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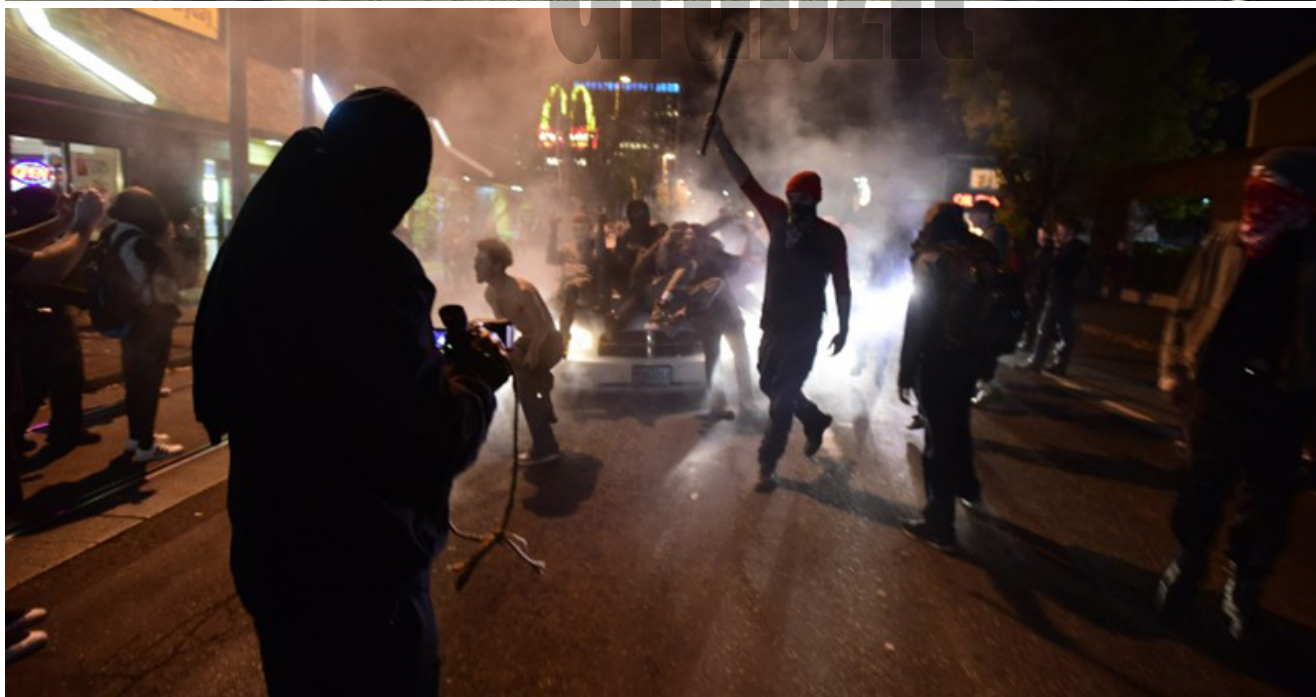
 

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## 2015 ORS § 167.376<sup>1</sup>

### Standards of care applicable to dog breeders

- • records
- • exceptions

(1) As used in this section:

- (a) Boarding kennel means a facility that provides care for a fee to dogs that stay at the facility an average of less than 30 days.
- (b) Dog means a member of the subspecies *Canis lupus familiaris* or a hybrid of that subspecies.
- (c) Litter means one or more dogs, sold individually or together, that are all or part of a group of dogs born to the same mother at the same time.
- (d) Regular exercise means the removal of the dog from the dogs primary enclosure and:
  - (A) Walking the dog on a leash;
  - (B) Allowing the dog to move about freely within a building or an outdoor space at least one hour per day; or
  - (C) Allowing the dog to walk on a treadmill, jenny mill, slat mill or similar device, if use of the device is prescribed for the dog by a veterinarian to accommodate a specific medical condition.
- (2) A person that possesses, controls or otherwise has charge of at the same time 10 or more sexually intact dogs that are eight months of age or older shall, in addition to providing minimum care as defined in ORS [167.310 \(Definitions for ORS 167.310 to 167.351\)](#):
  - (a) Provide each dog with sufficient space to turn about freely, stand and sit and to lie down without the head, face, tail, legs or feet of the dog touching the sides of the enclosure or touching any other dog.
  - (b) Provide each dog with an enclosure that:
    - (A) Has a solid floor without slats or gaps;
    - (B) Is six inches higher than the head of the tallest dog in that enclosure when the tallest dog is in a normal standing position;
    - (C) If elevated above the floor of a room, is placed so that the floor of the enclosure is no more than 42 inches above the floor of the room; and
    - (D) Is not stacked or otherwise placed above or below any other dog enclosure.
  - (c) Provide each dog that is more than four months of age with at least one hour of regular exercise each day, unless a veterinarian has certified that the dog is medically precluded from exercise.
  - (d) Remove waste and contaminants from the enclosure at least once each day.
  - (e) Remove the dog from the enclosure when cleaning the enclosure of waste and contaminants.
  - (f) Maintain a record for each sexually intact dog that is eight months of age or older that identifies:
    - (A) The date of birth for the dog or, if the date of birth is unknown, the date on which the person acquired possession, control or charge of the dog and the source of the dog;
    - (B) Any veterinary care provided for the dog; and
    - (C) The disposition the person makes of each dog possessed by, controlled by or in the charge of the person, including the date of disposition, manner of disposition and the name and address information for any person taking possession, control or charge of a dog.
- (3) A person shall retain a record required under subsection (2) of this section for a period of three years following the death of the dog or a date on which the person permanently ceased to have possession, control or charge of the dog.
- (4) Subsections (2) and (3) of this section do not apply to:
  - (a) An animal control agency, humane society or animal shelter;
  - (b) A person who provides care for dogs at the request of a unit of government, government agency, humane society or animal shelter;
  - (c) A veterinary facility;
  - (d) A person that is transporting dogs; or
  - (e) A boarding kennel.
- (5) A violation of this section is a Class B misdemeanor. [2009 c.297 §2]

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## Atty. Gen. Opinions

Exemption of nuisance laws from constitutional requirement for payments based on government regulations restricting use of property, (2001) Vol 49, p 284

## Law Review Citations

51 OLR 427-637 (1972)

## Related Statutes<sup>3</sup>

- [609.035](#)  
[Definitions for ORS 609.035 to 609.110 and 609.990](#)

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<sup>1</sup> Legislative Counsel Committee, *CHAPTER 167—Offenses Against General Welfare and Animals*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors167.html](https://www.oregonlegislature.gov/bills_laws/ors/ors167.html) (2015) (last accessed Jul. 16, 2016).

<sup>2</sup> Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2015, Chapter 167*, [https://www.oregonlegislature.gov/bills\\_laws/ors/ano167.html](https://www.oregonlegislature.gov/bills_laws/ors/ano167.html) (2015) (last accessed Jul. 16, 2016).

<sup>3</sup> OregonLaws.org assembles these lists by analyzing references between Sections. Each listed item refers back to the current Section in its own text. The result reveals relationships in the code that may not have otherwise been apparent.

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