

an Ordinance prohibiting dogs from running at large within the corporate limits of the City of Albany, to authorize the impounding, selling or killing of dogs seen to be running at large contrary to the provisions of this ordinance, providing notice to the owner or custodian of dogs impounded hereunder before the killing of the same, providing fines and penalties for the violation of this ordinance, to repeal all ordinances or parts of ordinances in conflict herewith.

The People of the City of Albany do Ordain as follows:

Section 1: It shall be unlawful from and after the passage and adoption of this ordinance, and its approval by the Mayor, for any person, firm or corporation to permit the owner or custodian of any dog, to permit any such dog to run at large upon any of the public streets, alleys or other public places within the City of Albany, or upon the premises of any person, except the premises owned or controlled by the owner or custodian of such dog.

Section 2: Any dog found running at large within the City of Albany, Oregon, after the passage and adoption of this ordinance and its approval by the Mayor, may be impounded by the Pound Master of the City of Albany, the City Marshal, any Policeman or night watch of the City of Albany, or any private person, and shall be impounded in a place kept by the Pound Master.

Section 3: Whenever any dog shall be impounded under authority of this ordinance, the Pound Master shall within twelve hours after impounding, give written notice by personal service upon the owner or custodian of any such dog, if such person be known to the Pound Master, and if the owner or custodian so notified does not claim said dog within the period of five days from the date of service of said notice and also pay the redemption fee provided herein, such dog shall be humanely killed, at the expiration of said period.

Section 4: Whenever any dog shall be impounded by any authorized officer of the City of Albany, under the terms of this ordinance, and the owner or custodian thereof is unknown to the officer making such impounding, such dog shall be kept for a period of not less than five days and until the expiration of the date mentioned in a notice published in compliance with Section 5 of this Ordinance, and if not claimed and redeemed by the owner or custodian, within the period designated in such notice as in Section 5 provided, such dog shall after the expiration

tion of the last day mentioned in said notice be humanely killed.

Section 5. It shall be the duty of the Pound Master to give notice of impounding any dog by personal service on the owner or custodian thereof in all cases where said impounded dog shall be found to be wearing a collar, to which is attached a tag or plate bearing the name and address of the owner or custodian thereof, and in all other cases the Pound Master shall cause to be published on five consecutive days in a daily newspaper, a notice wherein a general description of the impounded dog shall be contained, said notice shall designate the date of the expiration thereof and the day upon which the described dog or dogs will be killed unless sooner redeemed, and for the purpose of such notice the description of any dog impounded shall be deemed sufficient if said notice shall state the color, sex, and breed where the mark or markings are plain enough distinguishable that the breed can be readily determined.

Section 6. In all cases where the owner or custodian of any impounded dog shall file with the Pound Master a written notice or demand therefor before the expiration of the time herein provided for the killing of such dog, such person shall be entitled to a hearing before the City Recorder upon the question of the rightfulness of impounding such dog, and upon receipt of such notice the Pound Master shall forthwith transmit the same to the City Recorder who shall proceed to a trial of the question of the right of the city to impound such dog under the terms of this ordinance, and upon the completion of such hearing enter judgment sustaining such impounding or directing the release of such impounded dog as the evidence submitted shall warrant, and upon the entry of judgment sustaining the City in such impounding, the Pound Master shall proceed to kill such dog in the manner hereinbefore provided and at any time after the expiration of the period of five days from the date of such impounding, unless the owner or custodian shall pay the fee provided by Section 7 for the release of impounded dogs.

Section 7. Any dog impounded under authority of this ordinance may be released to the owner or custodian thereof by the Pound Master upon payment to the City Treasurer of the sum of \$5.00.

Section 8. The Pound Master is hereby authorized to deliver to any person any dog impounded under this ordinance, after the expiration of five days from the time of impounding upon payment to the City Treasurer of the sum of \$5.00. Such delivery shall be subject to...

Lawling, Albany, Oregon

claim of the rightful owner of said dog and the payment by him of the redemption fees paid to the City and the reasonable expense of keeping the said dog up to the time of claim by the owner. The Pound Master at the time of delivery and such delivery, shall take a written receipt from such person acknowledging that such person holds the said dog subject to the claim of the rightful owner upon the payment of the redemption fees paid by such person and the reasonable expense of keeping said dog up to the time of claim by such owner, and it shall be unlawful for the Pound Master to deliver a dog to any person under the provisions of this section without receiving the receipt herein provided for.

Section 9: All periods of time named in this ordinance shall be computed by excluding from the computation, the day upon which the impounding shall be made.

Section 10: The Pound Master shall keep a duplicate record, describing all dogs impounded hereunder, which shall show the date and time when impounded, a description by approximate weight, age, color, sex and breed where feasible, with the owner or custodian's name, if the name is known, and in said record an entry shall be made of the disposition made of said dog. The duplicate and all delivery receipts shall be filed monthly with the City Recorder and be deemed public records of the City of Albany, Oregon.

Section 11: It shall be unlawful for any person to in any way interfere with any person engaged in seizing or impounding any dog under authority of this ordinance, and any person convicted of a violation of the provisions of this section shall be punished as provided for in Section 13 hereof.

Any person who may encourage or urge any dog to attack or worry any person engaged in enforcing the provisions of this ordinance, or who shall threaten any such person while engaged in the performance of duties under this ordinance, shall be deemed guilty of interfering with the enforcement of this ordinance within the meaning of this section.

Section 12: The expense of caring for dogs impounded under this ordinance shall be paid out of the general fund of the City of Albany, and all monies paid in redemption fees shall be disposed of as follows:

The Pound Master shall retain \$1.00 for his services as Pound Master, and the balance shall be paid to the person impounding such dog.

and \$3.00 shall be paid to the City Treasurer and be credited to the general fund of the City.

Section 13: Any person violating any of the provisions of this ordinance shall, upon conviction before the Recorder's Court, be punished by a fine of not less than \$10.00 nor more than \$25.00.

Section 14: All ordinances or parts of ordinances in conflict herewith are hereby repealed and no ordinance herebefore repealed shall be revived by reason of the adoption of this clause.

Passed by the Council this 20th day of August 1915.

Attest:

F. E. Van Tassel

Approved this 25 day of August 1915.

Recorder of the City of Albany

L. M. Burl

Mayor

CITY RECORDER'S CERTIFICATE

State of Oregon, }
County of Linn } ss.

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of..... *Ordinance No. 837*.....

has been by me carefully compared with the original *Ordinance Bill No. 908*... now on file in my office, and that it is a true and correct copy of all and the whole of said *Ordinance Bill No. 908* as passed by the Council August 20, 1915

Witness, my hand and official signature and the seal of the City of Albany, this... *20th*... day of... *August*... 1915.

F. E. Van Tassel
Recorder of the City of Albany.