

ORDINANCE NO. 3491

AN ORDINANCE AMENDING CHAPTER 7 OF THE EDMOND MUNICIPAL CODE, ANIMALS; BY AMENDING SECTION 7.09.120 KEEPING OF ANIMALS, ADDING NEW SECTION 7.12.090 USE OF TIE-OUTS AND CHAINING LIMITED; AMENDING SECTION 7.16.040 FEES; IMPOUNDMENT; AMENDING SECTION 7.16.050 REDEMPTION BY OWNER; AMENDING SECTION 7.16.060 DISPOSITION OF IMPOUNDED ANIMALS; ADDING NEW SECTION 7.20.015 ANIMALS IN MOTOR VEHICLES; AMENDING SECTION 7.28.010 QUARANTINE OF ANIMALS/PROCEDURES; PROVIDING FOR CHANGES IN OWNER RESPONSIBILITIES, ANIMAL SHELTER MAINTENANCE AND FEES; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

SECTION 1. Section 7.09.120 of the Edmond Municipal Code is amended to read as follows:

7.09.120 Keeping of Animals, Treatment,
Outdoor Shelter.

Natural or artificial shelters appropriate to the local climatic conditions for the particular species of animal or fowl shall be provided for all animals or fowl kept outdoors. A suitable method of drainage shall be provided to rapidly eliminate excess water.

(1) Owners and keepers of dogs, cats, and other small animals shall provide food, shelter and medical attention to such animals, including, but not limited to, the following:

- i. Sufficient, wholesome food that is nutritious for the species;
- ii. Fresh, potable drinking water;
- iii. Medical attention to relieve such animal(s) from suffering;
- iv. Adequate shade shall be present or provided, other than the animal's shelter, that protects the animal from the heat of the sun; and
- v. Shelter which allows the animal to remain dry and protected from the elements. Such shelter shall be fully enclosed on three

sides, roofed, and have a solid floor. The entrance to the shelter shall be large enough to allow the animal's entry and exit, and fashioned to block entry of wind or rain. The shelter shall be of a size sufficient to retain the animal's body heat yet large enough to allow the animal to stand and turn comfortably. The enclosure shall be structurally sound and in good repair. The shelter provisions will apply in situations where animals are left outdoors longer than two (2) hours per day.

SECTION 2. Chapter 7 of the Edmond Municipal Code is amended by adding new Section 7.12.090 to read as follows:

7.12.090 Use of tie-outs and chaining limited.

- (a) It shall be unlawful for the owner of any dog to keep or maintain the dog on a tie-out consisting of a rope, chain, cable, or other type of tether for any duration under conditions which may reasonably threaten the health or well-being of the animal. Dogs may not be tethered unsupervised between the hours of 11:00 p.m. and 6:00 a.m.
- (b) The owner of a dog maintained on a tether of any type shall properly fit the dog with a harness or buckle-type collar to which the tether shall be attached. The tether shall be of adequate length to allow reasonable exercise and access to water and shelter at all times, and shall not be subject to entanglement with other objects in any manner to cause the dog any injury or discomfort or be of a weight disproportionate to the size of the animal so tethered as to unduly burden the animal. Tethering dogs to choke-chains or prong collars is prohibited.

SECTION 3. Section 7.16.040 of the Edmond Municipal Code is amended to read as follows:

Section 7.16.040 Fees; Impoundment.

The fees for impounding and maintaining an animal which shall be paid upon redemption shall be as follows:

- (a) For any horse, mule, donkey, pony, cow or similar large animal:

Impound fee.....\$50.00
Daily maintenance.....\$25.00

(b) For any dog or cat:
Impound fee.....

i. Sterilized dogs & cats with current
identification - \$5.00
ii. Sterilized dogs & cats without current
identification - \$25.00
iii. Unsterilized dogs & cats with current
identification - \$35.00
iv. Unsterilized dogs & cats without current
identification - \$50.00
v. Daily maintenance.....\$10.00

If evidence of spaying is not apparent, owners must
provide veterinary proof.

