

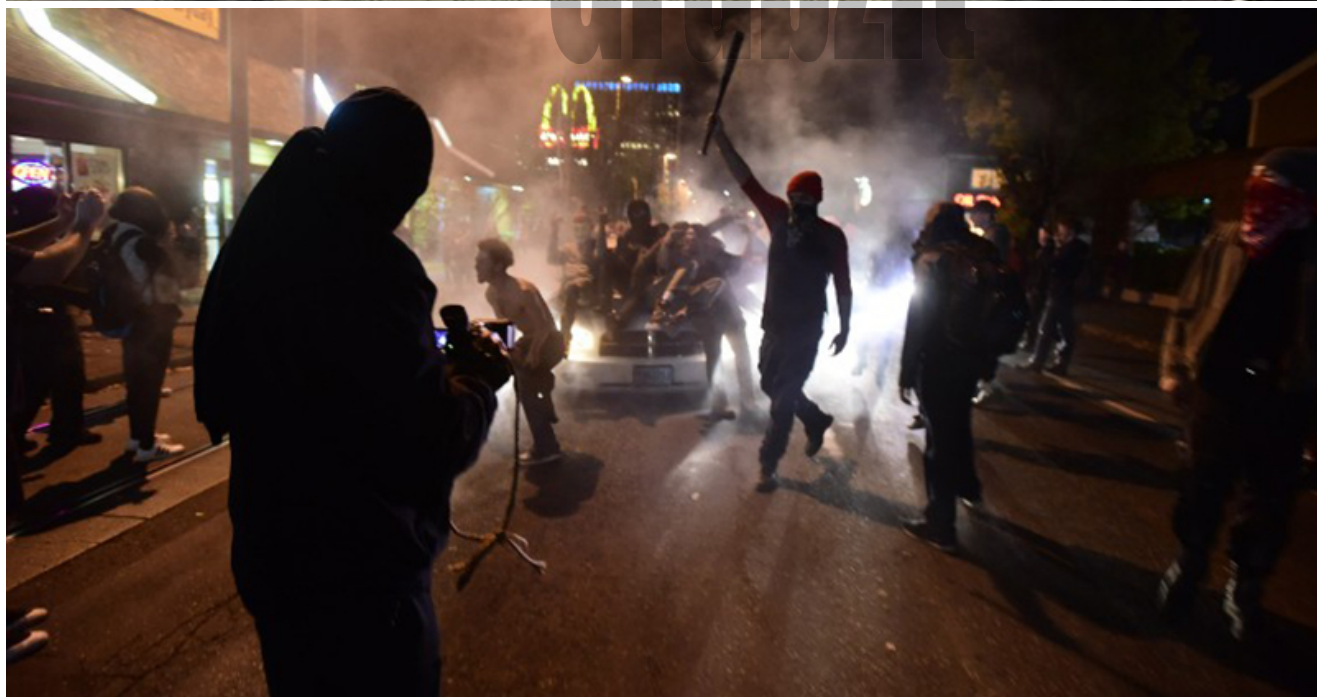
- [Legal Glossary](#)
- [2015 ORS](#)
-
-

[Home](#) > [2015 ORS](#) > [Vol. 13](#) > [Chapter 609](#) > Animal Rescue Entities

[Support the Portland Police](#)

Grabzt





- 609.415
Animal rescue entities
- [609.420](#)
[Investigation and inspection of animal rescue entity](#)
-

2015 ORS § 609.415¹
Animal rescue entities

- • **licensing**
- • **records**

- • fees
- • rules
- • civil penalty

(1) As used in this section and ORS [609.420 \(Investigation and inspection of animal rescue entity\)](#):

(a) Animal means any nonhuman mammal, bird, reptile, amphibian or fish.

(b) Animal rescue entity means an individual or organization, including but not limited to an animal control agency, humane society, animal shelter, animal sanctuary or boarding kennel not subject to ORS [167.374 \(Possession or control of dogs for purpose of reproduction\)](#), but excluding a veterinary facility, that keeps, houses and maintains in its legal custody 10 or more animals, whether physically located at a facility operated by the entity or kept, housed or maintained elsewhere, and that solicits or accepts donations in any form.

