

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING AND RENUMBERING SECTIONS 3-102 THROUGH 3-119 OF CHAPTER 3 OF THE CODE, TO CLARIFY DEFINITIONS RELATED TO ADEQUATE SHELTER, THE ANIMAL WELFARE CENTER, FOSTER HOMES, KENNEL CLASSIFICATIONS, AND OWNER, AND ADDING DEFINITION OF SERVICE ANIMAL; AMENDING SECTIONS 3-202 THROUGH 3-222 OF THE CODE RELATED TO THE ADMINISTRATION OF THE ANIMAL WELFARE INCLUDING DUTIES OF THE SUPERVISOR AND MANAGER, FEES, RELEASE OF IMPOUNDED ANIMALS, SALE AND DISPOSITION OF ANIMALS, OWNER RELINQUISHMENT OF DOGS AND CATS, AND PET LICENSES; AMENDING SECTIONS 3-301 THROUGH 3-305 RELATED TO ANIMAL CRUELTY, NUISANCE ANIMALS, AND THE REPORTING OF FOUND ANIMALS; AMENDING AND RENUMBERING SECTIONS 3-402 THROUGH 3-409 OF THE CODE RELATED TO TETHERING, CONFINEMENT, PROHIBITION OF DOGS AND CATS IN CERTAIN AREAS, SALE OF DOGS OR CATS, INTERFERENCE AND PROVISIONS RELATED TO DOG AND CAT WASTE; AMENDING AND RENUMBERING SECTIONS 3-501 THROUGH 3-505 RELATED TO KEEPING ANIMALS OTHER THAN DOGS AND CATS, THE USE OF ANIMALS AT FESTIVALS, CARNIVALS, AND SIMILAR EVENTS, MOVEMENT OF LIVESTOCK AND IMPOSING RESTRICTIONS ON THE NUMBER OF LARGE REPTILES ALLOWED; AMENDING SECTIONS 3-601 THROUGH 3-607 OF THE CODE RELATED TO DANGEROUS ANIMALS PROHIBITED, ANIMAL BITES, CONFINEMENT/IMPOUNDMENT, AND HEARING AND ADJUDICATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

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- § 1. THAT Section 3-102 through 3-119 of Chapter 3 of the Code of Ordinances of the City of Norman shall be amended and added to read as follows:

Sec. 3-102. Adequate shelter.

Structure or area of structural soundness with three sides, a waterproof roof, solid floor, adequate bedding material, positioned to allow for protection from north and west winds, proper ventilation, and which is suitable for the species, age, condition, size and type of animal which is safe and protects each animal from injury, precipitation, direct sunlight, adverse effects of extreme heat or cold, enables the animal to be clean and dry, and has sufficient room for the animal to move about freely and to lie comfortably while allowing the retention of the animal's body heat. Wildlife, livestock, and other non-domesticated animals normally residing outdoors shall be only required to have appropriate shelter from extreme weather through natural or artificial means available to it to protect the animal.

Sec. 3-103. Service Animal.

(1) A dog or miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability including an individual

with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The American With Disabilities Act (ADA) rules state that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are purely for emotional support, are not service animals.

(2) Therapy, comfort, and/or emotional support animals are often a great asset to those they work with. However, they are not service animals, and may not enjoy the same rights privileges and/or access to restricted areas as is allowed under federal or state law, as a service animal.

Sec. 3-104. Altered.

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Sec. 3-105. Animal Welfare Group.

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Sec. 3-106. Animal Welfare Center.

The Animal Welfare Center is a facility designated and operated by the City, including the actual premises where animals are regularly kept, or places where the Animal Welfare Supervisor, Animal Welfare Shelter Manager, or other designee may designate, for the purpose of keeping or impounding stray, neglected, abused or seized animals and provide adequate care before disposal of the animals as outlined in this chapter. The Animal Welfare Center includes a portion of the facility to provide for animal adoptions, education, citizen involvement, and spaying or neutering of animals before adoption from the facility.

