

AN ORDINANCE PROHIBITING THE RUNNING AT LARGE OF CERTAIN DOMESTIC ANIMALS AND PROVIDING FOR IMPOUNDMENT AND SALE OF THE SAME.

The Town of Stayton do ordain as follows:

Section 1. It shall be unlawful for the owner of any horse, mare, gelding, foal, jackass, mule, jenny, sheep, goat, cow, steer, bull, heifer, hog, or shoat to allow the same to be or run at large at any time within the corporate limits of the town of Stayton.

Section 2. It shall be the duty of the town marshal, when any such animal is found wandering about or running at large within the corporate limits of the town of Stayton, to forthwith take up and confine the same and as soon thereafter as can be done give actual notice thereof to the owner of such animal, if known. In case the owner cannot be found or determined, then the marshal shall post in three conspicuous places within the corporate limits of said town a notice containing a description of said animal by both natural and artificial marks and stating the time when such animal was taken up, which notice shall remain posted for a period of 5 days.

Section 3. At any time prior to the expiration of said 5 day period, the owner of any such animal shall be permitted to take the same from confinement upon payment to the town marshal of all costs and expenses incurred in impounding, feeding, and caring for such animal.

Section 4. At the expiration of the 5 day period, in case such animal is not claimed or taken from its place of confinement by the owner thereof, the town marshal shall at such time proceed to sell such animal at public auction in the same manner as is provided by law for sales of personal property on execution.

Section 5. Upon sale of such animal the town marshal shall make and file with the town recorder a certificate of such sale, giving a description of the animal sold, to whom sold, the expense of impounding, caring for, advertising, posting, and selling such animal. In case a surplus remains after paying the above items, he shall forthwith turn over such surplus to the town treasurer and take his receipt therefor; provided, that the owner of such animal shall have the right to receive the surplus from the sale of such animal if he shall make satisfactory proof within one year from the date of the sale that he was the owner of such animal and was entitled to receive the surplus therefor. If no such proof shall be made within said period of one year, as aforesaid, then such surplus from the sale of said animal, together with all fees collected, shall become a part of the general fund of the town of Stayton.

Section 6. The said town marshal shall be allowed a fee of \$1 for each animal taken up under the provisions of this ordinance, the sum of 25 cents for each notice, and the sum of 25 cents per day for each animal cared for by him.

Section 7. Any person, being the owner of any domestic animal mentioned in Section 1 of this ordinance who shall knowingly permit the same to run at large shall be deemed guilty of an offense and upon conviction thereof shall be punished by a fine of not less than \$2 nor more than \$50, or by imprisonment in the town jail for a term of not less than 1 day nor more than 25 days, or by both such fine and imprisonment in the discretion of the court; provided, that

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each and every day during which such person shall permit such animal to run
at large shall be deemed to be a separate and distinct offense.

Passed by the common council April 20, 1942.

Signed and approved by the mayor April 20, 1942.

J. L. Seymour
Mayor

Attest:

Leo B. Duncan
Recorder