

TITLE 2 - ANIMALS
TABLE OF CONTENTS

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CHAPTER 1 DEFINITIONS; REGULATION GENERALLY

Section 100	Definitions	2
Section 101	Offenses	8
Section 102	Registration and Rabies Inoculation	12
Section 103	Veterinarian Records and Reports; Reporting Animal Bites ..	14
Section 104	License Fees	14
Section 105	Proclamation of Rabies.....	15
Section 106	Rabies Suspect.....	16
Section 107	Dangerous Animal.....	18
Section 108	Animal a Nuisance.....	18
Section 109	Notice of Impoundment; Reclaiming; Disposal of Animals and Fees.....	19
Section 110	Commercial Animal Establishments.....	23
Section 111	Issuance of Citations; Collection of Fines	24
Section 112	Police Dogs and Dogs Trained to Guide the Blind and Hearing Impaired and Support Service Dogs for People with Disabilities	24
Section 113	Outside Agencies and Nonresidents	25
Section 114	Records; Funds.	25
Section 115	Unlawful Removal.....	26
Section 116	Entering Property.....	26
Section 117	Exemption Permits.....	27
Section 118	Penalty.....	31

CHAPTER 2 AGRICULTURAL ANIMALS

Section 200	Agricultural Animals-cows, Goats, Sheep, Hogs, Horses, Poultry and Rabbits.....	33
Section 201	Pigeons and Doves.....	35
Section 202	Offense.....	37
Section 203	Animals Running at Large	37
Section 204	Penalty.....	38

CHAPTER 3 ANIMALS IN STREETS

Section 300	Training Animals	40
Section 301	Animals Unhitched	40
Section 302	Racing Animals.....	40
Section 303	Hitching.....	40
Section 304	Turning Animals Loose	40
Section 305	Penalty.....	40

CHAPTER 4 MISCELLANEOUS PROVISIONS

Section 400	Diseased Animals and Sale of Diseased Animals	42
Section 401	Administration of Poison.....	42
Section 402	Destruction of Animals	42
Section 403	Euthanasia	42
Section 404	Locking or Tying Wings of Fowl Prohibited.....	43
Section 405	Distribution of Baby Fowl or Rabbits as Pets or Novelties Prohibited.....	43

Section 406	Penalty.....	43
CHAPTER 5 DEAD ANIMALS		
Section 500	Dead Animals - Unlawful Disposal.....	45
Section 501	Dead Animals - Lawful Disposal	45
Section 502	Dead Animals – Strays	45
Section 503	Dead Animals - Residential Fees	45
Section 504	Dead Animals Collected for Disposal from Commercial Animal Establishments of Any Type	46
Section 505	Retrieving I.D. from Dead Animals	46
Section 506	Penalty.....	46
CHAPTER 6 DANGEROUS DOGS		
Section 600	Certificate of Registration for Certain Dogs Required Exemptions – Fee	48
Section 601	Muzzle and Restraint of Certain Dogs.....	48
Section 602	Dogs Not to Be Declared Dangerous.....	48
Section 603	Confiscation of a Dangerous Dog.....	49
Section 604	Fines	49
Section 605	Purpose	49
Section 606	Penalty.....	49
CHAPTER 7 REPTILES		
Section 700	Habitat	51
Section 701	Transport and Handling	51
Section 702	Release of Reptiles	51
Section 703	Reptile Species Not Prohibited	51
Section 704	Prohibited Reptiles.....	52
Section 705	Zoo Excluded.....	52
Section 706	Penalty.....	52
CHAPTER 8 PENALTY		
Section 800	Penalty	53
CHAPTER 9 HUMANE CARE AND TREATMENT		
Section 900	Standards of Care.....	55
Section 901	Inhumane Treatment.....	56
Section 902	In Case of Inhumane Care, Inhumane Treatment	56
Section 903	Penalty.....	57
CHAPTER 10 COMMUNITY CATS.....		
MAXIMUM PENALTY PROVISIONS		60
PRE-SET FINE AND BOOK-TO-COURT SCHEDULE		62

CHAPTER 1

DEFINITIONS; REGULATION GENERALLY

- Section 100. Definitions.
- Section 101. Offenses.
- Section 102. Registration and Rabies Inoculation.
- Section 103. Veterinarian Records and Reports; Reporting Animal Bites; Animal under Quarantine; Rabies Suspected.
- Section 104. License Fees.
- Section 105. Proclamation of Rabies.
- Section 106. Rabies Suspect.
- Section 107. Dangerous Animal.
- Section 108. Animal a Nuisance.
- Section 109. Notice of Impoundment; Reclaiming; Disposal of Animals and Fees.
- Section 110. Commercial Animal Establishments.
- Section 111. Issuance of Citations; Collection of Fines.
- Section 112. Police Dogs and Dogs Trained to Guide the Blind and Hearing Impaired and Support Service Dogs for People with Disabilities.
- Section 113. Outside Agencies.
- Section 114. Records; Funds.
- Section 115. Unlawful Removal.
- Section 116. Entering Property.
- Section 117. Exemption Permits.
- Section 118. Penalty.

CHAPTER 1
DEFINITIONS; REGULATION GENERALLY

SECTION 100. DEFINITIONS

For purposes of this title, each word and phrase shall have the following meaning:

Abandonment of an animal shall mean the act of forsaking the animal entirely or neglecting or refusing to provide or perform the legal obligations for care and support of the animal as defined herein.

Animal shall mean any living creature, except human beings, and include (without limiting the generality) mammals, birds, reptiles, fish, amphibians and invertebrates, except in Section 106 of this chapter the word "animal" shall mean only mammals when referring specifically to the control of rabies and rabies-suspected animals.

- A. A large animal is any agricultural animal, excluding fowl, poultry, and rabbits. It includes but is not limited to horses; dwarf, miniature, or dwarf variety horses; cattle; goats; donkeys; mules; sheep; and swine. It also includes reptiles over fifty (50) pounds.
- B. A small animal is any non-agricultural animal, including but not limited to dogs, cats, and ferrets, and the following agricultural animals, fowl, poultry, and rabbits.

Animal bite shall mean any penetration of the skin by the teeth of an animal but shall exclude scratches by the claws of dogs or cats.

Animal Welfare Authority means a local government entity acting alone or in concert with other local governmental units for enforcement of the animal welfare laws of the city, county and state and the shelter and welfare of animals.

Animal Welfare Center means the shelter at 3031 North Erie Avenue in Tulsa, Oklahoma.

Animal Welfare Officer means any individual employed, contracted with or, appointed by Animal Welfare for the purpose of aiding the enforcement of any law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals, and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

Animal Wild by Nature shall mean and include any animal, except reptiles defined in Chapter 7, which, because of its dangerous physical features, or its great size, or its dangerous nature presents a clear and proven danger to human beings, and shall include:

- A. The following members of the Class Aves: Order Falconiformes (hawks, eagles, falcons and vultures) which are not kept pursuant to federal or state permit, and Order Ratites (ostriches, rheas, cassowaries and emus); or birds native to the continental United States and Alaska and all birds covered under the Lacey Act and Migratory Bird Act.

- B. The following members of the Class Mammalia: Order Carnivora, Family Felidae (ocelots, margays, tigers, lions, panthers, jaguars, leopards and cougars, bobcat, lynx, cheetah, serval), except commonly accepted domesticated cats; the Family Canidae (wolves, foxes, dingoes, coyotes and jackals), except domesticated dogs; Family Mustelidae (weasels, martins, minks and badgers); Family Procyonidae (raccoon); Family Ursidae (bears); Order Chiroptera (bats); Order Edentata (sloths, anteaters and armadillos); Order Marsupialia (kangaroos and common opossums); Order Proboscidea (elephants); Order Primate (monkeys, chimpanzees and gorillas); Order Rodentia (beaver, muskrat and porcupines); Order Artiodactyla (antelope, deer, bison and camels); and Order Perissodactyla (horse-like animals); and any hybrid or cross-breed of any of the above-listed animals.
- C. Any species of animal which is venomous to human beings, whether its venom is transmitted by bite, sting, touch or other means, except for venomous aquarium specimens. Venomous aquarium specimens which cannot survive outside the confines of an aquarium and which cannot survive in the lakes, ponds, rivers or streams of northeast Oklahoma shall not be prohibited.
- D. Any species of animal when kept, maintained or harbored in such numbers or in such manner as to constitute the likelihood of danger to the animals themselves, to human beings or to the property of human beings.
- E. Except as expressly provided in this title, the term "animal wild by nature" shall not include nonpoisonous aquatic or amphibious animals, gerbils, hedgehogs, hamsters, guinea pigs, mice, rabbits, birds except for those listed in this section, domestic rats, chinchillas, domestic honey bees, ferrets, and those reptiles described in Chapter 7 as not prohibited.

At Large shall mean:

- A. An animal not confined on the premises of its owner; or
- B. A dog not under leash or not in the physical control of its owner;
- C. A cat, other than community cat, not in the physical control of its owner.

Cat shall mean a member of the species *Felis catus*.

Chief of Police shall mean the duly appointed, qualified or acting Chief of Police of Tulsa or the Chief's authorized representative.

Commercial Animal Establishment (Type A) shall mean any stable or boarding facility, grooming or bathing facility, veterinarian clinic or boarding facility, carriage horse or pony service, or sentry or guard dog service.

Commercial Animal Establishment (Type B) shall mean any business keeping animals in stock for retail or wholesale trade which shall include, but not limited to, wholesale distributors, pet stores, stockyards, slaughterhouses and hatcheries.

Community Cat shall mean an unowned, free-roaming cat that may be cared for by one or more known or unknown residents of the immediate area and includes stray and feral cats.

Community Cat Colony shall mean a group of community cats that is permitted through the City of Tulsa.

Community Cat Caregiver shall mean a person who, although providing care to community cats, is not the "Owner" of the cat(s).

Confined on the Premises shall mean that condition in which an animal is securely and physically confined and restrained on and within the premises of the owner by means of walls, fences or leash. **Confinement shall be** of such strength and size as to prevent such animal from leaving the premise. **Confinement shall keep the animal from extending its head through an enclosure so as to constitute a threat to any person or animal in the area adjoining the enclosure.** A leash shall not be of a length allow the dog access to public property or to sidewalks or rights-of-way or to adjacent property owned or leased by persons other than the owner of the animal.

Dangerous Animal shall mean any animal which, without provocation, has:

- A. Killed or inflicted serious bodily injury upon any person, requiring hospitalization, medical treatment at medical facility, or rehabilitative treatment; or
- B. Bitten two (2) or more human beings during one or more encounters; or
- C. Bitten one (1) human being two (2) or more times during two (2) or more encounters; or
- D. Evidenced a propensity, tendency or disposition to:
 1. Attack without provocation; or
 2. Cause injury to, or otherwise endanger the safety of human beings or domestic animals.

Dangerous Dog or Domestic Animal means any dog or domestic animal that has:

- A. Inflicted severe injury on a human being without provocation on public or private property,
- B. Been previously found to be potentially dangerous, the owner having received notice of such by the animal control authority in writing and the dog or domestic animal thereafter aggressively bites, attacks, or endangers the safety of humans, dogs or domestic animals.
- C. Been previously found to be potentially dangerous, the owner having received notice of such by the animal control authority in writing and the dog or domestic animal thereafter attacks a dog or domestic animal which results in the death of said dog or domestic animal either on public or private property.

Dangerous Dog or Domestic Animal Owner means any person, firm, corporation, organization or department possessing, harboring, keeping, having an interest in, or having control or custody of a Dangerous Dog or Domestic Animal.

Director of Finance shall mean the duly appointed Director of the Finance Department of the City of Tulsa or the Director of Finance's authorized representative.

Director of TCCHD shall mean the Director of the Tulsa City-County Health Department or the Director's authorized representative.

Director of WIN shall mean the Director of the Working in Neighborhoods Department of the City of Tulsa or the Director's authorized representative or designee.

Dog shall mean and include any animal of the canine species.

Domestic Animal shall mean dogs and cats, as well as horses, donkeys, mules, burros, cattle, sheep, goats, swine, rabbits and fowl.

Eartipping shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.

Exemption Permit shall mean a permit issued under Section 117 allowing the ownership of animals which are exempt from animal count and/or spay/neuter ordinances.

Fowl shall mean any bird which has been domesticated and is commonly raised for food or egg production, including but not limited to chickens, ducks, geese, turkey, peafowl, pheasant, partridge, quail and grouse.

He, She, Him, Her, His, It and Its shall mean and include the masculine, feminine and neuter gender.

Hive shall mean a manmade home for bees which includes one or more boxes containing removable frames for rearing young bees, a queen excluder, one or more boxes with removable frames for honey storage, an inner cover and a top cover, all of which are set on a hive stand.

Immediate Family shall mean a mother, father, sibling or child, including stepchildren.

Intact Animal shall mean an animal that has not been sexually sterilized.

Leash shall mean any rope, cable, chain or other material attached to a permanent object used to confine a dog to its owner's property.

Mammal shall mean any of the class Mammalia or any subclass of all animals that nourish their young with milk secreted by mammary glands and have their skin more or

less covered with hair.

Menacing passersby shall mean harassment or threatening behavior when an animal is confined on its property but is allowed to reach an individual within their own property or on public property either by the length of its tether or by access through or over a barrier.