Sec. 3-107. At heel.

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Sec. 3-108. At large.

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Sec. 3-109. Dangerous animal.

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Sec. 3-110. Confined on the premises.

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Sec. 3-111. Feral dog or cat.

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Sec. 3-112. Foster home.

Any premises owned by an individual who works under the direction of an approved Animal Welfare Group registered with the City of Norman who will take in stray or unowned dogs and/or cats, or other animals, for the purpose of providing temporary care up to twelve (12) months for each animal. A temporary care extension may be requested for up to an additional six (6) months for an animal, if there is proof of a documented medical condition that requires the extended temporary housing of the animal.

Sec. 3-113. Kennel classifications.

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(3) *Rescue* — Any facility operated by a non-profit Animal Welfare Group where dogs and/or cats, or other animals, are kept and are provided temporary housing for an animal for, up to twelve (12) months and up to an additional six (6) months if there is proof of a documented medical condition that requires the extended temporary housing, and care for the purpose of placing them into a permanent home, except for a designated foster home.

Sec. 3-114. Nuisance.

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Sec. 3-115. Owner.

An owner is any person possessing legal title to any animal or possessing no legal title, is identified by City Pet License or microchip registration, or a person who keeps or harbors the animal in excess of fourteen (14) days without delivering the animal to its proper owner or the Animal Welfare Center, provides food or water regularly for the animal, or provides routine or ongoing non-emergency medical care for the animal.

Sec. 3-116. Unprovoked.

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Sec. 3-117. Chicken coop.

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Sec. 3-118. Chicken run.

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Sec. 3-119. Exotic Wildlife and Native Wildlife.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section:

- (1) *Exotic Wildlife* shall mean any of the following animals:
 - (a) A lion, tiger, leopard, ocelot, cheetah, margay, lynx, jaguar, jaguarundi, or any and all other felines (family Felidae), except the domestic cat (species *Felis domesticus*);
 - (b) A grizzly bear, or any and all other bears (family Ursidae);
 - (c) A wolf, fox, jackal, hyena, or any other canines (family Canidae), except the domestic dog (species *Canis familiaris*);
 - (d) Any and all venomous reptiles (venomous members of the class Reptilia), including without limitation, Gila monster (species *Heloderma suspectum*), beaded lizard (species *Heloderma horridum*), and venomous snakes (venomous members of the suborder Serpentes);
 - (e) Any and all crocodiles, caimans, or alligators (family Crocodilia);
 - (f) Gorillas, orangutans, baboons, macaques, or chimpanzees; or any non-human primate (order Primata) that is not licensed pursuant to the provisions of this chapter; or any non-human primate (order Primata) that test positive for tuberculosis or herpes B;
 - (g) Cassowaries (genus *Casuarius*);
 - (h) Any cross-breed or hybrid which includes any animal defined as *exotic wildlife* in Paragraphs (a) through inclusive, of this section.
- (2) Native Wildlife means any and all species of wildlife that are indigenous to or occur naturally within the state of Oklahoma including but not limited to mountain lion (cougar), bobcat, coyote, red fox, gray fox, black bear, and American alligator.

§ 2. THAT Section 3-202 through 3-222 of Chapter 3 of the Code of Ordinances of the City of Norman shall be amended and added to read as follows:

Sec. 3-202. Duties of Animal Welfare Supervisor and Animal Welfare Shelter Manager

- (1) The Animal Welfare Supervisor shall supervise all Animal Welfare Officers. The Animal Welfare Shelter Manager shall supervise all other division employees, and is responsible for the administration and maintenance of the Animal Welfare Center.
- (2) The Animal Welfare Supervisor, his officers, and other persons designated by the City Manager, shall pick up all animals in violation of the provisions of this chapter; or

- (a) Any animal that is or will be without proper care because of injury, illness, incarceration or other excusable, involuntary absence of the person responsible for the care of such animal, and shall impound them at the Animal Welfare Center; or
- (b) May within the City, search out and destroy with firearms or other methods any dangerous animal when causing an immediate threat to a human or another animal after a reasonable attempt is unable to be captured.

