

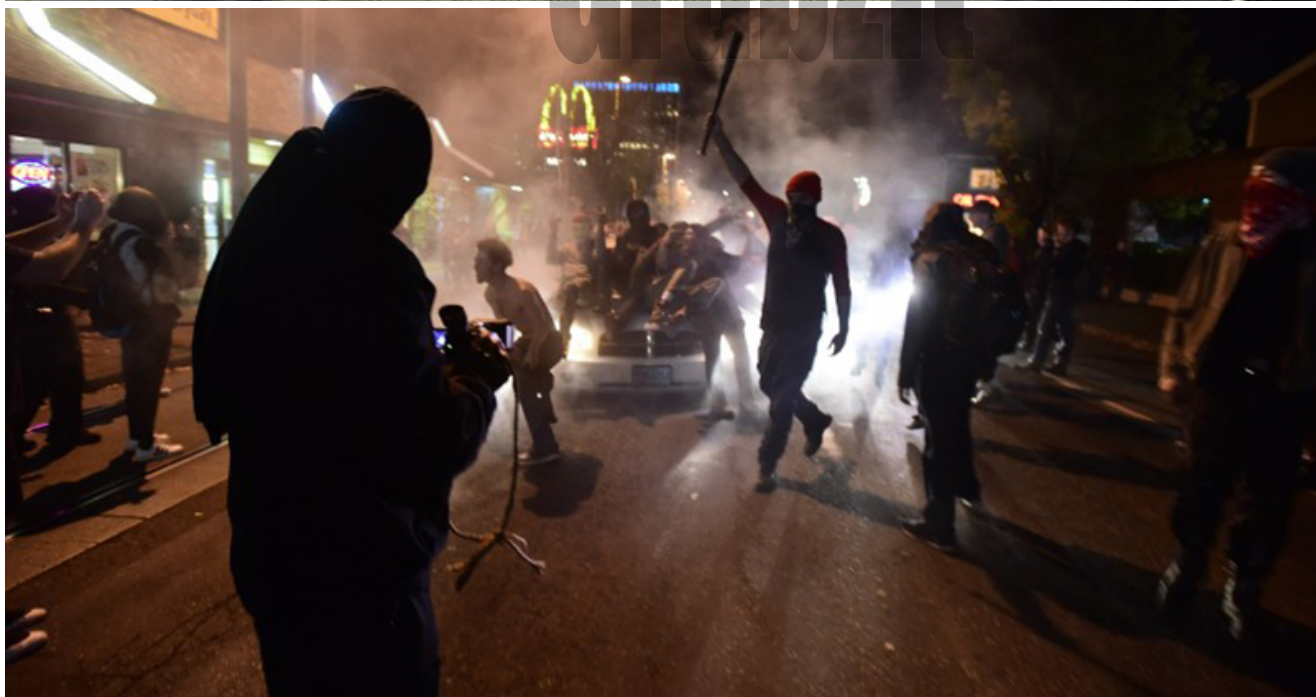
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2015 ORS § 609.990¹