(c) Enforcing agency means the agency that operates a city or county dog licensing and control program under ORS [609.035 \(Definitions for ORS 609.035 to 609.110 and 609.990\)](#) to [609.110 \(Dog License Fund\)](#) or under any city or county ordinances or regulations that operate in lieu of ORS [609.035 \(Definitions for ORS 609.035 to 609.110 and 609.990\)](#) to [609.110 \(Dog License Fund\)](#), or any other agency designated the enforcing agency by the city or county governing body.

(2) Any animal rescue entity shall comply with all of the following record-keeping requirements:

(a) Maintain a record for each animal that identifies:

(A) The date of birth for the animal or, if the date of birth is unknown, the approximate age of the animal;

(B) The date the animal rescue entity acquired possession, control or charge of the animal and the source of the animal;

(C) The number of offspring the animal produced while in the possession or control of the animal rescue entity, if applicable;

(D) The disposition the animal rescue entity makes of each animal possessed by, controlled by or in the charge of the animal rescue entity, including the date of disposition, manner of disposition and the name and address for any individual or organization taking possession, control or charge of an animal;

(E) The source of the animal, date of acquisition, age, sex, breed type and weight of the animal at intake; and

(F) A photograph of the animal taken within 24 hours of intake by the animal rescue entity.

(b) Permit an authorized representative of the enforcing agency to inspect records of the animal rescue entity required by this subsection and furnish reports and information required by the enforcing agency, as provided under ORS [609.420 \(Investigation and inspection of animal rescue entity\)](#).

(3) An animal rescue entity shall comply with the following licensing requirements:

(a) The entity shall obtain a license issued by the enforcing agency in accordance with this section and any rules or policies adopted by the enforcing agency; and

(b) The entity shall pay a reasonable fee, as determined by the enforcing agency, for a license or an annual renewal of the license to provide for the actual cost of enforcing this section and ORS [609.420 \(Investigation and inspection of animal rescue entity\)](#).

(4) The enforcing agency may not issue or renew a license under this section unless the animal rescue entity is in compliance with this section and ORS [609.420 \(Investigation and inspection of animal rescue entity\)](#).

(5) An animal rescue entity may transfer a license issued under this section to another person with the written consent of the enforcing agency, provided that the transferee otherwise qualifies to be licensed as an animal rescue entity under this section and rules applicable to the transferee and does not have a certified unpaid debt to the state. The transferee shall submit a signed release to the enforcing agency permitting the performance of a background investigation of the transferee, and the enforcing agency shall conduct the background investigation.

(6) An applicant for a license issued under this section shall demonstrate that the animal rescue entity that is the subject of the application complies with all standards imposed under applicable law.

(7) Any animal rescue entity is subject to inspection by the enforcing agency as provided in ORS [609.420 \(Investigation and inspection of animal rescue entity\)](#).

(8)(a) A violation of this section may result in imposition of civil penalties to be determined by the enforcing agency, including but not limited to impoundment of all animals under the animal rescues control, the revocation of the animal rescues license to operate animal rescue operations and a civil penalty of not more than \$500 for each violation.

(b) Before a civil penalty may be imposed under this section, the enforcing agency shall adopt rules or policies that:

(A) Ensure that a person who is the subject of an alleged violation receives notice of the allegations and potential imposition of civil penalties;

(B) Allow for an opportunity for a hearing prior to the imposition of civil penalties; and

(C) Allow for the opportunity for judicial review of the imposition of civil penalties.

(9) Moneys raised by the enforcing agency under this section are dedicated to and shall be used for enforcing agency operations undertaken pursuant to this section and ORS [609.420 \(Investigation and inspection of animal rescue entity\)](#). [2013 c.719 §10; 2015 c.267 §1]

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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

- [609.420](#)
[Investigation and inspection of animal rescue entity](#)

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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