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SECTION 4-101

DEFINITIONS

For the purposes of this part the following words and phrases, shall have the meanings respectively ascribed to them. However, for any words and phrases used in this part which are not defined in this section, but are defined in the laws of the state regulating animals, the definition in the laws of the state shall be deemed to apply to the words and phrases used in this part:

1. “*Aggressive Dog*” means any dog that, in the opinion of any law enforcement officer or animal control officer of the town, or any peace officer as defined by Oklahoma Statute, who is demonstrating threatening or aggressive behavior by which an attack on a human or domestic animal appears immanent or probable, whether or not such attack has actually occurred, when such dog is at large
2. “*Animal*” means all vertebrate and invertebrate animals such as, but not limited to, any dog, cat, bovine, cattle, horses and other equines, hogs, goats, rabbits, sheep, chickens, ducks, geese, turkeys, pigeons and other fowl or wild mammals, herptile (including reptiles and amphibians), fish or birds that have been tamed, domesticated or captivated.
3. “*Animal bite*” means any penetration of the skin by the teeth or claws of an animal.

4. “*Animal control officer*” means the person or persons designated by the Chief of Police as an enforcement officer for this chapter. It includes all police officers of the Town of Verdigris.
5. “*Animal shelter*” means any premises officially designated by the town for the purpose of impounding and caring for all animals found in violation of this chapter. Nothing herein shall be construed as a requirement for the town to operate an animal shelter.
6. “*At large*” refers to an animal or fowl which is free of physical restraint beyond the boundaries of the property of its owner or keeper
7. “*Cat*” means and includes any cat and every other animal of feline species.
8. “*Cattery*” means any premise or place where there is being maintained or harbored a total of four or more cats over six months of age, except veterinary hospitals.
9. “*Confined on the premises*” means that condition in which a dog or cat is securely and physically confined and retained on and within the premises of the owner or keeper by means of walls or fences or similar devices.
10. “*Dangerous dog*” means any dog that: (a) has inflicted severe injury on a human being without provocation on public or private property; (b) has been previously found to be potentially dangerous, the owner having received notice of such by the animal control authority 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 by the animal control authority in writing and the dog thereafter attacks a dog which results in the death of said dog either on public or private property. Any dog referred to herein as a vicious dog is considered to be the same as dangerous dog by this definition.
11. “*Dog*” means any dog or other animal of the canine species.
12. “*Herptile*” means any reptile or amphibian including but not limited to snakes, lizards, chelonians, crocodilians, frogs, toads, salamanders, and caecilians and other cold-blooded vertebrates excluding fish.
13. “*Hutch*” includes any box, coop, or structure separated from other structures on all sides by wire, boards, or other materials, and which is designed as a separate compartment for the keeping of rabbits.
14. “*Harboring*” means any person who allows any animal to habitually remain or lodge or to be fed within his home, store, yard, enclosure or place of business or any other premises in which such person resides or controls, shall be considered as harboring such animal.

15. “*Kennel*” means any place other than a Federal, State or municipal facility, veterinary hospital or medical research institute where there is being maintained or harbored a total of four or more dogs, over two months of age are kept, harbored, boarded, sheltered or bred.
16. “*Livestock*” means any cattle, horses, sheep, goats, llamas, donkeys, mules, and swine.
17. “*Owner*” means any person or group of persons possessing, keeping, harboring, having an interest in or having custody or control of an animal or animals.
18. “*Pet placement partner*” means an animal welfare organization or breed rescue group which has:
 - A. Provided the Police Department with a cover letter accompanied by a copy of the certificate of incorporation and a copy of their bylaws. The cover letter shall address the approved animal rescue group's procedures for animal care and adoption, and a list of no less than three individuals who are authorized to sign for receipt of animals from the Police Department or designee of the Chief of Police; and
 - B. Entered into an agreement with the Town Board for receipt of the animals, which requires, among other things, that animals received from the Police Department to be vaccinated and spayed/neutered prior to adoption.
19. “*Potentially Dangerous dog*” means any dog that: (a) when unprovoked inflicts bites on a human either on public or private property, or; (b) when unprovoked attacks a dog which results in the death of said dog either on public or private property.
20. “*Rabies exposure*” means any and all forms of exposure or suspected exposure to rabies virus or resulting from a scratch, bite, or contact with saliva, or neurological tissue and fluids of infected animals, or animals suspected of such rabies infection.
21. “*Restraint*”. A dog or cat is under restraint within the meaning of this chapter if it is controlled by a leash not more than eight feet in length, or confined on the premises of his owner or keeper.
22. “*Stray*” means any animal which does not appear, upon reasonable inquiry, to have an owner.
23. “*Tagged animal*” means any animal able to be identified by visible marking, such as a metal tag, or by a microchip.
24. “*Unconfined dangerous dog*” means a dangerous dog that is not in a “proper enclosure of a dangerous dog”, the latter term meaning: while on the owner’s property, a dangerous dog shall be securely confined indoors or in a securely enclosed

and locked pen or structure with at least one hundred fifty (150) square feet of space for each dog kept therein which is over six (6) months of age, and which is suitable to prevent the entry of children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.

25. “*Vicious animal*” or “*dangerous animal*” means any animal, other than a dog, which has on one or more occasions attacked or bitten either a human or a domestic animal;

SECTION 4-102 **APPLICATION OF REGULATIONS.**

The provisions of this part shall apply to the keeping, owning and harboring of every animal within the corporate limits of the town.

SECTION 4-103 **ANIMALS AT LARGE**

No owner shall permit any animal, except a cat, owned, harbored, or kept by him to be at large within the town. It is unlawful for any animal to be at large at any time within the town.

1. It is unlawful for any person to open any enclosure in which any animal is confined as required by ordinance so as to turn the animal at large, or in any manner to turn the animal at large.
2. It is unlawful for any person to stake, confine or pasture any animal on any public school ground or on any other public property whether federal, state, municipal or other, or on any railroad right-of-way, or on any property without the consent of the person owning or controlling such property.

SECTION 4-104 **NUISANCES.**

It is unlawful to allow an animal to be a nuisance or to own or harbor an animal that is determined to be a nuisance. An animal is determined to be a nuisance when:

1. by loud, frequent or habitual barking, howling, yelping or other noise or action disturbs any person or neighborhood within the town limits;
2. any animal which scratches or digs into any flowerbed, garden, tilled soil, shrubbery, and in so doing injures the flower bed, garden, tilled soil or shrubbery;
3. when an animal habitually prowls around or over any premises not the property of its owner, to the annoyance of the owner or occupant of such premises;
4. when an animal overturns any garbage can or vessel for waste products, or scatters the contents of such garbage can or vessel; provided, in the event that the owner,

keeper or person having control of an animal or fowl is unable to prevent the overturning of a garbage can or vessel for waste products, or scattering the contents thereof in violation of this section, it shall be the duty of such person to properly clean up and properly dispose of the scattered contents and shall be unlawful to fail to fulfill that duty.

5. when an animal which chases or kills any fowl or animal owned by another, or that is located upon public property, or that is located upon any common area with a neighborhood;
6. when female dog in season and at large.
7. when urinating or defecating on sidewalks, public parks, alleys, other places open to the public or on the private property of another; provided, in the event that the owner, keeper or person having control of an animal or fowl is unable to prevent the deposit of waste material in violation of this section, it shall be the duty of such person to properly dispose of such waste material and it shall be unlawful to fail to fulfill that duty.

SECTION 4-105 **REMOVAL OF DEAD ANIMALS.**

The owner or any person having charge of any animal dying in the town shall, within 24 hours after the death of such animal, remove its carcass, and failure so to do shall constitute an offense.

SECTION 4-106 **AUTHORITY TO INSPECT.**

Any animal control officer or police officer of the town, upon complaint of any person or on his/her own initiative, shall inspect any structure or place where an animal is kept. The officer may issue any such reasonable order as he may deem necessary to the owner of the animal to cause the animal to be kept as provided in this part or in a manner so as not to constitute a nuisance. The officer may make a complaint before the municipal judge against any person for violation of any provision of this chapter or of any such reasonable order, but this procedure shall not abridge the right of others to make such complaint.