Penalties for ORS 609.060, 609.095, 609.098, 609.100, 609.169 and 609.405

- • **disposition of dog by court**

- (1) Violation of ORS [609.060 \(Notice of county prohibition on dogs running at large\)](#) (2), [609.100 \(Dog licenses, tags and fees\)](#) or [609.169 \(Keeping dog with knowledge that it has harmed livestock\)](#) is a Class B violation.
- (2) Maintaining a public nuisance in violation of ORS [609.095 \(Dog as public nuisance\)](#) (2) or (3) is a Class B violation.
- (3)(a) Except as provided in paragraph (b) of this subsection, violation of ORS [609.098 \(Maintaining dangerous dog\)](#) is a Class A misdemeanor.
- (b) If a dog kills a person, violation of ORS [609.098 \(Maintaining dangerous dog\)](#) is a Class C felony.
- (c) If a keeper violates ORS [609.098 \(Maintaining dangerous dog\)](#), the court shall order the dangerous dog killed in a humane manner.
- (4) Violation of ORS [609.405 \(Requirement for destroying dogs and cats\)](#) constitutes a Class C misdemeanor.
- (5) In addition to any fine or sentence imposed under this section, a court may order a person who violates ORS [609.060 \(Notice of county prohibition on dogs running at large\)](#) (2), [609.095 \(Dog as public nuisance\)](#), [609.098 \(Maintaining dangerous dog\)](#), [609.100 \(Dog licenses, tags and fees\)](#), [609.169 \(Keeping dog with knowledge that it has harmed livestock\)](#) or [609.405 \(Requirement for destroying dogs and cats\)](#) to pay restitution for any physical injury, death or property damage caused by the dog as a result of the keepers violation of ORS [609.060 \(Notice of county prohibition on dogs running at large\)](#) (2), [609.095 \(Dog as public nuisance\)](#), [609.098 \(Maintaining dangerous dog\)](#), [609.100 \(Dog licenses, tags and fees\)](#), [609.169 \(Keeping dog with knowledge that it has harmed livestock\)](#) or [609.405 \(Requirement for destroying dogs and cats\)](#). The court may also order the person to pay the cost of keeping the dog in impoundment.
- (6) In addition to any fine imposed or restitution ordered of a keeper for a violation of ORS [609.060 \(Notice of county prohibition on dogs running at large\)](#) (2), [609.095 \(Dog as public nuisance\)](#), [609.100 \(Dog licenses, tags and fees\)](#), [609.169 \(Keeping dog with knowledge that it has harmed livestock\)](#) or [609.405 \(Requirement for destroying dogs and cats\)](#), the court may impose reasonable restrictions on the keeping of the dog to ensure the safety or health of the public. The keeper must pay the cost of complying with reasonable restrictions. As used in this subsection, reasonable restrictions may include, but is not limited to, sterilization. If the dog is a potentially dangerous dog, the court may order the dog killed in a humane manner. In determining whether to have the dog killed, the court shall give consideration to the factors described in ORS [609.093 \(Considerations prior to disposing of chasing, menacing or biting dog\)](#) and issue written findings on those factors.
- (7) Notwithstanding ORS [19.270 \(Appellate jurisdiction of Supreme Court and Court of Appeals\)](#) and [19.330 \(Stays generally\)](#), subject to periodic advance payment of the cost of keeping the dog in impoundment, the killing of a dog pursuant to an order under subsection (3) or (6) of this section may not be carried out during the period that the order is subject to the appeal process. Unless otherwise ordered by the Court of Appeals, the dog may be killed during the appeal period if the keeper fails to maintain advance payment of the cost of keeping the dog impounded.
- (8) If a court orders a dog killed under subsection (6) of this section and the keeper does not make the dog available for that purpose, the court may issue a search warrant for a property upon probable cause to believe that the dog is located at that property. [Amended by 1963 c.237 §2; 1965 c.499 §2; 1967 c.495 §3; 1973 c.655 §6; 1977 c.802 §13; subsection (3) enacted as 1985 c.289 §2(3); 1999 c.658 §§12,12a; 1999 c.1051 §§208,322b; 2001 c.636 §11; 2005 c.840 §8; 2011 c.597 §249]

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[Annotations Related](#)

Chapter 609

Atty. Gen. Opinions

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

Related Statutes³

- [609.035](#)
[Definitions for ORS 609.035 to 609.110 and 609.990](#)
- [609.090](#)
[Impounding certain dogs](#)
- [609.093](#)
[Considerations prior to disposing of chasing, menacing or biting dog](#)
- [609.095](#)
[Dog as public nuisance](#)

- [609.098](#)
[Maintaining dangerous dog](#)
- [609.115](#)
[Liability for injury or property damage caused by potentially dangerous dog](#)
- [609.163](#)
[Enhanced civil penalties for habitual violators](#)

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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