

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Imposing a Civil Penalty)
Against Wendy Hart for Livestock Chase)
and Kill, Adopting Findings and) Order No. 73-2006
Conclusions and Authorizing Action)

WHEREAS, on afternoon of March 29, 2006, Columbia County Animal Control Officer, Roger Kadell, was called to the home of Frank and Ann Queen at, 31455 Tide Creek Road, Rainier, Oregon. The Queens complained that Wendy Hart's dogs, a black Labrador Retriever and a German Shepard, had chased and attacked two of their chickens, killing them. Mr. Queen reported that in the early morning hours he witnessed the Labrador with a chicken in its mouth, and that he caught the German Shepard, but the Labrador ran off. Roger Kadell took photos of the dead animals. Roger Kadell then impounded the German Shepard, which was later redeemed at the Animal Control offices; and

WHEREAS, in the afternoon of March 29, 2006, Roger Kadell impounded the black Labrador at the property of Wendy Hart; and

WHEREAS, Roger Kadell verified that the chickens appeared to have been mauled by dog bites and took photos of the animals; and

WHEREAS, the impound fee for the Labrador is \$30.00 plus \$10.00/per day for each day of impoundment; and

WHEREAS, Wendy Hart was notified by mail dated March 31, 2006, that the County was required to make a determination whether the dog was engaged in killing, wounding, injuring or chasing livestock, and that she had 14 days after the date of the letter to request a hearing, or the Board would immediately take action under ORS 609.162 and ORS 609.163; and

WHEREAS, Ms. Hart requested a hearing within the statutory 14 day period; and

WHEREAS, on April 19, 2006, the Board of County Commissioners held a hearing in the matter; and

WHEREAS, during the hearing, the Board of Commissioners took action under ORS 609.162 and ORS 609.163, considering the complaints and reports made regarding the alleged attacks, as well as photographs taken of the injured chickens and of the testimony given;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

5. Columbia County Animal Control shall notify the State Department of Agriculture of the civil penalty assessed against Wendy Hart as provided in ORS 609.166.

Dated this 6th day of September, 2006.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: Sarah Hanson
County Counsel

By: Joe Corsiglia
Joe Corsiglia, Chair

By: Rita M. Bernhard
Rita Bernhard, Commissioner

By: Anthony Hyde
Anthony Hyde, Commissioner