SECTION 4-107 **ANIMAL SHELTER**

The town, by resolution of the board of trustees, may establish animal shelter which shall be under the control of the animal control supervisor who is appointed and supervised by the Chief of Police. The animal control supervisor shall provide proper sustenance for all animals impounded and shall treat them in a humane manner. The animal control supervisor also ensures compliance of the shelter facility with all applicable local, state and federal regulations. Provided further that:

1. The town may contract for the use of a shelter maintained by another governmental entity, or private party, approved by the Chief of Police. The owner of said animal shall be responsible for all associated reasonable costs of keeping the animal prior to the animal being released to the owner.
2. The town may place impounded animals with a Pet Placement Partner. A Pet Placement Partner is means an animal welfare organization or breed rescue group which has:
 - a. Provided the Police Department with a cover letter accompanied by a copy of the certificate of incorporation and a copy of their bylaws. The cover letter shall address the approved animal rescue group's procedures for animal care and adoption, and a list of no less than three individuals who are authorized to sign for receipt of animals from the Police Department or designee of the Chief of Police.
 - b. Entered into an agreement with the Town Board for receipt of the animals, which requires, among other things, that animals received from the Police Department to be vaccinated and spayed/neutered prior to adoption and that the town's liability for maintaining said animal shall not extend beyond 72 hours, at which time the town may euthanize the animal. If the Pet Placement Partner opts, the Pet Placement Partner may assume full responsibility for the animal in lieu of euthanasia.
3. In lieu of a placement with a shelter or Pet Placement partner, an animal control or police officer may hold an impounded animal at any veterinary hospital or licensed kennel. The owner of said animal shall be responsible for all associated reasonable costs of keeping the animal prior to the animal being released to the owner.
4. The Board of Trustees by motion or resolution shall determine the fees to be charged for impounding and keeping animals. In computing the fee, a fraction of a day during which an animal has been fed shall be deemed a full day.
5. Any person redeeming an impounded animal shall pay the required fees to the town clerk and present his receipt therefore to the person in charge of the pound or other person holding the animal on behalf of the town before the latter releases the animal.
6. Subject to the other provisions in this ordinance, an owner of an impounded animal or his agent may redeem the animal, prior to its sale or destruction as provided for in this part, by paying the required fees against the animal and meeting any other requirements which may be prescribed in this chapter. However, when in the judgment of the animal control or other officer an animal should be destroyed for humane reasons; such animal may not be redeemed.

7. If an impounded animal cannot be adopted or is not redeemed within 72 hours, the animal control supervisor or other officer of the town may have the animal destroyed.

SECTION 4-108

IMPOUNDMENT OF ANIMALS

The animal control officer, a police officer, or such other officer or employee of the town may take into custody and impound any animal running at large or in violation of any provision of the ordinances of the town and may enter upon the premises of the owner or other private premises to take such animal into custody.

1. A description of the animal, the date impounded and the place of impoundment shall be kept by the Chief of Police or designee. If the owner can be identified by tag or otherwise, the officer shall send notice to the owner orally by telephone or in writing at the address on the town's registration records that unless claimed by the owner, the animal will be disposed of as provided in this chapter.
2. As soon as practicable after any animal has been impounded, the animal control officer or other employee or officer impounding the animal, shall post a notice thereof on the police department web site. The notice shall describe the animal and notify the owner to pay the charges thereon and remove the animal prior to a designated time. The notice shall also state that, unless the animal is redeemed, the animal will be offered for adoption or destroyed.

SECTION 4-109

EUTHENASIA OF ANIMALS

Except for animals subject to hearing and notice procedures set forth in this Part, all animals taken into custody as provided in this chapter may be destroyed after 72 hours by the officer or employee of the town in charge of such animal, or by the animal control officer, provided the animal is not redeemed or claimed as provided by ordinance. Vicious, dangerous, aggressive or suspected diseased animals may be immediately euthanized or otherwise destroyed as necessary to preserve the public peace and safety.

All animals euthanized under the control of the town shall utilize lethal injection for the method of euthanasia, with the exception of aggressive, vicious, dangerous, injured or suspected diseased animals found at large. Officers of the town may destroy those animals by the most prudent and humane means possible given the circumstances.

SECTION 4-110

SHELTER BREAKING PROHIBITED

It shall be unlawful for any person to break or attempt to break open the shelter or other place of impoundment, or take or let out any animal therefrom, or to take or attempt to take from any officer or employee of the town any animal taken into custody as provided by this chapter

SECTION 4-111

INTERFERE WITH ANIMAL CONTROL

It is an offense to, in any manner, interfere with or hinder an officer or employee in the discharge of his duties relating to the taking into custody and impounding of animals as provided in part or in the enforcement of any of this part.

SECTION 4-112

FAILURE TO APPEAR

If a person fails to appear in response to a citation issued pursuant this part, a warrant for his/her arrest may be issued. Any person who willfully fails to appear in response to a citation is guilty of an offense.

SECTION 4-113

DUTY UPON STRIKING ANIMAL OR FOWL

Every person who strikes any animal or fowl with a vehicle and injures or kills such animal or fowl shall notify the police department immediately after the occurrence and shall give the time and place of the injury or death, a description of the animal or fowl, and the name and address of the person making the report. Drivers of emergency vehicles shall notify the Police Department at the earliest convenient time.

SECTION 4-114

FOUND ANIMALS

Any person who takes in a stray animal which he/she does not own shall report possession of such animal to the police department within 24 hours, providing his/her name, address and telephone number, a true and complete description of the animal, and the circumstances under which the animal came into his possession.

SECTION 4-115

EXCEPTIONS

“Police service dogs”, and dogs of search and rescue organizations, while on duty, shall be exempt from the provisions of this part, provided such dogs are under supervision.

SECTION 4-116

ZONING ORDINANCE SUPERSEDES

Should any portion of this part be found to be in conflict with the Zoning Ordinance of the Town of Verdigris, Oklahoma, then the zoning ordinance shall supersede this part and the requirements of the zoning ordinance shall prevail and be applicable.

PART 4

ANIMAL REGULATIONS

CHAPTER 2 DOGS AND CATS

- Section 4-201 Rabies Vaccination Required
- Section 4-202 Dogs at Large
- Section 4-203 Fencing Required
- Section 4-204 Permit not Required; Exceptions
- Section 4-205 ID Tag Required

SECTION 4-201 Rabies Vaccination Required

1. All dogs and cats four months of age and older that are owned, kept, possessed or harbored within the Town of Verdigris shall be vaccinated against rabies by or under the direct supervision of a licensed veterinarian, and the vaccine to be used shall be the rabies vaccines listed in the most recent "Compendium of Animal Rabies Control" as published by the Centers for Disease Control.
2. Rabies vaccine shall be recognized for the duration of the vaccine used, i.e., vaccines with a labeled duration of one year, two years or three years will be recognized for one year, two years or three years, respectively.
3. A Rabies Vaccination need not be obtained for a nonresident dog or cat which is currently vaccinated for rabies by a licensed veterinarian or which is visiting in this town and is in the custody of its owner for a period of 30 days or less, or when a veterinarian licensed in the State of Oklahoma certifies in writing that it would be detrimental to the animal's health to be vaccinated and places the animal on a health hold. If a veterinarian releases the animal from the health hold, the animal shall be vaccinated within ten days of release.
4. On demand of any officer of this town or other authorized official, the owner or keeper of any dog or cat must present a completed and signed vaccination certificate for the animal that includes the type and duration of the vaccine administered.

SECTION 4-202 DOGS AT LARGE

No person shall permit any dog to run at large anywhere out-of-doors in the town, unless said dog is on a leash. If on a leash, said leash must be held by a person capable of controlling the dog, and leaving an unattended dog fastened to a leash shall not be deemed to comply with the requirements of this section. Subject to Section 203 below, this section shall apply to all public places and to all private property.

