

ORDINANCE NO. 1429

City of Sand Springs, Oklahoma

AN ORDINANCE PERTAINING TO TITLE 6 – ANIMALS; RENUMBERING, AMENDING, REPEALING OR OTHERWISE REVISING SECTIONS THEREOF TO PROTECT THE HEALTH, SAFETY AND WELFARE OF ANIMALS, KEEPERS AND THE GENERAL PUBLIC; INCLUDING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS The City of Sand Springs has adopted ordinances regulating the health, safety and welfare of animals kept or maintained within the city limits, as well as their keepers and the general public;

WHEREAS the Animal Welfare Division of the City is charged with regulating and enforcing such ordinances as a matter of animal protection and public safety, as well as providing for safe, healthy and humane facilities for animals in the City's care; and

WHEREAS it is necessary to periodically update such ordinances to provide for changes in Animal Welfare regulations and practices that better serve and protect animals and humans within the city limits;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAND SPRINGS, OKLAHOMA, THAT:

Section One: Title 6 – Animals, Chapter 6.04 – Animals Generally, of the Code of Ordinances of the City of Sand Springs, Oklahoma, is hereby amended with sections added, amended or repealed as follows:

Chapter 6.04

ANIMALS GENERALLY

Sections:

- 6.04.010** **Definitions.**
- 6.04.020** **Animal Welfare Facility established.**
- 6.04.030** **Animals taken into the City's care.**
- 6.04.040** **Reclaiming animals by keepers.**

- 6.04.050 Adoption of animals.
- 6.04.060 Obstructing.
- 6.04.070 Poultry and rabbits.
- 6.04.080 Horses, cows and donkeys.
- 6.04.090 Hogs, sheep and goats.
- 6.04.100 Animals at large, inhumane condition.
- 6.04.110 Animals wild by nature.
- 6.04.120 Injury, cruelty, neglect and abandonment.
- 6.04.130 Breeding activities or facilities prohibited.
- 6.04.140 Prohibited acts by animals.
- 6.04.150 Feeding of migratory waterfowl prohibited.
- 6.04.160 Itinerant peddling of animals prohibited.
- 6.04.170 Pet Shops.
- 6.04.180 Penalties and enforcement.

Section 6.04.010 Definitions.

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

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

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

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

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

"Cat" means any member of the feline species that is generally considered to be domesticated or a pet, or that is not usually considered by ordinary persons to be dangerous, or that customarily lives with human beings.

"Dog" means any member of the canine species that is generally considered to be domesticated or a pet, or that is not usually considered by ordinary persons to be dangerous, or that customarily lives with human beings.

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

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

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

“Pet” means any domesticated animal legally upon a person’s property that is licensed by the City to that person where such license is required, or that is cared for with proper shelter and sustenance at all times by that person and/or that person’s household.

Section 6.04.020 Animal Welfare Facility established.

A. The City shall establish an Animal Welfare Facility operated by an Animal Welfare Division as a municipal governmental function; or contracted for operation by another governmental entity, consortium, private organization or corporation as authorized by the city council. It shall be under the control of a designated department of the City as authorized by the city manager, with the department head or a designee serving as a responsible supervisor for facility operations and services.

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

C. At the discretion of the department head or designee, animals that come into the City’s care may be assigned to facilities other than the Animal Welfare Facility if such is in the best interests of the animal’s health, safety and welfare.

Section 6.04.030 Animals taken into the City’s care.

A. An Animal Welfare Officer, police officer, or other authorized employee or agent of the City may take any dog, cat or other domesticated animal into the City’s care if the animal is found to be in violation of City ordinances, is abandoned, is alleged to be neglected or abused by its keeper, or is otherwise determined to be a danger to itself, humans or other animals.

B. An Animal Welfare Officer, police officer or other authorized employee or agent of the City may enter upon private property to apprehend and take into the City’s care any animal found to be in violation of City ordinances. Such employees or agents of the City may enter upon private property to investigate and take an animal into the City’s care where probable cause exists that the animal’s health, safety or welfare are in peril, and exigence is necessary to protect the animal from imminent death or serious injury.

C. When an animal is taken into the City’s care, a record of such shall be made – including the animal’s breed and description, the date it was taken into the City care and reason for such, license or identification information if available, and the keeper’s name if known.

Section 6.04.040 Reclaiming animals by keepers.

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

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

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

Section 6.04.050 Adoption of animals.

