

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Livestock Attack by )  
a Dog Owned by Miles Reardon ) ORDER NO. 12-2014

WHEREAS, on April 18, 2014, Andrea Sold, who resides at 58393 Chase Road, Warren, in Columbia County, Oregon, contacted the Columbia County Sheriff's Office to report that her neighbor's dog was attacking her chickens; and

WHEREAS, Animal Control Officer Roger Kadell arrived at Ms. Sold's residence on April 18, 2014, to interview Ms. Sold. Ms. Sold reported that the previous day, she observed the neighbor's small, tan-colored dog in her fenced garden area with a live chicken in its mouth;

WHEREAS, Ms. Sold followed the dog, which proceeded to run home with the chicken in its mouth. Upon arriving at the neighbor's house, Ms. Sold observed that the chicken was deceased; and

WHEREAS, Officer Kadell checked Animal Control Records and identified the dog as Rosco, a terrier registered to Miles Reardon at 58370 Rigdon Road, Warren, Oregon; and

WHEREAS, Officer Kadell then left for the Reardon residence, where he personally interviewed Miles Reardon. Mr. Reardon stated that his daughters had informed him that the dog brought home a chicken; and

WHEREAS, based on the information obtained during his investigation, Officer Kadell then impounded Rosco under ORS 609.155 for harming and chasing livestock; and

WHEREAS, pursuant to ORS 609.156, Mr. Reardon was provided notice of the opportunity to request a hearing in a letter dated April 22, 2014; and

WHEREAS, on April 23, 2014, Mr. Reardon voluntarily waived his right to a hearing and entered into a settlement agreement with the County for the disposition of this matter.

NOW, THEREFORE, based on Animal Control Officer's report, attached hereto as Exhibit A and incorporated herein by reference, and the above recitals, the Board of County Commissioners makes the following findings and conclusions:

1. Miles Reardon, who resides at 58370 Rigdon Road, Warren, Oregon, is the owner of Rosco, a tan-colored terrier.
2. On April 18, 2014, Rosco chased and harmed a chicken on Andrea Sold's property at 58393 Chase Road, Warren, Oregon, in violation of ORS 609.155.
3. According to Columbia County Animal Control, Rosco has no prior record of killing,

ORDER NO. 12-2014

wounding, injuring or chasing livestock.

NOW, THEREFORE, IT IS HEREBY ORDERED that Columbia County Animal Control shall release Rosco to Miles Reardon, subject to the following conditions:

1. Pursuant to ORS 609.162(1)(b), a civil penalty of \$250.00 is imposed on Miles Reardon for the livestock attack carried out by his dog, Rosco.
2. Mr. Reardon shall take measures to prevent recurrence, including compliance with the conditions set forth in the Settlement Agreement, attached hereto and incorporated herein as Exhibit B.
3. Pursuant to ORS 609.155(3)(a), in addition to the civil penalty imposed, above, Miles Reardon shall pay all costs and fees arising from the impoundment of the dog, as described in the Invoice, attached hereto as Attachment 1 of Exhibit B and incorporated herein by this reference, and all boarding fees at a rate of \$15 per day for the dog, accruing from April 19, 2014 to the date on which Mr. Reardon retrieves the dog from Animal Control.
4. Any penalties or impoundment and boarding costs and fees imposed by this Order shall be paid prior to the release of the dog, unless otherwise agreed to in writing by the County.

DATED this 30<sup>th</sup> day of April, 2014.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: 

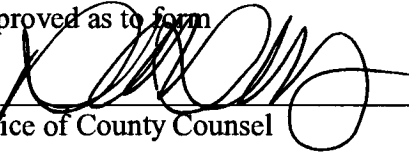
Anthony Hyde, Chair

By: 

Henry Heimuller, Commissioner

By: 

Earl Fisher, Commissioner

Approved as to form 

By: 