SECTION 4-203

FENCING REQUIRED

If a dog is left unattended out-of-doors, it must be contained in a yard with a fence adequate to prevent the dog from leaving the yard, and adequate to prevent another dog or a child from entering that yard.

SECTION 4-204

PERMIT NOT REQUIRED; EXCEPTIONS

Except for potentially dangerous or dangerous dogs, dangerous animals, and for the licensing of kennels and catteries, the Town of Verdigris requires no permit for the keeping of a dog or cat within the town limits.

SECTION 4-205

ID TAG REQUIRED

All dogs within the town are required to wear a collar with a tag affixed indicating the name, current address and current phone number of the dog owner. It is unlawful to keep or harbor a dog without an identification tag affixed to the collar and the dog wearing the collar. Proof of rabies vaccination must also be attached to the collar.

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CHAPTER 3 - LIVESTOCK

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Section 4-305 Herding Prohibited
Section 4-306 Grazing Prohibited
Section 4-307 Horses
Section 4-308 Swine Prohibited
Section 4-309 Notice of Violation

SECTION 4 – 301 ZONING REQUIREMENTS

It is unlawful to keep or harbor cows, sheep, goats, cattle, horses and other livestock of any kind within the town limits unless they are kept upon land that is appropriately zoned for agricultural use.

SECTION 4-302 SPECIFIC ENCLOSURES REQUIRED

It is unlawful for anyone to keep cows, sheep, goats, cattle or other livestock of any kind, except horses, within the limits of the town unless they are kept within an enclosure or fence, and provided the enclosure has at least one acre for each five animals kept, or 8,700 square feet for each animal kept.

SECTION 4-303 ENCLOSURE DISTANCE FROM DWELLING

Any enclosure containing animals shall be located so that no part shall be any closer than 100 feet to dwelling quarters of any person other than the owner or custodian of such animals or from any other occupied building.

SECTION 4-304 BARNES AND STABLES

No person shall construct or maintain any barn, stable, shed or other enclosure or covering for housing or keeping livestock, unless the stable, shed, enclosure, or covering is located at the farthest possible practicable point from the public street adjoining and nearest thereto, and is not closer than 100 feet to any residence, church, school building, or other structure occupied by humans. Provided, however, that this section shall not apply to veterinary hospitals or medical research institutes.

SECTION 4-305

HERDING PROHIBITED

No person may drive or herd any livestock through the streets or public areas of the town, except by permission of the Town Manager.

SECTION 4-306

GRAZING PROHIBITED

No person shall permit the livestock to enter or graze upon any public or private park, or upon any premises other than those belonging to the owner of the livestock, without the consent or permission of the person lawfully in possession thereof

SECTION 4-307

HORSES

It is unlawful for anyone to keep a horse within the limits of the town unless:

1. The horse is kept within an enclosure or fence with at least one acre (43,560 square foot) available. This section should not be construed to prevent the existence of runs or pens upon the required acre, but does require a minimum of one full fenced acre for all such fences and pens to be contained within.
2. No more than two horses are kept per each acre of land.
3. Any enclosure containing a horse or horses that is located upon a tract of land less than five acres in size shall be located so that no part shall be any closer than 100 feet to dwelling quarters of any person or any other inhabited or occupied structure other than the owner or custodian of such animals.

SECTION 4-308

SWINE PROHIBITED

It is unlawful to keep swine within the town limits unless kept on property of ten (10) acres or more which is properly zoned for agricultural purposes.

SECTION 4-309

NOTICE OF VIOLATION

Any person keeping livestock within the town limits or any person keeping horses within the town limits in violation of this part, shall be first entitled to one three-day notice to remove the animal from the town limits. Any violation of this section thereafter shall be deemed an offense. Each and every violation or omission of a required act and each and every day of a continued violation after one three-day notice period shall be deemed a separate offense. A person is not entitled to any notice for additional offenses after the first notice shall have been given.

SECTION 4-310

FEEDLOTS AND STOCKYARDS PROHIBITED

It is unlawful to establish, operate or maintain a commercial feedlot operation or commercial stockyards within the town limits.

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ANIMAL REGULATIONS

CHAPTER 4 - RABBITS

Section 4-401 Rabbits Permitted
Section 4-402 Rabbit Hutches
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Section 4-404 Care and Feeding
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SECTION 4-401

RABBITS PERMITTED

The raising of rabbits by a private individual for his personal use and consumption is permitted within the town limits, if:

1. The land upon which the rabbits are kept is appropriately zoned for agricultural use.
2. The keeper maintains proper hutches and other facilities for the care and containment of the animals while they are in his possession.
3. The keeper maintains proper sanitary conditions as required by town ordinances.
4. The animals are not allowed to roam at large.
5. Odors or noises from such keeping do not constitute a nuisance.
6. Rabbit hutches are located at least one hundred feet from any residence or occupied structure other than that of the owner of the hutches.

SECTION 4-402

RABBIT HUTCHES

Any person having more than two rabbits shall utilize rabbit hutches and the following requirements apply:

1. Each hutch shall be of sufficient size to accommodate a mature rabbit.
2. The roof of the hutch and the area over the hutch shall be sufficiently wide to protect the hutch and the area surrounding the hutch from manure, drops of moisture, and other refuse.
3. Hutches shall be constructed so that they can be cleaned easily.
4. Each hutch shall have wired openings in the front and back.

5. All rabbit hutches shall be constructed to provide ample ventilation through, under and over the hutches.

SECTION 4-403

SANITARY REQUIREMENTS

Any person having more than two rabbits shall comply with the following requirements:

1. Each rabbit hutch and all other buildings and spaces in, around and near the hutches shall be kept clean and sanitary, and:
 - a. Each hutch shall be sterilized with disinfectant at least once each week.
 - b. Each hutch shall be swept and cleaned at least once every 48 hours and manure and other refuse shall be disposed of at least twice each week.
 - c. No manure or other hutch waste shall be burned or disposed of in a manner that causes annoying odors to be conveyed to persons in the vicinity of the hutches.
2. Dead rabbits must be immediately removed from in or near the hutch area and disposed of in an appropriate manner.
3. When rabbits are butchered, the offal and other waste parts must be immediately disposed of in an appropriate manner. The offal and other waste parts must not, however, be disposed of by burning or in any manner which causes annoying odors to persons in the area.

SECTION 4-404

CARE AND FEEDING

Enough and only enough feed shall be supplied each day for the daily needs of each rabbit. Any waste feed shall be removed each day. Feed shall be placed in containers which are separated from the other parts of the hutch. All feed and water containers shall be kept clean. Surplus feed shall be stored in a place separated entirely from the hutches by solid dividing walls. The place of storage shall be constructed so that the feed does not spill upon the ground or into the hutches.

SECTION 4-405

INSPECTIONS

Any officer of the town may enter and inspect any place where rabbits are kept to determine whether the rabbits are being kept in compliance with the provisions of this article. An inspection may be made as often as the officer deems necessary. For the purposes of this section, the officer shall have the right to enter and inspect during all reasonable hours

SECTION 4-406

EXCEPTION

The provisions of this chapter shall not apply to persons who keep two or fewer pet rabbits.

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CHAPTER 5 - FOWL

Section 4-501 Keeping of Fowl Permitted
Section 4-502 Distance from Structures Required
Section 4-503 At Large
Section 4-504 Sanitary Requirements
Section 4-505 Pen Required
Section 4-506 Number of Fowl Regulated
Section 4-507 Exception

SECTION 4-501 KEEPING OF FOWL PERMITTED

The keeping of fowl within the town limits upon any land that is appropriately zoned for agricultural use is permitted in accordance with the provisions of this chapter. It shall be unlawful to violate any provision of this chapter.

SECTION 4-502 DISTANCE FROM STRUCTURES REQUIRED

Any fowl kept in the town limits must be maintained and kept no less than 100 feet from any residence, school, church or business other than the residence of the owner.

SECTION 4-503 AT LARGE

Fowl shall not be allowed to run at large in the town. Domestic ducks and geese found or maintained upon common areas and public waterways are exempted.

