

2017 ORS 609.095¹

Dog as public nuisance

- **public nuisance prohibited**
- **complaint**

- (1) A dog is a public nuisance if it:
- (a) Chases persons or vehicles on premises other than premises from which the keeper of the dog may lawfully exclude others;
 - (b) Damages or destroys property of persons other than the keeper of the dog;
 - (c) Scatters garbage on premises other than premises from which the keeper of the dog may lawfully exclude others;
 - (d) Trespasses on private property of persons other than the keeper of the dog;
 - (e) Disturbs any person by frequent or prolonged noises;
 - (f) Is a female in heat and running at large; **or**
 - (g) Is a potentially dangerous dog, but is not a dangerous dog as defined in ORS 609.098 (Maintaining dangerous dog).
- (2) The keeper of a dog in a county or city that is subject to ORS 609.030 (Establishing dog control district) and 609.035 (Definitions for ORS 609.035 to 609.110 and 609.990) to 609.110 (Dog License Fund) maintains a public nuisance if the dog commits an act described under subsection (1) of this section. Maintaining a dog that is a public nuisance is a violation.
- (3) A keeper of a dog maintains a public nuisance if the keeper fails to comply with reasonable restrictions imposed under ORS 609.990 (Penalties for ORS 609.060, 609.095, 609.098, 609.100, 609.169 and 609.405) or if a keeper fails to provide acceptable proof of compliance to the court on or before the 10th day after issuance of the order imposing the restrictions. If the court finds the proof submitted by the keeper unacceptable, the court shall send notice of that finding to the keeper no later than five days after the proof is received.

(4) Any person who has cause to believe a keeper is maintaining a dog that is a public nuisance may complain, either orally or in writing, to the county or city. The receipt of any complaint is sufficient cause for the county or city to investigate the matter and determine whether the keeper of the dog is in violation of subsection (2) or (3) of this section. [1973 c.655 §2; 1977 c.802 §7; 1999 c.658 §8; 1999 c.756 §18; 2001 c.636 §9; 2001 c.926 §15; 2005 c.840 §7; 2011 c.607 §16]

¹ Legislative Counsel Committee, *CHAPTER 609—Dogs; Exotic Animals; Dealers*, https://www.oregonlegislature.gov/bills_laws/ors/ors609.html (2017) (last accessed Mar. 30, 2018).