Office of County Counsel

<b>CASE NUMBER</b>	<b>COLUMBIA COUNTY SHERIFF'S OFFICE</b>				<b>INVESTIGATION REPORT</b>				<b>EXHIBIT A</b>		PAGE/OF 1 / 2			
	CASE NUMBER		REFER CASE NUMBER		CAD INCIDENT NUMBER 14024982		CLASSIFICATION Livestock kill Impound ORS 609.155				CLR			
	DATE / TIME REPORTED 04/18/2014 1729		DATE / TIME OCCURRED (START) 04/18/2014 16:30		DATE / TIME OCCURRED (END) 04/18/2014 17:00		<input type="checkbox"/> RADIO (R) <input type="checkbox"/> S/ (S) <input checked="" type="checkbox"/> PHONE-IN (P)							
	LOCATION OF OCCURRENCE 58393 Chase Road, Warren Oregon 97053													
	PREMISE TYPE 100 - Dwelling, Residence						PRECINCT OF OCCURRENCE							
ONE SENTENCE SUMMARY OF INCIDENT Neighbors dog observed killing victims chicken														
PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness														
<b>COPIES</b>	<input type="checkbox"/> DET		CODE VI		NAME (Last, First Middle) Sold, Andrac		CRN		SEX F		RACE W		DOB	
	<input type="checkbox"/> CENT		HOME ADDRESS		58393 Chase Road		CITY Warren		STATE Oregon		ZIP 97053		HOME PHONE 971-201-9706	
	<input type="checkbox"/> RECORDS		BUSINESS/SCHOOL ADDRESS				<input type="checkbox"/> WORK PHONE		<input type="checkbox"/> MSG. PHONE		MOBILE PHONE			
	<input type="checkbox"/> D.A.		CODE RP		NAME (Last, First Middle) Sold, Nathon		CRN		SEX M		RACE W		DOB	
	<input type="checkbox"/> OSP		HOME ADDRESS		58393 Chase Road		CITY Warren		STATE Oregon		ZIP 97051		HOME PHONE 971-201-9706	
	<input type="checkbox"/> P & P		BUSINESS/SCHOOL ADDRESS				<input type="checkbox"/> WORK PHONE		<input type="checkbox"/> MSG. PHONE		MOBILE PHONE			
	<input type="checkbox"/> CCMH													
	<input type="checkbox"/> JUV													
	<input type="checkbox"/> DHS													
	<input type="checkbox"/> SPD													
	<input type="checkbox"/> SHPD													
	<input type="checkbox"/> CPD													
	<input type="checkbox"/> RPD													
	<input type="checkbox"/> VPD													
	<input type="checkbox"/> CCPD													
X1,X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental														
<input type="checkbox"/> CPD		CODE X1		NAME (Last, First Middle) Reardon, Miles		CRN		SEX M		RACE W		DOB 12/02/1967		
<input type="checkbox"/> RPD		HOME ADDRESS		58370 Rigdon Road		CITY Warren		STATE OR		ZIP 97053		HEIGHT WEIGHT HAIR EYES CUSTODY? YES NO		
<input type="checkbox"/> VPD		AKA/MONIKER				<input type="checkbox"/> WRK PHN		<input type="checkbox"/> MSG PHONE		MOBILE PHONE		HOME PHONE 503-366-3521		
<input type="checkbox"/> CCPD		OTHER DESCRIPTION												
VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle														
OUTSIDE AGENCY NOTIFIED/REFERRED TO?														
PROPERTY RECEIPT NUMBER(S)														
PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE														
<input type="checkbox"/>		CODE E		QTY. 1		ITEM Canine. Named Rosco								
<input type="checkbox"/>		BRAND		MODEL / STYLE Terrier		SERIAL NUMBER		COLOR Tan/White						
<input type="checkbox"/>		ENGRAVINGS / PECULIARITIES								SIZE Smaller		VALUE		
<input type="checkbox"/>		NARRATIVE-The order of appearance for additional information will be:												
<input type="checkbox"/>		ITEM 1: N/A												
<input type="checkbox"/>		ITEM 2: N/A												
<input type="checkbox"/>		ITEM 3: N/A												
<input type="checkbox"/>		ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.												
<input type="checkbox"/>		ITEM 5: N/A												
<input type="checkbox"/>		ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.												
<input type="checkbox"/>		ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length.												
<input type="checkbox"/>		ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/or elements of the crime or violation.												
<input type="checkbox"/>														
<input type="checkbox"/>		REPORTING OFFICER(S)		DPSST		DATE		PREC / DIV		ASSN / DIST		SUPERVISOR'S SIGNATURE		
<input type="checkbox"/>		Roger Kadell		15106		04/19/2014		STS		STS				

## NARRATIVE

## SUMMARY:

On 04/18/2014 at around 4:30 Pm, the dog Rosco was observed in the fenced area belonging to the Sold's killing one of their chickens. The event was witnessed by Ms. Sold , who followed the dog back to his home at 58370 Rigdon Road, Warren Oregon. On 04/19/2014 the dog Rosco was impounded for chasing and killing a livestock animal.

## NARRATIVE:

On 04/18/2014 at 5:30 Pm, the Sold's contacted dispatch to report the killing of one of their chickens by a neighbors dog. They at the time were advised that Animal Control was off duty and would not be able to contact them until the next day.

On 04/19/2014, I made contact with Sold home at 58393 Chase Road, Warren Oregon in regards to the reported killing of one of their chickens. The Sold's reported that Ms. Sold heard the dog outside in the chicken area. That the bird are still small as they just received them from their grand parents. That when she ran out the tan smaller dog was in the fenced garden area and had one of the chickens still alive in his mouth. That she began screaming at the dog and the dog ran towards home with the chicken.