Nuisance animal shall mean any animal, which habitually commits any one or a combination of the following acts:

- A. Scratches or digs into any flower bed, garden, tilled soil, vines, shrubbery or small plants and in so doing injures the same;
- B. Overturns any garbage can or other vessel for waste products or scatters the contents of same;
- C. Kills any domestic animal
- D. Barks, howls, brays or makes any other loud or offensive noise common to its species or peculiar to itself, so as to disturb the inhabitants of the community;
- E. Is at large.

Nuisance Animal Owner shall mean any Owner, harbinger or possessor whose animal(s) are declared a Nuisance Animal as defined by this Chapter.

Owner shall mean any person, persons, or organization of any kind who harbors or possesses any animal for a minimum of 14 days unless another individual claims and proves prior ownership of the animal with proof of ownership.

Pigeon or Dove shall mean any bird in the family Columbidae, and shall include any exotic dove (ringneck, white, diamond, fruit, cape, laceneck, etc.) and any fancy pigeon, racing pigeon, or common pigeon.

Potentially Dangerous Dog or Domestic Animal means any dog or domestic animal that when unprovoked:

- A. Inflicts bites on a human either on public or private property, or
- B. Attacks a dog or domestic animal which results in the death of said dog or domestic animal either on public or private property;

Poultry shall mean any bird of the species Gallus or Meleagris gallipavo (domestic turkey), generally, any type of chicken.

Proof of ownership means adoption contract, bill of sale, veterinary records or photographs (including digital) which shows ownership. Animals without a bill of sale or identifiable marking (tattoo, microchip, brand, etc.) shall be released only after the WIN Director or his/her designee is satisfied the person is the rightful owner of the animal.

Proper Enclosure of a Dangerous Dog means, 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.

Rabies-Suspected Animal shall mean any animal which has bitten a human being, or which has been bitten by any animal suspected of having rabies.

Releasing Agency shall mean any municipal shelter, humane society organization, or any other agency or group that has an ongoing adoption program and/or rescues animal for placement, whether to the public or private.

Rescue Organization means an organization that regularly harbors dogs or cats which have no readily identifiable owner. A rescue organization shall be incorporated as a non-profit corporation in the United States.

Rescuer shall mean an individual who regularly harbors dogs or cats which have no readily identifiable owner. An individual rescuer shall be named as such on a roster of recognized rescuers furnished by a Rescue Organization or animal welfare organization to the Director of Finance and to the Director of WIN.

Severe Injury means any physical injury that results in broken bones or lacerations requiring multiple sutures or cosmetic surgery.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

Tether shall mean a rope, chain, cord, dog run or pulley, or similar restraint for holding an animal in place, allowing a certain radius in which the animal can move about.

Trap-Neuter-Return (TNR) shall mean the nonlethal process of humanely trapping, sterilizing, vaccinating for rabies, ear tipping, and returning community cats to their original location.

Under Leash shall mean and include the condition of a dog being securely held, restrained and confined by its owner, member of family or agent by means of a strap, chain, rope, cord or other device, and in such manner as to prevent the dog from attacking any person or animal.

WIN shall mean the City of Tulsa Working in Neighborhoods Department, any authorized representative thereof, or any City department designated by the Mayor to succeed to or share the responsibilities of WIN as provided in this Title.

Ords. Nos. 17247, 19038, No. 19143, 19424

SECTION 101. OFFENSES

A. It shall be an offense under the terms of this Title for anyone within the corporate limits of the City of Tulsa to:

1. Own, keep, possess, harbor or allow to remain on premises under his control any dog or cat over four (4) months old, unless such dog or cat has a current license and a current vaccination against rabies as required in this Title. Community cats are exempt from the license requirement.
2. Fail to prevent any dog or cat owned, possessed, kept or harbored by him from running or being at large, whether such dog or cat is licensed or unlicensed; provided, however, that it shall be permissible for:
 - a. A dog to be led off the premises of its owner when under leash;
 - b. For a police dog not to be under leash while being utilized as a police dog in the performance of police duties and when accompanied by a police officer; or
 - c. For a dog to not be under leash within an Off-Leash Park Area designated by the Park and Recreation Board of the City of Tulsa.

3. Deposit any live dog, cat or other domestic animal along any private or public roadway or in any other private or public place with the intention of abandoning the domestic animal, except that a Community Cat Caregiver who provides care to or has temporary custody of a Community Cat in accordance with a program approved by WIN to trap, alter, vaccinate, ear tip and return Community Cats to a permitted Community Cat Colony is not deemed to have deserted or abandoned the Community Cat.

4. Harbor, keep or have possession of any dangerous animal.

Every person violating Section 101.A.4 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

5. Harbor, keep or have possession of any animal which is a nuisance. Community cats shall not be considered a nuisance merely for being at-large.

Every person violating Section 101.A.5 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

6. Fail or refuse to deliver to WIN or to the Chief of Police upon demand any

unlicensed dog or cat, dangerous animal, animal which is a nuisance, rabies-suspected animal, dog or cat found at large, or any animal the keeping or harboring of which is declared to be an offense.

Every person violating Section 101.A.6 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

7. Remove or fail to affix or attach to collars or harnesses worn by dogs or cats a current license tag as provided in this chapter, unless the dog or cat is permanently and uniquely identified with a microchip implant or tattoo.

Every person violating Section 101.A.7 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

8. Keep, possess, own, harbor or exhibit any animal wild by nature except as an exhibition complying with all aspects of federal laws and regulations and Oklahoma laws and regulations applicable to exhibition of animals wild by nature.
9. Fail or refuse to keep every female dog or cat "in heat" confined in a building or secure enclosure or in a veterinary hospital or boarding kennel in such a manner that another dog or cat cannot come into contact with it except for controlled breeding purposes.

Every person violating Section 101.A.9 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

10. Interfere or hinder WIN, the Director of Finance, Chief of Police, or Director of Health from performing his duties as set forth herein.

Every person violating Section 101.A.10 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

11. Release, other than by the owner, any animal from its confinement at any exhibition or sporting event; or release any animal from their home housing or yard.
12. Allow an animal to defecate (without the Owner, keeper or harbinger removing the excreta deposited) on public or private property other than that of the owner.

Every person violating Section 101.A.12 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

13. Permit an animal to destroy or damage property of any kind, other than the Owner's property, or to commit a similar prohibited act on the private property of another person or the property of the City, including its parks and playgrounds.

Every person violating Section 101.A.13 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

14. Own or harbor any animal or fowl primarily or in part for the purpose of fighting, or any animal or fowl trained for such; or any person to place or attempt to place an animal or fowl in an enclosure or in any other place for the purpose of fighting or combat; or any person to promote, stage, hold, manage, conduct, be umpire, judge or spectator at any game, exhibition, contest or fight in which an animal or fowl is used for the purpose of fighting, injuring, killing, maiming or destroying any other animal or fowl.

Every person violating Section 101.A.14 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

15. Harbor, keep or possess in any one household more than a combined total of five (5) dogs and cats over the age of four (4) months; It is specifically provided a household may keep or possess more dogs and/or cats than permitted by this paragraph so long as the household or an individual in the household has secured an Animal Count Exemption permit or Animal Rescuer permit as required by this Title.

Every person violating Section 101.A.15 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

16. Harbor, keep or possess domestic honeybees otherwise permitted by this chapter unless the bees are maintained as follows:
 - a. No more than four (4) hives shall be maintained for each one-quarter acre or less of lot size on any lot; and

- b. No hive shall be maintained within twenty (20) feet of any lot line of the lot on which said hive is located; and
 - c. Between each hive and the neighboring lot in the direction of the hive entrance the hive owner shall maintain a hedge or a screening fence of at least six (6) feet in height, to be located within twenty (20) feet of such lot line, and to extend the entire length of such lot line; and
 - d. A supply of clean water must be furnished within twenty (20) feet of each hive between March 1 and October 31 of each year; and
 - e. Hive owners shall inspect each hive not less than four (4) times between March 1 and October 31 of each year. A written record including the date of each such inspection shall be maintained by the owner and shall be made available to WIN upon request.
 - f. Any commercial use of the property on which bees are maintained shall be conducted in accordance with Title 42.
17. Violate any of the provisions of Section 110 of this title.
18. Harbor, keep or possess a dog or cat over the age of six (6) months, other than a dog owned and used by the Police Department of the City as a police dog, which has not been spayed or neutered, unless the owner has secured an Intact Animal exemption permit or an Animal Rescuer permit as required in this chapter; or unless the dog or cat was licensed as required by this chapter prior to January 1, 1998, and has continuously maintained such license. In the event an owner of a dog or cat over the age of six (6) months is unable to produce a current license or license tag for his dog or cat as required by this chapter, a rebuttable presumption is created that the dog or cat has not been spayed or neutered.
- Every person violating Section 101.A.18 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.
19. Harbor, keep or possess any animal which, while not confined on the premises of its Owner, does bite, chase, or attack any person or animal without provocation. Provided, this section shall not apply to any police dog while being utilized in the performance of police duties and accompanied by a police officer.
- Every person violating Section 101.A.19 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

20. Tether an animal in any of the following circumstances:
- a. If the tether is attached by means of a pinch-type, prong-type, or choke- type collar or if the collar is unsafe or is not properly fitted;
 - b. If the tether may cause injury, distress or entanglement;
 - c. If a heat or cold advisory has been issued by a local or state authority or the National Weather Service;
 - d. If a severe weather warning has been issued by a local or state authority or the National Weather Service;
 - e. If the tether is less than twenty (20) feet in length;
 - f. If the animal is not provided with its needs as identified in Section 900 A, B, C, D, E, G and H;
 - g. Between the hours of 10:00 pm and 6:00 am;
 - h. If no owner or occupant is present at the premises;
 - i. If the tether allows the animal to cross the property line or cross onto public property.

Every person violating Section 101.A.20 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

- B. It further shall be an offense under the terms of this chapter for a Releasing Agency within the corporate limits of the City of Tulsa to release for adoption an animal that has not been surgically spayed or neutered, unless the adopting party signs an agreement to have the animal sterilized, and deposits funds with the Releasing Agency to ensure that the adopted animal will be spayed or neutered.

Ord. Nos 16854, 19038, 19143, 19424, 19571, 21979

SECTION 102. REGISTRATION AND RABIES INOCULATION

- A. It shall be the duty of every resident owning or having in his charge or possession within the corporate limits of the City of Tulsa any dog or cat four (4) months or more of age to cause such dog or cat to be registered with the Director of Finance and pay the license fees herein required; provided, however, that the requirements for a license fee for registration shall not apply to any dog or cat which may follow or be led by any nonresident or traveler through the City while the dog or cat is with its owner or keeper. **Community cat caregivers are not required to register community cats.**

- B. It shall be the further duty of every person owning or having in his charge or possession within the corporate limits of the City of Tulsa any dog or cat four (4) months or more of age to cause such dog or cat within thirty (30) days after the dog or cat, reaches the age of four (4) months, to be inoculated as set forth below.
1. Inoculation must be by a person licensed to practice veterinary medicine in the state of Oklahoma or other states.
 2. Inoculation must be with a prophylactic vaccine approved by the United States Department of Agriculture to prevent rabies. Rabies vaccine currently licensed by the United States Department of Agriculture will be recognized in the City of Tulsa for either a one (1) year or a three (3) year immunization period as follows:
 - a. **Three-year immunity.** Modified live virus Flury strain rabies vaccine or killed strain vaccine, as licensed by the United States Department of Agriculture (USDA), will be recognized for three (3) years in dogs, provided that the dog is at least one (1) year of age at the time of the vaccination; if dogs under one (1) year of age are vaccinated with this type of vaccine, immunity will be recognized for a period of one (1) year; or
 - b. **One-year immunity.** All other rabies vaccines currently licensed by the United States Department of Agriculture are recognized for a one (1) year period.
 3. Cats must be inoculated with vaccines specifically for cats. The vaccines must be recognized by the United States Department of Agriculture.
- C. Thirty (30) days shall be permitted for an owner to secure revaccination of his dog, cat or ferret after the duration of immunity has lapsed.
- D. Every veterinarian, after vaccinating a dog or cat, for rabies, shall complete in triplicate a computer-generated certificate or a legible certificate furnished by the Director of Finance. Two (2) copies shall be retained by the veterinarian, one (1) as a permanent record and one as an expiration notice, and the third copy shall be retained by the animal owner to be shown to WIN upon request, and to be used to secure the license tag. Such certificate shall include the following information:
1. Owner's full name, address, zip code, home telephone number, daytime and/or emergency contact telephone number.
 2. Breed, date of birth, sex and color or marking of the dog or cat.
 3. Type of vaccine and duration of immunity.
 4. Signature of the veterinarian administering the vaccine.
 5. Name of the animal, if applicable; and

6. Permanent ID information, if any; and
7. Whether the animal is spayed, neutered or unaltered.
Amended by Ords. No. 13559, eff. Feb. 19, 1976; No. 16854, eff. Jul. 15, 1987; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 103. VETERINARIAN RECORDS AND REPORTS; REPORTING ANIMAL BITES; ANIMAL UNDER QUARANTINE; RABIES SUSPECTED

- A. It shall be the duty of every veterinarian practicing in the City of Tulsa to keep a record of every dog or cat vaccinated, which record shall be made available to WIN, the Chief of Police, Director of Finance, or their designated agents at any reasonable time and upon proper demand.
- B. It shall be the duty of every physician or other medical practitioner to report to WIN or the Chief of Police the names and addresses of persons treated for bites inflicted by animals, together with such information as is pertinent to rabies control. It shall be the duty of any person having the knowledge of an animal bite to notify WIN or the Chief of Police of the incident and to provide such information upon request of the Director of WIN as is pertinent to rabies control.
- C. It shall be the duty of every veterinarian having an animal quarantined for a biting incident to submit a written report to WIN, in the event the animal shows positive signs of rabies, dies or is disposed of for any reason. The veterinarian shall report to WIN on the tenth day of observation as to the condition of any rabies-suspected animal and when he has released any animal quarantined for a biting incident.
- D. It shall be the duty of every veterinarian to report immediately to WIN his diagnosis of any animal observed by him as a rabies suspect.
- E. WIN shall notify the Director of all animal bites.
Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 104. LICENSE FEES

The annual license fee for each dog or cat shall be Five Dollars (\$5.00). A three (3) year license for a dog or cat may be obtained for Fifteen Dollars (\$15.00). The owner of a dog or cat permanently identified by tattoo or microchip may license the animal for a period of three (3) years for the annual one (1) year fee of Five Dollars (\$5.00). No fee will be required for the registration of a dog that is used as a guide for the blind, used as a guide for the auditory impaired, used as a support service dog for persons with disabilities, or actively involved in law enforcement activities.

