

Ordinance No. 212

Ord No. 212
Amend 655
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An Ordinance providing for the taxing of dogs and to regulate, ~~and to regulate~~, their running at large within the limits of the City of Albany, and to provide for the impounding and killing dogs found running at large in said City, and to define what shall constitute such running at large of any dog, and to repeal Ordinance No. 16, entitled "An Ordinance relating to taxing dogs and regulating their running at large, Enacted by the Council of said City May 27th 1873.

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

Section 1. Every person owning or keeping a dog or dogs, within the limits of the City of Albany, shall pay an annual tax of \$2⁰⁰ on each dog so owned or kept; said tax shall be paid to the City Recorder on or before the first day of June of each year, and said Recorder shall give the person paying such tax a receipt therefor.

Section 2. It shall be the duty of the Recorder to keep in a well bound book, kept for that purpose, a record of all the dog taxes received by him, the name of the person of whom received by him, and the date of the payment thereof.

Section 3. It shall be the duty of the Recorder to assess each dog kept in the City of Albany, once each and every year, and tax the owner thereof, or person who so keeps such dog, the sum provided in Section 1 of this Ordinance. The Recorder shall keep a book in which he shall record the assessment of each particular dog so assessed by him separately, and his assessment of each dog shall be in the following form:

name of owner or person who keeps such dog	Date of Assessment	Tax #	Description of dog

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Section 4. The amount of taxes so assessed on each dog shall be due and payable to the Recorder at the time such assessment is made by him, and if such tax is not paid to the Recorder within 5 days thereafter, the same shall be deemed delinquent and the Recorder shall immediately thereafter notify the person to whom such dog is assessed, in writing, that the tax thereon is delinquent, and that within 5 days thereafter, if such tax is not paid to the Treasurer of the City and his duplicate receipt therefor, presented to the Marshall, that the said Marshall, will proceed against such person for the collection of such tax by the Ordinance for the collection of fines and taxes provided; And it shall be the duty of the Marshall, if such person so notified, shall neglect or refuse to pay such tax within five days after receiving such notice from the Marshall to at once institute proceedings against him for the collection of such tax, as provided by ordinance for the collection of taxes.

Section 5. It shall be the duty of the Recorder, to give the Marshall at the end of each month a list of the names of all the persons who have paid dog tax that month, to be kept by the Marshall for reference.

Section 6. It shall be the duty of the Marshall to immediately notify the Recorder, upon his own knowledge or upon information, of any person who may be keeping any dog within the City limits upon which a tax has not been assessed and paid within one year and upon receiving such notice the Recorder shall at once proceed to make enquiry in regard to such matter and to assess such dog if he finds the same, and tax the owner or keeper thereof, as hereinbefore provided.

Section 7. No dog shall be allowed to run at large within the City limits without a collar around his neck; said collar to be all or part of metallic substance, sufficient to allow the owner name to be

changes the word
Marshall to
Section 9 & 10 to
Town Master
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Stamped or engraved thereon and all such collars so worn by any dog in the limits of said City shall have the name of his owner or keeper engraved or stamped thereon in plain letters.

Section 8. It shall be the duty of the Marshall upon knowing that any dog is running at large within the City limits without a collar around his neck stamped or engraved as provided in Section 7 of this Ordinance, to immediately take up and confine in some secure place such dog, and post notices in three public places in said City, particularly describing such dog, and giving notice if it is not called for and taken away, and the sum of \$2.00 paid to the Marshall within three days from the posting of such notices, that such dog will be killed; which sum if paid shall go to the Marshall as his pay for taking up and advertising such dog.

Section 9. If no person claims such dog and pays the charges and takes it away within three days after the posting of said notices mentioned in section 8 hereof, then the Marshall shall kill and remove said dog away when it will not become a nuisance or be offensive to any person; and the Marshall shall be paid therefor by the City Treasurer out of the general fund of the City, the sum of two dollars.

Section 10. The provisions of this Ordinance shall be construed to apply to all kinds of dogs, either male or female, provided that no bitch or female dog shall be allowed to run at large, with or without a collar on, when in heat. If any person shall violate the provisions of this Section so far as it prohibits female dogs, or bitches from running at large within the City limits when in heat, shall be deemed guilty of a misdemeanor and upon conviction thereof before the Recorder's Court shall be fined not less than \$5.00 or more than \$50.00, or be imprisoned

in the City Jail not less than two days nor more than twenty five days, or by both such fine and imprisonment at the discretion of the Court.

Section 11. This Ordinance shall not apply to any dog while accompanying or following its master or owner, provided said master or owner does not reside within the limits of said City.

Section 12. A running at large of any dog male or female, within the limits of the City of Albany, for all the purposes of this Ordinance, is hereby defined to be, the running, or being of any such dog unrestrained, in any street or alley of said City, or on any premises therein not owned by or under the control of the owner or keeper of such dog.

Section 13. All of the provisions of Ordinance No 16 entitled "An Ordinance relating to taxing dogs and regulating their running at large" are hereby repealed.

Section 14. This Ordinance shall be in full force and effect from and after 5 days from its approval by the Mayor.

Passed the Council April 28th 1891

Approved May 2nd 1891

Attest:

W. H. Hectors

Recorder of the City of Albany,

J. L. Corrau Mayor

State of Oregon }
County of Linn }

Office of City Recorder

W. H. Hectors, Recorder of the City of Albany Oregon do hereby certify that the foregoing Ordinance No 212 has been by me carefully compared with the original

Bill No 217 now on file in this office, and that it is a true and correct copy of all and the whole of said Ordinance bill No 217 as passed by the Council April 28th 1891.

In testimony whereof I have hereunto set my hand and affixed thereto the Seal of the City of Albany this 2ndnd
— day of May 1891.

W. J. Houton,

Recorder of the City of Albany.