(3) The Animal Welfare Shelter Manager shall cause all animals, which are located within the city limits of Norman, and are brought to the Norman Animal Welfare Center after being lawfully picked up or seized by an animal welfare officer and delivered to the Animal Welfare Center or any stray animal delivered to the Animal Welfare Center by a citizen to be impounded and shall provide suitable and necessary sustenance for all animals while impounded in the shelter.

(4) The Animal Welfare Shelter Manager shall not release an impounded animal to its owner until all impoundment fees and room and board charges are paid in full. The Animal Welfare Shelter Manager, or designated employees, shall have the discretion and authority to waive or suspend part or all of the fees based on documentable, reasonable and necessary needs to allow an animal to be returned to its owner.

(5) The Animal Welfare Shelter Manager shall regularly transfer all proceeds from sales, fees, charges, and deposits to the City Controller.

(6) Nothing in this section shall prevent the Animal Welfare Supervisor or his/her designee from seizing and/or forfeiting an impounded animal pursuant to any other provision of the City ordinance or state law.

Sec. 3-203. Fees, charges, and deposits.

Fees, charges and/or deposits may be charged for each animal claimed by an owner and/or adopted from the City that are lawfully impounded by the Animal Welfare Officers for the following services:

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(5) Veterinarian fees as determined by shelter staff in accordance with common local costs.

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Sec. 3-205. Sale and disposition of animals not retrieved by owners.

(1) Except as hereinafter provided, any animal which is impounded by the City pursuant to the provisions of this chapter, shall be sold, destroyed or otherwise disposed of after three (3) full days from the time of its impoundment at the Animal Welfare

Center; provided, however, in the event an animal is taken into the custody of the Animal Welfare Center and the animal has been injured or otherwise disabled as would ordinarily require the animal's destruction or treatment by a veterinarian, the Animal Welfare Supervisor, Animal Welfare Shelter Manager, Shelter Veterinarian, or other authorized division staff, may order its destruction if the ownership of such animal cannot be determined within a reasonable period of time. Should such ownership be determined, the injured or disabled animal shall be promptly delivered over to such owner. For the purposes of this section, the three (3) day time period shall begin at 8:00 A.M the day following the animal's intake into the facility. Calculation of the three total days shall not include Sundays, holidays, or other days the shelter is not open to the public. Impounded kittens and puppies which enter the shelter in groups of three (3) or more, and are under four months of age without a known owner or mother may, at the discretion of the shelter staff, be exempted from any required hold times prior to their release. The age of four months shall be determined by the eruption of the animal's adult teeth.

(2) Animals held at the Animal Welfare Center due to legal seizure, arrest, medical situation, protective custody seizures, or other legal means involving law enforcement requests shall be returned to the owner(s) or legal representative as soon as possible. Upon verification that the animal's owner has been notified of its impoundment, the three day holding time referenced in the above section shall apply as if the animal were impounded for other reasons.

(3) An animal's impoundment period will be increased by forty-eight (48) hours should that impounded animal display a tag, microchip or markings indicating that:

- (a) The owner of such animal is a City resident; or
- (b) Such animal displays a tag which indicates it is vaccinated against rabies.

(4) Should it be determined that the owner of an impounded animal is experiencing a situation that prohibits him or her from reclaiming or arranging for the release of the animal in a timely and reasonable manner, the Animal Welfare Shelter Manager or Animal Welfare Supervisor may seek order from a judge of competent jurisdiction for the release of the animal into the care and custody of the Animal Welfare Center in order that the highest level of long-term care and safety of the animal may be provided for.

(5) Notwithstanding any provisions of this chapter, no animal suspected of being rabid or otherwise diseased shall be destroyed until such destruction is recommended by the Animal Welfare Supervisor or the Animal Welfare Shelter Manager.