Except in cases in which three-year immunization has been performed, licenses for one-year

rabies vaccinations shall expire and must be renewed on the last day of the twelfth month from when the rabies vaccination was administered as specified in this chapter. In cases of a three-year immunity, the license shall expire and must be renewed on the last day of the thirty- sixth (36th) month as specified in this chapter. No dog or cat may be licensed without a current valid rabies immunization certificate and, unless the owner has secured an Intact Animal exemption permit as required in this chapter, proof of sterilization.

Individuals may remit to the administering veterinarian licensing fees required by this title at the time the dog or cat is vaccinated for rabies; or individuals may obtain a license directly from and pay the required fee directly to the Director of Finance upon demonstration that the animal has been properly vaccinated against rabies and, unless the owner has secured an Intact Animal exemption permit as required in this chapter, has been spayed or neutered. There shall be no prorating for partial years.

Veterinarians who voluntarily collect the licensing fee at the time of administering the rabies vaccine shall be required to remit to the Director of Finance on a monthly basis all fees collected, along with a copy of the registration certificate furnished by the Director of Finance for the animals licensed. Veterinarians shall be permitted to keep twenty-five percent (25%) of the licensing fees collected as a handling fee. No special reporting requirements of those clients choosing to license directly with the Director of Finance shall be placed upon the veterinarians.

Animals permanently identified by means of tattoo or microchip implant may be licensed for a three (3) year period in conjunction with a three (3) year vaccination for the price of one (1) annual fee, provided that the tattoo number or the microchip code is recorded on the rabies certificate completed by the veterinarian at the time of vaccination.

Upon registration, there shall be delivered to the owner metallic tags, stamped with the license number. Such tags shall at all times be attached to the collar or harness worn by the dog or cat for which the certificate was issued. If such tag is lost or destroyed, the owner shall apply in writing or in person for a new tag by presentation of the applicable registration ticket, accompanied by a fee of One Dollar (\$1.00).

Amended by Ords. No. 13559, eff. Feb. 17, 1976; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 105. PROCLAMATION OF RABIES

If at any time the Director of WIN shall find that there is an epidemic of rabies among the dogs within the City of Tulsa, or any part thereof, then he shall certify that fact to the Mayor and specifically recommend a period, fixing the dates thereof, during which period all dogs in the City of Tulsa shall be confined on the premises of their owners or under leash as herein defined. Upon the receipt by the Mayor of written recommendation from the Director of WIN certifying the existence of any epidemic of rabies, the Mayor shall issue his proclamation, based upon recommendation of the Director of WIN, proclaiming the existence of an epidemic of rabies and fixing the dates and duration of the epidemic, which proclamation shall be published one (1) time in a newspaper of general circulation and printed and published in the City of Tulsa.

During the time of the epidemic, all dogs and cats within the City of Tulsa shall be confined on the premises of the owners or kept under leash as herein defined. The existence of an unusual number of rabid dogs and cats in the City of Tulsa shall be deemed an epidemic of rabies under this chapter, and the finding as to an epidemic of rabies by the Director of WIN shall be *prima facie* evidence of that fact.

Amended by Ords. No. 8006, eff. Nov. 26, 1956; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 106. RABIES SUSPECT

- A. Any rabies-suspected animal shall be securely and separately confined for observation for a period of ten (10) days from the date of the bite. The owner shall immediately surrender the rabies-suspected animal to the Director of WIN, the Chief of Police, or their designees. The confinement and observation shall be at the:
1. Tulsa City Animal Shelter; or
 2. Discretion of the Owner, the animal may be confined in a veterinary hospital at the Owner's expense, provided, however, boarding kennels shall not be considered proper confinement facilities; or
 3. Home of the Owner provided the animal was not at large, is not showing signs of illness, and has a current rabies vaccination administered by a licensed veterinarian.

In the event the Owner wishes to have the animal held for observation at a veterinary hospital, the animal will be transported to the veterinary hospital of the Owner's choice (provided the hospital is within the city limits of the City of Tulsa) by a representative of City of Tulsa Animal Welfare. In the event the animal is confined in the Owner's home, a licensed veterinarian shall supervise the confinement and assume responsibility for the biting animal at the Owner's expense.

Any person failing to surrender a rabies-suspect animal, or any person removing the rabies-suspect animal from the city limits of Tulsa, is guilty of an offense. If, upon examination by a veterinarian, the animal has no signs of rabies at the end of the impoundment period, it may be released to the owner or, in case of a stray, it shall be disposed of in accordance with applicable laws. In either event, the veterinarian shall make a written report of the disposition of the animal to the Director of WIN. At the end of the ten (10) day observation period, the Director of WIN shall notify any person bitten by a rabies-suspect animal whether such animal exhibited symptoms or indications of rabies; such notice shall be in the same manner as provided for service of notice under Section 109 of this chapter.

If within the period of impoundment, the animal dies or exhibits symptoms or indications of rabies, it shall be examined by a veterinarian for clinical diagnosis and then properly euthanized by a veterinarian. The head of any rabies-suspected animal which dies shall be submitted to the State Health Department Laboratory

for confirmation of diagnosis. In this event, WIN shall immediately notify any person bitten of the diagnosis; such notice shall be in the same manner as provided for service of notice under Section 109 of this chapter.

1. Dogs owned and used by the Police Department that bite a person during the course of duty shall be under the supervision of a licensed veterinarian. The type and amount of supervision is left to the professional opinion of the supervising veterinarian who assumes responsibility for the biting animal.
2. The veterinarian must regularly examine the biting animal and immediately report any changes in condition of the animal to the Tulsa City-County Health Department.
3. The dog must be under the control of an authorized agent of the Police Department or the veterinarian at all times during the observation period.

In the case of a bite inflicted by a non-immunized animal upon the head, face, neck or upper extremities, resulting in deep lacerations or multiple wounds, the Director of WIN may require immediate euthanasia of the animal in order to perform tests for diagnosis of rabies.

- B. Any domestic dog or cat which is not effectively immunized against rabies virus encephalitis and is exposed to rabies through a rabid animal shall be euthanized immediately by the veterinarian in charge, animal welfare officer or a designated agent in a manner which will preserve the head for analysis; or such non-immunized, rabies-exposed dog or cat shall be strictly quarantined and observed in a veterinary hospital for a period of not less than six (6) months, and such animal shall be immunized against rabies at least thirty (30) days prior to release. Expenses for quarantine and immunization shall be borne by the owner or other person responsible for the animal.
- C. If the owner of a non-immunized animal bitten by a rabid animal is unwilling to euthanize the bitten animal, then at the expense of the owner the animal shall be confined in isolation in a veterinary hospital for a period of not less than six (6) months, as specified by the Director of WIN.

The owner of any non-immunized domestic animal other than a dog or cat which has been exposed to a rabid animal shall immediately report with such domestic animal to the Director of WIN for instruction concerning the disposition of that animal.

Any effectively immunized domestic animal which is exposed to a rabid animal shall be immediately re-immunized and restrained by leashing and/or confined on the premises of its owner or in a veterinary hospital for a period of forty-five (45) days.
Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 107. DANGEROUS ANIMAL

- A. It shall be the duty of WIN and the Chief of Police to investigate any proper claim that an animal is dangerous within the meaning of this chapter. Should the investigating official determine that a dangerous animal poses an immediate threat to the public health or safety, he shall immediately seize and impound the animal, or otherwise seek an order from the court that the animal be impounded. The matter shall also refer the matter to the City Attorney for approval of a verified complaint requesting a finding by the court that the impounded animal is dangerous and aid in the proceedings instituted in the Municipal Criminal Court against any person for harboring a dangerous animal.
- B. If the court shall fail to find, upon a preponderance of the evidence presented in an evidentiary hearing, that the animal seized and impounded is a dangerous animal, then the court shall order WIN to return the animal to its owner. If such animal is found by the court to be a dangerous animal, the court shall order WIN to euthanize the animal.
- C. At the option of the owner, but subject to the approval of WIN, an animal impounded pursuant to this section may be confined in a private kennel or veterinary clinic during the pendency of the dangerous animal action. The operators of the facility shall then assume full liability for the confinement and maintenance of such animal and shall not release it without first being authorized by WIN or the court. All fees for such impoundment shall be the responsibility of the owner. In no event shall the City of Tulsa be liable for costs or fees charged by the private facility. Further, the City may assess to the owner the cost of transporting the animal to the privately-operated impoundment facility.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 19424, eff. Dec. 1, 1998.

SECTION 108. ANIMAL NUISANCE

- A. It shall be the duty of WIN and the Chief of Police to investigate any proper claim that an animal is a nuisance within the meaning of this chapter. Should the investigating official determine that a nuisance exists and it is necessary to abate the nuisance or should the official have reason to believe a threat to public health or safety exists, he shall refer the matter to the City Attorney for approval of a verified complaint and an order from the court that the animal be impounded. Following the filing of such verified complaint and an evidentiary hearing, if the court finds upon a preponderance of the evidence that a nuisance existed, the court may order the animal euthanized as in the case of a dangerous animal. In lieu of ordering the animal euthanized, the court shall, at the request of the animal owner, require that the owner abate and prevent such nuisance and give a good and sufficient bond within three (3) days, in an amount not greater than Five Hundred Dollars (\$500.00), satisfactory for a period not exceeding one (1) year. In this event, the court may order the return of such animal to the owner. However, during the pendency of such bond, upon a finding of the court that the nuisance has recurred, the court shall order the animal be impounded, euthanized and the owner's bond be forfeited. If the court shall find that no nuisance existed, the court shall order the animal be surrendered to the owner.

- B. At the option of the owner, but subject to the approval of WIN, an animal impounded pursuant to this section may be confined in a private kennel or veterinary clinic during the pendency of the nuisance action. The operators of the facility shall then assume full liability for the confinement and maintenance of such animal and shall not release it without first being authorized by the WIN or the court. All fees for such impoundment shall be the responsibility of the owner. In no event shall the City of Tulsa be liable for costs or fees charged by the private facility. Further, the City may assess to the owner the cost of transporting the animal to the privately-operated impoundment facility.
- C. Nothing in this section shall be construed to permit the release from impoundment of any animal not properly licensed and vaccinated, or a threat to public health or safety. *Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 19433, eff. Jan. 1, 1999.*

SECTION 109. NOTICE OF IMPOUNDMENT; RECLAIMING; DISPOSAL OF ANIMALS; AND FEES

- A. **Notice of Impoundment.** The WIN is authorized to impound any animal which is in violation of any section of this chapter or which may be donated to the Animal Shelter for disposition.

When the owner of the animal is known, they shall be notified of the impoundment. Notice shall be attempted by telephone within a forty-eight (48) hour period from the initiation of the impoundment. Without regard to the success in giving notice by telephone, a certified letter is to be mailed to the owner's or keeper's address within the same forty-eight (48) hour period. Licensing records, including the owner's name, address, telephone number and daytime telephone number or an emergency telephone number shall be readily accessible to the official responsible for such notifications.

- B. **Time for Reclaiming Animals.** An animal may be reclaimed within the following times: Within five (5) days from the initial impoundment, if the animal is licensed and the owner is readily identifiable, or three (3) days from notice of impoundment, whichever is longer. If the owner is not known, the animal shall be held for three (3) days before it becomes the property of the City of Tulsa and is disposed of as provided herein.
- C. **Requirements for Reclaiming Animals.** An animal may be reclaimed by meeting the following requirements:
1. If an animal is not licensed and this chapter requires licensing, after the payment of the licensing fees and penalties as set forth herein and satisfying all other requirements of this section;
 2. If the animal is licensed, or if a license is not required by this chapter, by paying

the impoundment fees and satisfying all other requirements as set forth herein; and

3. If the animal is not spayed or neutered and this chapter requires spaying or neutering, after signing an agreement to spay or neuter the animal within sixty (60) days or forfeit a One Hundred Fifty Dollars (\$150.00) deposit, payable at the time of reclaiming; and
4. If the animal must be vaccinated for rabies before release, the person reclaiming the animal shall pay all fees for the vaccination.

D. **Fees.** The following fees are established to reclaim an animal:

1. An impoundment fee of Twenty Dollars (\$20.00) for all small animals.
2. An impoundment fee of Seventy-five Dollars (\$75.00) for all large animals.
3. A daily fee for each day, which begins at 12:01 a.m., or part of a day, of Ten Dollars (\$10.00).

No animal shall be released without the payment of the fees and charges listed above and without satisfactory proof of ownership. The payment of these fees and charges shall not constitute a defense to any prosecution that may be instituted for the violations of the terms of this title.

