

ORDINANCE NO. 240

AN ORDINANCE AMENDING TITLE 13, SECTION 130.01 OF THE DUNES CITY CODE OF ORDINANCES ENTITLED “GENERAL OFFENSES” BY ADDING A NEW PARAGRAPH (C) REGARDING THE SAFE AND HUMANE KILLING OF CRIPPLED OR HELPLESS WILDLIFE; AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Dunes City Code prohibits hunting or trapping of wildlife within the City; and

WHEREAS, the prohibition contained within Dunes City Code City Code prohibits the humane killing of crippled or helpless wildlife in the City limits; and

WHEREAS, Oregon Revised Statutes 498.016 allows for the humane killing of any crippled or helpless wildlife under certain circumstances; and

WHEREAS, the Council has determined it would be beneficial for the residents of Dunes City to allow for the humane killing of any crippled or helpless wildlife;

NOW, THEREFORE, THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:

Section 1: Title XIII, Section 130.01, General Offenses, of the Dunes City Code of Ordinances is hereby amended to read as follows:

(A) *Prohibited.* Except as provided by divisions (B) and (C) of this section, O.R.S. 498.158 is applicable within the City and no person shall hunt or trap any wildlife within the City.

(B) *Hunting Exception.* The hunting of game birds with a shotgun and the trapping of wild fur-bearing animals are allowed within the City. A person engaged in the activities described in this section is responsible for conformance with all other applicable laws and regulations.

(C) *Humane Euthanizing Exception.* A person who has discovered a crippled or helpless animal as a result of being hit by an automobile or other significant injury, may safely and humanely euthanize the injured animal and shall immediately notify the local office of the State Fish and Wildlife Department, the Lane County Sheriff’s Office and the Dunes City Administrator. Dunes City will make arrangements for the disposal of the animal carcass if it is on a City roadway, or will contact the appropriate governmental agency if the animal carcass is on another entity’s roadway, to arrange for disposal.

(D) *Violations.* Violations of this Section 130.01 shall be addressed in accordance with the provisions of Chapter 36 of the Dunes City Code of Ordinances.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is judicially declared to be invalid, unenforceable, and/or void by a court of competent jurisdiction, such decision shall not have the effect of invalidating or voiding the remainder of this Ordinance, and the part(s) of this Ordinances so held to be invalid, unenforceable, and/or void shall be deemed stricken, and the remainder of this Ordinance shall have the same force and effect as if such stricken part(s) had never been included.

The first reading of this Ordinance was conducted in a regular meeting of the City Council of Dunes City, Oregon, on the 8th day of September, 2016.

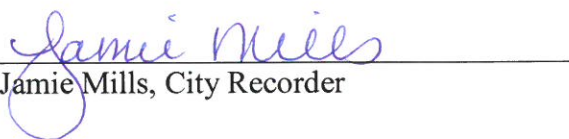
The second reading of this Ordinance was conducted in a regular meeting and adopted by the City Council of Dunes City, Oregon on this 13th day of October, 2016.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0 Vacant: 0

ADOPTED BY THE DUNES CITY COUNCIL THIS 13th DAY OF OCTOBER, 2016.


Maurice Sanders, Council President

ATTEST:


Jamie Mills, City Recorder