

## ORDINANCE NO. 16-12

AN ORDINANCE AMENDING SECTION 5-5-508, ARTICLE 5-5, CHAPTER 5, LAWTON CITY CODE, 2015, RELATING TO USE OF REVENUES COLLECTED FROM ANIMAL RELATED FEES AND CITATIONS, AUTHORIZING (1) A FEE FOR ADMINISTRATIVE PROCESSING OF ANIMALS; (2) USE OF THE REVENUES COLLECTED FOR THE COSTS OF ADMINISTRATION AND ADOPTIONS ALONG WITH LICENSES TO BE USED SOLELY FOR IMPROVEMENTS TO THE ANIMAL SHELTER /FACILITIES AND ACTIVITIES OF THE ANIMAL WELFARE DIVISION; AND (3) USE OF OTHER ANIMAL RELATED FEES FOR REFUNDS UPON THE RETURN OF ADOPTED ANIMALS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

***NOW, THEREFORE, BE IT ORDAINED*** by the Council of the City of Lawton, Oklahoma, that:

Section 1. Section 5-5-508 is hereby amended to read as follows:

### **Article 5-5 – LICENSING OF DOGS AND CATS**

#### **Section:**

#### **5-5-508 – Use of revenues collected from fees and animal related citations.**

- A. The revenues collected for the licensing of dogs and cats, administrative costs and adoptions shall be specifically expended for the physical improvements to the facilities of the city's animal welfare division, for the cost of administration and enforcement of this chapter, and costs associated with public education programs and activities (Fund 42), ~~and refunds to adopting parties upon return of an adopted animal.~~
- B. The revenues collected as ~~adoption~~ fees for the adoption breeding, advertising and transfer (BAT) of unaltered animals, trapping, impoundment, boarding and redemption of animals shall be used for general municipal purposes of the city and to provide refunds to adopting parties upon prior presentation of written certification by a licensed veterinarian that an adopted animal is in poor health or in the case of "No Questions Asked Returns" as outlined in Section 5-117 of this code (Fund 18).
- C. Twenty-five percent (25%) of all revenues collected from citations issued under the provisions of Sections 5-5-105, 5-5-106, and 5-5-112 shall be deposited into the same account established in subsection A of this section and shall be specifically expended for the physical improvements to the facilities of the city's animal welfare division, for the cost of administration and enforcement of this chapter, and costs associated with public education programs and activities.

Section 2. 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, said 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.

Section 8. Effective Date. The provisions of this ordinance shall become effective thirty days after the date of the ordinance's passage.

**ADOPTED and APPROVED** by the Council of the City of Lawton, Oklahoma this 22<sup>nd</sup> day of March, 2016.

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FRED L. FITCH, MAYOR

ATTEST:

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TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this \_\_\_\_\_ day of March, 2016.

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FRANK V. JENSEN, CITY ATTORNEY