

ORDINANCE BILL NO. 9 FOR 1991  
ORDINANCE NO. 1033

An Ordinance providing for Regulation of Dog Kennels, Repealing Sweet Home Ordinances 944, 950, and 995 that provide for dog licensing and control and declaring an emergency.

Whereas, the City of Sweet Home and Linn County have entered into an Intergovernment Agreement that provides for Linn County to provide Dog License and Control Services within the City with use of District or Justice Court for enforcement actions.

The City of Sweet Home does ordain as follows:

Section 1. The City of Sweet Home Ordinances 944, 950, and 995 are hereby repealed but the repeal shall not preclude action against a person that violated the Ordinances before the effective date of the repeal.

Section 2. (a) No kennel for dogs shall be located in the City of Sweet Home. The City dog shelter facility shall not fall under the purview of this section. A kennel is any premises, except a veterinary clinic or pet store on which four or more dogs more than four months of age are kept.

(b) It shall be unlawful for the owner or keeper of any dog to own, keep, or operate a kennel inside the City limits of Sweet Home.

(c) "Owner or keeper" means any person or legal entity having a possessory property right in a dog or who harbors, cares for, exercises control over or knowingly permits any dog to remain on premises occupied by that person.

Section 3. Violation of this Ordinance constitutes an infraction and may be prosecuted under the provisions of Ordinance No. 876 as now enacted or hereafter amended.

Section 4. In addition to any fine ordered by the Court, if an owner or keeper is convicted of owning, keeping or operating a kennel, the Court may order that the dogs be taken up so that this Ordinance is complied with and the dogs disposed of as the Court directs.

Section 5. Abatement of violations of this Ordinance can be accomplished by any remedy open to the City, including using the procedures for abatement of nuisances set out in Ordinance No. 955. If abatement is performed by the City, the cost thereof shall become a lien on the property and/or an obligation of the owner of the property

(real and personal) as set out in the procedures followed for abatement.

Section 6. It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 9th day of July, 1991.

Craig S. Fentiman  
Mayor

ATTEST:

Letty Wheeler

City Manager - Ex-Officio City Recorder  
Pro Tem