SECTION 4-504 SANITARY REQUIREMENTS

The area in which any fowl are maintained shall be kept clean and free from excess excreta, waste materials, dirt and trash to minimize disease hazards and to reduce odors.

SECTION 4-505 PEN REQUIRED

All fowl kept upon private property within the town must be penned. Domestic ducks and geese found or maintained upon common areas and public waterways are exempted.

SECTION 4-506 NUMBER OF FOWL REGULATED

The number of fowl kept upon any property within the town shall not exceed three fowl for every 5,000 square foot of property.

SECTION 4-507

EXCEPTION

This section does not apply to caged songbirds and exotic birds kept indoors when the keeping of such is otherwise permitted by law. Domestic ducks and geese found or maintained upon common areas and public waterways are exempted.

PART 4

ANIMAL REGULATIONS

CHAPTER 6 – WILD ANIMALS

- Section 4-601 Wild Animals Defined
- Section 4-602 Keeping of Wild Animals Prohibited
- Section 4-603 Poisonous Herptiles Prohibited
- Section 4-604 Skunks
- Section 4-605 Song Birds Protected
- Section 4-606 Non-Human Primates

SECTION 4-601 WILD ANIMALS DEFINED

For the purpose of this section, the term "wild animal" means an animal which is usually not a domestic animal and which can normally be found in the wild state, with or without mean or vicious propensities, including, but not limited to, lions, tigers, leopards, panthers, bears, wolves, coyotes, alligators, crocodiles, apes, foxes, elephants, rhinoceroses, and all forms of poisonous snakes, lynxes, raccoons, skunks, monkeys, and other like animals.

SECTION 4-602 KEEPING OF WILD ANIMALS PROHIBITED

It is unlawful to keep or harbor any wild or animal in the town limits. This section shall not apply to such animals kept for exhibition purposes only, by recognized circuses, zoos, and educational institutions.

SECTION 4-603 POISONOUS HERPTILES PROHIBITED

It shall be unlawful for any person to keep or allow to be kept on his/her property any vicious or poisonous herptiles within the town. This section shall not apply to any veterinary hospital, zoo, ranch or other place where such animals are adequately cared for with due regard for public health and safety.

SECTION 4-604 SKUNKS

It shall be unlawful for anyone to de-scent a skunk for the purpose of domesticating it or to keep or harbor a skunk within the town limits.

SECTION 4 – 605 SONG BIRDS PROTECTED

It shall be unlawful for any person to willfully kill any song bird or to molest or rob the nest of any fowl, other than chickens or domesticated ducks.

SECTION 4-606

NON-HUMAN PRIMATES

Non-human primate shall mean any animal that is a member of the order Primata except human beings. The keeping of non-human primates within town limits is unlawful, except within a zoo, circus, or licensed research facility.

PART 4

ANIMAL REGULATIONS

CHAPTER 7 –DANGEROUS AND POTENTIALLY DANGEROUS ANIMALS

- Section 4-701 Declaration of animal as vicious or dangerous
- Section 4-702 Duty upon Complaint
- Section 4-703 Cost of Action
- Section 4-704 Dismissal of Action
- Section 4-705 Limitations on Declaration
- Section 4-706 Vicious or Dangerous Animals Unlawful
- Section 4-707 Dangerous or Potentially Dangerous Dog Unlawful without Permit
- Section 4-708 Potentially Dangerous Dog Permit Requirements
- Section 4-709 Potentially Dangerous Dog Permit Revocation
- Section 4-710 Impoundment of Potentially Dangerous Dog
- Section 4-711 Dangerous Dog Unlawful without Permit
- Section 4-712 Dangerous Dog Permit Requirements
- Section 4-713 Dangerous Dog Permit Revocation
- Section 4-714 Impoundment of Dangerous Dog
- Section 4-715 Inspections

SECTION 4-701

DECLARATION OF DOG OR ANIMAL AS POTENTIALLY DANGEROUS OR DANGEROUS

A Judge of the Municipal Court, upon the presentment of a verified complaint by an animal control officer, law enforcement officer, or the town attorney, shall determine whether reasonable cause exists to believe that an animal or dog being kept at a specified location within the town is a potentially dangerous dog, dangerous dog, or vicious or dangerous animal, as defined by town ordinance. If the Municipal Judge determines that probable cause exists, the Judge shall issue an order of the Municipal Court declaring the animal a dangerous dog, potentially dangerous dog, or vicious or dangerous animal, and requiring a notice of judgment to be served on the person(s) owning, possessing, keeping and/or harboring said dog or animal. Those who own, possess, keep and/or harbor such dogs or animals will be required to comply with all conditions pertaining to a dangerous dog, potentially dangerous dog, or vicious or dangerous animal. It shall be unlawful for any person to own, possess, keep or harbor a dangerous dog, potentially dangerous dog, or vicious or dangerous animal within the limits of this town contrary to the order of the municipal judge or contrary to any of the provisions of this chapter.

SECTION 4-702

DUTY UPON COMPLAINT

When an animal control officer, police officer or town attorney intends to or actually files a complaint with the municipal court requesting an animal or dog be declared a dangerous dog, potentially dangerous dog, or vicious or dangerous animal, the officer shall serve the person or persons who either own, possess, keep and/or harbor the animal or dog with a written notice; provided, however, that notice to one of the aforementioned classes of persons shall be deemed notice to all. The notice shall include the date and time of issue, the date and time the matter is to be heard in municipal court and the required duties of the owner or keeper until such time the matter is heard. It is unlawful to fail to adhere to the required duties after notice has been served. Those duties shall be:

1. The animal or dog shall be kept indoors; or
2. The animal or dog shall be kept in a secure fenced enclosure with locked gates that is sufficient to prevent the animal or dog from being at large and to prevent access to the animal or dog by small children or other animals; and
3. To prevent at all times the animal or dog from being at large; and
4. To muzzle and to be in constant attendance and supervision of the animal or dog whenever the animal or dog is not in a fenced enclosure or indoors.

SECTION 4-703

COST OF ACTION

The person owning, keeping or harboring an animal or dog for which a complaint has been filed before the municipal court to declare such animal a vicious animal, or such dog a dangerous or vicious dog shall pay, upon the hearing of the matter before the municipal court, court costs of fifty dollars (\$50.00) if the animal or dog is actually declared to be a vicious animal or a dangerous or potentially dangerous dog.

SECTION 4-704

DISMISSAL OF ACTION

If the person owning, keeping, or harboring an animal or dog for which a complaint has been filed before the municipal court to declare such animal a vicious animal, or such dog a dangerous or potentially dangerous dog either:

1. voluntarily and permanently removes the animal or dog from the corporate town limits, or
2. voluntarily has the animal euthanized by or under the supervision of a veterinarian licensed in this state,

and provides proof to the Court that such animal has been removed or euthanized, the Court shall dismiss the action without cost.

It shall be unlawful to forge or falsify proof of euthanasia, to be deceptive in declaring the animal or dog has been removed from town limits, or to return the animal or dog to the corporate limits after declaring to the Court such animal has been permanently removed.

SECTION 4-705 **LIMITATIONS ON DECLARATION**

No animal or dog may be deemed to be a dangerous dog, potentially dangerous dog, or vicious or dangerous animal, when:

1. Aggressive behavior, injury or damage is as a result of a person who was teasing, tormenting, abusing, or assaulting the animal or dog.
2. Aggressive behavior, injury or damage was brought about by person who was breaking and entering into any domestic residence or other property or attempting to break and enter into any domestic residence or other property, or attempting to cause harm to an owner, possessor, keeper or one who is harboring the animal.
3. A Police service dog, while on duty, which becomes aggressive, or inflicts injury or damage due to law enforcement action or activity while such animal is under the control or supervision.

SECION 4-706 **VICIOUS OR DANGEROUS ANIMALS UNLAWFUL**

It shall be unlawful to own, possess, keep and/or harbor an animal declared to be a vicious animal or dangerous animal within the corporate limits of the town. Each day such an animal is kept within the town shall be deemed to be a separate violation.