"Current identification" means ID and/or vaccination
tags with current and valid owner contact information
or microchip with current and valid owner contact
information.

(c) For any hog, sheep, goat or other animal of
similar size:

Impound fee.....\$25.00
Daily maintenance.....\$10.00

(d) For any fowl or similar animal:

Impound fee.....\$2.00
Daily maintenance.....\$1.00

In computing the fee, a fraction of a day during which
an animal has been fed shall be deemed a full day.

SECTION 4. Section 7.16.050 of the Edmond Municipal Code is
amended to read as follows:

Section 7.16.050 Redemption by Owner. Any domesticated
dog or cat impounded for any reason may be redeemed at
any time by the lawful owner within ninety-six (96)
hours thereafter (excluding holidays that the Animal
Shelter remains closed) by payment of impound and
boarding fees, and, where applicable any additional
expenses which were required to treat the animal for
critical medical purposes. In cases of impounded

animals that are licensed, tagged or otherwise identifiable, a minimum of three (3) documented attempts will be made to personally notify the owner. Owners requesting to redeem animals after ninety-six (96) hours and have become the property of the City of Edmond, must pay the applicable impound and boarding fees as well as reimbursement of the exact costs of any additional expenses such as vaccinations, sterilization costs and any other services performed on the animal while in the custody of Edmond Animal Services.

SECTION 5. Section 7.16.060 of the Edmond Municipal Code is amended to read as follows:

Section 7.16.060 Disposition of Impounded Animals.

If after ninety-six (96) hours an impounded animal remains unclaimed, it will become the property of the City of Edmond. At that time, at the discretion of the Animal Services Supervisor, the animal will be made available for adoption, auction, destruction or other suitable disposition. Unless an emergency is deemed to exist requiring the destruction or transfer to another entity of any animal, any such auction, sale, destruction or other disposition shall not be before ninety-six (96) hours after the time of impound for dogs, cats, fowl or other similarly-sized animals, and not before one hundred and sixty eight (168) hours after the time of impound for livestock.

Sales/adoptions of any animal to any person deemed to be a responsible or suitable adopter shall be in the amount of Twenty-Five Dollars (\$25.00). The Animal Services Supervisor has the discretion to reduce adoption fees in special circumstances.

Notwithstanding anything to the contrary herein, any impounded livestock animal shall be kept for one hundred and sixty eight (168) hours prior to sale, ~~or~~ euthanasia or other suitable disposition.

The value of any livestock animal at any sale provided for herein, shall be established by the total of impound fees, daily maintenance fees, vaccinations, sterilization fees and any other expenditures made by Edmond Animal Services while maintaining the animal, based upon the exact costs of those services.

In the event that more than one suitable potential adopter is interested in any particular animal at the

same time, the parties will be afforded the chance to place bids beginning at \$25.00 and the highest bidder will be awarded the animal.

SECTION 6. Chapter 7 of the Edmond Municipal Code is amended by adding new Section 7.20.015 to read as follows:

7.20.015 Animals in Motor Vehicles.

- (a) Any animal being transported or kept in the open bed of a vehicle shall be restrained by one or more tethers fixed to the vehicle and attached to a collar or harness being worn by the animal in a manner that will prevent the animal from falling, being thrown, and/or jumping from the vehicle. The animal may also be safely enclosed within the cab of the vehicle or within a container or cage secured in the bed of the vehicle.
- (b) It shall be unlawful for any vehicle owner or operator to transport, place, or confine an animal or allow it to be placed or confined in the enclosed trunk of a vehicle.
- (c) It shall be unlawful for a vehicle owner or operator to place or confine an animal, or allow it to be placed or confined, or to remain in a vehicle without sufficient ventilation or under conditions that may reasonably be expected to endanger the health or well-being of such animal due to temperature, lack of water, or other circumstances that may reasonably be expected to cause suffering, disability, or death of the animal.
- (d) Officers finding an animal under the conditions referenced above may rescue such animal from the vehicle following the policy established by Animal Services.