A. Animals that come into the City's care may be eligible for adoption after the expiration of three days from the date and time record was made of such. Adoptions shall be in accordance with procedures implemented administratively by the Animal Welfare Division of the City in compliance with applicable City ordinances and State laws. – including but not limited to provisions of the Dog and Cat Sterilization Act (4 O.S. § 14A).

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

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

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

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

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

Section 6.04.060 Obstructing.

It shall be unlawful for any person to remove, or attempt or conspire to remove, any animal in the City's care at the Animal Welfare Facility; or to hinder, delay or obstruct, or to knowingly provide false information or make a false representation to any Animal Welfare Officer, a police officer or other employee or agent of the City in the lawful performance of their Animal Welfare duties.

Section 6.04.070 Poultry and rabbits.

A. It is unlawful for any person to keep or maintain, or to permit to be kept or maintained, any chicken, duck, turkey, goose or other poultry not otherwise prohibited by this Code, or any rabbit, except in buildings or pens located at least fifty (50) feet distance from any adjoining residence or other building used for human occupancy. Poultry or rabbits, or any combination thereof, shall not exceed six adults and fourteen (14) young under the age of eight weeks.

B. Pens or buildings for poultry and rabbits shall be of easily cleanable construction, shall be maintained in a sanitary condition at all times, and shall be routinely cleaned and the wastes properly disposed of as to not emit offensive odors or create other conditions that are unsanitary or hazardous to the animal's or the public's health, safety and welfare. Outside openings shall be screened to prevent the spread of disease by flies and vermin.

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

D. It is unlawful for any person to maintain poultry or rabbits in such a manner as to trespass upon the premises of any other person, or to cause serious annoyance to persons or to the neighborhood by loud or incessant noises, the emanation of offensive odors, or otherwise create a nuisance.

E. It is unlawful for any person to keep or maintain, or to permit to be kept or maintained, any rooster or bantam rooster within the city limits.

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

Section 6.04.080 Horses, cows and donkeys.

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

B. Such animals shall be kept in an enclosure not less than one acre (43,560 square feet) in area for each such animal maintained, including the space covered by shelter for the animal but not the space occupied by buildings or structures used for other purposes.

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

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

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

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

Section 6.04.090 Pigs, sheep and goats.

A. It is unlawful for any person to keep or maintain, or permit to be kept or maintained, any pig or other swine, or any sheep, or goat or similar such animal, upon any property or premises within the city limits, in violation of this Title, the City's Zoning Code, or other ordinances of the City.

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

C. Enclosures shall be located at least 100 feet distance from any adjoining residence or property line.

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

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

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

Section 6.04.100 Animals at large, inhumane condition.

It is unlawful for any person keeping or otherwise having control of any chicken, rabbit, horse, cow, donkey, pig, sheep, goat or similar such animals, to let such animals run at large, or to tether any such animals to a stake or otherwise create an inhumane condition.

Section 6.04.110 Animals wild by nature.

It is unlawful for any person to keep or maintain, or to permit to be kept or maintained, an animal wild by nature as defined in this title upon any property or premises within the city limits.

Section 6.04.120 Injury, cruelty, neglect or abandonment.

A. It is unlawful for any person to willfully or maliciously torture, destroy or kill, cruelly beat or injure, maim or mutilate any animal, whether wild or tame, and whether belonging to the person or to another; or deprive any such animal of necessary sustenance, shelter or veterinary care to prevent suffering; or who shall cause, procure or permit any such animal to be so tortured, destroyed or killed, or cruelly beaten or injured, maimed or mutilated, or deprived of necessary sustenance, shelter or veterinary care to prevent suffering.

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

C. It shall be unlawful for any person to deposit any live dog, cat or other domesticated animal along any private or public roadway, or in any other private or public place, with the intention of abandoning such animal.

D. Persons found guilty of offenses contained within this section shall be deemed guilty of a Class "A" offense punishable by the provisions set forth in Section 1.20.010 of the City's Code or Ordinances.

Section 6.04.130 Breeding activities or facilities prohibited.

Breeding activities or facilities for domesticated animals are prohibited within the city limits except where otherwise allowable by this Chapter, the City's Zoning Code, or other ordinances of the City.

Section 6.04.140 Prohibited acts by animals.

It is unlawful for the keeper or person in control of any animal to permit such animal to:

1. Scratch, dig into or otherwise damage any flowerbed, garden, lawn, shrubbery or other forms of tended vegetation on public property or the private property of another.

