

# Chapter 610

## 1981 REPLACEMENT PART

### Predatory Animals

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#### CROSS REFERENCES

- Animals in trailer parks, 446.115
- Black bear and cougar as game mammals, 496.004
- Casting artificial light on predators restricted, 498.146
- Constructing trailer park near breeding place of rodents prohibited, 446.100
- County and municipal financial administration, Ch. 294 Dogs, Ch 609
- Explosives, use for repelling predatory birds and animals, 480.122
- Hunting and trapping predatory animals in municipal watershed areas, 448.305
- Restriction on power of State Fish and Wildlife Commission to limit taking of predators, 496.162



**610.002 "Predatory animals" defined.** As used in ORS 610.002 to 610.990, "predatory animal" or "predatory animals" includes coyotes, rabbits, rodents and birds which are or may be destructive to agricultural crops, products and activities, but excluding game birds and other birds determined by the State Fish and Wildlife Commission to be in need of protection. [1959 c 240 §2, 1971 c 658 §29; 1977 c 136 §4, subsection (2) of 610 002 renumbered 610 003, 1979 c 399 §2]

**610.003 Bobcat and red fox control permitted.** Notwithstanding any other provision of law, the State Department of Agriculture, after consultation with the State Department of Fish and Wildlife, may implement bobcat and red fox control procedures as authorized under ORS 610.002 to 610.990, for a specified period of time and within a specified area, if the State Department of Agriculture determines such action is necessary to protect domestic mammals or birds. [Formerly subsection (2) of 610 002, 1979 c 399 §4]

**610.005 Administration of laws for the destruction of predatory animals.** The laws for the destruction, eradication or control of predatory animals by the state shall be administered by the State Department of Agriculture. Any sums appropriated by the legislature for such purposes shall be expended in cooperation with the Fish and Wildlife Service of the United States Department of Interior. No part of any such appropriation shall be paid for bounties. [Amended by 1959 c 240 §3]

**610.010 Cooperative agreements with the Federal Fish and Wildlife Service.** The State Department of Agriculture shall enter into definite cooperative agreements with the Federal Fish and Wildlife Service, prescribing the manner, terms and conditions of such cooperation and the amounts which the State and Federal Governments will contribute thereto. [Amended by 1959 c 240 §4]

**610.015 County appropriations for destruction of predatory animals.** The various county courts and boards of county commissioners may appropriate out of county general funds any amount of money that, in their judgment, is necessary to be expended in cooperating with the State Department of Agriculture and with the Federal Fish and Wildlife Service in carrying out ORS 610.002 to 610.040 and 610.105. However, no county shall be called upon to appropriate any

amount of money for the purpose of such sections where it is not spent within the border of the county. [Amended by 1959 c 240 §5, 1981 c 95 §2]

**Note:** The amendment to 610.015 by section 2, chapter 95, Oregon Laws 1981, takes effect July 1, 1982 See section 5, chapter 95, Oregon Laws 1981

**610.020 Predatory Animal, Rabbit and Rodent Control Fund.** (1) From all money received by the State Fish and Wildlife Commission from licenses, fines, gifts and otherwise, constituting the State Wildlife Fund, the State Fish and Wildlife Commission shall set aside three percent in a budget fund to be known as the Predatory Animal, Rabbit and Rodent Control Fund. The amount set aside shall not exceed \$40,000 in any one calendar year.

(2) Such fund shall be expended by the State Fish and Wildlife Commission in cooperation with the State Department of Agriculture and the Federal Fish and Wildlife Service for the control and destruction of predatory animals, rabbits and rodents in the state. Any part of such fund remaining unexpended at the end of any calendar year shall remain in the fund for expenditure during the succeeding year. [Amended by 1959 c 680 §1]

**610.025 County appropriations matching state funds for control and eradication of predatory animals; gifts from private persons.** (1) On presentation of a petition signed by 100 taxpayers of any county and a statement from the State Department of Agriculture to the effect that certain state funds are available for expenditure in the county where the petitioners reside, the county court may appropriate from the general fund of the county an amount of money equal to, or in excess of, the state funds available for expenditure within the county and forward such money to the State Department of Agriculture to be expended for the control and eradication of predatory animals as provided by ORS 610.030 to 610.040.

(2) The county court or board of county commissioners of any county may accept gifts and donations from private persons or associations of persons to be expended for the control and eradication of predatory animals as provided by ORS 610.025 to 610.040. Moneys received by the county under this subsection shall be forwarded to the State Department of Agriculture to be expended for the control and eradication of predatory animals as provided

by ORS 610.025 to 610.040. [Amended by 1953 c 606 §4, 1965 c 485 §1]

**610.030 Apportionment of money appropriated by the state to eradicate animals.** (1) The State Department of Agriculture shall apportion any money appropriated by the state legislature for the purpose set forth in ORS 610.025, among the counties according to the necessity for control and eradication of predatory animals and the financial cooperation received from the counties.

(2) Moneys paid or forwarded pursuant to ORS 610.025 by the county court of any county to the State Department of Agriculture, and moneys allotted by the State Department of Agriculture for expenditure within any county, hereby are appropriated continuously for and shall be expended only in the control of coyotes and other harmful predatory animals within the boundaries of the county in accordance with the terms and conditions fixed by the State Department of Agriculture and the Federal Fish and Wildlife Service, unless otherwise authorized by the county court. [Amended by 1953 c 606 §4; 1965 c 485 §2]

**610.032 Refund of unexpended funds appropriated by county for predatory animal control.** Any unexpended and unobligated funds appropriated by a county court or board of county commissioners for the destruction, eradication or control of predatory animals under ORS 610.015 or 610.025 may be refunded if the State Department of Agriculture finds that such funds are not necessary to carry out ORS 610.002 to 610.040 and 610.105. [1959 c 541 §2, 1981 c.95 §3]

**Note:** The amendment to 610.032 by section 3, chapter 95, Oregon Laws 1981, takes effect July 1, 1982. See section 5, chapter 95, Oregon Laws 1981.

**610.035 Employment of hunters and trappers; cooperation with Fish and Wildlife Service.** (1) The State Department of Agriculture may employ hunters and expert trappers throughout the state for the purpose of controlling and eradicating coyotes and other harmful predatory animals. The department may also provide funds for administrative purposes in connection with predatory animal control and eradication.

(2) For the purpose of carrying on this work the department shall enter into contracts with the Federal Fish and Wildlife Service in order to prevent duplication, secure

proper administration and enlist the financial support of the Federal Government.

**610.040 Money from sale of skins.** Money received by the State Department of Agriculture from the sale of skins shall be paid into the State Treasury and expended in the county from which the skins were taken, in the control and eradication of predatory animals.

**610.045 Keeping coyotes in captivity.** Coyotes shall not be kept in captivity except in public parks or zoos or in compliance with the terms and conditions of a permit issued pursuant to ORS 497.308 and 497.312. The justice court, district court and circuit court have concurrent jurisdiction of any violation of this section. [Amended by 1977 c 247 §3]

**610.050 Molesting device, or animal caught by device, prohibited.** (1) No person shall steal, take or molest a trap, poison bait station, coyote getter or other device which is operated, possessed or controlled by an employe of a county, state or Federal Government for the purpose of the eradication of noxious or predatory animals.

(2) No person shall steal, take or molest any noxious or predatory animal captured or killed by any such device described in subsection (1) of this section. [1959 c.299 §2(1), (2)]

**610.060 Effect of certain wildlife law provisions on predatory animal control.** Nothing in the wildlife laws is intended to deny the right of any person to control predatory animals as provided in ORS 610.105 [1971 c 658 §28, 1973 c 723 §126, 1975 c 214 §2, 1975 c 791 §3]

**610.105 Authority to control noxious rodents or predatory animals.** Any person owning, leasing, occupying, possessing or having charge of or dominion over any land, place, building, structure, wharf, pier or dock which is infested with ground squirrels and other noxious rodents or predatory animals, as soon as their presence comes to his knowledge, may, or his agent may, proceed immediately and continue in good faith to control them by poisoning, trapping or other appropriate and effective means. [Amended by 1971 c 658 §30]

**610.110** [Repealed by 1981 c 95 §1]

**610.115** [Repealed by 1969 c 167 §1]

**610.120** [Repealed by 1969 c 167 §1]

**610.125** [Amended by 1969 c 167 §2, repealed by 1981 c 95 §1]

- 610.130 [Amended by 1969 c 167 §3, repealed by 1981 c 95 §1]
- 610.135 [Repealed by 1969 c 167 §1]
- 610.140 [Repealed by 1969 c 167 §1]
- 610.145 [Repealed by 1981 c 95 §1]
- 610.205 [Amended by 1967 c 293 §34; 1967 c.594 §2, repealed by 1981 c 95 §1]
- 610.210 [Repealed by 1981 c 95 §1]
- 610.215 [Amended by 1957 c 566 §1, repealed by 1981 c.95 §1]
- 610.220 [Repealed by 1981 c 95 §1]
- 610.225 [Repealed by 1981 c.95 §1]
- 610.230 [Amended by 1957 c 566 §2, repealed by 1981 c 95 §1]
- 610.235 [Repealed by 1981 c.95 §1]
- 610.240 [Repealed by 1959 c 299 §4]
- 610.245 [Amended by 1957 c 566 §4; repealed by 1959 c.299 §4]
- 610.250 [Amended by 1957 c.566 §3, repealed by 1959 c 299 §4]
- 610.255 [Repealed by 1959 c 299 §4]
- 610.260 [Repealed by 1959 c.299 §4]
- 610.265 [Repealed by 1959 c 299 §4]
- 610.270 [Repealed by 1959 c 299 §4]
- 610.275 [Repealed by 1959 c 299 §4]
- 610.280 [Repealed by 1959 c.299 §4]
- 610.285 [Repealed by 1959 c 299 §4]
- 610.290 [Repealed by 1959 c 299 §4]
- 610.295 [Repealed by 1961 c 154 §1]

- 610.300 [Repealed by 1971 c 743 §432]
- 610.405 [Repealed by 1981 c.95 §1]
- 610.410 [Repealed by 1981 c 95 §1]
- 610.415 [Repealed by 1981 c.95 §1]
- 610.420 [Repealed by 1981 c 95 §1]
- 610.425 [Repealed by 1981 c 95 §1]
- 610.430 [Repealed by 1981 c 95 §1]
- 610.505 [Repealed by 1981 c 95 §1]
- 610.510 [Repealed by 1981 c 95 §1]
- 610.515 [Repealed by 1981 c 95 §1]
- 610.520 [Repealed by 1981 c 95 §1]
- 610.525 [Repealed by 1981 c 95 §1]

**610.990 Penalties.** (1) Violation of ORS 610.045 is punishable, upon conviction, by a fine of not more than \$500.

(2) Violation of ORS 610.050 is punishable upon conviction by a fine of not more than \$500, or by imprisonment in the county jail not more than one year, or both. [Amended by 1959 c 299 §3, subsection (2) enacted as 1959 c 299 §2(3), 1971 c 743 §401, 1981 c 95 §4]

**Note:** The amendment to 610 990 by section 4, chapter 95, Oregon Laws 1981, takes effect July 1, 1982 See section 5, chapter 95, Oregon Laws 1981

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**CHAPTERS 611 TO 615  
[Reserved for expansion]**