Provided, however, no fees shall be charged for any licensed animal surrendered to the owner on acquittal or dismissal of charges of keeping, possessing, owning or harboring such animal as a nuisance or as a dangerous animal.

Provided, further, no person shall be entitled to reclaim any animal found to be a nuisance, rabid, rabies suspected, or dangerous, except as provided herein.

E. **Animals Not Reclaimed Within Time Limits.** Animals not reclaimed within the time limits set forth in this section shall, at the option of WIN, be euthanized or disposed of in one of the following manners.

1. **Animals Reclaimed by Owners.** Animals may be reclaimed by the owner upon payment of all fees and charges established by this section.
2. **Adoption of Dogs and Cats.** Dogs and cats may be released for adoption, provided that the adopting party pays required fees and charges as set forth herein, and further provided that:
 - a. There shall be established at the City Animal Shelter an on-site facility for the purpose of spaying and neutering all animals adopted through the Shelter which have not previously been surgically spayed or neutered; this facility will be staffed by a licensed veterinarian and be under WIN; if the City of Tulsa staff does not include a licensed veterinarian and if WIN determines it is not

feasible to staff the facility through donated service, a bid process shall be used to select veterinary professionals to perform the on-site sterilizations of the adopted animals;

- b. If the licensed veterinarian described in subparagraph 109.E.2.a. or, in the absence of such veterinarian, WIN determines that the animal cannot be sterilized at the time of adoption, the adopting party shall sign an agreement to have the animal sterilized pursuant to the Dog and Cat Sterilization Act, 4 O.S.1991, '499, *et seq.*, or as the same may be amended, and shall deposit with WIN One Hundred Fifty Dollars (\$150.00) to ensure that the animal will be sterilized.
3. **Fees and Charges.** Before an animal may be adopted, fees and charges as required must be paid according to the following schedule:

ADOPTION FEE SCHEDULE

Dogs, puppies, cats and kittens	\$10.00
Hamsters, Guinea Pigs, Chickens	\$5.00
Rabbits, Ferrets	\$25.00
Donkeys	\$50.00
Pot Belly Pigs	\$75.00
Horses, other Livestock	market
Birds	market

STERILIZATION AND VACCINATION COSTS

(with or without adoption)

Rabies vaccination Required for all dogs and cats over four (4) months of age	Actual Reasonable Cost
Rabies vaccination and sterilization If provided by the City of Tulsa	Actual Reasonable Cost

WIN, subject to City Council approval, shall establish policies and implement administration procedures for either the refund of adoption fees or an exchange for adopted animals which are returned.

- 4. **Animals Wild by Nature.** All animals wild by nature and not authorized by Subsection 101.H. herein shall be euthanized or donated to a zoo or a museum, except that, at the discretion of WIN, certain animals wild by nature which are native to Oklahoma and which in their natural habitats do not present a danger to human beings or to property may be released to their natural habitats.
- 5. **Public Sale.** At the option of WIN, animals, other than dogs, cats, puppies, kittens and animals wild by nature, may be sold at a public sale pursuant to procedures set forth in this section, or donated to a zoo or museum.
- 6. **Release to Veterinarian.** WIN may, at its discretion, release animals to a licensed

veterinarian if the animal is in need of veterinary care. The veterinarian must agree in writing to accept responsibility for the animal and give the animal proper veterinary care in lieu of paying fees to receive the animal. If the animal is a dog or cat, the veterinarian must sterilize the animal before releasing the animal to any subsequent owner.

7. **Release to Animal Welfare Organizations.** WIN may, at its discretion, release animals to a Rescue Organization or nonprofit animal welfare organization incorporated as such in the United States.

If an animal so released is a dog or cat, an authorized representative of the organization must agree in writing to have the animal sterilized before releasing it to a subsequent owner.

8. **Release for Experiments or Research.** No animal shall be released for experimental or research purposes.

- F. **Procedures for Public Sale of Animals.** If an animal is to be sold at public sale, WIN shall give ten (10) days' notice of the time and place of such sale by causing notices to be posted in at least three (3) public places in the City; by publishing in a newspaper of record in the City; by serving a copy of such notice upon the owner, if known; and by providing such other notice as the Mayor may direct. The notices shall be substantially in the following form:

The following animals (describing them), having been taken up and impounded in the Animal Shelter of the City of Tulsa for violations of the provisions of the ordinances of the City of Tulsa, will, unless reclaimed within ten (10) days from this date, be sold for cash to the highest bidder at public auction at the Animal Shelter at

_____ o'clock, _____ m. on the _____ day of _____,
A.D. (giving hour and date of sale).

Dated this _____ day of _____, A.D.

Director of WIN
City of Tulsa, Oklahoma

The owner may reclaim any animal prior to the sale by payment of all fees and charges set forth in this section.

- G. **Fees for Treatment of Sick Animals.** In addition to all other fees, the owner of a sick or injured animal impounded by WIN shall reimburse the City of Tulsa or a veterinarian for any fees incurred in treating the animal.
- H. **Destruction of Animals.** WIN may euthanize any animal if it has been surrendered

to the Shelter or if the animal is so sick or injured that its cure is considered by WIN to be impracticable or if death is imminent, and in either of such events, such destruction may be done immediately without notice or any waiting period. Anyone surrendering an animal shall provide proof of his or her identity before the animal will be accepted.

- I. **Disposal Fee.** For Each animal disposed of by WIN, a disposal fee of Five Dollars (\$5.00) may be charged.

Ord. Nos. 17428, 17496, 17918, 18362, 19038, 19143

SECTION 110. COMMERCIAL ANIMAL ESTABLISHMENTS

- A. Each commercial animal establishment, of any type, shall keep and maintain its animals and all pens, cages, tanks or other holding facilities in which animals are kept in such a manner as to prevent a nuisance or health hazard to humans and to avoid injury and minimize illness to such animals. All holding areas shall be disinfected periodically to reduce disease pathogens.
- B. All animals housed in any commercial animal establishment shall have a wholesome, adequate diet and potable water consistent with the requirements and habits of the animal's species, type, size, age and condition and available shelter with adequate ventilation and protection from the elements. Such animal showing evidence of disease or injury shall be immediately isolated and shall receive treatment by a licensed veterinarian or euthanized by same. Euthanasia of any domestic animal shall be performed by a licensed veterinarian. The reason and the procedure used for such euthanasia shall be documented. Upon receipt of a signed report or complaint alleging animal abuse or other conditions not in compliance with this section at any commercial animal establishment, an investigation shall be made by Animal Welfare. Its findings shall be documented, and appropriate action taken.
- C. **Commercial Animal Establishments (Type B).** No registration papers for animals not on the premises may be kept on the premises, except those when attached to a contract of sale. Vaccination and other medical care of such animals shall be current, and the purchaser shall receive complete health records. The establishment shall provide written documentation of each animal's origin, including the breeder's name and the state where the animal was born, to the purchaser at the time of sale. All operators of a Type B commercial animal establishment shall apply to the Director of Finance for a permit to operate such establishment in the City of Tulsa. No Type B commercial animal establishment shall sell animals in the City without the permit. The Director of Finance shall perform a background check encompassing the past ten (10) years, to ascertain if the applicant has been convicted of animal abuse or cruelty charges in that time. Conviction of animal abuse or cruelty shall be grounds for denial or revocation of a commercial animal establishment permit. The permit fee shall be ONE HUNDRED Dollars (\$100.00) annually. An application processing fee of Twenty Dollars (\$20.00) shall be assessed for the first application.
Ords. No. 16228, 16229, 19038, 19143.

SECTION 111. ISSUANCE OF CITATIONS; COLLECTION OF FINES

- A. **Municipal Court Clerk to Assist.** The Municipal Court Clerk of the City of Tulsa is hereby authorized to work in conjunction with WIN and the Chief of Police and to assist the Municipal Criminal Court in the clerical work involved in the expedient disposition of violations.
- B. **Penalties Established by Judge.** The judge of the Municipal Criminal Court shall designate the penalties to be paid for the violations of this chapter which may be satisfied by payment at the Office of the Municipal Court Clerk, provided that penalties are within the limits herein established for such violations.
- C. **Citations.** There shall be authorized by the Municipal Judge and provided by the Municipal Court Clerk suitable serially-numbered forms for the notification of violators to appear and answer charges for violating this title, which forms shall be issued and receipted by the Clerk of the Municipal Criminal Court or by duly authorized persons acting for him.

Upon the commission of any violation of this title, WIN shall take the violator's name, address, and place of employment and issue to the violator in writing a notice on the form authorized by the Municipal Judge and provided by the Clerk of Municipal Criminal Court, commanding the violator to answer the charge against him within ten (10) days at the place specified in the notice. The notice shall contain a description of the animal found in violation and shall specify the fine for the violation in accordance with the order issued by the Judge of the Municipal Criminal Court. The issuance of a citation may be in addition to or in lieu of impoundment of the offending animal.

- D. **Failure to Answer.** Failure to give the required information or answer the notice provided for in this section shall authorize the Chief of Police to immediately place the violator under arrest and in custody. Whenever WIN or the Chief of Police deems it necessary, he may follow the procedure set out herein.
Ords. No. 17619, 1903, 19143.

SECTION 112. POLICE DOGS AND DOGS TRAINED TO GUIDE THE BLIND AND HEARING IMPAIRED AND SUPPORT SERVICE DOGS FOR PEOPLE WITH DISABILITIES

If the dog is vaccinated as herein provided, it shall be lawful for any dog trained to guide any blind or hearing-impaired person, or for any support service dog for people with disabilities, or for any police dog owned and used by the Police Department of the City as a police dog to be admitted to any public place or vehicle when actually accompanying a blind or hearing-impaired person or person with a disability, or when utilized as a police dog, when the

blind, hearing-impaired or disabled person, or the officer accompanying the dog might have the lawful right to entry.

Amended by Ords. No. 15032, eff. May 21, 1981; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 113. OUTSIDE AGENCIES AND NONRESIDENTS; EUTHANASIA SERVICES PROHIBITED-MAYORAL EXCEPTION

A. Outside Agency shall be defined as:

1. Any municipality or other political subdivision of the state of Oklahoma.
2. Any animal welfare service (shelter, rescue organization, etc.), public or private, which operates solely outside the corporate limits of the City of Tulsa.

B. The City's Animal shelter may not accept from a nonresident nor from any outside agency any animal for the purpose of euthanasia unless upon the express, written authorization of the Mayor or Mayor Pro Tem.

1. If authorized as provided in Subsection B hereof, a fee of One Hundred Twenty-five and no/100 Dollars (\$125.00) per animal shall be charged a nonresident or an outside agency for euthanasia, unless otherwise established by contract.
2. In negotiating any contract relating to a charge for euthanizing animals from outside agencies or nonresidents, consideration shall be given to the above-stated fee, but in no event shall the fee established by contract be lower than the City's actual direct cost for euthanizing the animal.

Ords. No. 17087, 19038, 19143, 21836

SECTION 114. RECORDS; FUNDS

It shall be the duty of WIN to maintain records at the Animal Shelter containing the description and date of the seizure of all animals taken under the provisions of this title, the place where impounded, the name of the owner if known, and if unknown, the date of the notice given, and all subsequent proceedings relating to the sale of the animal and the amount realized. All fees collected by WIN and the proceeds of all sales shall be paid to the Director of Finance. Any amount in excess of the fees due shall be held subject to the claim of the person entitled to them who may apply in writing to the Director of Finance within six (6) months. If such excess is unclaimed after six (6) months, it shall be paid into the General Fund.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 115. UNLAWFUL REMOVAL

Every person who shall take out or attempt to take out of the Animal Shelter or any Animal Shelter property any animals located therein without paying the fees prescribed by this chapter shall be deemed guilty of an offense.

Amended by Ords. No. 12841, eff. Jun. 8, 1973; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 116. ENTERING PROPERTY

WIN may impound animals which are deemed to be at large within the meaning of this Title, and which are found off the immediate premises of their Owners.

A. In multi-family residential complexes, when the property manager or agent grants access to an Animal Welfare Officer or Tulsa Police Officer, at large animals may be removed from common areas, including but is not limited to, playgrounds, parking lots and walkways. *Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.*

B. Authority of Animal Welfare Officer to enter property.

1. For the purpose of investigating complaints, impounding animals and carrying out other actions necessary to enforce the provisions of this Title, Animal Welfare Officers shall have authority to:

a. Enter public property within the City;

b. Enter private, unfenced property, exclusive of buildings, only if the owner, tenant or any person with apparent authority consents or otherwise gives permission to enter the property. No Animal Welfare Officer shall enter or remain on unfenced, private property if the owner, tenant, or any person with apparent authority denies access or withdraws consent.

c. Enter private, fenced property, exclusive of buildings, when:

i. Entry is made with the consent of the property owner, tenant, or any person with apparent authority; or

ii. The Animal Welfare Officer has actual knowledge there is an imminent danger to public health, welfare or safety; or

iii. The Animal Welfare Officer has actual knowledge there is an imminent danger to an animal's health, welfare or safety.

C. When warrant required.

If entry to private fenced or unfenced property is refused by the owner, tenant, or person with apparent authority of the property, or if none of the conditions stated in Section 116.B exist, the Director of WIN may apply to a judge of the Municipal Court for a warrant to enter the property and remove and impound an animal.

