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## Chapter 6.08 DOG KENNELS

### Sections:

- [6.08.010](#) Definitions.
- [6.08.020](#) Statement of purpose.
- [6.08.030](#) Permit required—Violation.
- [6.08.040](#) Permit application, issuance and renewal.
- [6.08.050](#) Compliance with zoning ordinance and comprehensive plan requirement.
- [6.08.060](#) Permit fees—Effective period.
- [6.08.070](#) Kenneled dogs at large.
- [6.08.080](#) Rabies inoculation—Exemptions.
- [6.08.090](#) Kennel permit display—Records.
- [6.08.095](#) Individual dog licenses not required for kenneled dogs.
- [6.08.100](#) Standards for operation.
- [6.08.115](#) Standards for hobby kennel operation.
- [6.08.120](#) Permit denial or revocation.
- [6.08.130](#) Appeals.
- [6.08.140](#) Disposal of animals after permit revocation.
- [6.08.150](#) Inspections.

### **6.08.010 Definitions.**

As used in this chapter:

“Dog kept primarily in a kennel” means a dog that is housed primarily in an approved kennel structure and not in the residence of its owner or keeper and that is not allowed to run at large.

“Hobby kennel” means a premises accessory to an occupied residence on which five to ten (10) dogs which have a set of permanent canine teeth or are four months old or older are kept primarily in a kennel for purposes other than those defined in “kennel.” These purposes include, but are not limited to, show, hunting, stock raising, sledding or other personal use.

“Hobby kennel permit” means a permit issued by the Jefferson County dog control department upon application and payment of all required fees by the applicant.

“Kennel” means a place of business, a facility or premises, housing five or more dogs that have a set of permanent canine teeth or are four months old or older, not including an animal hospital:

1. In which dogs owned by persons other than the business or facility owner are given training, boarded or groomed for compensation;
2. Maintained by public or private funds which serves as a temporary shelter for holding lost, strayed, surrendered, or abandoned dogs until disposition by redemption, adoption, or euthanasia is made;
3. A facility which trains dogs as guides for the visually, physically, or hearing impaired;
4. Which is maintained and operated as a business for breeding, buying, selling or bartering of dogs for profit or compensation; or
5. Any premises having more than ten (10) dogs.

“Kennel permit” means a permit from the Jefferson County dog control department

that indicates compliance with the rabies control provisions of ORS 433.365, the animal care standards of OAR 603-015-0030 through 603-015-0060 and this chapter.

“Kennel structure” shall mean a structure sufficient to protect its dogs from weather having: (1) inside and outside runs, with access to food and water dishes; (2) bedding to protect against cold and dampness; and (3) access to a dry place for dogs to rest. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.020 Statement of purpose.**

The purpose of this chapter is to protect the health, safety and welfare of the citizens of Jefferson County by providing for the control and protection of dogs within the unincorporated areas of Jefferson County and to ensure all dogs in Jefferson County, other than dogs maintained as inventory, are licensed. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.030 Permit required—Violation.**

A. No person shall own or operate a kennel or hobby kennel for which a kennel permit has not been issued.

B. No person shall own or operate a kennel or hobby kennel in violation of the terms and conditions of an issued permit, including but not limited to exceeding the permitted number of dogs.

C. Operation of a kennel or hobby kennel without a permit or in violation of an issued permit is punishable by a fine of no less than two hundred fifty dollars (\$250.00) but not more than five hundred dollars (\$500.00). Such violations may constitute continuing violations. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.040 Permit application, issuance and renewal.**

An application to establish or renew a kennel or hobby kennel permit shall be submitted on forms provided by the Jefferson County dog control department. The department staff shall inspect the proposed kennel or hobby kennel for compliance with the requirements of this chapter, except that any kennel that has been inspected by the United States Department of Agriculture, Animal and Plant Inspection Service shall be deemed to comply with all the standards of Section [6.08.100](#). The dog control department shall issue the initial permit if the proposed kennel or hobby kennel complies with this chapter and all other applicable ordinances, regulations or statutes. The dog control department shall automatically renew a hobby kennel permit so long as the current hobby kennel permit is in good standing. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.050 Compliance with zoning ordinance and comprehensive plan requirement.**

No kennel or hobby kennel permit shall be issued until proof is submitted by the applicant that the location and operation of the kennel is in compliance with the Jefferson County zoning ordinances and comprehensive plan, or any other pertinent zoning laws and land use regulations for any city within the county. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.060 Permit fees—Effective period.**

A. Each kennel permit shall be issued for the period of the calendar year from January 1st until December 31st of each year, and there shall be charged an annual fee set by order of the Jefferson County board of commissioners. A fee for a full year

shall be paid at the time of application, except as provided in this section. Any kennel opening after June 30th of the calendar year shall pay not more than one-half of the first year's required fee. Application fees for an existing kennel renewal shall be due no later than March 1st of each year. Applications for renewals received after March 1st through December 31st of the same year shall be charged a late fee in an amount to be set by the Jefferson County board of commissioners.

