ORDINANCE NO. 70821-1

AN ORDINANCE REPEALING PART 4, CHAPTER 1, SECTIONS 4-1-204, 4-1-205, AND 4-1-501(B) OF THE TOWN OF MULDROW CODE OF ORDINANCES, ENACTING, ADOPTING AND ESTABLISHING NEW PART 4, CHAPTER 1, SECTIONS 4-1-204, 4-1-205, AND 4-1-501(B), PROVIDING FOR THE REGULATION OF ANIMALS

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MULDROW, OKLAHOMA:

SECTION 1.
The Town of Muldrow Code of Ordinances be amended by striking and repealing therefrom the present Part 4, Chapter 1, Sections 4-1-204 and 4-1-205 and 4-1-501(B).

SECTION 2.
That new Part 4, Chapter 1, Sections 4-1-204, 4-1-205 and 4-1-501(B) of the Town of Muldrow Code of Ordinances is hereby created to read as follows:

PART 4, CHAPTER 1: REGULATION OF ANIMALS

Section 4-1-204: Obtaining Release of Impounded Animals.

Owners of impounded animals may, within 72 hours of impoundment, retrieve or otherwise obtain the release of their animals from the animal welfare center only after the applicable payment of fees as set forth in Section 4-1-203 of this chapter.

Section 4-1-205: Sale and Disposition of Animals Not Retrieved by Owners.

Except as hereinafter provided, any animal which is impounded by the Town pursuant to the provisions of this chapter, shall be adopted, destroyed or otherwise disposed of after seventy-two (72) hours from the time of its impoundment at the animal welfare center; provided however, in the event an animal is taken into custody by an Animal Control Officer and the animal has been injured, sick, showing symptoms of parvo, or otherwise disabled which ordinarily would require the animal's destruction or treatment by a veterinarian, the Animal Control Officer, at officer's discretion, may order its destruction immediately.

Section 4-1-501: Keeping of Animals Other Than Dogs and Cats.

B. Except as provided otherwise, chickens or laying hens may be kept and maintained in the Town so long as:

1. Such chickens or laying hens are maintained on land upon which the owner

or occupant resides.

2. Chickens or laying hens may only be kept under the following conditions:
   - 2.1 No more than four (4) chickens or laying hens are allowed per parcel unless additional setback conditions can be achieved as described in subsection (1);
   - 2.2 Roosters are not allowed;
   - 2.3 The chickens are kept within a designated chicken coop and chicken run, unless supervised as described in Section 4-1-501 B2.13 below;
   - 2.4 The chicken coop and chicken run shall be located in the rear or backyard of a residential property. No part of the coop or run shall be located in the side or front yard;
   - 2.5 The chicken coop and chicken run shall be attached and shall be located no closer than five (5) feet from any side or rear property lines and no closer than twenty-five (25) feet from any dwelling unit other than the owner's. Movable chicken enclosures are permitted as long as they meet the setbacks as indicated in this paragraph;
   - 2.6 The minimum size for a chicken coop shall be four (4) square feet per animal and the chicken run shall be eight (8) square feet per animal;
   - 2.7 During daylight hours, the chickens shall have access to a chicken run and a chicken coop;
   - 2.8 From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;
   - 2.9 Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;
   - 2.10 Chicken runs shall be adequately fenced and protected from predators;
   - 2.11 The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;
   - 2.12 Water shall be provided onsite and accessible to chickens at all times;
   - 2.13 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 4-1-101 A11 of this chapter;
   - 2.14 All chicken enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.

3. Outdoor slaughter of chickens is prohibited.

4. Electrical and heat sources shall comply with the Town's building code.

5. Commercial chicken facilities and/or houses within municipal limits for laying, hatching, raising, and/or any kill facility is prohibited.

SECTION 3.

WHEREAS, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Muldrow; therefore, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 8th day of July, 2021.

TOWN OF MULDROW, OKLAHOMA

By: _____
CATHERINE JONES, Mayor

ATTEST:

_____
LARRY EDWARDS, Town Clerk

[S E A L]