SECTION 4-707 **DANGEROUS OR POTENTIALLY DANGEROUS DOGS UNLAWFUL WITHOUT PERMIT**

It shall be unlawful to own, possess, keep or harbor a dangerous or potentially dangerous dog within the town limits unless the person who owns, possesses, keeps or harbors the dangerous or potentially dangerous dog obtains an annual permit from the town. The following shall apply:

1. The applicant must have the premises upon which the dangerous or potentially dangerous animal or dog is to be harbored or kept inspected by the Chief of Police or designee to ensure such premises meets the requirements of this part.
2. The applicant must present a copy of a policy of liability insurance, such as homeowner's insurance, or surety bond, issued by an insurer qualified under Title 36 of the Oklahoma Statutes in the amount of not less than Fifty Thousand Dollars (\$50,000.00) insuring the owner for any personal injuries inflicted by the dangerous or potentially dangerous dog.

3. Pays an annual fee of ten dollars to the town for such permit.

It shall be unlawful to fail to maintain the liability insurance or bond outlined required in this section at any time a dangerous dog is owned, harbored or kept in the corporate limits of the town.

SECTION 4-708

POTENTIALLY DANGEROUS DOG PERMIT REQUIREMENTS

It is unlawful for one who harbors, owns, possesses or keeps a potentially dangerous dog to permit the dog to be unconfined or otherwise fail to meet the requirements as set forth by this section, and to this end and after obtaining the proper permit for a potentially dangerous dog such person or persons shall:

1. Keep the dog indoors or in a fenced enclosure;
2. Prevent the dog from being at large in the town;
3. Place and maintain a "BEWARE OF DOG" warning sign upon each gate or entrance into the fenced enclosure where such animal is kept and to place such sign on each side of the fenced enclosure without a gate that faces a public street, private street, or alleyway.
4. To prevent the dog from having any kind of unsupervised access to children and small animals.
5. To maintain all fenced enclosures in a state of repair that prevents the dog from running at large, and prevents entrance by small children and other animals.
6. To maintain a lock upon all gates and entrances to the fenced enclosure sufficient to prevent access by small children or animals.
7. To muzzle and be in direct control of the dog anytime the dog is not indoors or within a fenced enclosure.
8. To notify the Police Department when moving the place where the dog is kept from one location to another in the town and having any new location inspected by the Chief of Police or designee to ensure such premises meets the requirements of this section prior to actually moving, harboring or keeping the dog at the new location.
9. To notify the Police Department any time the dog gets loose and is running at large.

SECTION 4-709

**POTENTIALLY DANGEROUS DOG PERMIT
REVOCATION**

The Chief of Police or designee may revoke a potentially dangerous dog permit when:

1. The dog is found at large two or more times in any twelve month period, or
2. For failure to meet any of the requirements of section 4-708 two or more times within any twelve month period, or
3. Failure to maintain liability insurance or bond as required in Section 4-707, or
4. The dog, without provocation, attacks or bites any person or animal.

It shall be unlawful to own, possess, harbor or keep a potentially dangerous dog within the corporate town limits after a permit has been revoked. Each day a potentially dangerous dog is owned, harbored, possessed or kept within the town after the revocation of a permit shall be considered a separate violation.

The person who owns, possesses, keeps or harbors the dog may appeal the revocation by making written application to the Municipal Court and appearing on the next scheduled court date; however, the dog must be removed from the corporate town limits pending the appeal.

SECTION 4-710

**IMPOUNDMENT OF POTENTIALLY DANGEROUS
DOG**

A potentially dangerous dog may be impounded at the owner's expense within the corporate limits of the town anytime the dog is found to be at large. A potentially dangerous dog may also be impounded at the owner's expense from the place where the potentially dangerous dog is harbored or kept, when:

1. The fenced enclosure for the dog is found to be in a state of disrepair or damage so that the potentially dangerous dog could be at large, and/or small children and animals could access the place where the dog is kept.
2. The permit has been revoked and the person who owns, possesses, keeps or harbors the potentially dangerous dog does not remove the dog from the corporate limits of the town within 24 hours of such revocation.
3. A person pending hearing on a potentially dangerous dog declaration fails to adhere to the requirements of Section 4-702.
4. The potentially dangerous dog, without provocation, attacks or bites any person or animal.

Nothing in this section prohibits the immediate impoundment or destruction of an animal when necessary for the protection of the public, property, an animal or any person.

SECTION 4-711 **DANGEROUS DOGS UNLAWFUL WITHOUT PERMIT**

It shall be unlawful to own, possess, keep or harbor a dangerous dog within the town limits unless the person who owns or harbors the dangerous dog obtains an annual permit from the town, and in such event the following shall apply:

1. The applicant must have the premises upon which the dangerous dog is to be harbored or kept inspected by the Chief of Police or designee to ensure such premises meets the requirement of this part.
2. The applicant must present a copy of a policy of liability insurance, such as homeowner's insurance, or surety bond, issued by an insurer qualified under Title 36 of the Oklahoma Statutes in the amount of not less than Fifty Thousand Dollars (\$50,000.00) insuring the owner for any personal injuries inflicted by the dangerous dog.
3. The applicant must pay an annual fee of ten dollars (\$10.00) to the town for such permit.

It shall be unlawful to fail to maintain the liability insurance or bond required in this section at any time a dangerous dog is owned, possessed, harbored or kept in the corporate limits of the town.

SECTION 4-712 **DANGEROUS DOG PERMIT REQUIREMENTS**

It is unlawful for one who harbors, owns, possesses or keeps a dangerous dog to permit the dog to be unconfined or otherwise fail to meet requirements as set forth by this section, and to this end and after obtaining the proper permit for a dangerous dog such person or persons shall:

1. Keep the dangerous dog indoors, or in a "proper enclosure of a dangerous dog" said term meaning that, while on the owner's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure with at least one hundred fifty (150) square feet of space for each dog kept therein which is over six (6) months of age, and which is suitable to prevent the entry of children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog. In addition, such fenced enclosure must be contained within a separate perimeter fenced area such as a yard fence, and shall be situated so that the fenced enclosure is at least five foot from the perimeter or yard fence.

2. Prevent the dangerous dog from being at large in the town;
3. Place and maintain a "BEWARE OF DOG" warning sign upon the gate to the fenced enclosure containing the dangerous dog, and upon each gate or entrance into perimeter or yard fence where such dog is kept and to place such sign on each side of the perimeter or yard fence without a gate that faces a public street, private street or alleyway.
4. To prevent the dangerous dog from having any kind of unsupervised access to children and small animals.
5. To maintain all fenced enclosures and perimeter fences in a state of repair that prevents the dangerous dog from running at large, and prevents entrance by small children and other animals.
6. To maintain a lock upon all gates and entrances to the fenced enclosure and perimeter fence sufficient to prevent access by small children or animals.
7. To muzzle and be in direct supervision and control of the dangerous dog anytime the dog is not indoors or within a fenced enclosure.
8. To notify the Police Department when moving the place where the dog is kept from one location to another in the town and having any new location inspected by the Chief of Police or designee to ensure such premises meets the requirements of this section prior to actually moving, harboring or keeping the dog at the new location.
9. To maintain the dog in a crate or similar device anytime the dog is transported.
10. To notify the Police Department any time the dog gets loose and is running at large.

SECTION 4-713

DANGEROUS DOG PERMIT REVOCATION

The Chief of Police or designee may revoke a dangerous dog permit when:

1. The dangerous dog is found at large, or
2. For failure to meet any of the requirements of section 4-712 two or more times within any twelve month period, or
3. Fail to maintain liability insurance or bond as required in Section 4-711, or
4. The dog, without provocation, attacks or bites any person or animal.

It shall be unlawful to own, possess, harbor or keep a dangerous dog within the corporate town limits after a permit has been revoked. Each day a dangerous dog is

owned, possessed, harbored or kept within the town after the revocation of a permit shall be considered a separate violation.

The person who owns, possesses, keeps or harbors the dangerous dog may appeal the revocation by making written application to the Municipal Court and appearing on the next scheduled court date; however, the dangerous dog must be removed from the corporate town limits pending the appeal.