Ms. Sold then followed the dog to the dogs home to see if the chicken was still alive. At the home she had contact with the children from the home who witnessed the fact that the dog had one of her chickens and the chicken was now deceased. Ms. Sold did not recover the chicken as she was to upset over the incident and returned home. The Sold indicated that they are sure of the dog as the dog has been seen in their yard in the past.

I found the chicken area to be a fenced contained area using 1-2 inch Sq link fencing. I noted that it appeared that the owners had built the fencing with the intent to keep predators out of the enclosure. The chicken enclosure was attached to a fenced garden area as well. Examining the fencing area it could not be determined how the dog got into the pen and how it removed the chicken.

After leaving the Sold's home, I made contact with Miles Reardon at 58370 Rigdon Road Warren Oregon. Animal records show a smaller terrier tan dog registered to Erika Reardon at this location named Rosco. Mr Reardon was aware of the complaint against the dog. Both his daughters made comments that the dog had brought home a chicken. The smaller of the two pointed out that the dead chicken was someplace on the next property over in the brush and fence line area.

Mr. Reardon told me that he had not known that the neighbor had chickens at their home. That if he had he might have been able to take more precautions with the dog. I advised Mr Reardon of the requirement to impound a dog that kills livestock. I then issued him a impound notice and he helped place the dog in my truck. I advised him that additional paper work would be sent to him by the County.

I then took the dog to the Sold home and they confirmed that the dog in custody was the dog that had killed the chicken at their home.

## COPIES

- ☐ DET  
☐ CENT  
☐ RECORDS  
☐ D.A.  
☐ OSP  
☐ P & P  
☐ CCMH  
☐ JUV  
☐ DHS  
☐ SPD  
☐ SHPD  
☐ CPD  
☐ RPD  
☐ VPD  
☐ CCPD  
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☐  
☐

COMPUTER  
ENTRY☐ Person

OPR

☐ Vehicle

OPR

☐ Crime/  
Prop

OPR

☐ Book

REPORTING OFFICER(S)

Roger Kadell

DPSST

15106

DATE

04/19/2014

PREC / DIV

STS

ASSN / DIST

STS

SUPERVISOR'S SIGNATURE

## Owner Detail

Owner 8136

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**Name:** REARDON, ERIKA

**Senior Citizen:**

**Kennel:** ☐

**Inspection Date:**

**Expiration Date:**

**Limit:**

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**Street Address:**

58370 RIGDON  
WARREN, OR 97053

**Mailing Address:**

58370 RIGDON ROAD  
WARREN, OR 97053

**Phone:**

(503) 366-3521 (HOME)

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**Notes:**

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**Adoption Notes:**

**Disallow Adoption:** ☐

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**Animals:**

ID	Name	Breed	Color	License	Issue Date	Exp. Date
14282	ROSCO	TERRIER	BROWN	30516	2/27/2013	12/31/2013

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**Complaints:**



901 Port Ave  
St. Helens, Oregon 97051  
Phone: (503) 366-4614 Fax: (503) 366-3990  
[www.co.columbia.or.us/sheriff/animalcontrol](http://www.co.columbia.or.us/sheriff/animalcontrol)

## ANIMAL IMPOUND NOTICE

Owner/Keeper: Miles Reardon Home# 503-366-3521

Address 58370 Rigdon Road St: OR Zip: 97053

Rosco Terrier Tan/white License tag 30516

Date of violation: 04/18/2014 Date of impound: 04/19/2014

A complaint has been filed indicating that a dog owned by you has been involved in the harming or chasing of livestock in violation of ORS 609.155. **ORS 609.155 provides that upon complaint of evidence of a dog harming or chasing livestock that the dog "shall be impounded" pending the a determination by the county if the dog harmed, or chase livestock.**

You will receive notice of an opportunity to request a hearing under ORS 609.156 and information on the hearing process from the County Attorney. Pending the outcome of the hearing the dog at issue will remain in the custody and care of the Columbia County Animal Control.

The penalty and fees for actions of a dogs found to having harmed and chased livestock can be considerable. Serious consideration regarding the hearing process should be considered. Failure to request a hearing within the notification process will result in the finding that the owner is conclusively presumed to have admitted the matter alleged and the county may take action under ORS 609.162 and 609.163.

In this case you may have also been issued a citation for violation of ORS 609.095 dog as a public nuisance, ORS 609.100 unlicensed dog, and /or ORS 609.060 dog running at large. These violation will be separate issue directed to the Justice Court and independent of the harming or chasing livestock issues before the County Board of Commissioner.

If you have any questions, you may contact the Animal Control Officer at 503-366-4614, any correspondences should be directed to Columbia County Counsel, 230 Strand Ave Saint Helens Oregon 97051

Animal Control Officer: Roger Kadell Date: 04/19/2014

A handwritten signature in black ink, appearing to be "RK" or "Kadell", written over a horizontal line.