B. Each hobby kennel shall be charged a one-time inspection fee at the time of application. Hobby kennels must continue to annually license all dogs kept primarily in a kennel.

C. Kennel permit and hobby kennel permit fees shall be set by fee order established by the Jefferson County board of commissioners. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.070 Kenneled dogs at large.**

If any dog maintained under a kennel or hobby kennel permit under this chapter is found at large, the dog shall be dealt with as a dog at large, subject to all applicable fines, penalties and licensing requirements applicable to such dogs. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.080 Rabies inoculation—Exemptions.**

Dogs that are owned by dealers, breeders, or exhibitors exclusively for sale or exhibition purposes and that are confined to kennels except for transportation under strict supervision to and from dog shows or a veterinarian are exempt from proof of inoculation against rabies. Any dog permitted outside the confines of the kennel structure must have proof of inoculation against rabies. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.090 Kennel permit display—Records.**

A kennel permit shall be displayed in a readily visible location at all kennel premises. In addition, the operator of any such kennel shall maintain and keep available for inspection upon request by the Jefferson County dog control department records of:

A. The name, address and telephone number of the owner of each dog kept at the kennel; and

B. All sales of dogs as required by OAR 603-015-0060(1). (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.095 Individual dog licenses not required for kenneled dogs.**

The individual dog license required by ORS 609.100(1) shall not be required for any dog kept in a kennel or hobby kennel as described in Section [6.08.010](#) when said kennel has a permit under this chapter; however, all dogs kept in a hobby kennel must be licensed as kenneled dogs on an annual basis. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.100 Standards for operation.**

Every kennel, other than a hobby kennel, with a permit pursuant to this chapter shall comply with the following standards:

A. Those standards for indoor and outdoor facilities and health and husbandry practices as specified in OAR 603-015-0040, 603-015-0045, 603-015-0050;

B. The kennel structure and floor shall be sound and maintained in good repair to protect dogs from injury, to safely confine the dogs kept therein, to prevent entry of

other animals, and to allow each dog to stand, sit, lie and turn about freely and comfortably;

C. If doghouses with chains are used as primary enclosures for dogs kept outdoors, the chains used shall be placed or attached such that they cannot become entangled with the chains of other dogs or any other object. Such chains shall be of a type commonly used for the size dog involved and shall be at least three times the length of the dog as measured from the tip of its nose to the base of its tail and shall allow the dog convenient access to the doghouse;

D. The kennel shall have an adequate and potable water supply for all dogs;

E. Storage of food supplies and bedding materials shall be designed to prevent infestation by vermin. Refrigeration shall be furnished for perishable foods;

F. Disposal facilities, in addition to being operated so as to minimize vermin infestation, odors and disease hazards, shall comply with applicable federal, state and local laws and regulations relating to pollution control and the protection of the environment. Included is the removal and disposal of dog and food waste, bedding, dead animals, trash and debris;

G. Clean up agents and water shall be available to animal caretakers and handlers;

H. Proper and healthy temperatures shall be maintained at all times for animals in the kennel. Adequate ventilation shall be maintained to provide a fresh air supply and to minimize drafts, odors and moisture condensation;

I. Interior areas shall have adequate natural or artificial lighting;

J. Interior building surfaces shall be so constructed and maintained so as to prevent moisture penetration and allow easy sanitation;

K. Drainage facilities shall be available to assure rapid elimination of excess water from indoor housing facilities. The design shall assure obstruction-free flow and traps to prevent sewage back flow;

L. Outdoor facilities shall provide protected shading and adequate shelter against cold, wind, precipitation and inclement weather;

M. Fire extinguishers of the correct type and adequate number shall be available;

N. Dogs shall be fed at least once daily with a diet of nutritionally adequate and uncontaminated food. Clean water shall be continuously available unless otherwise recommended by a veterinarian;