(6) The manner and method of disposal or destruction of an impounded animal shall be directed by the Animal Welfare Supervisor or the Animal Welfare Shelter Manager; and such disposal may include but is not limited to adoptions, euthanasia, or transfer to another animal welfare groups, an animal rescue group or other animal welfare facility. For domestic animals other than dogs and cats, sale by auction may be utilized as

outlined in state law. No live animals shall be released or sold to any facility for educational, scientific and/or medical research.

(7) Adoption or sale may be refused to anyone the Animal Welfare Supervisor, Animal Welfare Shelter Manager, or their designated staff members determines meets one (1) or more of the following:

- (a) Has a record of cruelty to animals;
- (b) Is under eighteen (18) years of age;
- (c) Has committed acts of harassment to animals;
- (d) Owns other animals which are in violation of any requirement of this chapter;
- (e) Refuses to comply with adoption requirement;
- (f) Has released two (2) or more animals to the Animal Welfare Center in the preceding twelve (12) months;
- (g) Lacks adequate housing and/or fencing to contain the animals(s); or
- (h) Has a conviction in Municipal Court for any violation of this chapter.

(8) Animals in custody of Norman Animal Welfare, or partnering organizations as part of a Trap Neuter Return (TNR) program or a return to field program may be returned to their original location in accordance with common program standards. Further, cats trapped from identified feral colonies and placed in the custody of the Animal Welfare Center who have no identifiable owner may, after necessary holding times, alterations, examinations, and vaccinations be returned to their original location at the shelter staff's discretion. Notification of residents shall be required when a cat is re-released on their street.

Sec. 3-206. Owner relinquishment of dogs and cats.

(1) The Animal Welfare Center shall accept any dog or cat, from within the city limits of Norman, the owner desires to release to the Center. The owner shall sign a release form vesting all rights and title to the dog or cat to the Animal Welfare Center. All dogs or cats relinquished will be screened for placement into the adoption program, or for transfer to another animal welfare rescue, animal welfare group, or animal welfare facility. If the dog or cat is not acceptable for placement into the adoption program or determined not to be transferable for any reason, including but not limited to disease, injury, or illness, then the dog or cat may be euthanized.

The acceptance of relinquished animals by the Animal Welfare Center may be limited to specific days and times as necessary for the efficient operation of the facility so long as the animal's situation is screened to ensure any unsafe situations may be resolved immediately. Prior to transfer of the animal, owners of relinquished dogs and cats shall complete all necessary releases, questionnaires, or surveys deemed necessary by the facility to assist in the necessary screening process. Any limitations or updated made to

the process of accepting surrenders shall be publicly advertised and made available in advance of the changes.

(2) If space is not available at the Animal Welfare Center, the owner may be asked to return on a later date for a scheduled relinquishment. If the owner agrees, a scheduled relinquishment date will be provided for the owner to return and relinquish the dog or cat. If the owner is not agreeable to scheduling a date for relinquishment, then a dog or cat may be euthanized. The owner may also be informed of other area animal welfare groups and/or animal welfare rescues where they may seek placement of their dog or cat.

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Sec. 3-211. Pet license required.

(1) Every person within the City owning, possessing, controlling, harboring, or keeping any dog or cat over six (6) months of age shall procure a pet license tag for each dog or cat from the Animal Welfare Center or authorized agent, as long as ownership of the dog or cat continues, or within thirty (30) days after acquiring or bringing into the city any dog or cat over the age of six (6) months, and shall continue to procure such tags as required herein, so long as ownership of the dog or cat continues.

(a) Service animals shall not be charged a pet license fee.

(b) Senior citizens (55 years of age and above), active duty military, and military veterans shall receive a fifty (50) percent discount on pet license fee.

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Sec. 3-217. Owner must attach license.