D. Impoundment by judicial order.

1. If an animal subject to impoundment has not been impounded, a Judge of the Municipal Court, upon the presentment of a complaint verified by an Animal Welfare Officer or any Law Enforcement Officer, shall determine whether probable cause exists to believe a violation of the provisions of this Title has occurred.
2. If the Municipal Judge determines that probable cause exists, the Judge may issue an order of the Municipal Court describing the animal with particularity, setting forth the approximate date, time, place and actions giving rise to the alleged violation of the provisions of this Title, and specifying with particularity the location of the animal in the City of Tulsa.
3. The Judge may direct the Animal Welfare Officer or Law Enforcement Officer to serve a certified copy of the order upon a person age 18 or older who is a resident at the property where such animal is located. Any such person, upon the service of a certified copy of the court's order, shall immediately deliver the animal to the Animal Welfare Officer or Law Enforcement Officer.
4. A copy of the order shall be posted at the property in a manner easily discovered by the owner, occupant, or tenant and a copy shall be sent to the owner, occupant, or tenant by certified mail, return receipt requested.

SECTION 117. EXEMPTION PERMITS

Exemption Permits. The Director of Finance shall maintain a register of qualified Exemption Permit holders. Applications shall be submitted in writing to the Director of Finance, who shall notify the applicant in writing of the acceptance or denial within thirty (30) days of the application date. If an Exemption Permit is approved, the holder of the permit shall be deemed to consent to and give permission for an Animal Welfare Officer to enter the property at any reasonable time after the holder of an Exemption Permit is given written notice by certified mail.

If an Exemption Permit is denied, the applicant shall be notified in writing of the reason(s) for the denial. Upon receipt of a signed report or complaint against an Exemption Permit holder alleging animal abuse or other conditions not in compliance with Title 2, an investigation shall be made by Animal Welfare.

A. Animal Count Exemption permit.

A holder of an Animal Count Exemption permit will be permitted to own and keep, at a single-family dwelling, a number of dogs and cats in excess of the number that would otherwise constitute an offense under Section 101.A.15. of this Title; provided, however, that the maximum number of dogs and cats allowed under the Animal Count Exemption permit shall not exceed a total of ten (10) animals per one (1) acre (43,560 square feet) of land including the space covered by the single family dwelling.

An Animal Count Exemption permit is only for the household listed on the permit and the permit holder shall not allow more than the number of cats and dogs permitted by

Section 101.A.15. outside the residence at any one time.

A fee of One Hundred Dollars (\$100.00) will be charged for the first animal with a fee of \$50 for each subsequent animal

1. **Permit Qualifications.** An individual, not a commercial breeder, who:
 - a. Is actively involved in a nationally recognized, organized animal sport or hobby for a period of at least one (1) year prior to making application for the exemption. Provided, however, any activity involving the fighting or physical contact between animals or any activity which is otherwise illegal or dangerous to animals or people shall not be considered an organized sport or hobby for purposes of this section, or
 - b. Participates in field trials, owns nationally recognized breeds used specifically as hunting dogs, participates in hunting activities, provided the permit holder 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 an exemption; or is training animals to be actively involved in one of the activities mentioned in paragraphs 1) or 2) above; or Takes on the care of a cat or dog owned by an immediate family member who is unable to care for the animal because of military deployment, admission to a facility that does not permit animals (e.g., jail, nursing home), physical or mental illness or infirmity, or has died, and
 - c. Has not been convicted in the past ten (10) years of any offense related to illegal commercial breeding, dog fighting, a nuisance offense under this Title, a cruelty offense or a neglect offense under applicable law, a violation of the Oklahoma Wildlife Conservation Code or regulations, or two (2) or more violations of Section 101A.2. of this Title, or two (2) or more violations of Title 27, Chapter 14 of the Tulsa Revised Ordinances governing Disturbing the Peace.
2. **Application Documents.** An applicant for an Animal Count Exemption permit shall submit to the Director of Finance the Exemption Permit application form, the name(s), descriptions and photo(s) of each animal at the residence for which the application is being made, and one of the following:
 - a. 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; or
 - b. 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; or
 - c. For a one (1) year temporary Exemption Permit during training, certificates of completion of at least two (2) training classes, dated within the twelve (12) months immediately preceding the date of application.

- d. For the immediate family member exemption under Section 117.A.1(b), copies of military deployment orders, official record of incarceration, or death certificate. For mental or physical illness or infirmity exemption under Section 117.A.1(b), a letter from the family member's physician or case worker stating why the family member is no longer able to care for the animal. The letter shall be signed by a physician or case worker.

B. Intact Animal Exemption permit.

A holder of an Intact Animal Exemption permit may be permitted to own and keep at a single family dwelling dogs and cats that have not been spayed or neutered, but shall not be allowed to own or keep more than a combined total of five (5) dogs and cats as permitted by Section 101.A.15.

A fee of One Hundred Dollars (\$100.00) will be charged for the first animal with a fee of \$50 for each subsequent animal. A one (1) year temporary Exemption Permit may be issued for a fee of One Hundred Dollars (\$100.00) while an animal is in training for approved activities.

1. Permit Qualifications. An individual, not a commercial breeder, who:

- a. Is actively involved in a nationally recognized, organized animal sport or hobby for a period of at least one (1) year prior to making application the exemption. Provided, however, any activity involving the fighting or physical contact between animals or any activity otherwise illegal or dangerous to animals or people shall not be considered an organized sport or hobby for purposes of this section; or
- b. Participates in field trials, owns nationally recognized breeds used specifically as hunting dogs, participates in hunting activities, provided the Owner 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 an Intact Animal exemption; or
- c. Is training animals to be actively involved in one of the activities mentioned in paragraphs 1) or 2) above; and
- d. Has not been convicted in the past ten (10) years of any offense related to illegal commercial breeding, dog fighting, a nuisance offense under this Title, a cruelty offense or a neglect offense under applicable law, a violation of the Oklahoma Wildlife Conservation Code or regulations, or two (2) or more violations of Section 101A.2. of this chapter prohibiting at-large dogs and cats, or two (2) or more violations of Title 27 Chapter 14 of the Tulsa Revised Ordinances governing Disturbing the Peace.

2. Application Documents. An applicant for an Intact Animal Exemption permit shall submit to the Director of Finance the name(s) and photo(s) of each animal at the residence for which the application is being made and one of the following for each animal:

- a. 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; or
- b. 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; or
- c. For a one (1) year temporary Exemption Permit during training, certificates of completion of at least two training classes, dated within the twelve (12) months immediately preceding the date of application.

C. Animal Rescuer permit.

An Animal Rescuer Permit may be granted to a non-profit animal welfare organization. To qualify to receive an Animal Rescuer permit, a person must be an authorized rescuer or foster home for a recognized, non-profit animal welfare organization.

A holder of an Animal Rescuer permit may be permitted to own and keep, at a single family dwelling, more than a combined total of five (5) dogs and cats as permitted by Section 101.A.15, provided, however, the maximum number of dogs and cats allowed under the Animal Rescuer exemption permit shall not exceed a combined total of ten (10) dogs or cats over the age of six (6) months per one (1) acre (43,560 square feet) of land including the space covered by the single family dwelling.

A holder of an Animal Rescuer permit may be permitted to own and keep Intact Animals at a single-family residence. However, an individual rescuer must comply with Section 101.A.15 and 101.A.18. as to those dogs and cats owned by the rescuer on a permanent basis.

A fee of Twenty-Five Dollars (\$25.00) will be charged for each Animal Rescuer permit.

1. **Permit Qualifications.** An organization, not a commercial breeder, that is incorporated as a non-profit organization and utilizes private homes to care for unowned animals that are available for adoption.
2. **Application Documents.** An applicant for an Animal Rescuer permit shall submit to the WIN/Animal Welfare Center the completed Animal Rescuer permit application and the following:
 - a. Copy of the organization's Articles of Incorporation signed by the Secretary of State; and
 - b. List of the organization's Board of Directors; and
 - c. Proof that animals in their care are being presented to the public for

adoption, and

- d. Letter of recommendation from a licensed veterinarian with whom the organization has a professional relationship; and
- e. List with the name(s) and address(s) of each residence which houses and cares for animals in its program. This list shall be updated quarterly and provided to WIN.

3. Limitations. An Animal Rescuer may harbor dogs and cats in accordance with Section 117.A. Provided, however, that cats and dogs may be kept or harbored for no longer than one hundred twenty (120) days each while the Animal Rescuer attempts to locate the animal's home or a new home. If an Animal Rescuer needs to keep or harbor an animal for longer than one hundred twenty (120) days because of an animal's medical condition or behavior, the Animal Rescuer shall so notify the Director of WIN of the need for an extension.

4. Revocation. An Animal Rescue permit holder shall have his Exemption Permit or the right to serve as an Animal Rescuer under an organization's Exemption Permit revoked if he has been convicted of: illegal commercial breeding; dog fighting; a nuisance under this chapter; cruelty or neglect under applicable law; violating the Oklahoma Wildlife Conservation Code or regulations; or two (2) or more violations of Section 101A.2. of this Title, or two (2) or more violations of Title 27, Chapter 14 of the Tulsa Revised Ordinances governing Disturbing the Peace.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

D. Renewal. A permit holder must reapply for the exemption permit every year. The annual fee for each renewal permit shall be the same as the original permit. To make application, the permit holder must furnish to the Director of Finance one or more of the items listed in Sections 117.A.1.b or 117A.2.b. which are dated within the twelve (12) months immediately preceding the date of the application.

E. Inspections. Any holder of any Exemption Permit shall be subject to inspection, consistent with Section 117(A), at any reasonable time by an Animal Welfare Officer to determine compliance with the provisions of this Title. It shall be unlawful and an offense, and grounds for suspension or revocation of the permit, for any person to refuse to allow such inspections.

SECTION 118. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

CHAPTER 2

AGRICULTURAL ANIMALS

Section 200. Agricultural Animals-Cows, Goats, Sheep, Hogs, Horses, Poultry and Rabbits.

Section 201. Pigeons and Doves.

Section 202. Offense.

Section 203. Animals Running At Large.

Section 204. Penalty.

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CHAPTER 2
AGRICULTURAL ANIMALS

SECTION 200. AGRICULTURAL ANIMALS - COWS, GOATS, SHEEP, HOGS, HORSES, POULTRY AND RABBITS

It shall be unlawful for any person to keep, maintain or permit any cows, goats, sheep, hogs, horses, poultry, rabbits or any miniature or dwarf variety of agricultural animal upon any property or premises within the corporate limits of the City of Tulsa, except under the supervision of the City of Tulsa's Animal Welfare or as otherwise provided by law. The keeping of agricultural animals, including miniature or dwarf varieties, in violation of the terms of this section is hereby declared to be a nuisance against the public health of the City of Tulsa and such nuisance shall be subject to abatement as provided by law.

- A. Agricultural animals may be kept in areas zoned for agriculture (AG).
- B. Cows in areas zoned for agriculture (AG) must be kept in any pen, lot or enclosure that is maintained in sanitary condition not offensive or dangerous to the public. The pen, lot or enclosure must provide an area of at least one (1) acre (43,560 square feet) for each animal kept therein.
- C. Horses:
 - 1. The enclosure in which such animal is kept shall be maintained in a sanitary condition and not offensive or dangerous to the public health.
 - 2. Horses may only be kept on property zoned for agriculture. Provided that horses may be kept on property not zoned for agriculture so long as:
 - a. Immediately prior to date, the horses were kept on the property:
 - b. The enclosure where such animal is kept shall not be less than one (1) acre (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.
 - c. The horse(s) are registered with WIN or the owner can show proof of ownership at the time of enactment of this provision.
 - 3. The enclosure where such animal is kept shall not be, at its nearest point, closer than fifty (50) feet to any building used or occupied for human habitation, and the barn shall not be closer than seventy-five (75) feet, at its nearest point, to any building used or occupied for human habitation.
 - 4. The enclosure where such an animal is kept fenced shall be maintained in good repair.
- D. Poultry kept in areas zoned for agriculture (AG) must be confined to the owner's property. Poultry pens or buildings may be located no closer than one hundred (100) feet from an adjoining property line.

Poultry kept in areas not zoned for agriculture must be confined to the owner's property. Poultry pens or buildings must be in a location which at the nearest point is no closer than forty (40) feet from any adjacent residence.

1. Roosters over the age of eight (8) weeks are prohibited. Provided that a household may keep or possess a rooster over the age of eight (8) weeks so long as:
 - a. Immediately prior to date the household legally possessed a rooster(s); and
 - b. The rooster(s) is registered with WIN.
2. The number of poultry shall not exceed eight (8) adult hens and fourteen (14) chicks under the age of ten (10) weeks.
3. Poultry pens or buildings shall be of such size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition.
 - a. It shall have a roof and be enclosed on all sides.
 - b. The structure shall have cross flow ventilation to control odors and humidity
 - c. The floors of such building shall be of easily cleanable construction, and shall be maintained in a sanitary condition not offensive or dangerous to the public health by routinely cleaning and properly disposing of the droppings; and
 - d. For fowl with yard access, housing shall be a minimum of one square foot per adult bird.
 - e. For fowl without yard access housing shall be a minimum of 10 square feet per adult bird.

E. Rabbits kept in areas zoned for agriculture (AG) must be in pens or buildings located at least one hundred (100) feet from an adjoining property line.