SECTION 4-714 **IMPOUNDMENT OF DANGEROUS DOG**

A dangerous dog may be impounded at the owner's expense within the corporate limits of the town anytime the dog is found to be at large. A dangerous dog may also be impounded at the owner's expense from the place where the dog is harbored or kept, when:

1. The fenced enclosure or perimeter fence containing the dog is found to be in a state of disrepair or damage so that the dog could get out and be at large, and/or small children or animals could access the place where the dog is kept.
2. The permit has been revoked and the person who owns, possesses, keeps or harbors the dog does not immediately remove the dog from the corporate limits of the town.
3. A person, pending hearing on a dangerous dog declaration, fails to adhere to the requirements of Section 4-702.
4. The dog, without provocation, attacks or bites any person or animal.

Nothing in this section prohibits the immediate impoundment or destruction of any animal when necessary for the protection of the public, property, and animal, or any person.

SECTION 4-715 **INSPECTIONS**

The location upon which any vicious or dangerous dog is kept is subject to inspection at any time by any police or animal control officer of the town for the purpose of ensuring the dog is being restrained as required by this section.

PART 4

ANIMAL REGULATIONS

CHAPTER 8 – ADOPTIONS

Section 4-801 Spaying / Neutering Required

Section 4-802 Adoption Fees

Section 4-803 Adoption for Research Prohibited

SECTION 4-801 SPAYING / NUETERING REQUIRED

No unclaimed dogs and cats from the town shall be let for permanent adoption by the shelter, a Pet Placement Partner or any other person who receives such dogs and cats on behalf of the town, without the spaying or neutering of the animal prior to the animal being placed or adopted into a permanent home.

SECTION 4-802 ADOPTION FEES

Persons adopting a dog or cat shall pay a fee at the time of adoption to cover the cost and expense of spaying or neutering the adopted animal. The amount of such fee shall be as established by the Town Board of Trustees.

SECTION 4-803 ADOPTION FOR RESEARCH PROHIBITED

No live animal in the custody of the town, a Pet Placement Partner or any other person who receives such dogs and cats on behalf of the town shall be made available for scientific research or for other scientific purposes.

PART 4

ANIMAL REGULATIONS

CHAPTER 9 – PROPER CARE

- Section 4-901 Proper Care Required
- Section 4-902 Feeding and Care
- Section 4-903 Shelters and Enclosures
- Section 4-904 Animals without Proper Care
- Section 4-905 Poisoning Prohibited
- Section 4-906 Damaging Hobbling Prohibited
- Section 4-907 Fighting Contests
- Section 4-908 Animals in Vehicles
- Section 4-909 Exceptions

SECTION 4-901

PROPER CARE REQUIRED

The proper care and treatment of all animals possessed, kept or harbored within the town is required. It is unlawful for any person to maltreat, neglect or improperly confine any animal.

SECTION 4-902

FEEDING AND CARE

It shall be unlawful for any person to fail to properly care and feed any animal owned, possessed, harbored or kept within the corporate limits of the town, and to this end the following regulations shall apply:

1. Food shall be free from contamination and of sufficient quantity and nutritive value to maintain animals in good health. Animals shall be fed at least once a day except as dictated by hibernation, veterinary treatment, normal fasts or other professionally accepted practices. All food receptacles shall be kept clean and sanitary.
2. Potable water shall be provided as often as necessary for the health and comfort of each animal. Frequency of watering shall consider age, species, condition, size and type of animal. Animals shall be watered as required by applicable local, state and Federal laws. All water receptacles shall be kept clean and sanitary.

SECTION 4-903

SHELTERS AND ENCLOSURES

It shall be unlawful to provide inadequate shelter or enclosures for any animal owned, possessed, kept or harbored within the town. The following regulations will apply:

1. Enclosures for animals shall be constructed and maintained to provide sufficient space for each animal, and shall be sufficient for each animal to make normal postural

and social adjustments and to provide each animal with adequate freedom of movement to maintain good physical condition.

2. Indoor facilities for the keeping of animals shall be sufficiently heated, cooled and ventilated as to protect the animals from extremes of temperature and to provide for their health and to prevent their discomfort. Lighting of primary enclosures shall be designed to protect the animals from excessive illumination. Such lighting shall be uniformly distributed and of sufficient intensity to permit routine inspection and cleaning.
3. Natural or artificial outdoor shelters appropriate to the local climatic conditions for the particular species of animal shall be provided for all animals kept outdoors. A suitable method of drainage shall be provided to rapidly eliminate excess water.
4. A shelter for a dog or cat shall consist of a moisture proof and wind proof structure of suitable size to accommodate the animal and to allow retention of body heat. It shall be made of durable material, and shall be provided with a sufficient quantity of suitable bedding material to provide insulation and protection against cold and dampness and to promote retention of body heat.
5. A shelter for livestock shall be at least a two-sided roofed structure made of durable material.

SECTION 4-904

ANIMALS WITHOUT PROPER CARE

Whenever an officer of the town finds that any animal is without proper care, he may impound the animal for protective care. In the event of sickness or injury of the animal, and upon the advice of a licensed veterinarian, the officer may take appropriate action to prevent undue pain and suffering. This shall include the option of immediate humane destruction of the animal. Persons from whom animals have been impounded for the purposes of protective care shall not be eligible for redemption of the animals.

SECTION 4-905

POISONING PROHIBITED

It shall be unlawful for any person, intentionally or neglectfully, by any means to make accessible to any animal any harmful or poisonous substance. It is not the intent of this section to prohibit the use of poisonous substances for the control of vermin.

SECTION 4-906

DAMAGING HOBBLING PROHIBITED

It shall be unlawful for any person to hobble livestock or other animals by any means which may cause injury or damage to the animal.

SECTION 4-907

FIGHTING CONTESTS

It shall be unlawful for any person to promote, stage, hold, manage, conduct, carry on or attend any game, exhibition, contest or fight in which any animal (the term "animals" as defined above, which includes, without limitation, dogs or fowl) is used for the purpose of fighting, injuring, killing, maiming, or destroying any other animal.

SECTION 4-908

ANIMALS IN VEHICLES

It shall be unlawful for any person to leave any animal in any standing or parked vehicle without providing for adequate ventilation and/or where such vehicle is subject to developing excessive hot or cold temperatures to the potential detriment of the animal.

SECTION 4-909

EXCEPTIONS

The provisions of this section shall not be construed as preventing or restricting law enforcement officers, animal control officers or any other person from killing animals when lawfully entitled to do so.

PART 4

ANIMAL REGULATIONS

CHAPTER 10 – SANITATION REQUIREMENTS

Section 4-1001	Cleaning of Shelters and Enclosures
Section 4-1002	Sealed Waste Container Required
Section 4-1003	Nuisance Odors
Section 4-1004	Diseased Animals

SECTION 4-1001 CLEANING OF SHELTERS AND ENCLOSURES

To minimize disease hazards and to reduce odors from shelters, enclosures and other places where animals are kept, it shall be unlawful to fail to remove excess excreta, waste materials, dirt and trash from the shelters or enclosures of animals.

SECTION 4-1002 SEALED WASTE CONTAINER REQUIRED

Excreta, waste materials, dirt and other materials subject to odors shall be stored in a sealed container. It shall be unlawful to allow excreta and waste materials to accumulate on a property to the point that offensive odors become an annoyance to others.

SECTION 4-1003 NUISANCE ODORS

It shall be considered a nuisance for odors associated with animals, animal excreta, and animal waste materials where same disturb any person or neighborhood. The keeping or maintaining of any place where such nuisance exists is unlawful.

SECTION 4-1004 DISEASED ANIMALS

It shall be unlawful own, possess, keep or harbor an animal which is inflicted with any dangerous, communicable or incurable disease, or which is in a painfully crippled condition. All such animals shall be humanely destroyed or delivered for medical attention. This section shall not be construed to include veterinary hospitals or animals under active veterinarian care with due regard for public health and safety.

