



ORDINANCE NO. 6070

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE SECTION 6.18.050 CONSEQUENCE OF A DETERMINATION THAT A DOG IS DANGEROUS.

WHEREAS, not every owner of a dangerous dog wishes to appeal the Directors designation; and

WHEREAS, some owners of dangerous dogs wish to have an alternative to euthanasia considered; and

WHEREAS, the current code requires a full appeals process for an alternative to euthanasia to be considered.

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Section 6.18.50 Consequence of a determination that a dog is dangerous is hereby amended as follows:

6.18.050 Consequence of a determination that a dog is dangerous.

(1) Unless an alternative disposition is adopted pursuant to the provisions of subsection (2) or (3) of this section, any dog that has been found to be a dangerous dog shall be euthanized. If a dog is euthanized by a licensed veterinarian, the veterinarian shall certify to the City of Albany that the dog has been euthanized.

(2) If the owner of the dangerous dog does not wish to appeal the designation, they may request an alternative to euthanasia if both the Director and victim agree to the terms. The alternative may only be accepted if the conditions of subsection (3)(a) through (c) of this section are met.

(3) Following the hearing called for in AMC 6.18.030(3) to review the Director's decision to classify a dog as dangerous, the owner or person in control of the dog may propose an alternative to euthanasia ("alternative" or "alternative order") in the event that the Hearings Officer affirms the Director's classification of the dog as dangerous. Before determining the acceptability of any alternative, the terms of the alternative must be provided to the Director in writing and the Director will thereafter provide written notice of the terms of the proposed alternative to the victim. If the alternative is relocation, the Director shall also provide written notice to the law enforcement agency with jurisdiction in the location where relocation is proposed. The Hearings Officer shall not consider any proposed alternative until and unless such notice has been provided to all listed parties and they have been given a 10-day opportunity to submit written comments to the Hearings Officer concerning the terms of the proposed alternative. In considering a proposed alternative, the Hearings Officer shall take into consideration the extent to which abuse, torment, or provocation, while not excusing the dog's behavior, may have been a factor in the behavior and the extent to which the proposed alternative mitigates against a reoccurrence of these factors. The alternative may only be accepted by the Hearings Officer or Director as an alternative to euthanasia in the event that the Hearings Officer or Director determines, based upon substantial evidence in the record, that all of the following conditions have been met:

(a) All costs associated with the quarantine and impoundment of the dog pending adjudication as provided at AMC 6.18.070 have been paid; and

(b) The alternative will have no additional costs to the City; and

(c) A relocation alternative shall include specific conditions concerning the future care, control, and supervision of the dog which satisfies the Hearings Officer that the dog is unlikely to repeat the behavior upon which a classification is based, including disclosure to subsequent owners of the dog's classification and the behavior which resulted in the classification. Removal from the City limits, without more, shall not satisfy these criteria. Examples of appropriate conditions, depending

upon the behavior which resulted in the classification, may include prohibitions against ownership transfers to households containing minor children or other vulnerable parties, prohibitions on relocation to urban areas, or any other condition deemed by the Hearings Officer to be reasonably necessary to reduce the likelihood of re-offense.

(4) In the course of presenting an alternative as called for in subsection (2) of this section, the burden of proof shall rest with the owner or person in control of the dog. In deciding upon an appropriate alternative, the Hearings Officer may, but is not required to, solicit the opinion of third parties who, in the exclusive discretion of the Hearings Officer, have special knowledge or expertise that may be helpful in fashioning an appropriate alternative.

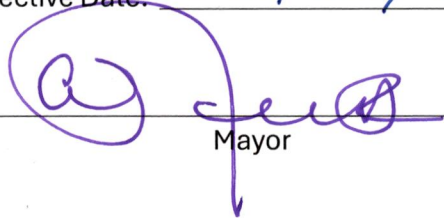
(5) If an alternative is adopted for a dangerous dog, all of the terms thereof shall be incorporated into a written order.

(6) A dog which, subsequent to adoption of an alternative order, again engages in behavior from which it could be classified as dangerous or potentially dangerous shall be euthanized. (Ord. 5769 § 1, 2011; Ord. 4847 § 1, 1989).

Passed by the Council: 11/19/2025

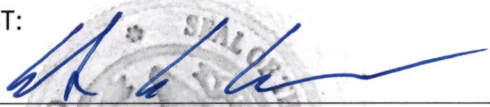
Approved by the Mayor: 11/20/2025

Effective Date: 12/20/2025



Mayor

ATTEST:



City Recorder