F. Rabbits kept in areas not zoned for agriculture shall not exceed six (6) adults and fourteen (14) young under the age of eight (8) weeks. They shall be kept under the following conditions:

1. The rabbits must be kept in a building which at its nearest point is no closer than fifty (50) feet to any adjoining residence;
2. The floors of such building shall be of easily cleanable construction, and shall be maintained in a sanitary condition not offensive or dangerous to the public health by routinely cleaning and properly disposing of the droppings; and
3. The outside openings of the building shall be screened to prevent the spread of disease by flies and vermin.

Amended by Ords. No. 4571, eff. May 14, 1941; No. 5998, eff. Sep. 19, 1950; No. 12841, eff. Jun. 8, 1973; No.13340, Eff. Jan. 2, 1975; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 201. PIGEONS AND DOVES

- A. Housing shall be sized to allow one (1) square foot of floor space and a minimum of one (1) cubic foot of volume per animal housed with a maximum of twenty-five (25) birds allowed.
- B. The structure shall not be located nearer than fifty (50) feet of any adjoining residence.
- C. Pigeons shall be confined to the loft except for limited periods for exercise. At no time shall pigeons be allowed to perch on property other than that on which they are maintained pursuant to this chapter.
- D. **Racing Pigeons Exemption Permit.**

1. **Racing Pigeons Exemption Permit.** The Director of Finance shall maintain a register of qualified racing pigeon exemption permit holders and shall make this register available to WIN and to the Chief of Police and the Director of the Tulsa City/County Health Department. Application shall be submitted in writing to the Director of Finance, who shall notify the applicant of the acceptance or denial within thirty (30) days of the application date. If the exemption permit is denied, the applicant shall be notified of the reason for denial. A fee of Twenty-five Dollars (\$25.00) shall be charged for the initial permit. Each subsequent renewal shall be Ten Dollars (\$10.00).

A holder of a racing pigeons exemption permit will be permitted to own and keep a maximum of two hundred (200) Racing Pigeons on his property provided the owner meets all other provisions and conditions imposed by law. A racing pigeons exemption permit holder shall not be permitted to own and keep or house any other pigeons or doves on his property.

A conviction for a violation of this Section 201 or non-compliance with the provisions of the racing pigeons exemption permit shall be grounds for a denial of an application for a racing pigeons exemption permit.

2. **Racing Pigeons Defined.** A Racing Pigeon (also, commonly known as Racing Homer, Homing Pigeon or Carrier Pigeon) means a pigeon which, through selective past breeding, has developed the distinctive physical and mental characteristics as to enable it to return to its home after having been released a considerable distance therefrom, and which is accepted as such by the American Racing Pigeon Union, Inc. or the International Federation of American Homing Pigeon Fanciers, Inc. Racing Pigeons shall be banded and registered with one of the national pigeon associations/registries identified above.

3. **Application Documents.** An applicant for a racing pigeons exemption permit shall submit to the Director of Finance:
 - a. A full and complete application using the form supplied by the Director of Finance;
 - b. Appropriate certificates and documentation evidencing the Racing Pigeons have been banded and registered with the American Racing Pigeon Union, Inc. or the International Federation of American Homing Pigeon Fanciers, Inc.;
 - c. Appropriate certificates and documentation evidencing the applicant's membership in a local racing pigeons club chartered by either the American Racing Pigeon Union, Inc. or the International Federation of American Homing Pigeon Fanciers, Inc.; and
 - d. Any required application fees.
4. **Renewal.** A racing pigeons exemption permit holder must reapply for the exemption permit every year on or before the anniversary date of the issuance of the initial permit.
5. **Conditions of Racing Pigeons Exemption Permit.** The keeping, breeding, maintenance and flying of Racing Pigeons under the racing pigeons exemption permit shall be permitted on the following conditions:
 - a. The housing shall be sized to allow one (1) square foot of floor space and a minimum of one (1) cubic foot of volume per bird housed with a maximum of two hundred (200) birds allowed.
 - b. The housing shall be of such size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition. The structure shall be constructed of building materials compatible with the neighborhood. It shall have a roof and be enclosed on all sides. The floor, bird's roost and nesting cubicles shall be constructed of a non-porous material or plywood covered with a non-porous covering that is impermeable to fluids. The structure shall have sufficient cross flow ventilation to control odors and humidity with the ventilation openings covered in screening to prevent the entry of flies. The structure shall be constructed on piers or concrete blocks to allow a minimum of eighteen (18) inches between the floor and the ground. The ground area beneath the structure shall be covered with a concrete pad and apron that extends past the building edges a minimum of twenty-four (24) inches.
 - c. The construction and location of the housing shall not conflict with the requirements of any Building Code or Zoning Code of the City of Tulsa.
 - d. The housing structure shall not be located nearer than fifty (50) feet of any adjoining residence.

- e. All feed and other edible substances for the pigeons shall be stored in steel galvanized containers with tightly securing lids as to protect against intrusion by rodents and other vermin.
 - f. The housing shall be maintained in a sanitary condition and in compliance with all applicable health regulations of the City of Tulsa. All bird dropping shall be removed from the floor, bird's roost and nesting cubicles frequently enough to prevent an accumulation of droppings (recommended a minimum of every other day). The droppings shall be bagged in plastic garbage bags and deposited of in the next trash pickup.
 - g. All pigeons shall be confined to the housing except for limited periods necessary for exercise, training and competition; and at no time shall pigeons be allowed to perch or linger on the buildings or property of others.
 - h. All pigeons shall be fed within the confines of the housing.
 - i. No one shall release pigeons to fly for exercise, training or competition except in compliance with the following rule: Pigeons shall not be released for flying which have been fed within the previous four (4) hours.
6. **Right of Entry for Inspections.** The Director of WIN, Chief of Police or the Director of the Tulsa City/County Health Department may enter and inspect any property or housing at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with this section."

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 20332, eff. Apr. 15, 2002.

SECTION 202. OFFENSE

It shall be unlawful for any person to keep or maintain or permit to be kept or maintained any poultry, pigeons, doves or rabbits except as herein provided. It shall be unlawful for any person to maintain such animals or fowl in a manner as to trespass upon the premises of another.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 203. ANIMALS RUNNING AT LARGE

No horse, mule, donkey, cattle, swine, sheep or goats of any kind shall be permitted to run at large within the limits of this City or to be staked out in any public place in the City at any time; and it is declared to be unlawful for the owner or person in charge of any such animals to permit them to run at large or to be staked in any public place within the limits of this City contrary to the provisions of this title.

Amended by Ords. No. 12841, eff. Jun 8, 1973; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 204. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

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CHAPTER 3

ANIMALS IN STREETS

Section 300. Training Animals.

Section 301. Animals Unhitched.

Section 302. Racing Animals.

Section 303. Hitching.

Section 304. Turning Animals Loose.

Section 305. Penalty.

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**CHAPTER 3
ANIMALS IN STREETS****SECTION 300. TRAINING ANIMALS**

It shall be an offense for any person to break or train any horse, mule, donkey, or other domestic animal, upon any public highway, street or alley within the City.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 301. ANIMALS UNHITCHED

It shall be unlawful and an offense for any person to leave any horse, mule, donkey or other animal attached to any vehicle or conveyance in any place within the City without being securely held or tied to an object of sufficient size to prevent such animal from straying or running away.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 302. RACING ANIMALS

It shall be an offense for any person to indulge in any fast or reckless driving, riding or racing of any horse or mule on or across any street, alley or other public grounds in the City. Any rate of speed faster than twelve (12) miles per hour shall be held to be reckless driving, riding or racing under this section.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 303. HITCHING

It shall be unlawful and an offense for any person to hitch, tie or place any horse, donkey, mule, sheep, goat, cattle or any animal of bovine kind or any domestic animal to any light, telephone or telegraph pole within the City or on a sidewalk or parking area in the City except at the regular street, avenue, alley or driveway crossings.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 304. TURNING ANIMALS LOOSE

It shall be unlawful for any person to turn any animal loose on any street or public place in the City of Tulsa.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 19571, eff. Jul. 1, 1999.

SECTION 305. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

CHAPTER 4

MISCELLANEOUS PROVISIONS

- Section 400. Diseased Animals and Sale of Diseased Animals.
- Section 401. Administration of Poison.
- Section 402. Destruction of Animals.
- Section 403. Euthanasia.
- Section 404. Locking or Tying Wings of Fowl Prohibited.
- Section 405. Distribution of Baby Fowl or Rabbits as Pets or Novelties Prohibited.
- Section 406. Outdoor Shelter Requirements.
- Section 407. Penalty.

CHAPTER 4
MISCELLANEOUS PROVISIONS

SECTION 400. DISEASED ANIMALS AND SALE OF DISEASED ANIMALS

It shall be unlawful for any person or firm to procure or knowingly distribute diseased animals without complete disclosure for the purpose of transferring ownership, whether such animal is sold or given away.

Amended by Ords. No. 552, eff. Jul. 20, 1909; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 401. ADMINISTRATION OF POISON

Deleted.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 402. DESTRUCTION OF ANIMALS

When any animal within the corporate limits of the City of Tulsa shall be so wounded, maimed, sick, diseased or injured as to render its recovery hopeless in the opinion of the Director of WIN or a licensed veterinarian, then it shall become the duty of WIN's Animal Welfare Center to kill or euthanize or cause to be killed or euthanized such animal as soon as practicable, in such manner as in his judgment shall be the least painful. And he shall cause the carcass to be removed and disposed of as provided in this title.

Amended by Ords. No. 552, eff. Jul. 20, 1909; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 403. EUTHANASIA

- A. It shall be an offense for any individual or organization, except a licensed veterinarian, or a person trained to euthanize and who is approved and supervised by a licensed veterinarian, or a person certified by the Oklahoma State Board of Veterinary Medical Examiners as a euthanasia technician, to euthanize any domestic animal.
- B. Any dog, cat or any other animal which is kept for pleasure rather than utility in or about a household, held by or in the custody of a private or public animal shelter or agency and not reclaimed by the owner, may be disposed of only by adoption as a pet in a suitable home, or euthanized by any method approved by the Veterinary Division of the State Department of Agriculture, with the exception of curariform derivative drugs and provided that the following requirements are met to ensure the euthanasia agent is humane:
 - 1. The method should be as painless as possible to the animal as determined by the best available medical and scientific knowledge and technology.
 - 2. The animal should be kept as free from anxiety and fear as possible.

3. The technique should be simple enough to be used by relatively unskilled personnel and be legally available to animal shelters and humane societies. It should be mechanically simple and maintenance free as possible within reasonable cost.
4. It should be physically safe for personnel using it.
5. It should conform with all other requirements set forth for euthanasia in 4 O.S. 2001, §§ 501, *et seq.*

Every person violating Section 403 shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 404. LOCKING OR TYING WINGS OF FOWL PROHIBITED

It shall be unlawful for any person, firm or corporation, by himself or by another, to lock or tie the wings of any chicken, turkey, goose, duck or other domestic fowl for the purpose of weighing or handling or cause the same to be done.

Amended by Ords. No. 8410, eff. Mar. 12, 1958; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 405. DISTRIBUTION OF BABY FOWL OR RABBITS AS PETS OR NOVELTIES PROHIBITED

It shall be unlawful for any person, firm or corporation to sell, or offer for sale, barter or give away baby chicks, ducklings or other fowl less than four (4) weeks old in groups of less than twelve (12) each, or rabbits less than six (6) weeks old as pets or novelties, whether or not dyed, colored or otherwise artificially treated. This section shall not be construed to prohibit the sale or display of natural chicks or ducklings in proper brood facilities by hatcheries or stores engaged in the business of selling them to be raised for commercial purposes.

Amended by Ords. No. 9393, eff. Mar. 30, 1962; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 19571, eff. Jul. 1, 1999.

SECTION 406. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

CHAPTER 5

DEAD ANIMALS

Section 500. Dead Animals - Unlawful Disposal.

Section 501. Dead Animals - Lawful Disposal.

Section 502. Dead Animals - Strays.

Section 503. Dead Animals - Residential Fees.

Section 504. Dead Animals Collected for Disposal from
Commercial Animal Establishments of Any Type.

Section 505. Retrieving I.D. from Dead Animals.

Section 506. Penalty.

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**CHAPTER 5
DEAD ANIMALS****SECTION 500. DEAD ANIMALS - UNLAWFUL DISPOSAL**

It shall be unlawful and an offense for any person to throw any dead animal or fowl in or upon any street, alley or public place within the City of Tulsa or to bury any dead animal or fowl within the City of Tulsa.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 501. DEAD ANIMALS - LAWFUL DISPOSAL

A. It shall be the duty of the owner of any dead animal, or the person in lawful possession of any dead animal, to notify the Director of Streets and Stormwater, who shall dispose of it in a sanitary manner; provided that private persons may operate services for the removal and disposal of dead animals subject to the approval of the Director of Streets and Stormwater. The Director of Streets and Stormwater may prescribe appropriate rules and regulations for the operation of private services involved in the removal and disposition of dead animals.

B. It shall be the duty of the owner or person in lawful possession of a dead dog, cat, fowl or other small animal to put such animal in a box, sack or other receptacle before collection by the Director of Streets and Stormwater or by an operator of a private animal removal and disposal service.

Amended by Ords. No. 10935, eff. Sep. 28, 1967; No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 502. DEAD ANIMALS - STRAYS

It shall be the duty of any person upon whose premises a stray dead animal is found to notify the Director of Streets and Stormwater. Such person shall not be liable for any fees for removal.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 503. DEAD ANIMALS--RESIDENTIAL FEES

The owner or person in lawful possession of any dead animal or fowl shall pay to the Director of Finance a fee to cover the costs of removing the same.

