

Chapter 17.12

LIVESTOCK DISTRICT ANNEXATION

Sections:

- 17.12.010 Short title.
- 17.12.020 Definitions.
- 17.12.030 Petition--Contents.
- 17.12.040 Petition--Verification.
- 17.12.050 Petition--Signatures.
- 17.12.060 Petition--Filing.
- 17.12.070 Petition--Publication of hearing notice.
- 17.12.080 Petition--Determinations to be made.
- 17.12.090 Petition--Presentation of evidence.
- 17.12.100 Petition--Declaration.
- 17.12.110 Notice.
- 17.12.120 Applicability of state law.

17.12.010 Short title. This chapter may be referred to as the "county livestock annexation ordinance." (Ord. 86-6-3 §1(1), 1986)

17.12.020 Definitions. Words used in this chapter which are defined in ORS Chapter 607 shall have the same meaning given in that chapter. (Ord. 86-6-3 §1(2), 1986)

17.12.030 Petition--Contents. A landowner who desires to annex to an existing livestock district may petition to the board of county commissioners for annexation. The petition shall contain substantially the following:

- A. State that the petition is filed pursuant to this chapter.
- B. State the name of the existing livestock district to which annexation is desired.
- C. State that the petition is for annexation to such livestock district.
- D. State that all signers of the petition are landowners within the proposed annexation area and that all landowners within this area have signed the petition.
- E. State what livestock or class or classes thereof are not to be permitted to run at large. The class or classes must conform to the existing district to which the area is to be annexed. (Ord. 86-6-3 §2(1), 1986)

17.12.040 Petition--Verification. Each petition containing signatures shall be verified by affidavit of the person circulating the petition stating that every person who signed the petition did so in the presence of the person circulating the petition. (Ord. 86-6-3 §2(2), 1986)

17.12.050 Petition--Signatures. A petition for annexation under this chapter shall

be signed by the owners of all land in the territory proposed to be annexed. (Ord. 86-6-3 §3, 1986)

17.12.060 Petition--Filing. A petition for annexation shall be filed with the board of county commissioners. If the petition appears to satisfy the requirements of this chapter, the board of commissioners shall make an order declaring its intention to hold a hearing on the petition. The order shall fix the time and place for the hearing. The hearing shall be held not less than thirty days after the date of the order. (Ord. 86-6-3 §4(1), 1986)

17.12.070 Petition--Publication of hearing notice. The board of commissioners shall direct the county clerk to publish a notice of the hearing in a newspaper of general circulation in the county. The notice shall be headed: "Notice of the Proposed Annexation to Livestock District, Douglas County" (stating the name of the district to which the property is to be annexed). It shall state the time and place of the hearing on the matter of annexation to the district, shall describe the territory to be annexed, specify the boundaries and name the livestock or class of livestock which shall not lawfully be permitted to run at large. The notice shall be published once a week for two successive weeks prior to the time fixed for the hearing. A copy of the published notice shall be forwarded to the State Department of Agriculture by certified mail. (Ord. 86-6-3 §4(2), 1986)

17.12.080 Petition--Determinations to be made. At the time state in the notice, the board of commissioners shall hear the petition and determine if:

A. The owners of all of the land within the area to be annexed have joined in the petition.

B. The boundaries of the annexed area meet the requirements of ORS Section 607.012.

C. Less than six person own real property within the proposed area to be annexed. If more than six persons own real property then the petition shall be denied and the petitioners instructed to use annexation procedures provided in ORS Chapter 607. (Ord. 86-6-3 §4(3), 1986)

17.12.090 Petition--Presentation of evidence. At the hearing, any person interested may appear and present evidence relating to the petition. If, after a full hearing, the board of commissioners is of the opinion that the boundaries of the proposed annexation area should be changed in order to conform to the requirements of this chapter the board of commissioners may make the necessary changes. (Ord. 86-6-3 §5(1), 1986)

17.12.100 Petition--Declaration. After the hearing on the petition, if the board finds the requirements of this chapter have been met, the board shall enter an order describing the boundaries of the territory annexed and declaring it annexed to the district. (Ord. 86-6-3 §5(2), 1986)

17.12.110 Notice.

A. If the property is annexed, the county clerk shall give notice thereof by publication, in a newspaper of general circulation in the county, once a week for two consecutive weeks, that on and after the sixtieth day from the date of the first publication of the notice it shall be unlawful for livestock or a class of livestock to be permitted to run at large within the boundaries of the livestock district. The notice shall state the name by which the district is to be known, the boundaries thereof and shall also set forth the penalties for violation of ORS 607.045.

B. The county clerk shall file a copy of the notice, copies of all other published notices, the petitions and all other data or documents relating to the district in the county records in a book, record or file identified as "Livestock District." No other type of data or documents shall be filed therein. The county clerk shall also mail one certified copy of the final published notice, as provided in this section, by certified or registered mail to the State Department of Agriculture. The annexation shall not be effective until and unless the State Department of Agriculture has been so notified. (Ord. 86-6-3 §7, 1986)

17.12.120 Applicability of state law. Territory annexed to a livestock district under this chapter shall be subject to the same laws applicable to livestock districts in ORS Chapter 607 as if the territory were annexed under that chapter. (Ord. 86-6-3 §8, 1986)