

ORDINANCE NO. 905

AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE (“SMC”) SECTION 6.04.090 RELATING TO THE IMPOUNDMENT: REDEMPTION BY OWNER OR KEEPER; AND, DECLARING AN EMERGENCY.

WHEREAS, the City of Stayton, through SMC Title 6, Animals, regulates “Animal Control” (SMC Chapter 6.04); the dog impoundment fees are listed in SMC § 6.04.090(3);

WHEREAS, it is the City’s practice to remove fee schedules from the Stayton Municipal Code and administer fees in accordance with the most current “Resolution Adopting Fees and Charges for Various City Services”;

WHEREAS, the City contracts with an outside agency/shelter for the boarding of impounded animals. The most recent contract requires the City to collect all boarding and impoundment fees. SMC § 6.04.090(4) should therefore be amended to specify that impoundment and boarding fees are to be paid by the owner of the animal impounded and boarded;

WHEREAS, it is appropriate that an emergency be declared as to the enactment of this Ordinance so that it may be in full force and effect immediately from and after its adoption by the Stayton City Council in the first month of the new contract year with the Animal Shelter.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Stayton Municipal Code § 6.04.090 is hereby amended to read as follows:

6.04.090 IMPOUNDMENT: REDEMPTION BY OWNER OR KEEPER

1. *Owner or keeper of impounded animals shall have three (3) days from the date of notice of impoundment, whether mailed, posted, or delivered orally, to claim the animal if the dog is without a license or identification tag, and at least five (5) days if the dog has a license or identification tag. If the owner or keeper fails to claim the animal within the specified time period, the animal shall be disposed of as provided in this Chapter. (Ord. 807, Nov. 1999)*
2. ~~*The owner or keeper of an impounded animal may redeem the animal upon payment to the city of the impoundment fee for such animal. In addition, if the code requires registration and the animal is not registered at the time of impoundment, upon redemption such person shall either register the animal, or provide a \$30.00 deposit for registration. (Ord. 867, September 07, 2004)*~~
2. *There shall be an impoundment fee charged, the amount of which shall be established by resolution as adopted by the Stayton City Council.*
3. ~~*The impoundment fee shall be fifteen dollars \$15.00 for the first impoundment and twenty-five dollars (\$25.00) for each subsequent impoundment. (Ord. 867, September 07, 2004)*~~
3. *The owner or keeper of an impounded animal may redeem the animal upon payment to the city of the impoundment fee for such animal. In addition, if the code requires registration and the animal is not registered at the time of impoundment, upon redemption such person shall either register the animal, or provide a deposit for*

registration, the amount of which shall be established by resolution as adopted by the Stayton City Council. (Ord. 867, September 07, 2004)

4. *If the animal is impounded at a veterinary clinic or other animal shelter, the owner shall pay, in addition to the impoundment fee, any other costs resulting from the impoundment. (Ord. 764, §1, October 1996; Ord. 867, September 07, 2004; Ord. 905, June 16, 2008)*

SECTION 2. Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become immediately effective.

ADOPTED BY THE STAYTON CITY COUNCIL this 16th day of June, 2008.

Signed: 6-17-08

CITY OF STAYTON

By: Virginia L. Honeywell
Virginia Honeywell, Mayor

Signed: 6/17/08

ATTEST: Don Eubank
Don Eubank, Interim City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney