

TITLE 6

ANIMALS

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6.04

ANIMALS GENERALLY

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Section 6.04.010 Definitions.

For purposes of this title, the following words shall have the meanings respectively ascribed to them:

"Animal" means any living creature, except human beings, and includes (without limiting the generality thereof) mammals, birds, reptiles, and fish.

"Animal wild by nature" means any animal ~~which that~~ is not generally considered to be domesticated or a pet, or ~~which that~~ usually is considered by ordinary persons to be dangerous, or an animal ~~which that~~ customarily does not live ~~ordinarily~~ with human beings.

"Animal that comes into the City's care" means any animal that is impounded or otherwise boarded by the City due to violation of City ordinances, or which presents a hazard or danger to humans or other animals, or which is voluntarily surrendered by its keeper and accepted by the City.

"Animal Welfare Division" means a section of City government as designated by the city manager with regulatory and enforcement authority over the chapters of this title; as well as provision of safe, healthy and humane conditions for animals taken into the City's care.

"Cat" means ~~and includes felis catus, and any of a family (felidae) including the domestic cat, lion, tiger, leopard, jaguar, cougar, wildcat, lynx and cheetah, and shall include all such animals as aforementioned over the age of two months;~~ any member of the feline species that is generally considered to be domesticated or a pet, or that is not usually considered by ordinary persons to be dangerous, or that customarily lives with human beings.

"Dog" means ~~and is construed to mean any dog, bitch, whelp or any and all other animals of the canine species over the age of six months, unless otherwise specifically set out and stated and where used without other specific designation shall include both male and female;~~ any member of the canine species that is generally considered to be domesticated or a pet, or that is not usually considered by ordinary persons to be dangerous, or that customarily lives with human beings.

"Domesticated animal" means, but is not limited to, dogs and cats, as well as chickens, rabbits, horses, cows, donkeys, ~~mules, burros, cattle,~~ hogs, sheep, and goats, ~~swine, rabbits and fowl.~~ or similar such animals, that are cared for by human keepers, or that are otherwise not considered by ordinary persons to be dangerous when in a normal state.

~~"Mammal" means any of the class mammalia or any subclass thereunder of higher vertebrates, excluding human beings, consisting of all animals that nourish their young with milk secreted by mammary glands and have the skin more or less covered with hair.~~

"Feral" means an animal in a wild state – including an animal that has escaped from captivity or domestication.

"Keeper" means a person of sufficient age and mental capacity who is responsible for a domesticated animal's health, safety and welfare at all times as a pet, or who is caring for an animal on his or her property, or property of another, by providing proper shelter and sustenance, or who otherwise has legal custody of the animal.

"Pet" means any domesticated animal legally upon a person's property that is licensed by the City to that person where such license is required, or that is cared for with proper shelter and sustenance at all times by that person and/or that person's household. (Prior code § 4-101)

~~Section 6.04.020~~ Application.

~~The provisions of this chapter relating to animals or domestic fowls are enumerative of and additional to all other rights, authorities, duties and powers imposed upon or vested in any city official, board or council by ordinance or law, and in addition to all other regulatory measures pertaining to animals or domestic fowls, the keeping, licensing and use thereof. (Prior code § 4-102)~~

Section 6.04.030020 Pound established. Animal Welfare Facility established.

~~There is hereby established~~ A. The City shall establish an Animal Control Welfare Facility, ~~the same to be located at such place as the City Council from time to time may direct.~~ operated by an Animal Welfare Division as a municipal governmental function; or contracted for operation by another governmental entity, consortium, private organization or corporation as authorized by the city council. It shall be under the ~~immediate~~ control of ~~an Animal Control Supervisor, his designee or of such other person as may be officially designated.~~ The person in charge of the Animal Control Facility shall provide proper sustenance for all animals impounded and shall treat them in a humane manner. ~~The city may contract with another agency for the use of a Animal Control Facility maintained by that agency~~ a designated department of the City as authorized by the city manager, with the department head or a designee serving as a responsible supervisor for facility operations and services.

B. Animals taken into the City's care shall be kept at the Animal Welfare Facility in a safe, sanitary and humane environment at all times and shall receive sustenance at regular intervals. Sick or injured animals at the facility shall receive medical care as necessary and appropriate.

C. At the discretion of the department head or designee, animals that come into the City's care may be assigned to facilities other than the Animal Welfare Facility if such is in the best interests of the animal's health, safety and welfare. (Prior code § 4-103; 1221, Amended by Recodification, 11/19/2012)

Section 6.04.040030 ~~Animals to be impounded.~~ Animals taken into the City's care.

A. ~~An The~~ Animal Welfare Officer ~~Control Supervisory, his designee,~~ police officer, ~~or such other officer or employee of the city as may be authorized by the City Manager;~~ or other authorized employee or agent of the City ~~1. Shall take into custody and impound any animal~~ may take any dog, cat or other domesticated animal into the City's care if the animal is found to be ~~running-at-large in violation of any provision of the ordinances of the city;~~ in violation of City ordinances, is abandoned, is alleged to be neglected or abused by its keeper, or is otherwise determined to be a danger to itself, humans or other animals.

~~2. May~~ B. An Animal Welfare Officer, police officer or other authorized employee or agent of the City may enter upon ~~the premises of the owner or other private premises to~~

~~take such animal into custody; and 3. If with reasonable effort a dog illegally at large cannot be caught, such may kill it, whether on or off private premises. B. Any other person may take such animal into custody and present it to the authority in charge of the pound for impounding~~ private property to apprehend and take into the City's care any animal found to be in violation of City ordinances. Such employees or agents of the City may enter upon private property to investigate and take an animal into the City's care where probable cause exists that the animal's health, safety or welfare are in peril, and exigence is necessary to protect the animal from imminent death or serious injury.

C. When an animal is taken into the City's care, a record of such shall be made – including the animal's breed and description, the date it was taken into the City care and reason for such, license or identification information if available, and the keeper's name if known. (Prior code § 4-104; 1221, Amended by Recodification, 11/19/2012)

Section 6.04.050040 ~~Caring for animals or domestic fowl.~~ **Reclaiming animals by keepers.**

~~The animal control officer shall provide suitable and proper care for animals or domestic fowls in his or her custody, including necessary sustenance for all animals or domestic fowls impounded.~~ (Prior code § 4-105)

A. The keeper of a domesticated animal that has been taken into the City's care for violation of City ordinances, or otherwise, may reclaim the animal within three days from the date and time the animal was taken into the City's care. The keeper shall demonstrate to the Animal Welfare Division's satisfaction that he or she is the rightful person to possess the animal.

B. All fees due the City shall be paid in full prior to release of any animal to its keeper – including but not limited to boarding and licensing as applicable, veterinary care necessary to save the animal's life, and rabies vaccination and/or spaying or neutering as necessary.

C. The Animal Welfare Division may keep an unclaimed animal in the City's care longer than three days at its sole discretion for purposes beneficial to the health, safety and welfare of the animal.

Section 6.04.060050 ~~Notice.~~ **Adoption of animals.**

~~The Animal Control Supervisor, his designee or the person empowered by the City Manager shall give all notice required by this chapter and other ordinances relating to regulation of animals or domestic fowls, and where provision is made for their sale or other disposition, shall be charged with making provision therefor.~~ (Prior code § 4-106; 1221, Amended by Recodification, 11/19/2012)

A. Animals that come into the City's care may be eligible for adoption after the expiration of three days from the date and time record was made of such. Adoptions shall be in accordance with procedures implemented administratively by the Animal Welfare Division of the City in compliance with applicable City ordinances and State

laws. – including but not limited to provisions of the Dog and Cat Sterilization Act (4 O.S. § 14A).

B. An adoption fee and other fees as applicable shall be collected prior to release of the animal to the adopter. Such fees may be waived for adopters who are authorized representatives of entities or organizations devoted to the humane treatment of and prevention of cruelty to animals, or entities or organizations that facilitate finding quality living environments for same.

C. A record shall be made of each animal adoption, or similar disposition, in accordance with procedures implemented administratively by the Animal Welfare Division of the City in compliance with applicable City ordinances and State laws.

D. The City may refuse adoption of any animal to any person for causes that could imperil the health, safety or welfare of the animal or the adopter. A record shall be made of such refusal and such shall be authorized by the department head or a designee. The city manager shall consider any appeal of a denied adoption, and his or her decision shall be final.

E. Livestock or other such animals that come into the City's care but that cannot be humanely cared for at the Animal Welfare Facility shall be assigned for care to an individual, entity or organization with facilities to humanely accommodate same. If unclaimed after the expiration of three days from the date and time record was made of the City's care, such animal may be sold or otherwise disposed of in a manner compliant with City ordinances and State law.

F. Previous keepers of animals subsequently adopted by the Animal Welfare Division in accordance with administrative procedures, City ordinances and State laws shall have their interest in the animal forfeited.

Section 6.04.070 Notice of sale.

~~Where no other provision is made by ordinance for giving notice of sale of impounded animals or domestic fowls, at least five days notice of the time and place of such sale shall be given by publication one time in the newspaper. (Prior code § 4-107; 1221, Amended by Recodification, 11/19/2012)~~

Section 6.04.080 Sale.

~~A. Any animals or domestic fowls taken up may be sold at public sale by the keeper of the pound at any time after the expiration of three days from the time of impounding same and after notice as provided in this chapter; the notice shall be in substance as follows: "Taken up and impounded in the City Pound of the City of Sand Springs, Oklahoma, on the _____ day of _____ (giving day and month impounded, and describing the animal or domestic fowl running at large or impounded for other reasons). The animal or domestic fowl, unless redeemed within five (5) days, will be sold at public auction for cash to the highest bidder at the pound or at city hall, at the hour of _____ o' clock on the _____ day of _____, 20____, (giving hour, day and date of sale)."~~

~~B. It is the duty of the animal control officer to enter in a book to be kept for that purpose, the description and date of the seizure of all animals or domestic fowls taken under the provisions of the ordinances of the city and the place where impounded, the name of the owner if known, and if unknown, the date of the warning notice given, and all subsequent proceedings relating to the sale thereof, the amount realized and disposition of funds.~~

~~C. Any dogs or cats obtained by the animal control officer may be adopted out at any time after the expiration of three days from the time of impounding the animal. Such adoption shall be in accordance with procedures implemented administratively by the Animal Control Supervisor or his designee, provided, however, such procedures shall at all times be in accordance with the provisions of the Dog and Cat Sterilization Act of the Oklahoma Statutes. Animal Control Supervisor or his designee, is hereby authorized to collect an adoption fee, in such amounts as to be determined by the council pursuant to motion or resolution. The adoption fee herein provided for may be waived by the city manager upon a finding that the person, persons or entity desirous of adopting the dog or cat is a duly authorized representative of an established society or organization devoted to the humane treatment of dogs or cats and the prevention of cruelty of same. The adoption fee hereby provided for shall be in addition to any sums authorized to be collected pursuant to state law as well as any other fees established by the City. (1221, Amended by Recodification, 11/19/2012)~~

~~D. It is the duty of the Animal Control Supervisor or his designee to enter in a book to be kept for that purpose, the description and date of the seizure of all dogs or cats taken under the provisions of the ordinances of this city and the place where 6-6 impounded, the name of the owner if known, and the date of warning notice give to such owner if known, and if the owner is unknown such shall be so specified and all subsequent proceedings relating to the adoption of the dogs or domestic fowl together with the statement of all realized funds. (1221, Amended by Recodification, 11/19/2012)~~

Section 6.04.090 Sale proceeds.

~~The proceeds arising from such sales, after deducting the costs, charges and expenses allowed by ordinance, shall be paid to the City Clerk. If the owner of any such animal or domestic fowl shall apply to the Animal Control Supervisor or his designee after such animal or domestic fowl has been sold and prove the ownership thereof to the satisfaction of the animal control officer, after payment to the City Clerk, the City Clerk shall pay the balance due from the sale of such animal or domestic fowl to the applicant, taking his or her receipt, one copy of which shall be retained by the City Clerk. Thereupon a warrant shall be drawn upon the treasury in favor of such claimant for the amount certified. The City Clerk shall file and keep the certificate of the Animal control supervisor or his designee with the claimant's receipt endorsed thereon. (Prior code § 4-109; 1221, Amended by Recodification, 11/19/2012)~~

Section 6.04.100 Return.

~~A. If the owner of such animals or domestic fowls shall pay the City Clerk for costs, charges and expenses incurred under the ordinances of the city, at any time before the sale of such animals or domestic fowls, the pound officer shall release same to the owner.~~

~~B. At the expiration of the time within which the owner may reclaim any animal seized under the provisions of this chapter, the pound officer or any other officer or person designated may destroy any animal not then reclaimed and cause the body thereof to be disposed of as now hereafter provided. (Prior code § 4-110)~~

Section 6.04.110060 Obstructing.

~~If It shall be unlawful for any person shall break open, or in any manner directly or indirectly aid or assist in, or counsel or advise the breaking open of the to remove, or attempt or conspire to remove, any animal in the City's care at the Animal Control Welfare Facility, or shall to hinder, delay or obstruct, any person duly authorized to impound animals or domestic fowls, he or she shall be deemed guilty of an offense and upon conviction shall be punished accordingly or to knowingly provide false information or make a false representation to any Animal Welfare Officer, a police officer or other employee or agent of the City in the lawful performance of their Animal Welfare duties. (Prior code § 4-111; 1221, Amended by Recodification, 11/19/2012)~~

Section 6.04.120 Fees.

~~The charges and fees for impounding animals and domestic fowls shall be fixed by the City Council by resolution or motion. (Prior code § 4-112)~~

Section 6.04.130070 Poultry and rabbits. (Amended by Ord 1245, adopted 01/13/14)

A. It is unlawful ~~and an offense~~ for any person to keep or maintain, or to permit ~~or suffer~~ to be kept or maintained, any chicken, duck, turkey, goose or other ~~domestic bird or fowl~~ poultry not otherwise prohibited by this code, or any rabbit, except in buildings or pens located at least fifty (50) feet distance from any adjoining residence or other building used for human occupancy. ~~Only domestic fowl~~ Poultry or rabbits, or any combination thereof, shall not to exceed six adults and fourteen (14) young under the age of eight weeks. ~~may be kept in any area under the following conditions:~~
(Amended by Ord 1245, adopted 01/13/14)

1.B. ~~The floors of such building~~ Pens or buildings for poultry and rabbits shall be of easily cleanable construction and shall be maintained in a sanitary condition ~~not offensive or dangerous to the public health~~ at all times, and shall be by routinely cleaning and properly disposing of the droppings; and cleaned and the wastes properly disposed of as to not emit offensive odors or create other conditions that are unsanitary or hazardous to the animal's or the public's health, safety and welfare. ~~2.The~~ Outside

openings ~~of the building~~ shall be screened to prevent the spread of disease by flies and vermin.

C. Poultry and rabbits shall not be kept or maintained for purposes other than pets unless otherwise allowable by this code, the City's Zoning Code, or other ordinances of the City.

~~B.D.~~ It is unlawful for any person to maintain ~~such animals or fowl~~ poultry or rabbits in such a manner as to trespass upon the premises of any other person, or to cause serious annoyance to persons or to the neighborhood by ~~crowing, cackling, squawking~~ loud or incessant noises, the emanation of offensive odors, or otherwise create a nuisance. (Prior code § 4-113)

~~C.E.~~ It is unlawful ~~and an offense~~ for any person to keep or maintain, or to permit ~~or suffer~~ to be kept or maintained, any rooster or bantam rooster within the city limits. ~~except in areas that are zoned and used for agricultural purposes.~~ (Amended by Ord 1245, adopted 01/13/14)

F. The provisions of this section shall not be applicable to land within the city limits zoned and used for agricultural purposes.

Section 6.04.140080 Cows Horses, cows and donkeys.

A. It is unlawful for any person to keep or maintain, or to permit ~~or suffer~~ to be kept or maintained, a horse or any animal of the equine species, or a cow, or any animal of the bovine species, or a donkey, mule or a similar such animal, upon any property or premises within the ~~corporate limits of the city~~ city limits unless otherwise allowable by this code, the City's Zoning Code, or other ordinances of the City.

B. ~~However, one cow or any other animal of the bovine species~~ Such animals shall ~~may~~ be kept in ~~each pen, lot or an enclosure of at least not less than~~ one acre (~~fortythree thousand five hundred sixty (43,560)~~ square feet) in area, for each such animal maintained, including the space covered by shelter for the animal but not the space occupied by buildings or structures used for other purposes.

C. Enclosures shall be located at least 100 feet distance from any adjoining residence or other building used for human occupancy.

D. ~~if the pen, lot or~~ The enclosure ~~where such animal is kept is~~ shall be ~~maintained~~ kept in a sanitary condition ~~not offensive or dangerous to the public health.~~ at all times, and shall be cleaned and the wastes properly disposed of as to not emit offensive odors or create other conditions that are unsanitary or hazardous to the animal's or the public's health, safety and welfare.

E. Horses, cows, and donkeys, mules or similar such animals, shall not be maintained in such a manner as to trespass upon the premises of any other person, or to cause serious annoyance to persons or to the neighborhood by loud or incessant noises, the emanation of offensive odors, or otherwise create a nuisance.

~~The keeping of a cow or any animal of the bovine species in violation of the terms of the ordinance codified in this chapter except within areas of the city zoned agricultural (AG) is hereby declared to be a nuisance against the public health of the city. The nuisance shall be subject to abatement as provided by law for the abatement of health nuisances.~~ (Prior code § 4- 114)

F. The provisions of this section shall not be applicable to land within the city limits zoned and used for agricultural purposes.

Section 6.04.090 Horses.

~~It is unlawful for any person to keep or maintain, or permit or suffer to be kept or maintained, a horse or any animal of the equine species, upon any property or premises within the corporate limits of the city unless the following conditions and requirements are maintained:-~~

~~1. The enclosure in which each such animal is kept is maintained in a sanitary condition and not offensive or dangerous to the public health;~~

~~2. That the enclosure in which each such animal is kept shall not be less than one acre (forty-three thousand five hundred sixty (43,560) square feet) in area for each such animal maintained, including the space covered by the barn, but not the home or house area; and The keeping of a horse or any animal of the equine species in violation of the terms of this section except within areas of the city zoned agricultural (AG) is hereby declared to be a nuisance against the public health of the city and such nuisance shall be subject to abatement as provided by law for the abatement of health nuisances. (Prior code § 4-115)~~

Section 6.04.160090 Hogs Pigs, Sheep and goats.

A. It is unlawful for any person to keep or maintain, or permit ~~or suffer~~ to be kept or maintained, any ~~hog, pig, shoat, boar,~~ or other swine, or any ~~sheep, or goat or similar such animal,~~ upon any property or premises within ~~the corporate city limits of the city except property maintaining a zoning classification of agricultural (AG),~~ in violation of this code, the City's Zoning Code, or other ordinances of the City.

B. Such animals shall be kept in an enclosure not less than one-half acre (21,780 square feet) in area for each such animal maintained, including the space covered by shelter for the animal but not the space occupied by buildings or structures used for other purposes.

C. Enclosures shall be ~~except in buildings or pens~~ located at ~~least one hundred (100)~~ feet distance from any adjoining residence or property line., ~~and under the following conditions:-~~

~~1D.~~ The ~~pens~~ enclosure shall be ~~maintained~~ kept in a sanitary condition at all times, ~~not offensive or dangerous to the public health, by routinely cleaning and properly disposing of the droppings;~~ and shall be cleaned and the wastes properly disposed of as to not emit offensive odors or create other conditions that are unsanitary or hazardous to the animal's or the public's health, safety and welfare.

~~2.E.~~ Such ~~hogs~~ Pigs or other swine, sheep, ~~or~~ and goats or similar such animals, shall not be maintained in such a manner as to trespass upon the premises of any other person, or to cause serious annoyance to persons or to the neighborhood by loud or incessant noises, the emanation of offensive odors, or otherwise create a nuisance. ~~and~~

~~3. Such pen, lot or enclosure shall be of a least one-half acre (twenty-one thousand seven hundred eighty (21,780) square feet) in area for each such animal maintained.~~ (Prior code § 4-116)

F. The provisions of this section shall not be applicable to land within the city limits zoned and used for agricultural purposes.

Section 6.04.170100 Animals at large, inhumane conditions.

It is unlawful for any person keeping or otherwise having control of any chicken, rabbit, horse, ~~mule, burro, ass, ox,~~ cow, donkey, pig, sheep, goat, ~~sheat, pig or any animal of any such animal family,~~ or similar such animals, to ~~allow the same to~~ let such animals run at large, or to ~~be picketed or tied to a stake or kept within the city except as set out herein~~ tether any such animals to a stake or otherwise create an inhumane condition. (Prior code § 4-117)

Section 6.04.180110 Animals wild by nature.

It is unlawful for any person to keep or maintain, or to permit ~~or suffer~~ to be kept or maintained, an animal wild by nature as defined in this title upon any property or premises within the ~~corporate limits of the~~ city limits. (Prior code § 4-118)

Section 6.04.190120 Injury, Cruelty, Neglect or Abandonment. (Amended by Ord 1245, adopted 01/13/14)

A. It is unlawful ~~and an offense~~ for any person to willfully or maliciously torture, destroy or kill, cruelly beat or injure, maim or mutilate any animal, whether wild or tame, and whether belonging to the person or to another, or deprive any such animal of necessary ~~food, drink~~ sustenance, shelter, or veterinary care to prevent suffering; or who shall cause, procure or permit any such animal to be so tortured, destroyed or killed, or cruelly beaten or injured, maimed or mutilated, or deprived of necessary ~~food, drink~~ sustenance, shelter, or veterinary care to prevent suffering. (Prior code § 4-119; Amended by Ord 1245, adopted 01/13/14)

B. Any animal deemed by ~~the animal control officer~~ an Animal Welfare Officer, a police officer or other authorized employee or agent of the City, to have suffered injury, cruelty or neglect resulting from the actions or inactions of person as specified in paragraph A of this section shall be ~~impounded~~ taken into the City's care and shall not returned to the ~~owner~~ keeper or person otherwise in control of the animal until the matter is adjudicated in the Municipal Court of the City. All costs for the ~~impoundment~~ boarding, veterinary care or other actions by the City to provide for the animal's health, safety and welfare shall be borne by the ~~owner~~ keeper or person otherwise in control of the animal as determined by the Municipal Judge of the City upon adjudication of the matter. (Added by Ord 1245, adopted 01/13/14)

C. It shall be unlawful ~~and an offense~~ for any person to deposit any live dog, cat or other ~~domestic~~ domesticated animal along any private or public roadway, or in

any other private or public place, with the intention of abandoning ~~the domestic~~ such animal. (Added by Ord 1245, adopted 01/13/14)

D. Persons found guilty of offenses contained within ~~Paragraphs A and B of~~ this section shall be deemed guilty of a Class "A" violation punishable by the provisions set forth in Section 1.20.010 of this code. ~~Persons found guilty of offenses contained in Paragraph C of this Section shall be deemed guilty of a Class "C" violation punishable by the provisions set forth in Section 1.20.010 of this Code.~~ (Added by Ord 1245, adopted 01/13/14)

~~Section 6.04.200~~ **Animals on sidewalks.**

~~It is unlawful for any person to ride or lead any horse or other animal, or drive any wagon, carriage or other vehicle, on or across any sidewalk in the city except it be at the regular street, avenue or alley crossing, or a driveway across the same.~~ (Prior code § 4-120)

~~Section 6.04.210~~**130 Breeding ~~places unlawful~~ activities or facilities prohibited.**

~~The keeping, maintaining or establishing of a breeding place, house, yard or pen for domestic Breeding activities or facilities for domesticated animals, including horses, cattle, hogs, dogs, cats and goats, within the city is unlawful. The keeping, maintaining or operation of any such establishment within the city is~~ prohibited within the city limits except where otherwise allowable by this chapter, the City's Zoning Code, or other ordinances of the City. ~~Any person who shall maintain or operate a nuisance, as defined in this section, shall be guilty of a public offense.~~ (Prior code § 4-121)

~~Section 6.04.220~~**140 Animals and fowls--Prohibited acts by animals.**

It unlawful for the ~~owner and~~ keeper or person in control of ~~an~~ any animal ~~or fowl~~ to ~~allow or~~ permit such animal ~~or fowl~~ to:

1. Scratch, ~~or dig into,~~ or ~~tramp on or over,~~ otherwise damage any flower bed, ~~lawn,~~ garden, ~~tilled soil, vine, shrubbery or small plants, and in the doing of same commit an injury to the same;~~ lawn, shrubbery or other forms of tended vegetation on public property or the private property of another.
2. Habitually prowl around on any private property belonging to another, to the annoyance of the owner or occupant of the property;
3. Go into any garbage can or other waste ~~vessel~~ receptacle, or turn the same over, or scatter the contents of the same on the ground. (Prior code § 4-122)
4. Willfully permit animals to copulate within view of persons from public

~~Section 6.04.230~~**150 Feeding of Migratory Waterfowl Prohibited.**

A. It is unlawful for any person to feed, or leave food out for the purpose of feeding, migratory waterfowl within the ~~City limits of the City of Sand Springs~~ city limits. (Amended by Ord 1248, adopted 02/24/14)

B. For purposes of this section, migratory waterfowl means any species of birds commonly known as swans, geese, brants, river and sea ducks, ~~and~~ or any other waterfowl falling under the jurisdiction of the Oklahoma Wildlife Department or otherwise defined ~~by the Commission~~ as migratory waterfowl.

~~C. Any violation of this ordinance shall be punishable pursuant to Chapter 1.20 of the Code of Ordinances of the City of Sand Springs.~~

Section 6.04.~~240~~160 Itinerant Peddling of Animals Prohibited.

It shall be unlawful ~~and an offense~~ for any person, firm or corporation to peddle, by offering for sale or gift, any type of animal from an itinerant location within the city limits. For purposes of this section, "itinerant location" shall be defined as a non-fixed or non-permanent business, residential or public property location. (1177, amended 04/13/2009.)

Section 6.08.170 Pet shops.

A. Any person, firm or corporation operating a pet shop or a retail establishment with an area specifically dedicated to the sale of domesticated animals in the city limits shall first obtain a Certificate of Occupancy from the City assuring that the premises or dedicated portion thereof are compliant with zoning, health and safety codes adopted by the City or other governmental authorities.

B. Pet shops or retail establishments with areas specifically dedicated to the sale of domesticated animals operating in the city limits shall maintain safe, sanitary and humane conditions for animals at all times. All areas of such facilities shall be made available for inspection as necessary and appropriate during normal business hours by authorized city employees or agents thereof – including but not limited to Animal Welfare Officers, fire and police officers, code enforcement officers and health officers – to assure compliance with the provisions of this title and other ordinances of the City.

C. The sale of animals wild by nature as defined in this chapter is prohibited within the city limits.

Section 6.04.180 Penalties and enforcement.

Unless otherwise specified, violation of any provision of this Chapter shall be punishable as a Class "C" offense as provided for in Section 1.20.010 of this code. Employees of the City authorized to enforce provisions of this chapter include Animal Welfare Officers, police officers and fire officials, code enforcement officers, and others so designated by the City Manager.

Chapter 6.08

DOGS AND CATS

Sections:

~~Article I~~ **General Regulations**

- 6.08.010 License ~~and vaccination~~ required.
6.08.020 ~~License fee~~ Dogs and cats without licenses.
6.08.030 ~~Impounding cats and dogs without tags~~ Rabies immunization vaccination.
6.08.040 Rabies procedure.
6.08.050 ~~Rabies Immunization Vaccination~~ Diseased dogs or cats not to be at large.
6.08.060 ~~Diseased cats or dogs not at large.~~ Humane care and treatment for dogs and cats.
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~~6.08.160~~ ~~Hobbyist Exemption Permit (1318, added 04/23/18)~~

~~Article I~~ **General Regulations**

Section 6.08.010 License ~~and vaccination~~ required.

A. It is unlawful for any person to ~~own,~~ keep or ~~harbor any cat or dog within the limits of the city~~ otherwise care for any dog or cat ~~six (6)~~ four (4) months of age or older within the city limits unless such person ~~shall first procure a license therefor as provided in this chapter and have the cat or dog immunized by vaccination against rabies as herein provided.~~ procures a license from the City. The license shall be valid for as long as the dog or cat resides in the city limits. (Prior code § 4-201)

B. Each dog or cat licensed shall have been immunized by vaccination against rabies, and spayed or neutered, as provided for in this chapter.

C. A fee as determined by resolution of the city council shall be charged for each dog or cat licensed. The City shall provide a universally readable electronic identification chip for the dog or cat so licensed and shall record the information into a

database as necessary and appropriate,

D. Animal Welfare employees or agents thereof shall endeavor to contact the keeper or person caring for the dog or cat through licensing information should the animal be found at large or otherwise in circumstances where a return to the keeper or person caring for the animal is appropriate.

Section 6.08.020 ~~License fee~~ Dogs and cats without licenses, forfeiture.

~~A. No license shall be issued to any person to own, keep or harbor any cat or dog within the limits of the city until such person shall pay the city the sum as set by the City Council for each cat or dog so kept. Upon payment being made there shall be issued to such person, an official receipt which shall give the name of such person and a general description of the cat or dog for which such license is issued. The city shall furnish to such person at the time of making such payment, a license tag bearing a number which license tag shall at all times be worn in a conspicuous place upon a collar about the neck of such cat or dog and the number of such license tag shall be entered upon the license. All licenses issued under the provisions of this section shall expire one year from the date the same are issued, and no license shall be issued for a smaller sum than as is in this section stated.~~

~~B. The license fee, but not the requirement for a license, shall be waived for any person who owns, keeps, or harbors any cat or dog within the city, if such person provides certification from a licensed veterinarian that such cat or dog has been neutered or spayed. (Prior code § 4-202)~~

A. Any Animal Welfare Officer, police officer, or other authorized employee or agent of the City may take any unlicensed dog or cat into the City's care. The keeper or person caring for the dog or cat may claim such at the City's Animal Welfare Facility during regular business hours within three (3) days from the date and time the animal was taken into the City's care.

B. A boarding fee as set by resolution of the City Council shall be assessed to the keeper or person caring for the dog or cat for each day the animal remains in the City's care. Animal Welfare Division employees or agents thereof may waive the boarding fee requirement should circumstances exist that were beyond the keeper or caregiver's control.

C. Any dog or cat taken into the City's care, licensed or unlicensed, shall be reclaimed by its keeper or caregiver, including payment of all applicable fees, within three (3) days from the date and time the dog or cat was taken into the City's care. Should the dog or cat not be reclaimed at that time, the keeper or caregiver shall be deemed to have forfeited any interest in the dog or cat. Such dog or cat shall become the property of the Animal Welfare Division of the City and shall be eligible for adoption or other disposition as determined to be necessary and appropriate.

~~Section 6.08.030 Impounding cats and dogs without tags.~~

~~Any cat or dog owned, kept or harbored within the city which is found in violation of this part or whose owner or keeper or person harboring the same shall not have~~

~~obtained a license as herein provided or which shall not have conspicuously displayed upon a collar, around the neck of the cat or dog, a license tag as required by this chapter, shall be immediately taken up and impounded and shall be kept in the Animal Control Facility for a period of three days after such taking. A description of all cats or dogs impounded and the date of impoundment shall be maintained by the Animal Control Supervisor or his designee. If the cat or dog has a license, the Animal Control Supervisor or his designee shall notify the owner orally or in writing at the address as shown in the license records that the cat or dog is impounded and may be sold or destroyed if not redeemed. Unless the person owning, keeping or harboring such cat or dog shall within such period of three days pay such license fee and a fee for such taking, and in addition thereto a sum as set by the City Council for each day such cat or dog shall be so kept up, the cat or dog shall be disposed of by adoption or death. (Prior code § 4-203; 1221, Amended by Recodification 11/19/2012)~~

Section 6.08.030 Rabies immunization vaccination.

A. Any dog or cat ~~owned, kept or harbored~~ kept or otherwise cared for within the city limits having reached the age of four (4) months shall have had administered within a thirty (30) day period after reaching such age a rabies immunization vaccination ~~with a canine~~ as approved for the animal by the United States Department of Agriculture. Such vaccination shall be administered by a veterinary professional licensed by the State of Oklahoma (or another state) in intervals up to three years from the date of initial vaccination and shall have a corresponding immunization period of up to three (3) years from the date of vaccination.

B. It shall be unlawful ~~and an offense~~ for any person to ~~own, keep or harbor~~ keep or care for, or permit to be ~~owned, kept or harbored~~ kept or cared for, within the city limits, any dog or cat having reached or exceeded the age of four (4) months without maintaining a current and valid certificate of rabies immunization vaccination as issued by a veterinary professional licensed to issue such by the State of Oklahoma (or another state). The certificate shall be presented to any Animal ~~Control~~ Welfare Officer, police officer or other authorized employees or agents of the City ~~so authorized~~ upon request.

~~c) Violation of the provisions of this section shall constitute a Class "C" offense and shall be punishable as prescribed in the general penalty section of the City's Code of Ordinances. (Prior code § 4-205; 1292, eff. 11/14/16)~~

Section 6.08.040 Rabies procedure.

A. Any ~~cat or dog or cat~~ within the city of any age, licensed or unlicensed, ~~which that~~ inflicts injury to a person or persons by ~~biting and such bite or biting that~~ results in the breaking of ~~the that~~ person's skin ~~of the person bitten~~ and exposure ~~thereof~~ to the animal's saliva ~~of the cat or dog~~ shall be immediately ~~taken up and impounded and shall be securely kept and confined; such confinement shall be for a period of ten (10) days.~~ be taken into the City's care until a determination can be made if the dog or cat is currently immunized for rabies. If the keeper or person caring for the

dog or cat cannot produce valid proof of a current rabies vaccination as administered by a licensed veterinary professional, the dog or cat shall be securely confined for a period of ten (10) days at the City's Animal Welfare Facility or by a veterinary professional or veterinary clinic licensed by the State of Oklahoma.

B. If within the period of confinement the ~~cat or~~ dog or cat becomes rabid or shows symptoms or indications of rabies, a report shall be prepared documenting such along with any additional information specific to the matter. The animal shall be further tested as necessary and disposed of according to State law.

~~it is the duty of the doctor of veterinary medicine to report in writing to the Animal Control Supervisor or his designee, setting out:-~~

~~1. The cat or dog has in his or her opinion, rabies or shows symptoms or indications of rabies;-~~

~~2. A description of the cat or dog and sex thereof;~~

~~3. The license tag number if there be a license tag; and~~

~~4. The date of confinement and any and all other particulars relating to the cat or dog deemed necessary by the Animal Control Supervisor or his designee. (1221, Amended by Recodification 11/19/2012)~~

~~B.C. If after the period of confinement the cat or~~ dog or cat is found not to be ~~is~~ ~~not~~ rabid, nor has any symptoms or indications of rabies, the animal shall be vaccinated for rabies by a veterinarian licensed by the state of Oklahoma, and can then be reclaimed by its keeper or person otherwise caring for it upon payment of any fees and expenses incurred by the City. ~~duly vaccinated and licensed, it shall be surrendered to the owner, keeper or person harboring the cat or dog within three days after the ten (10) day confinement. It is the duty of the owner, keeper or person harboring the cat or dog confined to pay all costs of confinement, whether the cat or dog is destroyed or returned. No cat or dog shall be returned to the owner, keeper or person harboring the cat or dog until all such costs of confinement are paid. In the event the cat or dog~~ If such dog or cat is not reclaimed within three (3) days from the date and time confinement ended, the keeper or caregiver shall have their interest in the animal forfeited. ~~or surrendered 6-13 to the owner, keeper or person harboring the cat or dog within three days after the period of confinement, the cat or dog shall be disposed of by adoption or death. (Prior code § 4-204)~~

D. Animals not reclaimed under the provisions of this section shall be addressed in a manner that is in the best interests of the public's health, safety and welfare.

E. Currently-vaccinated dogs and cats inflicting bites that break a person's skin exposing them to the animal's saliva shall be securely confined for a period of ten (10) days. Such confinement may be at the keeper's or person caring for the animal's place of residence provided such is located within the city limits.

~~Section 6.08.050 Rabies Immunization Vaccination~~

~~a) Any dog or cat owned, kept or harbored within the city limits having reached the age of four (4) months shall have had administered within a thirty (30) period after reaching such age a rabies immunization vaccination with a canine~~

~~approved for the animal by the United States Department of Agriculture. Such vaccination shall be administered by a veterinary professional licensed by the State of Oklahoma (or another state) in intervals up to three years from the date of initial vaccination and shall have a corresponding immunization period of up to three (3) years from the date of vaccination.~~

~~b) — It shall be unlawful and an offense for any person to own, keep or harbor, or permit to be owned, kept or harbored, within the city limits, any dog or cat having reached or exceeded the age of four (4) months without maintaining a current and valid certificate of rabies immunization vaccination as issued by a veterinary professional licensed to issue such by the State of Oklahoma (or another state). The certificate shall be presented to any Animal Control Officer, Police Officer or other employees or agents of the City so authorized upon request.~~

~~c) — Violation of the provisions of this section shall constitute a Class “C” offense and shall be punishable as prescribed in the general penalty section of the City’s Code of Ordinances. (Prior code § 4-205; 1292, eff. 11/14/16)~~

Section 6.08.060050 Diseased dogs or cats not to be at large.

A. It is unlawful for any person to permit any ~~cat or~~ dog ~~or cat owned,~~ kept or ~~harbored~~ cared for by him or her ~~which that~~ shall be infected with or suffering from any mange, distemper, canine parvovirus or other disease to ~~be or~~ run at large in the city limits. Any ~~cat or~~ such diseased dog or cat ~~so~~ found running at large ~~which shall be infected with or suffering from any mange, distemper or other disease~~ shall be deemed a public nuisance and shall be ~~forthwith taken up and summarily destroyed at the expense and cost of the owner, keeper or person harboring the cat or dog~~ addressed in a manner that is in the best interests of the public’s health, safety and welfare. (Prior code § 4-206)

B. All costs incurred by the City for medical care, boarding, vaccinations and any additional expenses connected therewith shall be borne by the keeper or person caring for the dog or cat.

Section 6.08.060 Humane care and treatment for dogs and cats.

A. It shall be unlawful for any keeper or person otherwise caring for a dog or cat in the city limits to neglect or fail to provide humane care and treatment as follows:

1. Dogs or cats shall be kept in a clean, sanitary and healthy manner and shall not be confined in such a manner that forces them to stand, sit or lie in their own excrement or waste, or in other unsanitary or hazardous conditions.

2. Areas accessible to dogs or cats shall be cleaned regularly and as often as is necessary to prevent odor, or unsanitary or hazardous conditions.

3. Dogs or cats shall be provided with food appropriate for the species in adequate amounts to maintain good health, shall have a source of fresh potable drinking water, shall have shelter and ventilation – including quarters that are protected from excessive heat and cold and are of sufficient size to permit the animal to exercise and move about freely. For purposes of this section, excessive heat or cold shall be

determined by National Weather Service criteria, or similar criteria issued by a state or local authority.

Section 6.08.070 Keeping Dogs Outdoors.

A. It shall be unlawful to tether any dog outdoors by use of a choke collar, a collar too small for the size and age of the dog; or by any rope, chain, or cord directly attached to the dog's neck; or by a leash less than twelve (12) feet in length; or by any tether or leash of such unreasonable weight as to prevent the dog from moving about freely; or by any device that restrains or inhibits the dog's natural movement.

B. Areas where dogs are tethered shall be kept free of objects or debris that could cause an entanglement.

C. It shall be unlawful to keep a dog tethered outdoors if the dog has not been spayed or neutered in accordance with City ordinance, or if the dog is less than four (4) months of age.

D. If a dog is tethered to a trolley line, the line shall be a minimum of 12 ft. in length. The tether attached to the line shall be of sufficient size to allow the dog freedom of movement and play.

E. No tether, trolley line or other means of confining a dog outdoors shall be installed, constructed or maintained as to allow the dog to trespass onto public or private property of another.

F. If multiple dogs are tethered outdoors, the tethers shall be spaced appropriately to prevent the tethers or dogs from becoming entangled with one another.

G. Dogs shall not be tethered or otherwise confined outdoors at any vacant premises without permission from the owner of the premises. Such dogs shall be monitored by a competent adult for the duration of such tethering or confinement. Dogs tethered or confined at vacant premises without the premises owner's permission and monitoring as described herein shall be deemed to be abandoned.

H. Dogs shall not be tethered to a motorized vehicle – including cars, trucks, or other such conveyances not designed to be propelled by human muscle. Exempt from this provision would be motorized conveyances designed to facilitate movement about by handicapped persons.

I. Dogs confined outdoors in yards or lots without tethering shall be in a secure area surrounded by fencing of sufficient construction, height and durability to keep the dog securely in the yard. Any gate shall be of sufficient construction, height and durability, and with locking mechanisms as appropriate, to prevent the dog from exiting the yard or lot. Fencing materials and construction shall be of such configuration to prevent a dog from biting a human or other animal outside the area of confinement. Materials and construction shall be of such a nature as to prevent the dog from burrowing beneath the fence to exit the area of confinement.

~~Section 6.08.070 Dogs to be kept confined in yard, pen or on leash.~~

~~It is unlawful and an offense for any person to keep, own, harbor or possess any dog that is within the incorporated limits of the city without providing a yard or~~

~~substantial and secure pen in which the dog shall be confined, or such dog shall be kept on a leash not to exceed eight feet in length to permit the dog to have free play and sufficient exercise. Yards or pens where dogs are kept shall be of sufficient size so that no sanitation or health problems shall be created nor shall any nuisance be created. Dogs at all times shall be kept upon and wholly upon the premises of the owner of the dog. Dogs shall at all times be placed upon a leash or kept in a yard or pen where such dog cannot reach or bite any person who may be using the regular thoroughfares of the city, including streets, alleys and sidewalks thereof, and where the dog cannot reach beyond the limits of the lot or premises upon which the dog is kept and confined. Each 6-14 day or time such dog shall not be confined and shall be running-at-large, shall constitute a separate offense. The animal control officer of the city shall promptly impound each and every dog that is running-at-large in the city and which is not confined with a secure leash as provided by provisions of this chapter. (Prior code § 4-207)~~

Section 6.08.080 Dogs not to run at large.

When outdoors and not tethered or confined in a fenced yard, dogs shall be on a leash of sufficient length to allow free movement and play, but of such limitation as to prevent biting, menacing or otherwise harming any humans or animals. The leash shall be in control of a person physically capable of handling the dog – given its size weight and demeanor – to protect the health, safety and welfare of the public, the animal or other animals. Dogs found to be at large shall be considered astray and may be taken into the City’s care by an Animal Welfare Officer, a police officer, or other authorized employee or agent of the City as necessary to protect the health, safety and welfare of the public, the animal or other animals.

Section 6.08.080090 Nuisance, Potentially Dangerous and Dangerous Dogs.

A. It shall be unlawful for any person to ~~own,~~ keep or otherwise care for ~~harbor~~ within the city any dog, licensed or unlicensed, which shall constitute a "Nuisance" or "Potentially Dangerous" or "Dangerous" dog ~~as described in this section.~~

1. A "Nuisance Dog" ~~means shall mean~~ any dog that:
 - a. Engages in any behavior that required a defensive action by any person to prevent bodily injury; or
 - b. When unprovoked, chases or approaches a person, including a person on a bicycle, in an apparent attitude of attack; or
 - c. Is maintained in an enclosure that does not sufficiently protect the public from the threat caused by the dog, considering the safety of the enclosure and the degree of aggressive and threatening behavior evidenced by the dog; or
 - d. Is at large and found to attack, menace, chase, display threatening or aggressive behavior, or otherwise threaten or endanger the safety of any domesticated animal or person; or

e. Engages in loud or continuous barking, howling or other obnoxious behavior that disturbs the peace of another.; ~~between the hours of 10:00 p.m. and 6:00 a.m.~~ (1221, Amended by Recodification, 11/19/2012)

2. A "Potentially Dangerous Dog" ~~means shall mean~~ any dog that:
a. When unprovoked, inflicts bites on a human either on public or private property, or
b. When unprovoked, kills or severely injures a domesticated animal ~~either~~ on public or private property.;

3. A "Dangerous Dog" ~~means shall mean~~ any dog that:
a. Has inflicted severe injury on a human being without provocation on public or private property; or
b. Has been previously found to be Potentially Dangerous, the ~~owner~~ keeper having received notice of such ~~in writing from~~ by the Animal ~~control authority~~ Welfare Division and/or Municipal Court of the City, ~~in writing~~ and the dog thereafter aggressively bites, attacks, or endangers the safety of humans, or
c. Has been previously found to be potentially dangerous, the owner having received notice of such ~~in writing from~~ by the Animal ~~control authority~~ Welfare Division and/or Municipal Court of the City, ~~in writing~~ and the dog thereafter kills or severely injures a domesticated animal.;

B. An officer of the City, or any citizen, may initiate a Municipal Court proceeding to determine whether a dog is a "Nuisance," "Potentially Dangerous" or a "Dangerous" ~~dog~~ by filing a complaint with the Municipal Court clerk. Upon the issuance of a summons and notice to the ~~owner~~ keeper or person otherwise caring for the dog, and upon the conclusion of a hearing, the Judge of the Municipal Court is authorized to enter a finding on the complaint and, if finding that the dog is a "Nuisance," "Potentially Dangerous," or "Dangerous," may order:

~~a.1.~~ The payment of court costs and fines in the maximum amount allowed by law;

~~b.2.~~ The installation of fencing, restraints, or enclosures in such a manner to provide the degree of protection warranted by the danger presented;

~~c.3.~~ The ~~owner~~ keeper to obtain a policy of liability insurance in the amount deemed necessary to protect the public from any injuries inflicted on the public by the ~~dangerous~~ dog;

~~d.4.~~ The removal of the dog from the city limits;

~~e.5.~~ The confiscation and/or destruction of the dog.

~~f.6.~~ Other measures as deemed appropriate by the court. (1221, Amended by Recodification, 11/19/2012)

C. Any alleged violation of this ~~ordinance section~~ that alleges that the dog is a "Nuisance" shall be a Class C offense. Any alleged violation that alleges that the dog is "Potentially Dangerous" shall be a Class B Offense. Any alleged violation that alleges

the dog is a "Dangerous" dog shall be a Class A offense. Each separate day of violation shall constitute a separate offense. (1108, Amended, 10/10/2005, Amend Section 6.08.080)

~~**Section 6.08.090—Enforcement.**~~

~~It is the duty of the Animal Control Supervisor or his designee, police officer, or such other officer or employee of the city as may be authorized by the City Manager, to enforce the provisions of this chapter. (Prior code § 4-209; 1221, Amended by Recodification, 11/19/2012)~~

~~**Section 6.08.100 Interference prohibited.**~~

~~It is unlawful for any person to interfere with the Animal Control Supervisor, his designee or any police officer or any other person duly appointed in the discharge of any duty under the provisions of this chapter or to open, break down, or destroy any enclosure in which any such cat or dog is confined pursuant to the terms of this chapter or to cause any such cat or dog so taken up to be released or to escape, until such cat or dog be released by the proper officer or custodian upon payment of the license fee and all fees due thereon. (Prior code § 4-210; 1221, Amended by Recodification, 11/19/2012)~~

~~**Section 6.08.110 Noncompliance.**~~

~~Any person, persons, firm or corporation who shall own, keep or harbor any such cat or dog within the city and who shall not comply with the terms of this chapter shall be deemed guilty of a public offense. (Prior code § 4-211)~~

~~**Article II Animal Limitation--Kennel Operations**~~

Section 6.08.120100 Numerical limitations.

No person shall keep or harbor otherwise care for more than ~~three cats or three dogs~~ five (5) dogs or five (5) cats, or a combination of five (5) dogs and cats, over the age of ~~six four months~~ plus one cat or dog for each acre of the residence in excess of five (5) acres, not to exceed ten cats or dogs, unless such person is a duly licensed kennel proprietor as herein after provided at any residence or business property or premises in the city limits unless such premises is operated as a licensed kennel or is otherwise allowable by the provisions of this code or other ordinances of the City. Prior code § 4-221; 1191, amended, 08/24/2009)

~~**Section 6.08.130110 Kennels. proprietor.**~~

~~It is unlawful for any person to be a kennel proprietor, as herein defined, within the city unless such proprietor shall first pay to the City Clerk of the city an annual license fee as set by Council resolution. Upon proof of proper zoning and payment of~~

~~such fee the City Clerk shall furnish to such kennel proprietor a license to engage in such business. The kennel proprietor's license levied in this section shall be in lieu of all other license fees described in this chapter and ordinances of the city for cats or dogs in such kennel. All cats or dogs in such kennel shall be at all times confined on the premises of such kennel proprietor. Should any cat or dog belonging to, or kept by, such kennel proprietor be allowed off the premises of such kennel proprietor, the owner or keeper, thereof shall pay the same license fee thereon as is required by the ordinances of the city for all cats or dogs not kept by a kennel proprietor. Any such cat or dog shall be subject to all of the provisions of such ordinances, including seizure and impounding to the same extent and in the same manner as any cat or dog at large. Such kennel shall be maintained at all times in a clean and sanitary condition and shall be subject to inspection by the cooperative health department or other proper official of the city. (Prior code § 4-222; 1221, Amended by Recodification, 11/19/2012)~~

A. Any person, firm or corporation operating a kennel in the city limits shall first obtain a Specific Use Permit for such through processes established by the City's Zoning Code. For purposes of this section, a kennel shall be defined as a lot or premises on which more than five (5) dogs, cats, or a combination thereof; four (4) months of age or older, are temporarily boarded.

B. In the interests of the health, safety and welfare of animals in the kennel operator's care, as well as the general public, a kennel operator shall obtain a Zoning Certificate of Compliance before initiating business. An annual Certificate of Compliance shall be obtained prior to January 1 of a given year to assure continued compliance with the Zoning Code and Specific Use Permit requirements, as well as other health and safety codes adopted by the City or other governmental authorities.

C. Kennels operating in the city limits shall maintain safe, sanitary and humane conditions for animals at all times. All areas of the facility shall be made available for inspection as necessary and appropriate during normal business hours by authorized city employees or agents thereof – including but not limited to Animal Welfare officers, fire and police officers, code enforcement officers and health officers – to assure compliance with the provisions of this code and other ordinances of the City.

D. Exempt from this section are veterinary offices and facilities that provide temporary overnight boarding of cats and dogs for medical purposes.

Section 6.08.140120 Kennel tags Pet groomers and spas.

~~It is the duty of the City Clerk to furnish to each kennel proprietor a sufficient number of tags upon each of which shall be engraved, carved or stamped, the year of the registration of such kennel and the number under which same was registered. The kennel proprietor or other such person in charge of such kennel, shall tag each cat or dog in such kennel with one of the kennel tags in the same manner that other cats or dogs are tagged. (Prior code § 4-223)~~

Section 6.08.120 Pet groomers and spas.

A. Any person, firm or corporation operating a pet grooming, pet spa or similar business that does not involve overnight boarding of dogs or cats, located in the city limits shall first obtain a Certificate of Occupancy from the City assuring that the location and premises are compliant with zoning, health and safety codes adopted by the City or other governmental authorities.

B. Pet groomers, pet spas and similar businesses shall maintain safe, sanitary and humane conditions for animals at all times. All areas of such businesses shall be made available for inspection as necessary and appropriate during normal business hours by authorized city employees or agents thereof – including but not limited to Animal Welfare officers, fire and police officers, code enforcement officers and health officers – to assure compliance with the provisions of this Title and other ordinances of the City.

Section 6.08.150130 Spaying and Neutering Required.

a. Any person within the city limits who shall harbor, keep or possess otherwise care for a dog or cat over the age of four (4) months, other than a dog owned and used by the Police Department of the City as a police dog, shall have the dog or cat spayed or neutered, unless the owner keeper has secured a Hobbyist Exemption Permit as required in Section 6.08.160 of otherwise provided for in this chapter. Documentation shall be maintained of spaying or neutering by a veterinarian, veterinary clinic or other individual or entity licensed or otherwise qualified to perform such procedures by the laws, rules, and regulations of the State of Oklahoma, and shall be presented to any Animal Welfare Officer, police officer, or other authorized employee or agent of the City upon request.

~~b. Failure to spay or neuter any dog or cat, or to maintain documentation of such, in compliance with this section shall constitute a Class “C” offense punishable under Chapter 1.120 of this Code.~~

Section 6.08.160140 Hobbyist Exemption Permit

A. Any person who shall qualify for a Hobbyist Exemption Permit shall obtain such prior to July January 1 of each year, or portion thereof, by making application to the City Clerk or his/her designee. The City Clerk or designee shall approve or deny the permit within thirty (30) days of the application date. At the time of application, the applicant shall pay a non-refundable fee for such as determined by resolution of the City Council.

B. The permit shall only be valid for keeping dogs or cats, or a combination of such, at the holder’s personal single-family residence and shall be subject to the numerical limitations of this chapter.

~~b. A Hobbyist Exemption Permit shall entitle its holder to own and keep, at the holder’s place of single-family dwelling residence, up to six (6) dogs and/or cats over the age of four (4) months that would otherwise constitute an offense under Section 6.08.120 of this Code; provided, however, that the permit holder shall not allow outside the residence at any one time no more than the number of cats and/or dogs permitted~~

~~by the foregoing section.~~

C. A ~~Hobbyist Exemption~~ permit holder shall not be required to comply with ~~Section 6.08.150~~ the spaying and neutering section of this chapter; provided, however, that an individual rescuer must comply with the foregoing section as to those dogs and cats ~~owned kept~~ by the rescuer on a permanent basis.

D. Any individual or organization, not a commercial breeder, may qualify for a Hobbyist Exemption Permit under the following criteria:

1. Active involvement in any nationally recognized, organized animal sport or hobby for a period of at least one (1) year prior to making application for a Hobbyist Exemption Permit.

2. Participation in field trials or hunting activities with nationally recognized breeds used specifically as hunting dogs, and has held and continues to hold a current valid State of Oklahoma hunting license for a period of at least one (1) year prior to making application for a Hobbyist Exemption Permit.

3. Qualified as a rescuer according to ~~Paragraph H~~ other provisions of this section.

4. Has not been convicted in the past ten (10) years of any offense related to illegal commercial breeding, brokering, dog fighting, a nuisance ~~offense~~ under this chapter code, a cruelty ~~offense~~ or a neglect ~~offense~~ under this code or applicable state law, a violation of the Oklahoma Wildlife Conservation Code or regulations, or two (2) or more violations of ~~Section 6.04.170 or 6.08.070~~ sections of this chapter prohibiting at-large, or improperly confined or tethered dogs and cats.

E. An applicant for a Hobbyist Exemption Permit shall submit one of the following documents with his/her application:

1. Certificates of completion of at least two (2) training classes specific to the animal(s), dated within the twelve (12) months immediately preceding the date of application.

2. A show catalog including the applicant's name as an exhibitor, and not less than two (2) superintendents' conformation receipts, dated within the twelve (12) months immediately preceding the date of application.

3. Certificate of title(s) from a national registry for a dog or cat ~~owned kept~~ by the applicant.

4. For a rescuer organization, proof that the organization is approved by a nationally-recognized animal rescue or animal welfare entity, and that the applicant's residential address shall appear on a list of individual households that are authorized by the organization to serve as rescuers.

5. For an owner of hunting dogs, proof that the owner holds or is exempt from holding a current and valid State of Oklahoma hunting license.

~~f. A permit holder must reapply for his/her Hobbyist Exemption Permit every year and shall provide one or more of the documents listed in Paragraph e of this section that is dated within the previous year.~~

gF. As applicable, the permit holder shall keep accurate records in accordance with the requirements of his/her associated national registry on each dog or cat ~~owned kept~~ and on each dog or cat where ~~ownership~~ such has been transferred. These records shall be open to the registry with which the hobbyist is affiliated and shall

be made available for inspection upon request by any Animal Welfare Officer, police officer or other authorized employee or agent of the City.

~~hG.~~ A rescuer may harbor care for dogs and cats in accordance with this section, provided, however, that such dogs and cats are harbored cared for no longer than ninety (90) days each while the rescuer attempts to locate the animal's home or a new home. If a rescuer must harbor an animal for longer than ninety (90) days due to its medical condition, the rescuer shall notify the Animal Welfare ~~authority~~ Division of the City of such in writing.

~~iH.~~ A permit holder shall have his/her Hobbyist Exemption Permit revoked if he/she has been convicted of an offense of illegal commercial breeding~~;~~, brokering~~;~~, dog fighting~~;~~, a nuisance under this chapter code~~;~~, cruelty or neglect under this code or applicable state law~~;~~, violation of the Oklahoma Wildlife Conservation Code or regulations~~;~~, or two (2) or more violations of ~~Section 6.04.170 or 6.08.070~~ sections of this chapter prohibiting at-large, or improperly confined or tethered dogs and cats. (Added 1318, 04/23/18)

Section 6.04.150 – Penalties.

Unless otherwise specified, violation of any provision of this Chapter shall be punishable as a Class “C” offense as provided for in Section 1.20.010 of this code. Employees of the City authorized to enforce provisions of this chapter include Animal Welfare Officers, police officers and fire officials, code enforcement officers, and others so designated by the City Manager.