

ORDINANCE NO. 130.

*Ses. 177 amended  
March 1888 by 237*

A Bill for an Ordinance to prevent domestic animals from running at large within the Town of Stayton, and to provide for the taking up, impounding and selling of same; and to repeal Ordinances No. 4, 5, 30, 52, 73, 74 and 81 and all ordinances or parts of ordinances in conflict herewith.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. No horse, mule, cow, cattle, swine, sheep or goat shall be allowed to run at large or to be herded in any of the streets, alleys or public places in the Town of Stayton, or be kept, put or grazed upon any lawn or premises without the consent of the owner of such lawn or premises; provided, that when domestic animals are being carefully driven through the streets outside of the curbs and properly attended by drivers or persons in charge, they shall not be considered as running at large within the meaning of this section.

Section 2. It shall be the duty of the Marshal, to take up and impound any domestic animal or animals found running at large or being herded, on the streets, alleys, parks or other public places within the City limits.

Section 3. The marshal shall give immediate notice of the taking up and impounding of any animal or animals with a description thereof, by posting the same in a conspicuous place at the pound, and in addition thereto he shall post said notice in three public places within said town.

Section 4. If any animal so taken up and impounded shall not be reclaimed by the owner or person entitled to the possession thereof and costs paid within five days after the posting of such notice, the Marshal shall sell such animal or animals at public auction to the highest bidder for cash at a city Pound, and after applying the proceeds of the payment of fees in taking up, keeping and selling, he shall pay the surplus, if any, to the Town Treasurer, taking duplicate receipts therefor, one of which he shall file with the recorder.

Section 5. If at any time before such sale the owner or person entitled to possession of any such animal ~~xxx found~~ so taken up shall claim the same, he shall be entitled to the possession thereof, upon furnishing satisfactory proof of his right thereto and paying to the Marshal all legal charges and expenses incident to such taking up and keeping such animal or animals, and at any time within one year after any such sale the owner of any animal so sold shall be entitled to the net proceeds of the sale on deposit in the Town Treasury upon application to the Council and furnishing satisfactory proof of his rights thereto; provided, that the Council may in its discretion entertain such application after the expiration of one year from such sale.

Section 6. The owner or person having charge of any animal or animals described in section 1, of this Ordinance, who shall suffer or allow the same to go at large within the Town or who shall herd the same therein, contrary to the provisions of this Ordinance, or keep, put, graze or herd the same upon any lawn or premises without the

consent of the owner of such lawn or premises, shall on conviction before the Recorder, be fined \$5.00 for each offense.

Section 7. In addition to the Cost of keeping any animal or animals taken up and impounded, the Marshal impounding any animal or animals shall be entitled to receive as his legal fees \$1.00 per head for horses, mules and cattle of the bovine species; 50 cents per head for sheep, goats and swine; and ten per centum of the proceeds of any sale when the amount thereof shall not exceed \$25.00, and five per centum of any amount exceeding such sum.

Section 8. That Ordinances No. 4, 5, 30, 52, 73, 74 and 81 and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Passed by the Council this 1st day of August, 1916.

Attest: J. B. Grier Recorder.

Approved by the Mayor this 1st day of August, 1916.

W. B. Bunchamp Mayor.