

ORDINANCE NO. 737

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING CHAPTER 10 OF THE WILSONVILLE CODE BY ADDING SECTION 10.240 CONTROL OF DOGS AND AMENDING SECTION 10.430 PENALTIES

WHEREAS, it is in the interest of public safety and animal welfare that a new **Section 10.240 Dog Control** be added to the Wilsonville City Code and amending **Section 10.430 Penalties**.

WHEREAS, Pursuant to Resolution No. 1977, the City granted approval to Clackamas County to administer the County's Dog Control and Licensing Ordinance within the City; and

WHEREAS, the foregoing consent remains in place but, due to funding constraints, Clackamas County does not have personnel to administer said Ordinance; and

WHEREAS, numerous citizen complaints have been made regarding safety for both people and pets due to dogs being allowed to roam off leash, at large, or unsupervised within public areas of the City; and

WHEREAS, numerous citizen complaints have also been made regarding dog owners' failure to pick up and properly dispose of their dog's fecal discharge materials within public areas of the City; and

WHEREAS, to promote good and safe relationships between people and pets by avoiding confrontations between citizens; and

WHEREAS, to assist Wilsonville law enforcement officers in educating the public and in enforcing responsible dog control, as warranted, the City believes it in the best interest of the public to enact its own specific Ordinance regarding the prohibition of off leash and at large dogs within all public areas of the City, except as set forth herein, and to require owners to clean up after their dogs.

NOW THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. **Chapter 10 ANIMALS** is hereby amended by adding the following:

“Section 10.240 Control of Dogs.

(1) Except as expressly provided herein, it is unlawful to permit or allow a dog to be off leash or at large on or in any public street, park or other public property

within the City of Wilsonville. Dogs may be allowed off leash in the following circumstances only:

(a) Within a posted off leash area, as long as under the direction and control of their owner or another person in control of the dog, so long as the dog is not known to be a dangerous or vicious dog.

(b) Working dogs, including but not limited to guide dogs and service dogs recognized as such by State law, so long as the dog is wearing a locating device and is within the near vicinity of the person in control of the dog.

(2) It is unlawful for a dog owner to fail to pick up fecal excrement deposited by the dog owner's dog on public property. For purposes of this subsection "dog owner" shall mean the person having control of the dog at the time of deposit, whether or not the actual legal owner of the dog.

(3) It is unlawful to permit a dog to be unrestrained in an open portion of a vehicle, such as the back of a pick-up truck, or to be tethered in a vehicle in a way that is dangerous to the dog or to traffic.

(4) It is unlawful to leave a dog unattended in a motor vehicle at any location under such condition as may endanger the health or well-being of the dog, including but not limited to dangerous temperature, lack of food, water or attention.

(5) Additional provisions concerning Control of Dogs, as set forth in Clackamas County Code Chapter 5.01, will continue to apply, are enforceable within the City, and are incorporated by reference herein."

2. **Section 10.430(1)** is amended to add reference to **Section 10.240(1)**, to now read as follows:

"(1) Any person who violates the provisions of *WC 10.240(1)*, *WC 10.240(2)* *WC 10.410* or *WC 10.425* shall be punished as follows:"

(Penalties for any violations of **Sections 10.240(3) through (5)** remain governed by **Section 10.530 Penalties.**)

3. The City Recorder is directed to amend Wilsonville Code **Section 10**, as approved above, and to make such format, style, and conforming changes to match the format and style of the Animal section of the Wilsonville Code.

4. Except as set forth above, **Section 10** of the Wilsonville City Code remains in full force and effect, as written.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 21st day of April, 2014, and scheduled for second reading on May 5, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 5th day of May, 2014, by the following votes:

Yes: -4-

No: -0-

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of May, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Goddard	Excused
Councilor Fitzgerald	Yes
Councilor Stevens	Yes