2. Habitually prowl around on any private property belonging to another, to the annoyance of the owner or occupant of the property.

3. Go into any garbage can or other waste receptacle, or turn the same over, or scatter the contents of the same on the ground.

4. Willfully permit animals to copulate within view of persons in public spaces.

Section 6.04.150 Feeding of migratory waterfowl prohibited.

A. It is unlawful for any person to feed, or leave food out for the purpose of feeding, migratory waterfowl within the city limits.

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

Section 6.04.160 Itinerant peddling of animals prohibited.

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

Section 6.08.170 Pet shops.

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

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

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

Section 6.04.180 Penalties and enforcement.

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

Section Two: Title 6 – Animals, Chapter 6.08 – Dogs and Cats, of the Code of Ordinances of the City of Sand Springs, Oklahoma, is hereby amended with sections added, amended or repealed as follows:

Chapter 6.08

DOGS AND CATS

Sections:

- 6.08.010 License required.**
- 6.08.020 Dogs and cats without licenses, forfeiture.**
- 6.08.030 Rabies immunization vaccination.**
- 6.08.040 Rabies procedure.**
- 6.08.050 Diseased dogs or cats not to be at large.**
- 6.08.060 Humane care and treatment for dogs and cats.**
- 6.08.070 Keeping dogs outdoors.**
- 6.08.080 Dogs not to run at large.**
- 6.08.090 Nuisance, Potentially Dangerous and Dangerous dogs.**
- 6.08.100 Numerical limitations.**
- 6.08.110 Kennels.**
- 6.08.120 Pet groomers and spas.**
- 6.08.130 Spaying and neutering required.**
- 6.08.140 Hobbyist Exemption Permit.**
- 6.08.150 Penalties and enforcement.**

Section 6.08.010 License required.

A. It is unlawful for any person to keep or otherwise care for any dog or cat four (4) months of age or older within the city limits unless such person procures a license from the City. The license shall be valid for as long as the dog or cat resides in the city limits.

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

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

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

Section 6.08.020 Dogs and cats without licenses, forfeiture.

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

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

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

Section 6.08.030 Rabies immunization vaccination.

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

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

Section 6.08.040 Rabies procedure.

A. Any dog or cat that inflicts injury to a person by biting that results in the breaking of that person's skin and exposure to the animal's saliva shall immediately be taken into the City's care until a determination can be made if the dog or cat is currently immunized for rabies. If the keeper or person caring for the dog or cat cannot produce valid proof of a current rabies vaccination as

administered by a licensed veterinary professional, the dog or cat shall be securely confined for a period of ten (10) days at the City's Animal Welfare Facility or by a veterinary professional or veterinary clinic licensed by the State of Oklahoma.

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

C. If after the period of confinement the dog or cat is found not to be rabid, nor has any symptoms or indications of rabies, the animal shall be vaccinated for rabies by a veterinarian licensed by the state of Oklahoma, and can then be reclaimed by its keeper or person otherwise caring for it upon payment of any fees and expenses incurred by the City. If such dog or cat is not reclaimed within three (3) days from the date and time confinement ended, the keeper or caregiver shall have their interest in the animal forfeited.

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

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

Section 6.08.050 Diseased dogs or cats not to be at large.

A. It is unlawful for any person to permit any dog or cat kept or cared for by him or her that shall be infected with or suffering from any mange, distemper, canine parvovirus or other disease to run at large in the city limits. Any such diseased dog or cat found running at large shall be deemed a public nuisance and shall be addressed in a manner that is in the best interests of the public's health, safety and welfare.

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

Section 6.08.060 Humane care and treatment for dogs and cats.

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

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

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

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

Section 6.08.070 Keeping Dogs Outdoors.

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

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

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

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

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

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

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

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

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

Section 6.08.080 Dogs not to run at large.

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

Section 6.08.090 Nuisance, Potentially Dangerous and Dangerous Dogs.