Fees for the removal of dead animals shall be Fifty Dollars (\$50.00) for domestic farm animals such as horses, cows, hogs, sheep, goats or animals of like or larger size. There shall be no charge for the removal of dogs, cats, fowl or other similarly sized animals.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 19859, eff. Jun. 23, 2000.

SECTION 504. DEAD ANIMALS COLLECTED FOR DISPOSAL FROM COMMERCIAL ANIMAL ESTABLISHMENTS OF ANY TYPE

Notwithstanding Section 503, any dead animal collected for disposal from commercial animal establishments of any type shall be disposed of in the manner prescribed in this title and upon payment of the following fees:

- A. Fifty Dollars (\$50.00) per domestic farm animals such as horses, cows, hogs, sheep, goats, or animals of like or larger size.
- B. Fifteen Dollars (\$15.00) per dog or cat.
- C. No charge for birds, fish, reptiles, amphibians, invertebrates, or rodents or any other animal less than one pound in weight.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997; No. 19859, eff. Jun. 23, 2000.

SECTION 505. RETRIEVING I.D. FROM DEAD ANIMALS

A good faith attempt shall be made by the Director of Streets and Stormwater to retrieve any City license pet tags **and/or any microchip information** on every dead dog and cat picked up by the City of Tulsa.

Amended by Ords. No. 19038, eff. Nov. 1, 1997; No. 19143, eff. Nov. 17, 1997.

SECTION 506. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

CHAPTER 6

DANGEROUS DOGS

Section 600. Certificate of Registration for Certain Dogs Required – Exemption Fees.

Section 601. Muzzle and Restraint of Certain Dogs.

Section 602. Dogs Not to be Declared Dangerous.

Section 603. Confiscation of a Dangerous Dog.

Section 604. Fines.

Section 605. Purpose.

Section 606. Penalty.

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**CHAPTER 6
DANGEROUS DOGS****SECTION 600. CERTIFICATE OF REGISTRATION FOR CERTAIN DOGS
REQUIRED - EXEMPTIONS - FEE**

- A. **Certificate of Registration for Certain Dogs Required.** It is unlawful for an owner to have a dangerous dog without a certificate of registration issued according to this Title. This Title shall not apply to dogs used by law enforcement officials for police work.
- B. **Exemptions.** WIN's Animal Welfare Center may issue a certificate of registration to the owner of a dangerous dog if the owner presents to the animal control unit sufficient evidence of:
1. A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog; and
 2. A policy of liability insurance, such as homeowner's insurance, or surety bond used 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.
- C. **Fee.** A fee of Ten Dollars (\$10.00) shall be remitted to the Director of Finance for the certificate of registration.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 601. MUZZLE AND RESTRAINT OF CERTAIN DOGS

It is unlawful for an owner of a dangerous dog to permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under physical restraining of a responsible person over sixteen (16) years of age. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 602. DOGS NOT TO BE DECLARED DANGEROUS

Dogs shall not be declared dangerous if the threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 603. CONFISCATION OF A DANGEROUS DOG

Any dangerous dog shall be immediately confiscated by WIN's Animal Welfare Center if:

- A. The dog is not validly registered according to this chapter;
- B. The owner does not secure the liability insurance coverage or surety bond required by this chapter;
- C. The dog is not maintained in the proper enclosure; and
- D. The dog is outside of the dwelling of the owner or outside the proper enclosure and not under physical restraint of the responsible person.

Any dangerous dog confiscated pursuant to this section and not reclaimed by its owner under the requirements of this chapter within thirty (30) days from the date of notice of confiscation shall be deemed abandoned and, at the discretion of WIN's Animal Welfare Center, euthanized pursuant to procedures provided in Section 109 of this title.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997; No. 19424, eff. Dec. 1, 1998.

SECTION 604. FINES

Any fine imposed as a result of a violation of this chapter, at the discretion of the court, may be offset by payments made by the dog owner to any victim of an attack by the dog. However, insurance payments may not be considered as an offset.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 605. PURPOSE

It is the purpose of this chapter to provide additional and cumulative remedies to control dangerous and potentially dangerous dogs. Nothing in this chapter shall be construed to abridge or alter rights of action or remedies of victims under the common law or statutory law, criminal or civil.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 606. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) excluding costs, fees and assessments, or both such fine and imprisonment.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

CHAPTER 7

REPTILES

Section 700. Habitat.

Section 701. Transport and Handling.

Section 702. Release of Reptiles.

Section 703. Reptile Species Not Prohibited.

Section 704. Prohibited Reptiles.

Section 705. Zoo Excluded.

Section 706. Penalty.

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**CHAPTER 7
REPTILES****SECTION 700. HABITAT**

All reptiles held as pets or specimens must be contained within secure habitats designed to prevent escape. Every person violating this section shall be guilty of an offense and, upon conviction, shall be punished by imprisonment in the City Jail for a period of not exceeding six (6) months or by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00), excluding costs, fees and assessments, or both such fine and imprisonment.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ords. No. 19143, eff. Nov. 17, 1997; No. 19571, eff. Jul.1, 1999.

SECTION 701. TRANSPORT AND HANDLING

- A. Reptiles being transported shall be contained within escape-proof containers.
- B. Reptiles shall not be handled openly in public places unless the handler is conducting an educational meeting or is demonstrating a reptile for sale within a commercial animal establishment.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 702. RELEASE OF REPTILES

- A. Reptiles not indigenous to Oklahoma shall not be released or abandoned.
- B. Any species of reptile not indigenous to Oklahoma that is secured by or forfeited to Animal Welfare shall be released to the Tulsa Zoo or to a reptile rescue organization for proper disposition or euthanized if deemed necessary by Animal Welfare.
- C. Any species of reptile indigenous to Oklahoma that is secured by or forfeited to Animal Welfare may be released to the wild within the discretion of Animal Welfare.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 703. REPTILE SPECIES NOT PROHIBITED

The families of reptiles listed in this paragraph may lawfully be possessed or housed, as these reptiles pose no life-threatening hazards to humans, provided that the reptiles are also owned in accordance with any and all state, federal and Convention of International Trade of Endangered Species (CITES) regulations that may apply:

- A. The following Families of the Order Squamata Suborder Sauria: Family Gekkonidae (geckos); Family Agamidae (Agamas); Family Iguanidae (anoles, swifts, and iguanas); Family Cordylidae (sungazers and girdled lizards); Family Anguidae

(alligator lizards, galli wasps and glass lizards); Family Varanidae, (monitors); Family Lacertidae (wall lizards); Family Anniellidae, (legless lizards); Family Teiidae (tegus, racerunners); Family Chamaeleonidae (chameleons); Family Scincidae (skinks); Family Xenosauridae (crocodile lizard).

B. The following Families of the Order Squamata, Suborder Ophidia: Family Leptotyphlopidae (blind and worm snakes); Family Boidae (boas, and pythons); Family Colubridae, sub family Colubrinae, (garter, water, gopher, bull, hognose, ringneck green snakes, ratsnakes, kingsnakes, cornsnakes and racers);

C. The following Families of the Order Testudines: Family Chelydridae (snapping turtle); Family Kinosternidae (musk turtle); Family Platysternidae (big head turtle); Family Emydidae (painted, sliders, box turtle, pond turtle, etc.); Family Testudinidae (tortoise); Family Trionychidae (soft shelled turtle); Family Pelomedusidae (flat headed turtle); and Family Chelidae (side necked turtle).

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 704. PROHIBITED REPTILES

The families and species of reptiles listed in this paragraph are prohibited, as they pose distinct hazards to humans:

A. The following families of the Order Crocodylia (all families)

B. Order Squamata; suborder Sauria, Family Helodermatidae (beaded lizards, and gila monsters); Order Squamata, suborder Ophidia; Family Elapidae (Cobras); Family Hydrophiidae (sea snakes); Family Viperidae (vipers and pit vipers); species in the Family Colubridae, sub family Disadomorphinae (rear fang snakes), *Dispholidus typus* (the Boomsnake); *Thelotornis kirklandi* (African bird eating snake); and *Boiga dendrophilia* (the Mangrove snake). *Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.*

SECTION 705. ZOO EXCLUDED

The City of Tulsa Zoo shall not be subject to any of the provisions in this chapter.

Enacted by Ord. No. 19038, eff. Nov. 1, 1997; Amended by Ord. No. 19143, eff. Nov. 17, 1997.

SECTION 706. PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

Enacted by Ord. No. 19571, eff. Jul. 1, 1999.

CHAPTER 8

PENALTY

Section 800. Penalty.

Repealed effective July 1, 1999 by Ord. No. 19571.

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CHAPTER 9

HUMANE CARE AND TREATMENT

Section 900. Standards of Care.

Section 901. Inhumane Treatment.

Section 902. In Case of Inhumane Care, Inhumane Treatment.

Section 903. Penalty.

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CHAPTER 9
HUMANE CARE AND TREATMENT

SECTION 900. STANDARDS OF HUMANE CARE AND TREATMENT

Failure to provide humane care and treatment to animals in accordance with the standards set forth herein, either on purpose or through neglect, is an offense. The following standards of humane care and treatment are established for all animals within the City:

- A. **Food requirements.** Food, of quantity and quality to ensure normal growth and the maintenance of normal body weight, shall be provided. Food receptacles shall be kept clean and disinfected and located so as to avoid contamination by excreta.
- B. **Water requirements.** Clean, potable water shall be provided and be available at all times. All water shall be provided in receptacles of adequate size for the animal and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta.
- C. **Restraint requirements.** All Animals, other than wild Animals not owned by any human and community cats, must be restricted at all times by either a secure facility, a secure fence, a secure enclosure, a secure leash, properly secured in the back of a pickup truck, inside a vehicle with proper ventilation, or be on a leash accompanied by a person able to control the Animal.
- D. **Space Requirement.** When Animals are outdoors restricted by a Secure Fence, they must be provided with adequate space to prevent overcrowding and to allow the Animals to maintain normal exercise levels required by the size, temperament and type of Animal.
- E. **Adequate Shelter and shade.** Animals that are not allowed free access to the Household must be provided with Adequate Shelter and shade. A structure that provides Adequate Shelter might not provide adequate shade: for example, a doghouse that protects the dog from wind and rain may be too hot inside when exposed to direct sunlight during the warmer months so shade must also be provided. Outside housing shall protect Animals from any extreme weather conditions that may be detrimental to the health or comfort of the Animals.
- F. A shelter for exotic wildlife shall be appropriate to the size and needs of the animal
- G. **Sanitation requirements.** All shelters, enclosures, cages, litter boxes, and yards shall receive cleaning necessary to remove excreta, waste materials, and trash to minimize disease hazards and to reduce odors. Litter, shavings, and other bedding materials used in cages or enclosures shall be changed as frequently as necessary to minimize disease hazards and to reduce odors
- H. **Veterinary care requirements.** All animals shall have veterinary care necessary to prevent and treat disease, pain or suffering.
- I. **Community cats.** Individuals may provide food, water, shelter and/or medical care to community cats; however, they are not required to.

SECTION 901 INHUMANE TREATMENT

- A. It is an offense to confine an animal by a leash in such a manner as to cause choking or injury, nor shall any animal confined by a leash be left without shelter or denied access to food and water.
1. It is an offense to confine any animal in a cage or crate or similar enclosure unless provisions are made for the proper feeding and watering of the animal.
- B. No person shall impound any animal in a crate, box or other enclosure that does not permit the impounded animal to stand in a natural erect position and provide sufficient space to allow the animal to lie down, turn around or move naturally.
- C. It is an offense to leave any animal inside an unattended vehicle without adequate ventilation or when weather conditions are not suitable for containment of the animal.
- D. It is an offense to promote, conduct or permit a roadside zoo or menagerie.
- E. It is an offense to sell, offer for sale, auction, barter, or give away any animal or animals on any property or road frontage other than that owned by the animal owner;
1. It is an offense to sell, offer for sale, auction, barter, or give away any animal or animals as toys, premiums or novelties.
 2. This section shall not be construed to prohibit the sale or display of baby animals in proper facilities by breeders or stores engaged in the business of selling them to be raised for commercial or noncommercial purposes
- F. This section shall not be construed to prohibit the raising of animals by a private individual for his/her personal use and consumption provided he maintains proper brooders and other facilities for the care and containment of the animals while they are in his/her possession.
- G. It is an offense to promote, stage, hold, manage, conduct, carry on or attend any game, exhibition, contest or fight in which an animal is used for the purpose of fighting, injuring, killing, maiming, or destroying any other animal
- H. It is an offense to possess or maintain any materials or equipment or paraphernalia used in animal fighting.

SECTION 902 IN CASE OF INHUMANE CARE, INHUMANE TREATMENT

- A. The Director of WIN or Chief of Police may enter into premises at any reasonable time to determine the health and well-being of an animal on the premises.
- B. The Director of WIN or Chief of Police may, at the owner's expense, immediately impound the animal for protective care. In the event of sickness or injury of the animal

and upon the advice of a licensed veterinarian, appropriate action to relieve pain and suffering may be taken; this shall include the option of immediate humane euthanasia of the animal.

- C. The Director of WIN or Chief of Police may issue a citation to the owner for a violation of Section 900 or 901 and/or may specify the terms and conditions under which the owner may regain or maintain custody of the animal, which terms and conditions statement shall be signed by the owner. Violation of the terms and conditions by the owner is an offense against the City and shall be cause for the issuance of a citation and may result in the impoundment of the animal.

SECTION 903

PENALTY

Unless otherwise provided, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) excluding costs, fees and assessments.

