

**ORDINANCE NO. 349  
CITY OF DUFUR, OREGON**

**AN ORDINANCE AMENDING § 90.08 OF THE CODE OF THE CITY OF DUFUR  
PROVIDING FOR RULES AND REGULATIONS PERTAINING TO PROHIBITED  
LIVESTOCK IN THE CITY OF DUFUR AND DECLARING AN EMERGENCY**

**WHEREAS**, the Code of the City of Dufur, Chapter 90, provides rules and regulations regarding animals in the City of Dufur (“City”);

**WHEREAS**, § 90.08 of the Code of the City of Dufur allows one goat to be kept solely pursuant to the direction of a physician for purposes of obtaining goat’s milk for the use of the property owner or occupant and his or her family;

**WHEREAS**, the City Council of the City deems it necessary to amend § 90.08 to expand the one (1) goat limitation, allow for newborn goats, allow goats for student participation in 4-H programs, and establish a permit program;

**WHEREAS**, the current provisions for livestock in the Code of the City of Dufur are outdated and the Council desires amendment.

**WHEREAS**, the City Council finds that goat milk is an important nutrient for human consumption; therefore, an emergency is deemed to exist due to current food shortages.

**NOW, THEREFORE**, the City of Dufur ordains as follows:

**Section 1:**     **§ 90.08 of the Code of the City of Dufur is amended in its entirety to read as follows:**

**§ 90.08           PROHIBITED LIVESTOCK; EXEMPTIONS AND PERMITS**

- (A) Unless being transported for commercial purposes, no person shall keep within the City any livestock, without first obtaining a permit from the City.
- (B) Roosters are prohibited in the City.
- (C) Permit approval shall only be given for horses, cattle, sheep, goats, and/or domesticated egg laying fowl. Permit approval shall not be given for any other livestock or for roosters. Approval shall be limited to the following circumstances:

- (1) Permit approval for cattle, sheep, and goats (male and female) may be given pursuant to enrollment in a student 4-H, Future Farmers of America (FFA), or similar program recognized by the City Council, and in a specific quantity of livestock and duration as set by the City Council.
- (2) Permit approval for no more than two (2) female goats may be given. Permit approval for female goat(s) may also allow approval for temporarily keeping the offspring of the permitted female goats, so long as such offspring are no older than twelve (12) weeks in age.
- (3) Permit approval for domesticated egg laying fowl and horses may be given in a quantity as approved by the City Council.
- (4) The City may allow goats (male and female) on property owned or controlled by the City or the Dufur School District pursuant to a student 4-H, FFA, or similar program recognized by the City Council, and in a specific quantity and duration as set by the City.
- (5) The restrictions herein may be further considered and adjusted by the City Council on a case-by-case basis depending on the particular circumstances as presented by the applicant to the City Council.

(D) Permit Approval is subject to the sole discretion of the City Council in accordance with the following criteria:

- (1) Permits are limited to the landowner unless written permission is provided by the applicant's landlord;
- (2) The City Council's determination that fencing, coops, and/or pens are adequate for the applicant's request;
- (3) The livestock is not for commercial use;
- (4) The livestock does not constitute a public nuisance or otherwise pose a threat to public health, safety, or welfare; and
- (5) Adequate condition and size of the property which the applicant intends to keep the animals.

(E) The form for submitting an application to the City, form of approval, any fees for application, and any fees for continued permitting of livestock may be proscribed by resolution of the City Council. If the City Council does not designate a form, the applicant may submit a written submission for consideration which addresses the requirements of this ordinance.

(F) Permits may be revoked if, in the sole discretion of the City Council, the City Council finds any of the following:

- (1) The premises where the livestock is kept is not sanitary, adequately enclosed, or reasonably open to inspection;

- (2) Over 50% of the total number of owners or residents abutting the applicant's property where the livestock are kept sign and file a petition with the City Recorder requesting revocation of the permit; or
- (3) When the owner keeps livestock in such a manner so as to create a public nuisance, disturb neighborhood residents because of any noise, odor or damage, or otherwise interfere with the enjoyment of any adjacent owner's or resident's property.

(G) Any permit holder whose permit is revoked shall have ten (10) days to relocate or otherwise dispose of the livestock. Notwithstanding the foregoing, if the City Council finds that the livestock constitutes an unreasonable threat to the health, safety, or welfare of the public, the revocation may require that the livestock be removed from the applicant's property immediately.

**Section 2: Severability.** A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

**Section 3: Emergency Declared.** This ordinance, being necessary for the health, safety, and welfare of the community, shall become effective immediately upon adoption.

**ADOPTED** by the Dufur City Council this \_\_\_\_\_ day of July, 2022.

\_\_\_\_\_  
Merle Keys, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Bostick, City Recorder