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

1. "Nuisance Dog" shall mean any dog that:
 - a. Engages in any behavior that requires a defensive action by any person to prevent bodily injury; or
 - b. When unprovoked, chases or approaches a person, including a person on a bicycle, in an apparent attitude of attack; or
 - c. Is maintained in an enclosure that does not sufficiently protect the public from the threat caused by the dog, considering the safety of the enclosure and the degree of aggressive and threatening behavior evidenced by the dog; or
 - d. Is at large and found to attack, menace, chase, display threatening or aggressive behavior, or otherwise threaten or endanger the safety of any domesticated animal or person; or
 - e. Engages in loud or continuous barking, howling, or other incessant or obnoxious behavior, that demonstrably disturbs the repose of another.
2. "Potentially Dangerous Dog" shall mean any dog that:
 - a.. When unprovoked, inflicts bites on a human on public or private property; or

b. When unprovoked, kills or severely injures a domesticated animal on public or private property.

3. A "Dangerous Dog" shall mean any dog that:

a. Has inflicted severe injury on a human being without provocation on public or private property;

b. Has been previously found to be Potentially Dangerous, the keeper having received notice of such in writing from the Animal Welfare Division and/or Municipal Court of the City, and the dog thereafter aggressively bites, attacks, or endangers the safety of humans; or

c. Has been previously found to be Potentially Dangerous, the keeper having received notice of such in writing by the Animal Welfare Division and/or Municipal Court of the City, and the dog thereafter kills or severely injures a domesticated animal.

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

1. The payment of court costs and fines up to the maximum amount allowed by law;

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

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

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

5. The confiscation and/or destruction of the dog;

6. Other measures as deemed appropriate by the court.

C. Any alleged violation of this section that alleges that the dog is a "Nuisance" shall be a Class C offense. Any alleged violation that alleges that the dog is "Potentially Dangerous" shall be a Class B offense. Any alleged violation that alleges the dog is a "Dangerous" dog shall be a Class A offense. Each separate day of violation shall constitute a separate offense.

Section 6.08.100 Numerical limitations.

No person shall keep or otherwise care for at any residence or business property or premises in the city limits more than a combined total of five (5) dogs and cats over the age of four (4) months; provided that no more than three (3) of such animals shall be dogs over the age of four (4) months unless such premises is operated as a kennel or is otherwise allowable by the provisions of this Title or other ordinances of the City.

Section 6.08.110 Kennels.

A. Any person, firm or corporation operating a kennel in the city limits shall first obtain a Specific Use Permit for such through processes established by the City's Zoning Code. For purposes of this section, a kennel shall be defined as a lot or premises providing temporary boarding for more than five (5) dogs and cats four (4) months of age or older – with more than three (3) of such animals being dogs over the age of four (4) months.

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

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

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

Section 6.08.120 Pet groomers and spas.

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

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

Section 6.08.130 Spaying and Neutering Required.

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

Section 6.08.140 Hobbyist Exemption Permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

F. As applicable, the permit holder shall keep accurate records in accordance with the requirements of his/her associated national registry on each dog or cat kept and on each dog or cat where keepership has been transferred. These records shall be open to the registry with which the hobbyist is affiliated and shall be made available for inspection upon request by any Animal Welfare Officer, police officer or other authorized employee or agent of the City.

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

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

Section 6.04.150 – Penalties.

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

Section Two: If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section Three: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section Four: Pursuant to 11 O.S. §14-108, the City Clerk is authorized to include this ordinance in the official Code of Ordinances for the City of Sand Springs; it being the intent to authorize recodification with the inclusion of this ordinance upon approval.

Section Five: This ordinance, upon passage, shall become effective thirty (30) days from the date of publication as provided by State Law.

(remainder of page left intentionally blank)

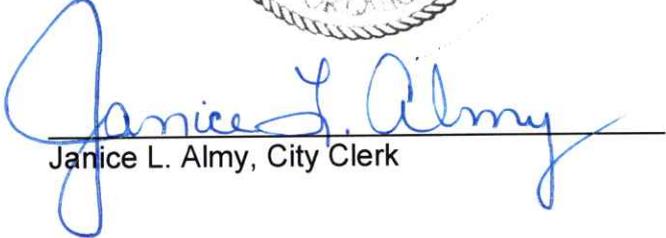
Passed and approved this 28th day of April, 2025, with the emergency clause passed and approved separately.

CITY OF SAND SPRINGS, OKLAHOMA

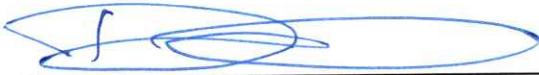



James O. Spoon, Mayor

ATTEST:


Janice L. Almy, City Clerk

APPROVED AS TO FORM:


David Weatherford, City Attorney