**SETTLEMENT AGREEMENT**

This Settlement Agreement ("Agreement") is entered into by and between Columbia County, a political subdivision of the State of Oregon, and Miles Reardon.

**RECITALS**

WHEREAS, Miles Reardon is the owner of the dog "Rosco," a tan-colored terrier; and

WHEREAS, on April 18, 2014, Andrea Sold reported that Rosco attacked and killed one of her chickens; and

WHEREAS, Rosco was impounded at the Columbia County Animal Shelter pursuant to ORS 609.155 for chasing and harming livestock; and

WHEREAS, Columbia County Animal Control initiated a proceeding before the Columbia County Board of Commissioners to determine whether the actions of Rosco constituted a violation of ORS 609.155, and to determine any applicable penalties, costs and fees; and

WHEREAS, Miles Reardon has voluntarily waived his right to a hearing on the violation and admits that his dog Rosco chased and harmed a chicken in violation of ORS 609.155; and

WHEREAS, Miles Reardon has agreed to enter into this Settlement Agreement with Columbia County for the release of Rosco and for the disposition of the violation.

**AGREEMENT**

In consideration of the mutual promises set forth herein, the parties hereby agree as follows:

1. Miles Reardon hereby agrees to the following:
  - a. When not under the physical control of an adult person, Rosco (hereinafter referred to as the "dog") will be secured within the home or within a yard or kennel with a minimum four-foot high fence.
  - b. The fencing and fenced area will be subject to inspection and must be deemed adequate to secure the dog by the Columbia County Animal Control Officer.
  - c. All gates for the fenced area shall be secured to prevent unauthorized entry or exit of the dog.
  - d. The dog shall be micro-chipped by a licensed Veterinarian within 5 days of

execution of this agreement and a copy of the record of the chip number shall be provided to the County Animal Control, who will register the chip with the Department of Agriculture as required under ORS 609.168.

- e. In the event the dog escapes, Columbia County Animal control will be advised immediately by calling dispatch at 503-397-1521.
- f. Columbia County will be immediately notified if the dog is sold, transferred, rehomed or relocated.
- g. Any acts of aggression by the dog towards any person or livestock animal will be reported to Animal Control within 24 hours at 503-397-1521.
- h. Miles Reardon shall pay a civil fee of \$250 under ORS 609.162(1)(b) for the dog having chased and harmed livestock.
- i. Miles Reardon shall pay all impound, boarding fees, as shown on the invoice attached hereto as Attachment 1 and incorporated herein by this reference, to the Columbia Humane Society prior to the release of the dogs.
- j. Miles Reardon shall pay to the County restitution for the harmed livestock in the amount of \$30.00 under ORS 609.140 and 609.190.
- k. Failure to comply with any of the above terms will constitute a violation of ORS 609.095 (maintaining a dog as a public nuisance) and will subject to impound.
- l. Miles Reardon agrees to release and hold harmless Columbia County, its officers, agents and employees from any and all claims, suits or actions of any nature, including claims of injury to any person or persons or of damage to property arising out of the County's impoundment of the dogs Bella and Kodiak and enforcement of ORS 609.155.

2. Columbia County hereby agrees to:

- a. Release Rosco upon payment of all penalties, fees and costs as determined by Columbia County Board Order No. 12-2014, which is incorporated herein by this reference.

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- b. Make payment for damages to Andrea Sold in the amount of \$30.00 under ORS 609.170.

By: \_\_\_\_\_  
Miles Reardon

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Anthony Hyde, Chair

Date: \_\_\_\_\_

Approved as to form

By: \_\_\_\_\_  
Office of County Counsel

**ATTACHMENT 1**

Columbia County Animal Control  
901 Port Ave  
St. Helens, Oregon 97051

**FEES DUE NOTICE.**

Fax: (503)366-3990

FOR:

NOTICE DATE April 22<sup>nd</sup>, 2014

Animal Shelter fees

OWNER NUMBER CAD 14024982

BILL TO:

Miles Reardon  
58370 Rigdon Road  
Warren, Oregon 97053

DATE	DESCRIPTION	AMOUNT	RATE	TOTAL
4/18/14	Impound fee (Payable to Columbia Humane Society )	1	30.00	30.00
4/18-23/14	Boarding fee (Payable to Columbia Humane Society)	6	15.00	90.00
4/23/14	Livestock civil fee ( Payable to Columbia County )	1	250.00	250.00
4/23/14	Restitution ( \$15 per animal, double value )	1	30.00	30.00
				\$400.00
				TOTAL DUE

MAKE CHECKS PAYABLE TO:  
Columbia County Animal Control  
2084 Oregon Street  
St. Helen, Oregon 97051