No owner, possessor, keeper or harbinger in control of any animal, who knows the animal to have or to have been exposed to any contagious or infectious disease transmittable to humans, shall dispose of the animal to another person without a full disclosure of this knowledge, to that person, or allow the animal to run at large or come in contact with other animals.

PART 4

ANIMAL REGULATIONS

CHAPTER 11 – RABIES CONTROL

Section 4-1101	Re-immunization Required on Exposure
Section 4-1102	Exposed non-immunized Animals
Section 4-1103	Animals Suspected of Having Rabies

SECTION 4-1101 **RE-IMMUNIZATION REQUIRED ON EXPOSURE**

Any effectively immunized animal which is suspected of having been exposed to rabies and which is in compliance with the provisions of this chapter shall be immediately re-immunized and confined for observation for symptoms of rabies for a period of not less than 90 days.

SECTION 4-1102 **EXPOSED NON-IMMUNIZED ANIMALS**

Any animal which has not been effectively immunized against rabies and which is suspected of having been exposed to rabies shall be euthanized immediately; however, as an alternative, the non-immunized rabies-exposed animal may be strictly quarantined at a veterinary hospital or clinic at owner's expense, and observed for any symptoms of rabies for a period of six months from the date of the suspected exposure. The quarantined animal shall be immunized against rabies at least 30 days prior to its release. Animals impounded for rabies observation may not be released by the veterinarian until authorized by the Police Department.

Any non-immunized animal which has been exposed to a wild skunk, bat or carnivore or which is suspected of having been exposed to a wild skunk, bat or carnivore shall be considered exposed to rabies and shall be dealt with pursuant to the provisions of this chapter, unless such skunk, bat or carnivore is available for laboratory study.

SECTION 4-1103 **ANIMALS SUSPECTED OF HAVING RABIES**

Any animal which has bitten or is suspected of having bitten any person, or which has been exposed to or is suspected of having been exposed to rabies, shall be subject to the appropriate provisions of State Health Department regulations and all applicable requirements of law.

PART 4

ANIMAL REGULATIONS

CHAPTER 12 – ANIMAL BITE INVESTIGATIONS

Section 4-1201	Duty to Report
Section 4-1202	Report to Health Department Required
Section 4-1203	Observation Required
Section 4-1204	Euthanasia

SECTION 4-1201 **DUTY TO REPORT**

Any person owning, harboring, or keeping an animal that bites a person and any person bitten by an animal must report that occurrence to the Police Department as soon as practical.

SECTION 4-1202 **REPORT TO HEALTH DEPARTMENT REQUIRED**

Upon receiving a report that a person has been bitten by an animal, an officer of this town shall investigate and shall submit a written report detailing the circumstances of the incident to the county health department.

SECTION 4-1203 **OBSERVATION REQUIRED**

1. The investigating officer or designee shall provide verbal notice to the person owning, possessing, keeping or harboring the animal which states that confinement and observation of the animal biting another person is required.

2. Upon receiving the notice, the person owning, possessing, harboring, or keeping the animal which in the preceding ten days has bitten or is suspected of having bitten any person, shall have the animal immediately placed in confinement for rabies observation.

3. Confinement and observation as required by this section shall be effected by placing the animal under the supervision of a licensed veterinarian for a period of ten days from the date the person was bitten. If, however, the person owning, possessing, keeping or harboring the suspect animal is a responsible individual and is capable of providing the confinement and observation required, **and** if the animal is in compliance with the provisions of this chapter pertaining to rabies vaccinations and licensing, such person may, at the discretion of the officer, be allowed to keep the suspect animal securely penned for the ten-day observation period. Such person must immediately advise the police department of any changes occurring in the condition of the animal and, if no changes are reported within the ten-day observation period, the investigating officer shall make responsible inquiry regarding the suspect animal's condition.

4. In the event of the suspect animal's death or illness, the person so designated as responsible for the animal shall immediately notify the police department and make arrangements for the removal and shipment of the animal's head to the laboratory of the State Department of Environmental Quality for examination.

5. In all cases, if the owner of the animal cannot produce proof of rabies vaccination, the animal must be confined with a licensed veterinarian.

6. In the event the person who owns, possesses, harbors or keeps the animal cannot, be located or notified, or in the event the person who owns, possesses, harbors, or keeps the animal specified in this division refuses, fails or neglects to place the animal in confinement as required by this division after notice to do so has been given, an officer shall seize and impound the animal and place it in confinement for the required observation period at the owner's expense. It shall be unlawful to refuse or fail to confine an animal for observation that has bitten any person. The Police Department shall thereafter notify the owner or keeper of the animal of the seizure, impoundment and confinement. If, subsequent to the seizure and impoundment of the animal by the animal control officer, the owner or keeper of the animal cannot be located or notified and if the animal remains unclaimed at the expiration of the confinement period, the town may dispose of the animal pursuant to the provisions of this part concerning the disposition of unclaimed, impounded animals.

SECTION 4-1204

EUTHENASIA

In special circumstances, an officer of the town may order the euthanasia of an animal and may perform or order the performance of tests for the diagnosis of rabies, at the owner's expense. For purposes of this section, special circumstances shall be defined as those situations involving severe animal bites upon the head, face, neck or upper extremities, or deep lacerations, or multiple animal bite wounds inflicted by unimmunized animals.

PART 4

ANIMAL REGULATIONS

CHAPTER 13 – SERVICE DOGS

Section 4-1301	Definitions
Section 4-1302	Service Dogs Permitted
Section 4-1303	Denying Entrance Unlawful
Section 4-1304	Orange Collar Required

SECTION 4-1301 **DEFINITIONS**

For the purposes of this chapter:

1. “*Physically disabled person*” means any person who has a physical impairment which severely and permanently restricts mobility of two or more extremities, or who is so severely disabled as to be unable to move without the aid of a wheelchair, or who is blind or deaf.
2. “*Service dog*” means any dog individually trained to the physically disabled person's requirements; and
3. “*Signal dog*” is a type of service dog and means any dog trained to alert a deaf person, or person whose hearing is impaired, to intruders or sounds.

SECTION 4-1302 **SERVICE DOGS PERMITTED**

Any blind, deaf, or physically disabled person who is a passenger on any common carrier, airplane, motor vehicle, railroad train, motorbus, streetcar, boat, or any other public conveyance or mode of transportation operating within the town or any dog trainer from a recognized training center when in the act of training guide, signal, or service dogs shall be entitled to have with him a guide, signal, or service dog specially trained or being trained for that purpose, without being required to pay an additional charge therefore.

SECTION 4-1303 **DENYING ENTRANCE UNLAWFUL**

A blind, deaf, or physically disabled person and his guide, signal, or service dog or a dog trainer from a recognized training center in the act of training guide, signal, or service dogs shall not be denied admittance to or refused access to any of the following because of such dog: any street, highway, sidewalk, walkway, any common carrier, airplane, motor vehicle, railroad train, motorbus, streetcar, boat, or any other public conveyance or mode of transportation, hotel, motel, or other place of lodging, public building maintained by any unit or subdivision of government, building to which the general public is invited, college dormitory and other educational facility, restaurant or

other place where food is offered for sale to the public, or any other place of public accommodation, amusement, convenience, or resort to which the general public or any classification of persons from the general public is regularly, normally, or customarily invited within the State of Oklahoma. Such blind, deaf, or physically disabled person or dog trainer from a recognized training center in the act of training guide, signal, or service dogs shall not be required to pay any additional charges for his guide, signal, or service dog, but shall be liable for any damage done to the premises by said dog.

SECTION 4-1304

ORANGE COLLAR REQUIRED

A service dog used by a deaf person shall be required to wear an orange identifying collar.

PART 4

ANIMAL REGULATIONS

CHAPTER 14 – KENNELS and CATTERIES

Section 4-1401	Permits
Section 4-1402	Permit Fees
Section 4-1403	Inspection Required
Section 4-1404	Vaccination Required
Section 4-1405	Required Records
Section 4-1406	Revocation of License
Section 4-1407	Kennel and Cattery Regulations
Section 4-1408	Exception
Section 4-1409	Commercial Zoning Required

SECTION 4-1401 **PERMITS**

It shall be unlawful for any person to operate a kennel or cattery without first procuring a license from the town to operate the kennel or cattery. Each day an unlicensed kennel or cattery is in operation is considered to be a separate violation. All veterinary hospitals shall be exempt from the payment of kennel license fees.