O. Dog wastes shall be removed at least once daily and more often if necessary;

P. Cages, rooms, hard surface pens and runs shall be sanitized at least once weekly to prevent disease. Dogs shall be removed from the enclosure during the cleaning process and adequate care shall be taken to protect dogs in other enclosures. Before any dog new to the facility is introduced to empty enclosures that were previously occupied, such enclosures shall be sanitized;

Q. All sick or diseased dogs shall be isolated; and

R. An effective program for the control of insects, ectoparasites, avian and mammalian pests shall be established and maintained. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.115 Standards for hobby kennel operation.**

Every hobby kennel with a permit pursuant to this chapter shall comply with the following standards:

A. Owners of dogs kept primarily in a hobby kennel and not allowed to run at large are entitled, upon making the showing required in Section [6.08.040](#), to be licensed at the kennel fee rate. A person requesting licensing at the kennel rate shall establish by a signed statement (1) that the person houses his or her dogs primarily

in a kennel, as defined herein; (2) the number of dogs the person has; (3) that the person has not been convicted of animal abuse under county ordinance or state law for failure to maintain minimum care standards; and (4) that the person has not been convicted under county or state law for allowing his or her dogs to be at large during any period for which he or she has had a kennel license.

B. Any owner or keeper convicted of animal abuse under state or county law by virtue of the conditions under which dogs are kept in the owner or keeper's kennel shall not be entitled to be licensed at the kennel rate.

C. Any owner or keeper convicted of a dog at large violation while having dogs licensed at the kennel rate shall thereafter not be entitled to license his or her dogs at the kennel rate for a period of twenty-four (24) months from the date of conviction. The kennel license of the owner or keeper so convicted shall remain valid for the remainder of its term.

D. The dog owner applying for a kennel license shall grant authority to visit the premises to such county representatives as are necessary to verify that the qualifications set forth in the application are met. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.120 Permit denial or revocation.**

A kennel permit or hobby kennel permit required by this chapter may be denied or revoked by the Jefferson County dog control department for any of the following reasons:

A. Failure to comply with any provision of this chapter; or

B. Conviction of the owner, or any person subject to his or her direction or control, for a violation of any provision of this chapter or any other applicable county, federal or state law, rule, order, or regulation pertaining to any activity relating to the humane treatment of animals or the conditions under which dogs are kept in the owner or keeper's kennel; or

C. The person has been convicted under county or state law for allowing his or her dogs to be at large during any period for which he or she has had a kennel permit; or

D. Furnishing false information on the application for a kennel permit; or

E. If, after public hearing, the Jefferson County dog control board finds any dog, dogs or conditions of a kennel or hobby kennel constitute a nuisance. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.130 Appeals.**

Denial or revocation of a kennel permit may be appealed by filing a notice of appeal with the county administrative officer within fifteen (15) days after the date of such denial or revocation. The Jefferson County commission or the Jefferson County dog control hearings officer shall hold a hearing on the appeal and may affirm, reverse or modify the decision of the Jefferson County dog control department. Denial or revocation of a permit is a contested case and shall be heard according to the rules provided for contested cases in ORS Chapter 183. (Ord. O-39-08 § 1 Exh. A (part), 2008)

#### **6.08.140 Disposal of animals after permit revocation.**

The operator of any kennel or hobby kennel whose permit is revoked shall dispose of all dogs in the kennel within fifteen (15) days after the revocation becomes final. The revocation becomes final by either the affirmation for an appeal or the expiration of the time allowed to make an appeal. Disposal shall be by sale, transfer to a

licensed kennel or humane euthanasia. (Ord. O-39-08 § 1 Exh. A (part), 2008)

**6.08.150 Inspections.**

A. As a condition of any permit application for establishment or renewal of a kennel or establishment of a hobby kennel, the applicant shall be required to obtain a favorable inspection of the kennel structure and premises by the Jefferson County dog control department.

B. Upon receipt of a bona fide and credible complaint, any kennel or hobby kennel with or without a permit issued pursuant to this chapter, including any kennel exempt from fees, and any records pertaining to ownership of the animals kept within the kennel during the past three years, shall be subject to inspection by a representative of the Jefferson County dog control department at any reasonable time without prior notice. The person operating the kennel or hobby kennel shall permit access to all areas of the kennel structure and grounds. (Ord. O-39-08 § 1 Exh. A (part), 2008)

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**This page of the Jefferson County Code is current through Ordinance O-39-08, passed March 5, 2008.**

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