

ORDINANCE NO. 90.30

AN ORDINANCE TO EXCLUDE HORSES AND CATTLE FROM CERTAIN PROPERTIES LOCATED WITHIN THE CITY

WHEREAS, the City of Drain has determined that keeping horses and cows within the City's urban growth boundary conflicts with the urban nature of the City and has the potential, if not regulated, to threaten the public health, safety, and welfare of the City's community members.

NOW THEREFORE, the City of Drain ordains as follows:

SECTION 1: The following is added to Chapter 90: Animals and Fowl of the City's code.

90.30 Exclusion of horses and cattle from City lots less than an acre in size.

90.30.010

It is unlawful for any person to house, maintain, or possess any horse, or equine animal, or cow, bovine animal, on property located within the City's Urban Growth boundary that is not more than one (1) usable acre in size. An additional half acres for each additional animal that is housed, maintained, or possessed on the property.

Useable acre or useable land means a continuous area of land that can be fenced. A useable acre of usable land does not include area occupied by or developed with a house, railroad tracks, creeks or rivers, or any developed non-natural space. Usable acre or useable land may include the area developed with a structure specifically used to house or shelter animals.

90.30.020

The following rules apply to lots over an acre where a horse, or other equine animal, or cow or other bovine animal is housed, maintained, or possessed:

- A) The area must be fenced in with a non-electric fence. The area can be separated into different sections.
- B) The area must have access to shade or protection for the animals. This could be a tree, built out cove, etc.
- C) The area must be maintained in sanitary conditions. Unsanitary condition exists when an offensive odor is present, the area attracts insects or rodents, or a nuisance, as defined in the City's code, exists on the property.
- D) Cattle and horses must be confined to the owner's property. Cattle and horses are not allowed to run at large or enter the property of another person. In such a case, the Douglas County Animal Control may be called and the offending animal may be removed from the owner's property.
- C) Animal waste must be disposed of in a manner that maintains the sanitary conditions of the property and should not be allowed to collect on the property.

90.30.030 Violations Penalties.

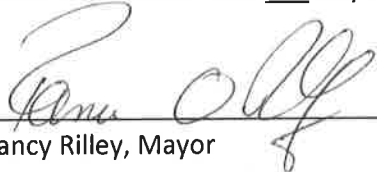
A person who violates any provisions of this Section 90.30 shall, upon conviction thereof, be guilty of an infraction and could be fined up to the maximum set out in section 90.99 section (E) of this code.

SECTION 2. Severability. Any provision of this Ordinance which proves to be invalid, void or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance shall remain in full force and effect.


SECTION 3. The City Administrator is hereby authorized and directed to codify Section 1 through 5 of this ordinance is an appropriate title of the Drain Municipal Code and to change the word Ordinance to Chapter as appropriate when codified.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect on the 30<sup>th</sup> day after its adoption by the Drain City Council.

PASSED BY THE CITY COUNCIL, CITY OF DRAIN DOUGLAS COUNTY OREGON THIS 13 Day of August, 2018

  
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Rancy Rilley, Mayor

ATTEST:

  
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Steve Dahl, City Administrator