SECTION 4-1402 **PERMIT FEES**

The fee for the issuance of a kennel or cattery permit shall be established by resolution of the Town Board of Trustees.

SECTION 4-1403 **INSPECTION REQUIRED**

Prior to the issuance of a permit, the kennel or cattery site shall be inspected to ensure compliance with the proper care and sanitary requirements contained herein and that such facilities are so designed to prohibit animals from being at large within the town.

SECTION 4-1404 **VACCINATION REQUIRED**

All dogs and cats kept in kennels or catteries, whether owned or boarded, that are four months of age or older shall be vaccinated.

SECTION 4-1405 **REQUIRED RECORDS**

A written record shall be kept by the kennel or cattery operator which shall include the following information:

1. A record of proof of vaccination for every animal kept over four months of age showing the date each dog or cat was vaccinated, the type and duration of the vaccine administered to the dog or cat, along with the name and phone number of the veterinarian administering the vaccine or the name and phone number of the veterinarian who directly supervised the administration of the vaccine;
2. A description of every dog or cat kept, at a minimum to include the animal's breed, age, sex and color; and
3. Whether the dog or cat is boarded or owned by the kennel;

This record shall be available for inspection by any officer of the town upon demand during normal business hours. Failure to keep required records is unlawful, and can be cause for the revocation of the kennel or cattery license.

SECTION 4-1406 **REVOCAION OF LICENSE**

The town may revoke a kennel or cattery license for allowing animals to run at large, violation of ordinances pertaining to the proper care of animals, violation of ordinances pertaining to the sanitation of animals, violation of kennel & cattery regulations or when the operation of the kennel or cattery amounts to a public nuisance.

SECTION 4-1407 **KENNEL AND CATTERY REGULATIONS**

All kennels and catteries shall adhere to the following regulations:

1. Animal housing areas must be physically separated from areas in which food and/or drink for human consumption is prepared, served or stored.
2. Interior building surfaces shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned.
3. Adequate potable water, and food, shall be provided. Back flow preventers shall be installed on any threaded faucets.
4. A suitable method shall be provided to rapidly eliminate excess water from animal housing facilities. If drains are used, they shall be properly constructed and kept in good repair. If closed drainage systems are used, waste water shall be disposed of by connection to a sanitary sewer or any approved sewage disposal system.
5. All buildings and facilities must comply with building codes and regulations.
6. All enclosures shall be structurally sound and maintained in good repair to protect the animals from injury, to contain them, and to prevent vermin from entering.

They shall be constructed and maintained to enable the animals to remain dry and clean and to provide convenient access to clean food and water.

7. The floors of the enclosures shall be constructed to prevent injury to animals' feet and legs. Enclosures for dogs and cats may have wire flooring provided, however, that (1) the wire is of adequate gauge to prevent sagging under the weight of the animals and (2) the wire mesh is small enough to prevent their feet from falling through the mesh.
8. Enclosures must be constructed to provide sufficient space to allow each animal to exercise normal postural movements.
9. At least one run must be available in every licensed kennel. One run must be provided for every 15 primary enclosures. The run must be of sufficient size to allow an animal to break into a run. At least two exercise periods per day of 20 minutes each shall be provided.
10. Animal waste shall be removed from enclosures daily and/or as often as may be necessary to prevent contamination of the animals and to reduce disease hazards and odors.
11. Cages shall be cleaned as often as may be necessary to maintain sanitary conditions by washing all surfaces with a detergent solution followed by a safe and effective sanitizer. Animals must be removed from the enclosures during the cleaning process and precautions taken to avoid cross contamination.
12. Water and food containers and all other utensils shall be cleaned and sanitized using generally acceptable methods such as the use of heat or chemical sanitizing solution. These containers shall be cleaned and sanitized as often as necessary to maintain sanitary conditions.
13. Animal and food wastes, bedding, dead animals, debris and other organic wastes must be disposed of in order that vermin infestation, odors, disease hazards and nuisances are minimized.
14. The kennel or cattery premises shall be kept clean, in good repair, and free of trash.
15. An effective program for the control of insects, ectoparasites and avian and mammalian pests shall be maintained.
16. Supplies of food and bedding shall be stored off the floor in waterproof closed containers and adequately protected against infestation or contamination by vermin.

17. Animals that die at the facility shall be stored and disposed of in a manner that will not cause a disease hazard or nuisance
18. All animals shall be fed at least once a day and shall be provided potable water at all times except when under special veterinary care. The food and water shall be free from contamination, palatable, and of sufficient quality and nutritive value to meet the normal daily requirements for the condition and size of the animal. Refrigeration shall be provided for perishable food.
19. Food and water containers shall be accessible to the animal and located to minimize contamination by excreta. These containers shall be cleaned daily. Self-feeders and self-waterers may be used if cleaned regularly.
20. Females in season (estrus) shall not be housed in the same primary enclosure with males, except for breeding purposes
21. Any animal exhibiting a vicious disposition shall be housed individually in an enclosure which is inaccessible to other animals or children.
22. Dogs shall not be housed in the same primary enclosure with cats, nor shall dogs or cats be housed in the same primary enclosure with any other species of animals.
23. Boarded animals shall not be housed in the same primary enclosure with those from another household unless the owners have been informed of and have consented to that arrangement.
24. Puppies or kittens shall not be housed in the same primary enclosure with adult dogs or cats other than their dams, except when permanently maintained in breeding colonies.
25. Animals under quarantine or treatment for a communicable disease shall be physically separated from other susceptible animals to minimize dissemination of disease. Such quarantine area should have a separate ventilation system.
26. Animals shall be observed daily for signs of disease. An animal suspected of having an infectious disease shall be physically separated from other animals until the condition is determined to be noninfectious.
27. Sick or injured animals shall be provided with veterinary care.
28. Animals with obvious signs of disease, or injury, or of a vicious nature shall not be sold or transferred.
29. In breeding kennels, an animal control or police officer may require laboratory testing of a suitable number of animals or specimens to determine if such animals

are disease free. The costs of the laboratory tests shall be the responsibility of the licensee. In the event disease is found, the kennel may be quarantined and a prohibition against the sale or transfer of animals enacted. The quarantine will be lifted only through written release by the Police Department with if is determined that a health risk no longer exists; determinations of disease and quarantine may be appealed by the kennel to the Municipal Court.

30. Places that current exist, for which the adoption of this ordinance creates the need for a permit, shall have until July 31st, 2009 to gain compliance and obtain a permit.

SECTION 4-1408

EXCEPTION

Federal, State and municipal facilities shall be exempt from the provisions of this article.

SECTION 4-1409

COMMERCIAL ZONING REQUIRED

All kennels and catteries operated within the Town Limits of the Town of Verdigris must be upon land with the appropriate commercial zoning for the operation of a kennel or cattery.

State law references:

Animals generally, Title 4 Oklahoma Statutes (“O.S.”);
Animal Bites and Vicious Animals, 4 O.S. § 41 – 47
Assistance Animals & Guide Dogs, 7 O.S. § 12; 7 O.S 7 § 19.1 - 19.2; 21 O.S. § 649.3;
41 O.S. § 113.1
Authority to regulate animals, 11 O.S. § 22-115
Bear Wrestling and Horse Tripping, 21 O.S. § 1700
Cockfighting, 21 O.S. § 1692 et. seq.
Cruelty to animals and related offenses, 21 O.S. § 1680 et seq.
Dangerous and Potentially Dangerous Dog Definitions, 4 O.S. § 44
Dog fighting, 21 O.S. § 1693 et. seq.
Endangered Species, 29 O.S. § 5-412
Equine Activity Liability, 76 O.S. § 50.1 - 50.4
Oklahoma Veterinary Practice Act, 59 O.S. § 698.1 - 29