



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category: RESOLUTION

Item No:

RE2021-018A

Meeting Date: May 25, 2021

Originating Department: BOCC

Issue: In the matter of signing a Resolution adopting the Klamath County Policy for Violations Bureau Corrected Base Fine Schedule for Animal Control Violations.

Background: Resolution RE2021-018 had the incorrect Klamath County Code Numbers. Resolution RE2021-018A corrects the error.

Fiscal Impact: None at this time.

Recommended Motion: Approve and sign the attached Resolution adopting the Klamath County Policy for Violations Bureau Corrected Base Fine Schedule for Animal Control Violations.

**BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON**

IN THE MATTER OF ADOPTING THE) RESOLUTION 2021-018A
KLAMATH COUNTY POLICY FOR)
VIOLATIONS BUREAU;)
BASE FINE SCHEDULE FOR ANIMAL)
CONTROL VIOLATIONS)

WHEREAS, Resolution RE2021-018 was adopted on May 18, 2021; and

WHEREAS, Resolution RE2021-018 contained incorrect Klamath County Code numbers; and

WHEREAS, this Resolution and the attached corrected base fine schedule shall replace any preceding violation fine schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Klamath County Board of Commissioners adopts the attached corrected base fine schedule and shall forward this Resolution and the attached fine schedule to Klamath County Circuit Court and Klamath County Justice Court.

DONE AND DATED this 25th day of May, 2021.

KLAMATH COUNTY BOARD OF COMMISSIONERS

Chair

Vice-Chair

Commissioner

**KLAMATH COUNTY VIOLATIONS BUREAU
ANIMAL CONTROL VIOLATION FINE SCHEDULE
(Including Assessments)**

The following schedule was adopted by the Klamath County Board of Commissioners in Resolution No. 2021-018A on May 25, 2021; and is hereby approved for inclusion in the 13th Judicial District Violations Bureau.

<u>CHARGE</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>
KCC 403.105 ⁽¹⁾ Failure to control	133	195	295
KCC 403.413 Cruelty to animals	133	195	500
KCC 403.410 Poisoning of animals	133	195	500
KCC 403.102 No dog license	133	195	295
KCC 403.103 No license tag	133	195	500
KCC 403.107 Lost or stray dog	133	195	500
KCC 403.008 Dog as a nuisance	133	195	295
KCC 403.108 No leash/at large	133	195	295
KCC 403.105(4) Female heat/running	133	195	295
KCC 403.101 Rabies vaccination	133	195	500
KCC 403.007 Fail to report bite	133	195	500
KCC 403.414 Tampering law enforcement animal	133	195	500

<u>CHARGE</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>
ORS 609.035(b) and (c) ⁽²⁾ Dog bite—physical injury	Mandatory	Mandatory	Mandatory
ORS 609.098(a) ⁽³⁾ Dog bite—serious physical injury	Mandatory	Mandatory	Mandatory
ORS 609.095(a) Chasing/menacing	72	Mandatory	Mandatory
ORS 609.095 (b) Destroys property (c) Scatters garbage (d) Trespasses (e) Disturbs/noise (f) Female in heat/running	72	217	362
ORS 609.035(6) (C) Injure/kill animal			

⁽¹⁾ KCC 403.920(2) states that “Each day a person shall be in violation of this chapter shall be a separate offense.” Example: If an individual violates 403.102 and is later convicted for that violation and then, after conviction of the first offense, the person violates KCC 403.105, it shall be considered a second offense for the purpose of this base fine schedule.

⁽²⁾ Physical injury, as defined by ORS 161.015, means impairment of physical condition or substantial pain.

⁽³⁾ Serious physical injury, as defined by ORS 161.015, means a physical injury which creates a substantial risk of death or which causes serious and protracted disfigurement, or protracted impairment of health or protracted loss or impairment of the function of any bodily organ.