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CHAPTER 10

COMMUNITY CATS

Section 1000. Community Cats.

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**CHAPTER 10
COMMUNITY CATS****Section 1000. Community Cats**

- A. Trap-Neuter-Return shall be permitted to be practiced by community cat caregivers, organizations, and Tulsa Animal Welfare, in compliance with any applicable federal or state law. As a part of Trap-Neuter-Return, spay or neuter and vaccination for rabies shall take place under the supervision of a licensed veterinarian.
- B. A trapped eartipped cat will be released on the site where trapped unless veterinary care is required. An eartipped cat received by a shelter or animal control will be returned to the location where trapped unless veterinary care is required.
- C. Community cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning eartipped community cats to their original locations.
- D. A community cat caregiver who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.
- E. Trap-Neuter-Return shall be the preferred disposition for impounded community cats. Tulsa Animal Welfare is authorized to conduct Shelter-Neuter-Return (SNR) or Return-to-Field (RTF) programs or to direct impounded community cats to a Trap-Neuter-Return program.

Maximum penalty for offenses
Tulsa Revised Ordinances, Title 2 - Animal

CHAPTER 1 DEFINITIONS; REGULATIONS GENERALLY		
§101A1	Unlicensed or Unvaccinated Cat or Dog	\$500.00
§101A2	Dog or Cat At-Large	\$500.00
§101A3	Abandoned Dog, Cat or Domestic Animal	\$500.00
§101A4	Harboring a Vicious Animal	Six (6) months in jail or a fine of \$1,200.00
§101A5	Harboring a Nuisance Animal	\$500.00
§101A6	Refusal to Surrender Unlawful Animal to Police or WIN	Six (6) months in jail or a fine of \$1,200.00
§101A7	Failure to have Current Dog or Cat License Affixed	\$500.00
§101A8	Keeping an Animal Wild by Nature	\$500.00
§101A9	Keeping an Unconfined Dog or Cat which is in Heat	\$500.00
§101A10	Interfering with Duties of Police, Finance or Health Department Employees or WIN	Six (6) months in jail or a fine of \$1,200.00
§101A11	Releasing an Animal from Confinement at an Exhibition or Sporting Event	\$500.00
§101A12	Allowing an Animal to Defecate on the Property of Another	\$500.00
§101A13	Permitting an animal to destroy or damage property	\$500.00
§101A14	Harboring an Animal for the Purpose of Fighting	Six (6) months in jail or a fine of \$1,200.00
§101A15	Unlawful Number of Dogs and/or Cats	\$500.00
§101A16	Unlawfully Maintaining Domestic Bees	\$500.00
§101A17	Unlawful Operation of a Commercial Animal Establishment as Required in Title 2, §110	\$500.00
§101A18	Unlawfully Harboring an Unspayed or Unneutered Dog or Cat	\$500.00
§101A19	Harboring an Animal which Attacks Another While Unconfined to its Owner's Premises	Six (6) months in jail or a fine of \$1,200.00
§101B	Release for Adoption of an Unspayed or Unneutered Animal	\$500.00
§115	Unlawful Removal of an Animal from the Animal Shelter	\$500.00
CHAPTER 2 AGRICULTURAL ANIMALS		
§200A	Unlawfully Maintaining Agricultural Animals	\$500.00
§202	Unlawfully Maintaining Poultry, Pigeons, Doves or Rabbits	\$500.00
§203	Allowing a Horse, Mule, Jack, Cattle, Jennet or Swine to Run At-Large	\$500.00
CHAPTER 3 ANIMALS IN STREETS		
§300	Training Animals Upon Public Streets	\$500.00
§301	Unhitched Animal Attached to Vehicle	\$500.00
§302	Reckless Driving of a Horse or Mule on Public Streets or Grounds	\$500.00
§303	Unlawfully Hitching Domestic Animals to a Light, Telephone or Telegraph Pole	\$500.00

TITLE 2 - ANIMALS

DRAFT 06/03/2019

§304	Turning Animals Loose on Streets or Any Public Place	\$500.00
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CHAPTER 1 DEFINITIONS; REGULATIONS GENERALLY

§101A1	Unlicensed or Unvaccinated Cat or Dog	\$500.00
§101A2	Dog or Cat At-Large	\$500.00
§101A3	Abandoned Dog, Cat or Domestic Animal	\$500.00
§101A4	Harboring a Vicious Animal	Six (6) months in jail or a fine of \$1,200.00
§101A5	Harboring a Nuisance Animal	\$500.00
§101A6	Refusal to Surrender Unlawful Animal to Police or WIN	Six (6) months in jail or a fine of \$1,200.00
§101A7	Failure to have Current Dog or Cat License Affixed	\$500.00
§101A8	Keeping an Animal Wild by Nature	\$500.00
§101A9	Keeping an Unconfined Dog or Cat which is in Heat	\$500.00
§101A10	Interfering with Duties of Police, Finance or Health Department Employees or WIN	Six (6) months in jail or a fine of \$1,200.00
§101A11	Releasing an Animal from Confinement at an Exhibition or Sporting Event	\$500.00
§101A12	Allowing an Animal to Defecate on the Property of Another	\$500.00
§101A13	Permitting an animal to destroy or damage property	\$500.00
§101A14	Harboring an Animal for the Purpose of Fighting	Six (6) months in jail or a fine of \$1,200.00
§101A15	Unlawful Number of Dogs and/or Cats	\$500.00
§101A16	Unlawfully Maintaining Domestic Bees	\$500.00
§101A17	Unlawful Operation of a Commercial Animal Establishment as Required in Title 2, §110	\$500.00
§101A18	Unlawfully Harboring an Unspayed or Unneutered Dog or Cat	\$500.00
§101A19	Harboring an Animal which Attacks Another While Unconfined to its Owner's Premises	Six (6) months in jail or a fine of \$1,200.00
§101B	Release for Adoption of an Unspayed or Unneutered Animal	\$500.00
§115	Unlawful Removal of an Animal from the Animal Shelter	\$500.00

CHAPTER 2 AGRICULTURAL ANIMALS

§200A	Unlawfully Maintaining Agricultural Animals	\$500.00
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CHAPTER 3 ANIMALS IN STREETS

§300	Training Animals Upon Public Streets	\$500.00
§301	Unhitched Animal Attached to Vehicle	\$500.00
§302	Reckless Driving of a Horse or Mule on Public Streets or Grounds	\$500.00
§303	Unlawfully Hitching Domestic Animals to a Light, Telephone or Telegraph Pole	\$500.00
§304	Turning Animals Loose on Streets or Any Public Place	\$500.00

CHAPTER 4 MISCELLANEOUS PROVISIONS

TITLE 2 - ANIMALS

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§400	Unlawful Sale or Transfer of a Diseased Animal	\$500.00
§401	Unlawful Administration of a Poisonous or Noxious Substance to an Animal	Six (6) months in jail or a fine of \$1,200.00
§403	Unlawfully Euthanizing a Domestic Animal	Six (6) months in jail or a fine of \$1,200.00
§404	Locking or Tying Wings of Fowl Prohibited	\$500.00
§405	Distribution of Baby Fowl or Rabbits as Pets or Novelties Prohibited	\$500.00
§406	Failure to Provide Appropriate Outdoor Shelter	\$500.00
CHAPTER 5 DEAD ANIMALS		
§500	Unlawful Disposal of Dead Animal	\$500.00
CHAPTER 6 DANGEROUS DOGS		
§600F	Failure to Secure a Dangerous Dog in a Proper Enclosure	Six (6) months in jail or a fine of \$1,200.00
§601A	Possession of an Unregistered Dangerous Dog	Six (6) months in jail or a fine of \$1,200.00
§602	Unlawfully Permitting a Dangerous Dog Out of its Enclosure	Six (6) months in jail or a fine of \$1,200.00
CHAPTER 7 REPTILES		
§700	Failure to Contain a Reptile Within a Secure Habitat	\$500.00
§701A	Failure to Transport a Reptile Within an Escape-Proof Container	\$500.00
§701B	Unlawful Handling of a Reptile in a Public Place	\$500.00
§702A	Release of Nonindigenous Reptile	\$500.00
§704	Reptiles Prohibited	\$500.00
CHAPTER 9 HUMANE CARE, NEGLECT, AND INHUMANE TREATMENT		
§900	Standards of Care	\$500.00
§901A	Leash out	\$500.00
§901B	Confinement in Cage or Crate	\$500.00
§901C	Animals in Vehicle	\$500.00
§901D	Roadside Zoos and Menageries	\$500.00
§901E	Animal Sales	\$500.00
§901F	Animals as Toys, Premiums or Novelties	\$500.00
§901G	Animals in Games, Exhibitions, Contests or Fights	\$500.00
§901H	Fighting Paraphernalia	\$500.00

**Pre-set Fine and Book-to-Court Schedule
Title 2 Tulsa Revised Ordinances**

DEFINITIONS; REGULATIONS GENERALLY		
OFFENSES		
§101A1	Unlicensed or Unvaccinated Cat or Dog	\$100.00
§101A2	Dog or Cat At-Large	\$100.00
§101A3	Abandoned Dog, Cat or Domestic Animal	\$100.00
§101A4	Harboring a Vicious Animal	COURT
§101A5	Harboring a Nuisance Animal	\$100.00
§101A6	Refusal to Surrender Unlawful Animal to WIN or Police	COURT
§101A7	Failure to have Current Dog or Cat License Affixed	\$100.00
§101A8	Keeping an Animal Wild by Nature	\$100.00
§101A9	Keeping an Unconfined Dog or Cat which is in Heat	\$100.00
§101A10	Interfering with Duties of WIN, Police, Finance or Health Department Employees	COURT
§101A11	Releasing an Animal from Confinement at an Exhibition or Sporting Event	\$100.00
§101A12	Allowing an Animal to Defecate on the Property of Another	\$100.00
§101A13	Permitting an animal to destroy or damage property	
§101A14	Harboring an Animal for the Purpose of Fighting	COURT
§101A15	Unlawful Number of Dogs and/or Cats	\$100.00
§101A16	Unlawfully Maintaining Domestic Bees	\$100.00
§101A17	Unlawful Operation of a Commercial Animal Establishment as Required in Title 2, §110	COURT
§101A18	Unlawfully Harboring an Unspayed or Unneutered Dog or Cat	\$100.00
§101A19	Harboring an Animal which Attacks Another While Unconfined to its Owner's Premises	COURT
§101B	Release for Adoption of an Unspayed or Unneutered Animal	\$100.00
§115	Unlawful Removal of an Animal from the Animal Shelter	\$100.00
AGRICULTURAL ANIMALS		
§200A	Unlawfully Maintaining Agricultural Animals	\$100.00
§202	Unlawfully Maintaining Poultry, Pigeons, Doves or Rabbits	\$100.00
§203	Allowing a Horse, Mule, Jack, Cattle, Jennet or Swine to Run At-Large	\$100.00
ANIMALS IN STREETS		
§300	Training Animals Upon Public Streets	\$100.00
§301	Unhitched Animal Attached to Vehicle	\$100.00
§302	Reckless Driving of a Horse or Mule on Public Streets or Grounds	\$100.00
§303	Unlawfully Hitching Domestic Animals to a Light, Telephone or Telegraph Pole	\$100.00
§304	Turning Animals Loose on Streets or Any Public Place	\$100.00

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§101A14	Harboring an Animal for the Purpose of Fighting	COURT
§101A15	Unlawful Number of Dogs and/or Cats	\$100.00
§101A16	Unlawfully Maintaining Domestic Bees	\$100.00
§101A17	Unlawful Operation of a Commercial Animal Establishment as Required in Title 2, §110	COURT
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§304	Turning Animals Loose on Streets or Any Public Place	\$100.00

MISCELLANEOUS PROVISIONS		
§400	Unlawful Sale or Transfer of a Diseased Animal	\$100.00
§401	Unlawful Administration of a Poisonous or Noxious Substance to an Animal	COURT
§403	Unlawfully Euthanizing a Domestic Animal	COURT
§404	Locking or Tying Wings of Fowl Prohibited	\$100.00
§405	Distribution of Baby Fowl or Rabbits as Pets or Novelties Prohibited	\$100.00
§406	Failure to Provide Appropriate Outdoor Shelter	\$100.00
DEAD ANIMALS		
§500	Unlawful Disposal of Dead Animal	\$100.00
DANGEROUS DOGS		
§600F	Failure to Secure a Dangerous Dog in a Proper Enclosure	COURT
§601A	Possession of an Unregistered Dangerous Dog	COURT
§602	Unlawfully Permitting a Dangerous Dog Out of its Enclosure	COURT
REPTILES		
§700	Failure to Contain a Reptile Within a Secure Habitat	\$100.00
§701A	Failure to Transport a Reptile Within an Escape-Proof Container	\$100.00
§701B	Unlawful Handling of a Reptile in a Public Place	\$100.00
§702A	Release of Nonindigenous Reptile	\$100.00
§704	Reptiles Prohibited	\$100.00
HUMANE CARE AND TREATMENT		
§900	Standards of Care	\$100.00
§901A	Leash out	\$100.00
§901B	Confinement in Cage or Crate	\$100.00
§901C	Animals in Vehicle	\$100.00
§901D	Roadside Zoos And Menageries	\$100.00
§901E	Animal Sales	\$100.00
§901F	Animals as Toys, Premiums or Novelties	\$100.00
§901G	Animals in Games, Exhibitions, Contests Or Fights	\$100.00
§901H	Fighting Paraphenalia	COURT