The said licensing authority shall keep a record of the name of such owner or person making payment of said license fee and to whom a certificate and tag shall have been issued, and the number and date of such certificate and such tag. Such metal tag shall be securely fixed to a collar, harness or other device to be worn at all times by the registered dog and cat. Cats and dogs are exempt from wearing a tag as long as the animal is in compliance with 3-405 and is microchipped with current information.

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Sec. 3-222. Authority to euthanize.

The Animal Welfare Center shall have the authority to carry out the humane euthanasia of any animal lawfully taken into custody by the Animal Welfare Center which is:

(1) Affected with any dangerous, painful, incurable or communicable disease; or

(2) Incurably crippled or suffering incurably after reasonable effort has been made to notify the owner; or

(3) Deemed to have dangerous or aggressive behavior.

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§ 3. THAT Section 3-301 through 3-305 of Chapter 3 of the Code of Ordinances of the City of Norman shall be amended and added to read as follows:

Sec. 3-301. Cruelty to animals.

(1) No person shall willfully or maliciously:

(a) Torture, cruelly beat, injure, maim, mutilate, or unjustly destroy or kill any animal;

* * *

(i) No person shall fail to provide or deprive, any animal in their possession, care or control, reasonable medical or necessary veterinary care if the animal is sick, diseased, and/or injured; -

* * *

(j) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be dyed, colored, or otherwise similarly altered for the purposes as a promotional item, prize, or giveaway. This prohibition shall in no way limit the actions of a commercial or private groomer, medical care provider, or owner preparing an animal for a commonly recognized and accepted competition or show event as long as the action is performed in a safe and humane way that does not result in discomfort or injury to the animal;

(k) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be provided to another person as a promotional item, or prize to be given away at any event, festival, carnival, or parade.

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Sec. 3-303. Animals that are nuisances.

(1) No person shall own, keep, possess, or harbor any animal that is a nuisance unless the animal is confined at the residence of the owner as described in Section 3-110 or if off the premises outside the residence of the owner the animal is at heel as described in Section 3-107.

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- (b) If there are three (3) convictions, pleas of guilty or nolo contendere of violations of Section 3-303(1) or 3-403 of this chapter against the same animal within a twelve-month period, then such animal shall be ordered removed from the City limits or destroyed, at the owner's option, within ten (10) days of the order.

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Sec. 3-305. Reporting Found Animals.

Any person who takes possession of, keeps or harbors an animal that reasonably appears to be at large or stray shall make notification to the animal shelter within 72 hours. Such notification shall include a complete and accurate description of the animal, when and where it was located, where it is being housed, and contact information for the reporting person. The person reporting the animal shall additionally ensure the animal is scanned for a microchip or inspected for identifying markings by an animal shelter, medical provider, or rescue.

- § 4. THAT Section 3-402 through 3-409 of Chapter 3 of the Code of Ordinances of the City of Norman shall be amended and added to read as follows:

Sec. 3-402. Tethering.

(1) It shall be unlawful for the owner of any dog or cat to keep or maintain the animal on a tie-out, tether, picket, or similar device consisting of a rope, cable, or other type of tether for any duration unless continually supervised by its owner or other adult responsible for the animal at the time. Exemptions to this section may be granted by any Animal Welfare Officer or Commissioned Police Officer.

(2) Any person who receives an exemption shall ensure that the animal will not be on the tie-out, tether, picket, or similar device for any duration under conditions which may reasonably threaten the health or well-being of the animal. The owner of a dog or cat maintained on a tether of any type shall properly fit the animal with a harness or collar to which the tether shall be attached. The tether shall be of adequate length to allow reasonable exercise, access to water, shelter, and shall not be subject to entanglement with other objects in any manner that may cause the animal any injury or clear discomfort or be of a weight disproportionate to the size of the animal so tethered as to unduly burden the animal. Tethering dogs or cats using chains or prong collars is prohibited. Tethering of an unsupervised dog or cat is prohibited when the outside air temperature is not between 35 and 85 degrees Fahrenheit.

Sec. 3-403. Confinement of dogs and cats.

