

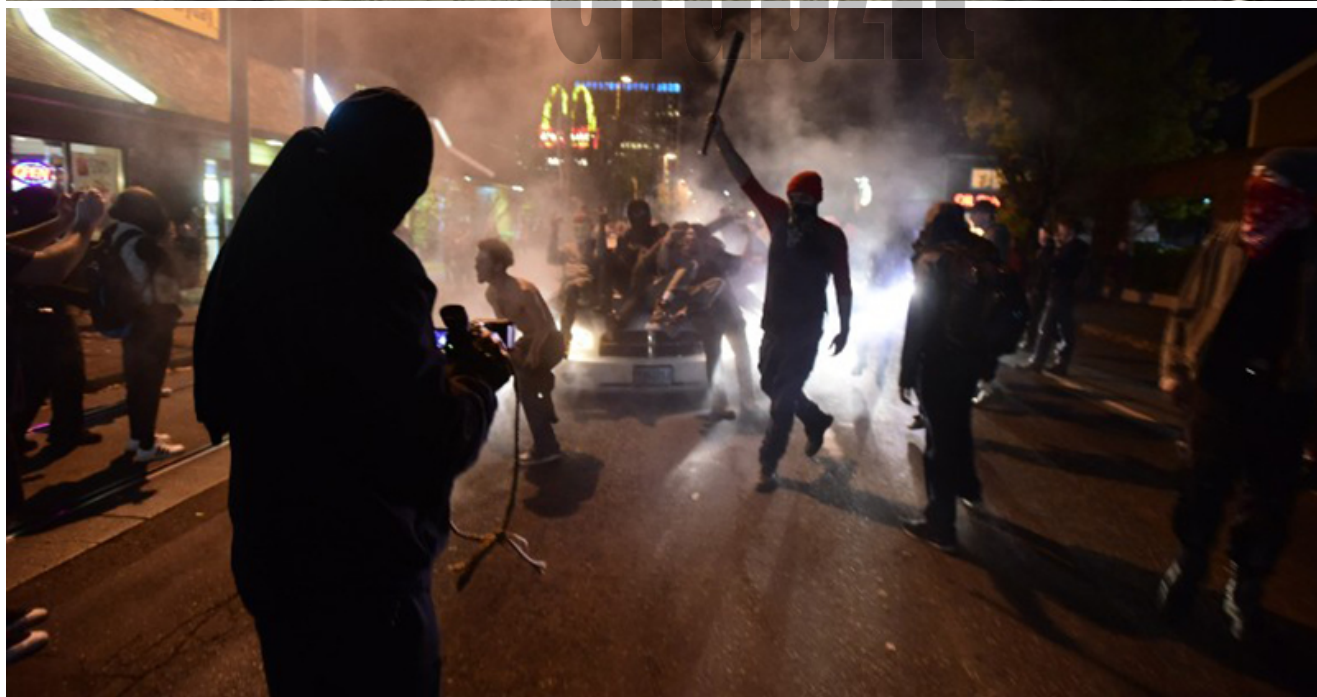
- [Legal Glossary](#)
- [2015 ORS](#)
-
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[Home](#) > [2015 ORS](#) > [Vol. 13](#) > [Chapter 609](#) > Dogs Harming Livestock

[Support the Portland Police](#)

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- [609.125](#)
[Definition of livestock](#)
- [609.135](#)
[Applicability of ORS 609.156, 609.162 and 609.168](#)
- [609.140](#)
[Right of action by owner of damaged livestock](#)
- [609.150](#)
[Right to kill dog that harms or chases livestock](#)
- [609.153](#)
[Dog owner education program](#)
- [609.155](#)
[Impoundment for harming or chasing livestock](#)
- [609.156](#)
[Opportunity to request hearing](#)

- [609.158
Hearing process](#)
- [609.161
Disputable presumption that dog harms or chases livestock](#)
- [609.162
Guidelines for imposing remedial measures, civil penalties or other sanctions](#)
- [609.163
Enhanced civil penalties for habitual violators](#)
- [609.165
Judicial review of county determination](#)
- [609.166
Record of penalized owners](#)
- 609.167
Conversion of civil penalty into lien
- [609.168
Microchip identification of dog](#)
- [609.169
Keeping dog with knowledge that it has harmed livestock](#)
- [609.170
Claim by owner of livestock](#)
- [609.180
Hearing and payment of claims](#)
- [609.190
Subrogation of county paying claim](#)

2015 ORS § 609.167¹ Conversion of civil penalty into lien

- • **disposition of proceeds**

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- (1) Moneys collected from a dog owner under ORS [609.162 \(Guidelines for imposing remedial measures, civil penalties or other sanctions\)](#) or [609.163 \(Enhanced civil penalties for habitual violators\)](#) shall be deposited in the county treasury.
- (2) A civil penalty under ORS [609.162 \(Guidelines for imposing remedial measures, civil penalties or other sanctions\)](#) or [609.163 \(Enhanced civil penalties for habitual violators\)](#) is a penalty against the person owning the dog at the time that the dog killed, wounded, injured or chased livestock. The penalty may not be transferred to a subsequent owner of the dog.
- (3) When a county assesses a civil penalty under ORS [609.162 \(Guidelines for imposing remedial measures, civil penalties or other sanctions\)](#) or [609.163 \(Enhanced civil penalties for habitual violators\)](#), if the amount of penalty is not paid within 21 days after delivery or mailing of the determination, the county may record the penalty with the county clerk of any county of this state. The clerk shall thereupon record in the County Clerk Lien Record the name of the person incurring the penalty. However, the county shall not record a penalty with a county clerk while a request for reexamination or petition for judicial review is pending.
- (4) In addition to any other remedy provided by law, recording an order in the County Clerk Lien Record pursuant to this section has the effect provided for in ORS [205.125 \(County Clerk Lien Record\)](#) and [205.126 \(Enforcement of order or warrant recorded in County Clerk Lien Record\)](#), and the order may be enforced as provided in ORS [205.125 \(County Clerk Lien Record\)](#) and [205.126 \(Enforcement of order or warrant recorded in County Clerk Lien Record\)](#).
- (5) Imposition of a civil penalty under ORS [609.162 \(Guidelines for imposing remedial measures, civil penalties or other sanctions\)](#) or [609.163 \(Enhanced civil penalties for habitual violators\)](#) does not prevent the bringing of an action for damages under ORS [609.140 \(Right of action by owner of damaged livestock\)](#) or [609.190 \(Subrogation of county paying claim\)](#). A determination by the county that a dog has killed, wounded, injured or chased livestock is prima facie evidence of the matter in a subsequent action under ORS [609.140 \(Right of action by owner of damaged livestock\)](#) but not in an action under ORS [609.190 \(Subrogation of county paying claim\)](#). [1999 c.756 §7]

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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

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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8

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