

**ORDINANCE NO. 1439**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUKON, OKLAHOMA AMENDING MUNICIPAL CODE CHAPTER 14, ARTICLE II, DOGS AND CATS, SECTION 14-38 ADOPTION OF ANIMALS FROM SHELTER; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Chapter 14, Article II, Dogs and Cats, Section 14-38 of the Yukon Code of Ordinances addresses procedures for adoption of animals from the City Animal Shelter; and

**WHEREAS**, Clarification of procedures is needed to update this section.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF YUKON, OKLAHOMA THAT Chapter 14, Article II, Dog and Cats, Section 14-38 OF THE YUKON MUNICIPAL CODE SHALL BE AMENDED TO READ AS FOLLOWS:**

*Sec. 14-38. - Adoption of animals from shelter.*

- (a) *Spaying or neutering as condition for release. No animal may be released for adoption from the animal shelter unless such animal has been surgically spayed or neutered; or unless the adopting party signs an agreement to have the animal sterilized, and deposits funds with the animal shelter to ensure that the adopted animal will be spayed or neutered. The deposit shall be an amount determined by resolution of the city council. The city manager or his designee may waive the deposit requirement for any bona fide animal club, organization or humane society. Any bona fide animal club or organization may register with the animal shelter and may request notification of the pending destruction of any animal of a particular breed or type. Once the animal club or organization's application has been approved, the animal shelter shall attempt to notify the organization not less than 24 hours before the animal is scheduled to be destroyed. The animal club or organization shall be permitted to adopt the animal at no charge, and without depositing funds as required by this section. Nothing in this section shall be considered to create or give the animal club a property interest in the animal until such time as the animal is adopted, and the city shall not be liable for any failure to notify the animal club.*
- (b) *Refund of deposit upon proof of spaying or neutering. Of the funds deposited with the animal shelter, an amount determined by resolution of the city council shall be refunded to the veterinarian or adopting party upon the adopting party's presentation of a written statement signed by a licensed veterinarian that the adopted animal has been spayed or neutered. However, no refunds shall be made unless such animal was spayed or neutered within 60 days of adoption, or, in case of infant animals, within 30 days of the date a female animal attained the age of six months, or a male animal attained the age of eight months.*

- (c) *Rules; sterilization agreement. The adopting party shall execute a sterilization agreement provided by the animal shelter which has been approved by the city council.*
- (d) *Extension of time to spay or neuter. Upon presentation of a written report from a licensed veterinarian stating that the life or health of an adopted animal may be jeopardized by surgery, the animal shelter shall grant an extension of the period within which the spay or neuter surgery would otherwise be required. Further extensions may be granted upon additional veterinary reports stating their necessity.*
- (e) *Disposition of forfeited funds; record of accounts. Funds which have been forfeited by adopting parties shall be placed in a separate account, which shall be an interest-bearing account whenever feasible, and the funds shall be allocated to programs which directly promote, subsidize or otherwise reduce the cost of spaying or neutering animals of the animal shelter. The city shall maintain accurate records of accounts which fund spay/neuter programs.*
- (f) *Compliance with Dog and Cat Sterilization Act. All provisions of the Dog and Cat Sterilization Act (4 O.S. § 499 et seq.) shall be complied with by the city animal shelter.*

IT BEING IMMEDIATELY NECESSARY FOR THE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY OF THE CITY YUKON, OKLAHOMA, AND THE INHABITANTS THEREOF, AN EMERGENCY IS HEREBY DECLARED TO EXIST. BY REASON WHEREOF IT IS NECESSARY THAT THIS ORDINANCE SHALL GO INTO FULL EFFECT AND BE OF FORCE IMMEDIATELY UPON ITS PASSAGE AND PUBLICATION.

**PASSED AND APPROVED** at the regular meeting of the City Council of the City of Yukon, Oklahoma and duly signed by the Mayor this 1<sup>ST</sup> day of August, 2023.

Shelli Selby  
MAYOR

ATTEST:

D.A. Sl.  
CITY CLERK



APPROVED AS TO LEGAL FORM THIS 1<sup>st</sup> DAY OF Aug., 2023.

Reger Lueh  
CITY ATTORNEY