

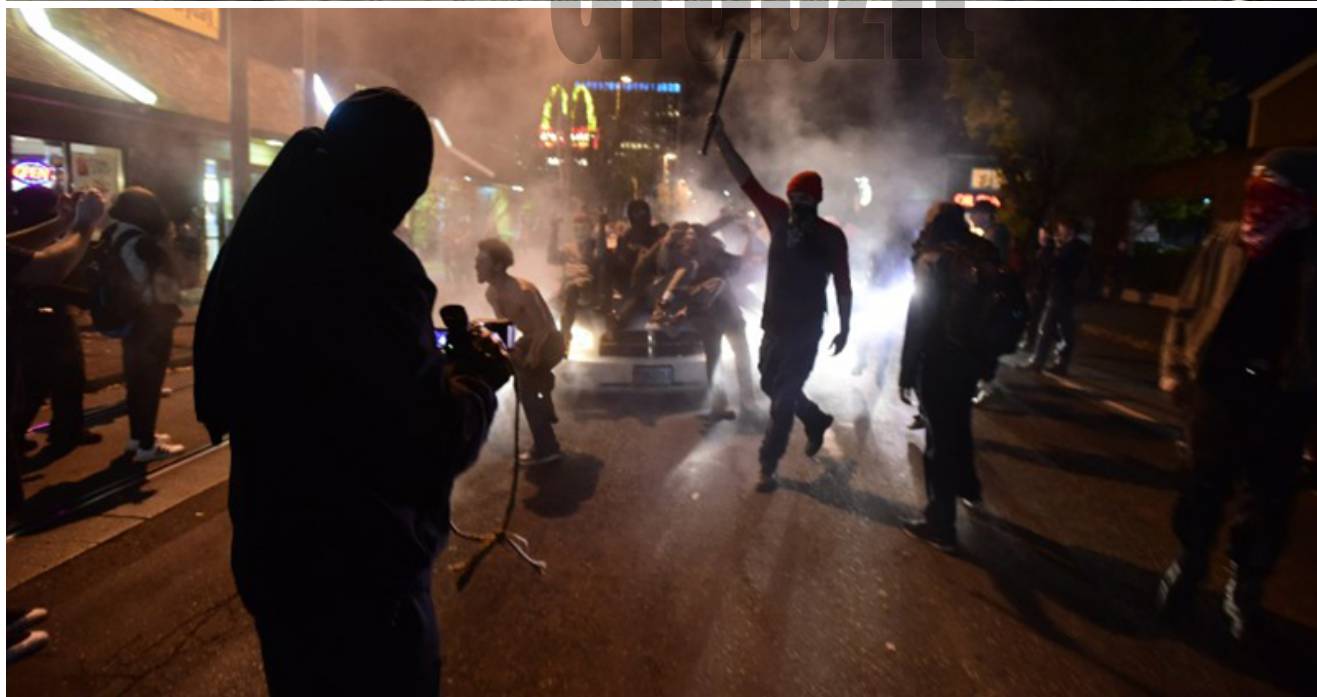
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2015 ORS § 609.095¹

Dog as public nuisance

- **public nuisance prohibited**
- **complaint**

(1) A dog is a public nuisance if it:

- (a) Chases persons or vehicles on premises other than premises from which the keeper of the dog may lawfully exclude others;
- (b) Damages or destroys property of persons other than the keeper of the dog;
- (c) Scatters garbage on premises other than premises from which the keeper of the dog may lawfully exclude others;
- (d) Trespasses on private property of persons other than the keeper of the dog;
- (e) Disturbs any person by frequent or prolonged noises;
- (f) Is a female in heat and running at large; or
- (g) Is a potentially dangerous dog, but is not a dangerous dog as defined in ORS [609.098 \(Maintaining dangerous dog\)](#).

(2) The keeper of a dog in a county or city that is subject to ORS [609.030 \(Establishing dog control district\)](#) and [609.035 \(Definitions for ORS 609.035 to 609.110 and 609.990\)](#) to [609.110 \(Dog License Fund\)](#) maintains a public nuisance if the dog commits an act described under subsection (1) of this section. Maintaining a dog that is a public nuisance is a violation.

(3) A keeper of a dog maintains a public nuisance if the keeper fails to comply with reasonable restrictions imposed under ORS [609.990 \(Penalties for ORS 609.060, 609.095, 609.098, 609.100, 609.169 and 609.405\)](#) or if a keeper fails to provide acceptable proof of compliance to the court on or before the 10th day after issuance of the order imposing the restrictions. If the court finds the proof submitted by the keeper unacceptable, the court shall send notice of that finding to the keeper no later than five days after the proof is received.

(4) Any person who has cause to believe a keeper is maintaining a dog that is a public nuisance may complain, either orally or in writing, to the county or city. The receipt of any complaint is sufficient cause for the county or city to investigate the matter and determine whether the keeper of the dog is in violation of subsection (2) or (3) of this section. [1973 c.655 §2; 1977 c.802 §7; 1999 c.658 §8; 1999 c.756 §18; 2001 c.636 §9; 2001 c.926 §15; 2005 c.840 §7; 2011 c.607 §16]

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[News Annotations Related](#)

Notes of Decisions

This section is not unconstitutionally vague. *State v. Winkelman*, 24 Or App 317, 545 P2d 601 (1976)

Chapter 609

Atty. Gen. Opinions

Possession and administration of sodium pentobarbital by county animal control program, (1982) Vol 42, p 297

News Reports

[Dog issues persist in Selma](#)

Illinois Valley News / Scott Jorgensen, Apr 14, 2010

“Since a horse and unborn foal in Selma were killed by a pack of dogs on March 26, there have been at least two other reported complaints regarding similar incidents. . . . There are a series of statutes under Oregon law that codify the responsibilities of dog owners. . . .”

http://www.illinois-valley-news.com/archive/2010/04/14/dog_issues/

Related Statutes³

- [609.090](#)
[Impounding certain dogs](#)
- [609.098](#)
[Maintaining dangerous dog](#)
- [609.990](#)
[Penalties for ORS 609.060, 609.095, 609.098, 609.100, 609.169 and 609.405](#)

¹ Legislative Counsel Committee, *CHAPTER 609—Dogs; Exotic Animals; Dealers*, https://www.oregonlegislature.gov/bills_laws/ors/-ors609.html (2015) (last accessed Jul. 16, 2016).

² Legislative Counsel Committee, *Annotations to the Oregon Revised Statutes, Cumulative Supplement - 2015, Chapter 609*, https://www.oregonlegislature.gov/bills_laws/ors/ano609.html (2015) (last accessed Jul. 16, 2016).

³ 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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