

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Dog Attack)
on Livestock Owned by Susan) ORDER NO. 85-2008
Jauron)

WHEREAS, on November 5, 2008, Columbia County Animal Control Officer Roger Kadell received a report of a livestock attack by two dogs at the property of Susan Jauron at 34004 Pittsburg Road, St. Helens, Oregon, where as a result of the attack three turkeys, three chickens and one duck had been killed; and

WHEREAS, Ms. Jauron held the two dogs in her garage until the Animal Control Officer arrived; and

WHEREAS, upon arrival the Animal Control Officer investigated the report and, based on the statement provided by Ms. Jauron as well as personally viewing the dead livestock and damaged fencing where the livestock was held, concluded that the dogs held in Ms. Jauron's garage were likely involved in the attack on Ms. Jauron's livestock and took the dogs into custody; and

WHEREAS, on November 6, 2008, Amanda Childress contacted Columbia County Animal Control to report two missing dogs matching the description of the two dogs obtained by the Animal Control Officer from Ms. Jauron; and

WHEREAS, Ms. Childress came to the Columbia County Animal Control Shelter and identified the subject dogs, named "Max" and "Stout", as belonging to her; and

WHEREAS, at that time Ms. Childress was served an animal seizure notice under ORS 609.155 and the dogs were impounded; and

WHEREAS, pursuant to ORS 609.156, Ms. Childress was provided notice of the opportunity to request a hearing in a letter dated November 14, 2008; and

WHEREAS, no hearing was requested within the statutory fourteen-day period; and

WHEREAS, pursuant to ORS 609.156(2), if a dog owner does not request a hearing the dog owner is conclusively presumed to have admitted the matter alleged and the county may immediately take action under ORS 609.162 and 609.163.

NOW, THEREFORE, based on the evidence submitted and received into the record on this matter, the Board of County Commissioners makes the following findings:

1. Amanda Childress was the owner of "Max" and "Stout" on November 5, 2008, the dogs impounded by the Animal Control Officer at Susan Jauron's property on that date.
2. Both "Max" and "Stout" engaged in killing livestock owned by Susan Jauron on November 5, 2008, based on the statement obtained from Ms. Jauron by the Animal Control Officer; the Animal Control Officer report; and Ms. Childress' positive identification of the offending dogs turned over by Ms. Jauron to Columbia County Animal Control.
3. There is no record evidence to establish a history that either "Max" or "Stout" have previously killed, wounded, injured or chased livestock in the past under ORS 609.162(2). The Board therefore finds that neither "Max" nor "Stout" have previously killed, wounded, injured or chased livestock.

NOW, THEREFORE, IT HEREBY ORDERED as follows:

1. Based on the livestock killing carried out by "Max" on November 5, 2008, a \$500.00 penalty is imposed on Amanda Childress pursuant to ORS 609.162(1)(c).
2. Based on the livestock killing carried out by "Stout" on November 5, 2008, a \$500.00 penalty is imposed on Amanda Childress pursuant to ORS 609.162(1)(c).
3. Pursuant to ORS 609.155(3)(a) and ORS 609.090(4), in addition to the \$1,000.00 in penalties imposed above, Amanda Childress shall pay all impound and boarding costs and fees arising from the impoundment of her dogs in this matter.
4. "Max" and "Stout", shall be removed to a location where, in the Animal Control Officer's sole opinion, the dogs will not present a threat to livestock.
5. The dogs shall be licensed, and specific measures shall be taken to adequately confine the dogs subject to the sole approval by the Animal Control Officer, pursuant to ORS 609.090(4).

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6. Any penalties or impound and boarding costs imposed by this Order, not paid within ninety (90) days of the date of this Order, shall be recorded without costs in the County Clerk Lien Record, pursuant to ORS 609.167.

DATED this 10th day of December, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____

Chair

By: _____

Commissioner

By: _____

Commissioner

Approved as to form

By: _____

Office of County Counsel

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