

## ORDINANCE NO. 1500

AN ORDINANCE relating to animals running at large within the City limits and providing for the impounding of the same.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Hereafter no horse, mare, jack, jennet, mule, sheep, cow, heifer, bull, calf, hog, or any kind of cattle shall be allowed to run at large or to be herded on any of the streets, alleys, or public places in the City of Albany, or upon any private premises therein, except upon those of the owner or owners of such animals, except when such animals are being driven through said city for shipment or other purposes and when the owner, owners, or person in the possession or control of such animal or animals have first obtained permission of the owner or person in control of such private premises, from his agent, or from the occupant thereof.

Section 2. It is hereby made the duty of the council to appoint a suitable person to fill the office of poundmaster, who shall hold such office during the pleasure of the council and until his successor shall be appointed and qualified.

Section 3. If any of the animals mentioned in section 1 of this ordinance shall at any time be found running at large within the limits of said city, the same shall be taken up by the poundmaster, or by any other officer or person in said city and delivered at once to the poundmaster, who shall keep such animals in a good and safe place.

Section 4. It shall be the duty of the poundmaster, after taking up any such animal, as hereinbefore provided, immediately to post notices in at least three public places in the city for five successive days, giving a correct description of such animal, including natural and artificial marks thereon, and its color, size, and apparent age. Said notices shall also contain a statement of the time and place at which such animal will be sold, and upon what terms such sale will be made if the animal be not claimed as hereinafter provided, but such sale shall not take place within less than six days from the date of posting such notices. Such sale shall be to the highest bidder at public auction for cash in hand in legal tender of the United States and said notices shall so specify.

Section 5. If the owner shall prove before the sale takes place that the animal is his or that he is entitled to possession of it, he may take it upon payment of 75 cents for each day he has been kept, plus the fees for posting the notices of sale, plus \$1 for his taking up by the poundmaster.

Section 6. If such animal remains unclaimed until the day of sale or if the owner or person entitled to the possession thereof fails or refuses to pay the poundmaster the charges against such animal as provided in this ordinance, the poundmaster shall proceed to sell such animal or animals at the time appointed for such sale, in the manner specified in such notices, and, after deducting his legal fees and all costs and expenses of taking up, keeping, and selling the same, he shall pay the remainder of the proceeds of such sale to the city treasurer and take his receipt therefor.

Section 7. If at any time within six months after the date of such sale the owner or person entitled to the possession of any animal sold under the provisions of this ordinance shall make satisfactory proof of his title to such animal or animals to the city council, he shall be entitled to receive the proceeds of such sale from the city treasury; but if no such proof be made within six months from the date of such sale, such proceeds shall thereafter be the property of the City of Albany.

PASSED BY THE COUNCIL JANUARY 10, 1940.  
APPROVED BY THE MAYOR JANUARY 10, 1940.

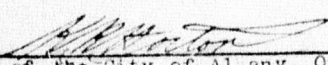
A.G. Senders  
Mayor

ATTEST K.R. Horton  
Recorder of the City of Albany, Oregon.

STATE OF OREGON )  
COUNTY OF LINN ( ss.  
CITY OF ALBANY )

I, K.R. Horton, Recorder of the City of Albany, Linn County, State of Oregon, do hereby certify that the foregoing copy of Ordinance # 1500, has been by me carefully compared with the original Ordinance Bill # 1619, now on file in this office, and further certify that same is a true and correct copy of the whole of said Ordinance Bill # 1619, as passed by the Council of the City of Albany, on the 10th day of January 1940, and approved by the Mayor on the 10th day of January, 1940.

Witness my hand and official signature and the seal of the City of Albany, Oregon, this 11th day of January 1940.

  
Recorder of the City of Albany, Oregon.