

ORDINANCE NS-2202

AN ORDINANCE AMENDING BEND CODE SECTION 5.20.065 RELATING TO PROCEDURES AND PENALTIES FOR ANIMALS AT LARGE

Findings

A. The City has historically treated all instances of off-leash animals as civil infractions. The City wishes to change its approach to off-leash animals so that the first instance is handled administratively.

B. The City has coordinated with the Humane Society, which administers the animal shelter, regarding the proposed change.

Based on these findings,

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. Bend Code Section 5.20.065 is amended to read as follows:

5.20.065 Procedures and Penalties.

A. The following violations are Class A civil infractions:

1. Owning or keeping an animal that is a nuisance under BC 5.20.040.
2. BC 5.20.070 violating an order terminating animal owner's rights.

B. All other violations of this chapter are Class B civil infractions, except as provided in Subsection E of this section.

C. Reimbursement of Impound Costs. The Bend Municipal Court Judge may order the owner or keeper of an animal that violates any provision of this chapter to reimburse the City of Bend for any and all impound costs incurred by the City.

D. Exclusion from Off-Leash Areas. If an animal is found in violation of the provisions of this chapter and the violation occurred in an off-leash area, the Bend Municipal Court Judge may order that the animal be excluded from all off-leash areas

E. The first violation of Section 5.20.025 shall not be considered a civil infraction. For the first violation of Section 5.20.025, the owner of or responsible person for the animal shall pay a processing fee to the Bend

Police Department in the amount set by Council resolution. The fee shall cover costs of collecting and transporting the animal to the animal shelter incurred by the City and administering the release of the animal. The fee must be paid before the animal is released and is in addition to the costs of boarding the animal, which costs shall be paid by the owner or responsible person to the Bend Police Department before the animal may be released. This subsection does not apply to any animal that has been designated as a dangerous animal under BC 5.20.000(B).

Section 2. All other provisions of Bend Code Chapter 5.20 remain in effect and unchanged.

First Reading: May 15, 2013.

Second reading and adoption by roll call vote: June 5, 2013.

YES: Mayor Jim Clinton
Councilor Jodie Barram
Councilor Scott Ramsay
Councilor Sally Russell
Councilor Doug Knight
Councilor Chudowsky

NO: none



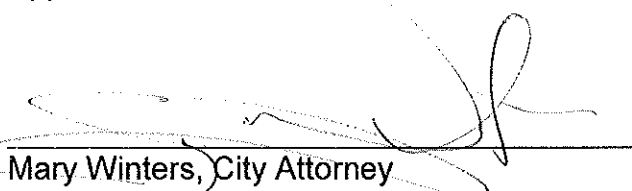
Jim Clinton, Mayor

Attest:



Robyn Christie, City Recorder

Approved as to form:



Mary Winters, City Attorney