dog not sexually unproductive, a surgical prepayment deposit in an amount not to exceed \$45.00, refundable upon furnishing evidence that the animal has been rendered sexually unproductive; and

(4) A written agreement by the adoptive owner to render any adopted dog sexually unproductive within 30 days of adoption or upon the animal attaining sexual maturity, whichever event last occurs. Failure to perform the agreement shall be a forfeiture of the amount deposited under subsection 3 of this section and the director may require return of the adopted dog

to the shelter.

(B) The director may decline to release an animal for adoption under any of the following circumstances:

(1) The prospective adoptive owner has a history of violations of the Animal Control Ordinance or has been convicted of the crime of cruelty to animals;

(2) The prospective adoptive owner has inadequate or inappropriate facilities for confining the dog and for providing proper care to the animal as set out in MCC 8.10.190.

(3) The existence of other circumstances which in the opinion of the director would endanger the welfare of the animal or the health, safety and welfare of the people residing in Multnomah County. In making a decision under this subsection, the director shall consider the guidelines adopted by the Multnomah County Animal Adoption Panel.

ADOPTED this 6th day of August, 1981.

Board of County Commissioners  
for Multnomah County, Oregon

By Gladys McCoy  
Gladys McCoy, Presiding Officer

Authenticated this 10th day of August, 1981.

Donald E. Clark  
Donald E. Clark, County Executive

Approved as to form:

JOHN B. LEAHY, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By *Denise Francis*  
Denise Francis  
Deputy County Counsel