

32. DAMAGE CLAIMS FOR LIVESTOCK

32.1 PURPOSE

32.1.1 Clatsop County has a dog control program pursuant to ORS Chapter 609. ORS 609.170 provides that the owner of any livestock killed, wounded, chased, or injured by any dog may present a claim to the Clatsop County Board of Commissioners for damages arising from the incidents. ORS 609.180 provides that if the Board determines that the livestock has been so damaged, then the County shall compensate the owner for the damages out of the County dog fund. This is a substantial and potentially unfunded liability for the dog fund. ORS 609.015 authorizes the County to modify the provisions of ORS 609.101 to 609.190. The purpose of this ordinance is to eliminate the County's liability for payments pursuant to ORS 609.170-180. (Ordinance 94-15, Sec. 2)

32.2 LIMITATION ON DAMAGES PAID PURSUANT TO ORS 609.180

32.2.1 Regardless of the actual damages claimed or proven by an owner of any livestock killed, wounded, chased, or injured by any dog, the provisions of ORS 609.170 and ORS 609.180 relating to claims made, determined and paid by Clatsop County shall not apply or be part of Clatsop County's dog control program. Clatsop County shall have no responsibility and shall not conduct a hearing as described in ORS 609.180 or pay damages as described therein. Nor shall the livestock owner be required to file a claim pursuant to ORS 609.170 as a condition precedent to recovering damages directly from the dog owner. (Ordinance 94-15, Sec. 3)