(1) No person shall knowingly or unknowingly permit his dog to be at large anywhere within the Norman City limits; and such dogs found at large may be impounded and/or the owner cited by the City.

(2) No person shall knowingly or unknowingly permit his cat to be at large unless the cat is altered, current on its vaccinations as required in this chapter, has a valid issued pet license, and has either a collar with a valid City pet license attached or has a registered microchip containing accurate and current information for the owner, notwithstanding that the cat could still be determined to be a nuisance animal by its actions as defined in Section 3-113 and Section 3-409.

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Sec. 3-404. Prohibition of dogs and cats in certain areas.

Regulations pertaining to the prohibition and exceptions of live animals on the premises of a food establishment as established in Oklahoma Administrative Code, 310:257-11-54 (Prohibiting Animals) shall be enforceable as if listed entirely in this section.

Sec. 3-405. Vaccination of dogs and cats.

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Sec. 3-406. Number of dogs and/or cats allowed.

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Sec. 3-407. Sale of dogs or cats.

(1) It shall be unlawful for any person to offer any animal for sale, or to trade, exchange, barter or give away or to accept any animal on any property not owned or rented by the seller or buyer or on any public curbsides, roadsides, alleyways, streets, parks, or parking lots unless specifically permitted by the City of Norman to do so.

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Sec. 3-408. Interference with enforcement.

No person shall interfere with, hinder, or molest an Animal Welfare Officer or other employee of the Animal Welfare Center in the performance of any duty of such agent, or seek to release any dog or cat in the custody of the Animal Welfare Officer or Animal Welfare Center except as herein provided.

Sec. 3-409. Permitting dogs or cats to deposit solid waste material on places open to the public or on certain private property prohibited.

It shall be unlawful for the owner, keeper, or person having control of any dog or cat to permit such dog or cat to defecate upon any sidewalk, public park, street, alley, or other place open to the public, or on private property without the permission of the owner thereof. In the event that the owner, keeper, or person having control of any animal is unable to prevent the deposit of fecal material in violation of this section, it shall be the duty of such person to properly collect and dispose of such waste material within a reasonable time and before leaving the immediate area.

- § 5. THAT Section 3-501 through 3-505 of Chapter 3 of the Code of Ordinances of the City of Norman shall be amended and added to read as follows:

Sec. 3-501. Keeping of animals other than dogs and cats.

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(2) Except as provided otherwise, chickens or laying hens may be kept and maintained in the R-1 zoning district so long as:

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(c) Chickens or laying hens may only be kept under the following conditions:

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13. Chickens are permitted to be outside of a run or coop during daylight hours but must be supervised and contained inside a fenced yard at all times; chickens that stray outside the fenced yard may be regarded as nuisance animals under Section 3-114 of this chapter;

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(5) Except as otherwise provided, no person shall keep and maintain, or allow to be maintained any exotic or native wildlife or dangerous or venomous reptiles.

(6) Persons excepted from subsection (5) shall be:

- (a) Duly authorized educational institutions;
- (b) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;
- (c) Zoological gardens;
- (d) Zoos which are supervised and publicly maintained;

- (e) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the federal regulations;
- (f) Required to ensure the animal is properly secured during any transport, remains detained, or prohibited from unsafe access to others;
- (g) Be required to provide proof of required licensing and liability insurance to any city officer for keeping and displaying the animal.

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Sec. 3-503. Use of animals at festivals, carnivals, and other similar events.