SECTION 7. Section 7.28.010 of the Edmond Municipal Code is amended to read as follows:

7.28.010 Quarantine of Animals/Procedures.

1. Any person owning, harboring, or keeping an animal which in the preceding ten (10) days

has bitten any person, shall upon receipt of written notice, place such animal in confinement under the supervision of a licensed veterinarian for a period of ten (10) days from the date the person was bitten. Confinement in the owner's residence or confinement at the Animal Shelter may be conducted under the following:

- i. Biting animal must be currently vaccinated against rabies and all established home-quarantine requirements must be met for the quarantine to be conducted at the owner's residence.

In special circumstances the Chief of Police, or his specifically designated representative, may require the immediate euthanasia of a specified animal and perform tests for diagnosis of rabies. "Special circumstances" shall be defined as those situations involving severe bites by unimmunized animals. In this context, "severe" is defined by the U.S. Public Health Service Advisory Committee on Immunization Practices as "bites upon the head, face, neck, or upper extremities; or deep lacerations; or multiple bite wounds."

It shall be the duty of the veterinarian in whose supervision the animal is placed to keep the animal isolated in a separate pen or kennel and under observation for any symptoms of rabies. The veterinarian shall report immediately to the County Health Officer or the County Superintendent of Health any changes occurring in the condition of the animal. In the event the animal dies or develops rabies-like symptoms within the specified period of confinement, the animal's head shall be removed immediately and packed in a shipping container in accordance with instructions published by the State Commissioner of Health and sent to the State Department of Health Laboratory, Oklahoma City, for examination.

3. Payment of any fees incurred and cost of boarding the animal shall be the responsibility of the person owning, keeping, or harboring the animal.
4. It shall be the duty of the Chief of Police to enforce these regulations, and in instances where responsibility for the suspect animal cannot be

determined or established he shall make arrangements for the isolation and observation of the animal.

5. 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 either by the veterinarian in charge or by the local rabies control officer or his agent; or such non-immunized, rabies-exposed dog or cat shall be strictly quarantined and observed for a period of six (6) months by a veterinarian control officer or his agent, and such animal shall be immunized against rabies at least thirty (30) days prior to release. Expenses of quarantine and immunization shall be borne by the owner or other person responsible for the animal.
6. Any domestic animal other than a dog or cat which is not immunized against rabies and is exposed to a rabid animal shall be immediately reported to the Rabies Control Division of the State Department of Health for consultation concerning the disposition of the animal.
7. Any unimmunized domestic animal which is bitten by a wild skunk, bat, or carnivore where the biting animal has escaped and/or is not available for laboratory, shall be considered exposed to rabies and shall be dealt with according to parts 5 and 6 above.
8. Any effectively immunized domestic animal which is exposed to a rabid animal shall be immediately re-immunized and restrained for a period of at least ninety (90) days.
9. It is prohibited to sell live virus rabies vaccine licensed for use in animals to anyone other than a licensed veterinarian in the State of Oklahoma. Veterinarians shall be required to keep a record of the type and/or brand name of the rabies vaccine administered to each animal. These records shall be maintained for a period consistent with the need which is interpreted by the Commissioner of health to be three years.

When inactivated (killed virus) vaccines are sold to individuals who are not licensed veterinarians,

the seller must keep a record for three years which includes: the name, address, and telephone number (if any) of the purchaser; the brand name, lot serial number, and expiration date of the vaccine sold; and the total amount of vaccine sold. The individual who administers rabies vaccine must keep a record for three years which includes: name and address of the owner of the animal, date of vaccination, brand name of vaccine used, lot serial number of vaccine used, person or firm from whom purchased, their address and date of purchase; expiration date of vaccine used; and the name, address, and telephone number (if any) of the individual administering the vaccine.

SECTION 8. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 9. SEVERABILITY. If any section, sub-section, 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 portion of this Ordinance.

PASSED AND APPROVED the 22nd day of June, 2015.

MAYOR

Attest:

City Clerk

APPROVED as to form and legality this the 22nd day of June, 2015.

CITY ATTORNEY