(1) It shall be unlawful to allow for the use of any camel, pony, llama, elephant, zebra, giraffe, or exotic animals defined in Section 3-119 at any event, festival, carnival, or other function held on public or city-owned property for the purpose of a ride, attraction, entertainment, or other similar activity;

(2) Official mascots or representative of a local school, college, university or other educational institution shall be exempt from this section as long as the animal(s) are being properly cared for and are not exotic in nature as defined within this chapter;

(3) Ponies appearing in a parade shall be allowed on private or public property;

(4) Any use of any camel, pony, llama, elephant, zebra, giraffe, at any event, festival, carnival, or other function held on privately owned property for the purpose of a ride, attraction, entertainment, or other similar activity shall only be allowed upon the receipt and acceptance of a permit for such activity;

(5) The issuance acceptance of a permit for such activity shall require agreement from the person(s) responsible for the property and the event to the inspection of the permitted location, any involved animals, and any areas or location where the involved animals are housed or transported. Such inspections may be carried out at the sole determination of the city and may take place during, before and/or after the event. The focus of the inspection shall be limited to ensuring the proper care and wellbeing of the involved animal(s). Should the inspecting officer determine any animal's health may be in danger, appropriate criminal charges should be issued to the responsible person and the permit may be immediately revoked.

Sec. 3-504. Movement of livestock.

No person shall allow any livestock to be at large, picketed, staked, herded, or driven upon any of the alleys, streets, or public ground within the City.

Sec. 3-505. Number of large reptiles allowed.

No person shall knowingly and intentionally harbor, possess or keep large reptiles, such as snakes, lizards, or tortoises that are capable of exceeding forty (40) pounds at an adult age on any lot, premises or in any structure, without first completing registration with the Animal Welfare Manager and/or Animal Welfare Supervisor so that a confidential list of locations may be recorded for public safety needs. Contents of this list shall not be available for public review or release without court order. For the purpose of this section, these reptiles may include but are not limited to the Burmese Python, African Rock Python, Reticulated Python, Green Anaconda, Yellow Anaconda, Komodo Dragon African Spurred-Thigh Tortoise.

Animals naturally gathering or living in an outdoor setting area where the animals are not kept for commercial uses shall not be counted towards the limits set within this section. Nothing within this section shall allow for animals prohibited within Section 3-501.

- § 6. THAT Sections 3-601 through 3-607 of Chapter 3 of the Code of Ordinances of the City of Norman shall be amended and added to read as follows:

Sec. 3-601. Dangerous animals prohibited.

It shall be unlawful for any person to own, harbor, possess or keep within City limits any dangerous animal as defined in Section 3-109 except in compliance with the provisions of this section.

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Sec. 3-603. Animal bite.

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(2) It shall be unlawful for the owner, harborer, possessor, or keeper of an animal to negligently allow or maintain the animal to bite, attack or kill another animal unless the animal has been subjected to provocation or attack by another animal, as defined in Section 3-108.

(3) It shall be unlawful for the owner, harborer, possessor, or keeper of an animal which has the potential to transmit rabies, or for the victim, if the victim is reasonably physically able, to fail to report an animal bite to the Animal Welfare Center or 911 as soon as possible. Common animals that may carry rabies include dogs, cats, bats, raccoons, ferrets, cattle, fox, wolf, coyote, monkey, and skunks.

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Sec. 3-605. Confinement/impoundment.

An animal that is impounded at the time of an incident or after an investigation that resulted in the owner being charged with harboring or possessing a dangerous animal shall be confined pending the disposition of the animal. Such confinement shall be at the owner's expenses. Provided, however, the animal may be confined in a licensed veterinary clinic, other licensed facility, or confined at the home of the owner in accordance with Section 3-110, at the discretion of the Animal Welfare Supervisor or his/her designee.

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Sec. 3-607. Hearing and adjudication.

(1) If, after a citation is issued alleging an animal as a dangerous animal as set forth in Section 3-109 of this chapter, the owner does not appear at the hearing, the animal shall be deemed abandoned and subject to disposition as set forth in Section 3-205. The hearing shall be set within ten (10) days of issuance of a citation.

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§ 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

§ 8. Effective date. The effective date of the Ordinance shall be September 1, 2019.

ADOPTED this _____ day
of _____, 2019.

NOT ADOPTED this _____ day
of _____, 2019.

Lynne Miller, Mayor

Lynne Miller, Mayor

ATTEST:

Brenda Hall, City Clerk