

(Published in the Journal Record July 6, 2017)

ORDINANCE NO. 25,674

ORDINANCE RELATING TO ANIMALS, AMENDING CHAPTER 8 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, SECTION 8-16, ANIMAL WELFARE OFFICERS AUTHORIZED TO ENFORCE ORDINANCES DEALING WITH ANIMALS, SECTION 8-38, ANIMALS RUNNING AT LARGE PROHIBITED, EXCEPTIONS, SECTION 8-39, CONFINEMENT OF DOGS REQUIRED, SECTION 8-56, FEES AND CHARGES AUTHORIZED, SECTION 8-57, RECLAMATION OF IMPOUNDED ANIMALS, NO RELEASE WITHOUT PAYMENT OF PENALTIES, COURT COSTS, FEES AND CHARGES, EXCEPTIONS, SECTION 8-131, DEFINITIONS, SECTION 8-132, MENACING BEHAVIOR BY DOGS PROHIBITED, REPEALING SECTION 8-133, DANGEROUS ANIMALS PROHIBITED, AMENDING SECTION 8-146, SUPERINTENDENT TO INVESTIGATE COMPLAINTS, FILE REPORT, AND MAINTAIN RECORDS, SECTION 8-148, CONFINEMENT, SECTION 8-150, HEARING AND ADJUDICATION, SECTION 8-151, RESTRICTION GUIDELINES FOR MAINTAINING A DANGEROUS ANIMAL, SECTION 8-152, VIOLATIONS, SECTION 8-153, IMPOUNDMENT UPON SUBSEQUENT INCIDENT, SECTION 8-154, PENALTY; AMENDING CHAPTER 60 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, GENERAL SCHEDULE OF FEES, BY CREATING SECTION 60-8-1 TO PROVIDE A FEE FOR ANIMAL REGISTRATION; AND DECLARING AN EMERGENCY

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. That Section 8-16 of Division 3, Article I of Chapter 8 of the Oklahoma City Municipal Code, 2010, is hereby amended to read as follows:

CHAPTER 8

ANIMALS

ARTICLE 1. In General

Division 3. ENFORCEMENT; PENALTY

§ 8-16. - Animal Welfare Officers authorized to enforce ordinances dealing with animals.

Animal welfare officers, as designated by the Superintendent or his/her representative, are authorized to enforce the provisions of ordinances dealing with animals, investigate complaints involving animals, investigate issues of animal ownership including at-large animals, ~~to~~ issue citations to appear in the Municipal Court for violations ~~thereof~~ of this chapter, and ~~to~~ impound animals found to be in violation or to be owned, maintained or held in violation of the provisions of this Code.

SECTION 2. That Sections 8-38 and 8-39 of Division 4, Article I of Chapter 8 of the Oklahoma City Municipal Code, 2010, are hereby amended to read as follows:

CHAPTER 8

ANIMALS

ARTICLE 1. In General

**Division 4. CONTROL AND CONFINEMENT OF ANIMALS;
OWNERSHIP OF DOGS AND CATS**

§8-38. Animals running at large prohibited; registration required; exceptions

(a) It shall be unlawful for the owner, keeper or other person in control of any dog, livestock or domesticated fowl other than homing pigeons to permit the same to be at large, or to trespass upon the property of any other person.

(b) A violation of this section, upon conviction, shall be a Class “a” offense.

(c) Any dog which is at large or trespassing shall be impounded and shall only be reclaimed as established in this article.

(d) Provided, however, this section shall not apply to:

(a~~1~~) any person who takes a dog upon private property with the consent of the owner or person in control of the property, or upon a street or other public place when the dog is under direct control.

(b~~2~~) any person utilizing a designated City-approved dog park in accordance with the provisions of Section 38-107 of this Code.

(e3) any person riding or leading a horse along a street or right-of-way provided the horse is under the control of the person riding or leading the same and in compliance with any other provisions of this Code.

(d4) any livestock ridden or driven in compliance with the provisions of Section 8-70 of the Chapter.

(5) any menacing or dangerous dog at large or trespassing, which instead shall be subject to the provisions of Article III.

§8-39. Confinement of dogs required.

(a) *Confinement of dogs required.* It shall be unlawful for any person who owns, harbors or possesses any dog to fail to confine such dog as required by the provisions of this section.

(b) *Confinement required; means of confinement.* Every person who owns, possesses, or harbors any dog within the City shall confine the dog to property owned or controlled by him. Confinement shall be accomplished by means of a substantial fence or similar enclosure of sufficient strength and height to prevent the dog from escaping therefrom, or from extending its head through the enclosure so as to constitute a threat to any person or animal in the area adjoining the enclosure; or by keeping the dog inside a house or other building. Dogs not confined in enclosures may be confined by a tether. Such tether shall consist of a metal chain or other material of sufficient strength to prevent the dog from escaping from the property. The tether shall be long enough to permit the dog to have reasonable exercise, but shall not allow the dog access to public property or to sidewalks or rights-of-way or to property owned or leased by persons other than the owner of the animal.

(c) Any person who owns, harbors or possesses any dog within the City who fails to confine such dog as required by this section shall upon conviction be guilty of a Class "a" offense except any menacing or dangerous dog, which instead shall be subject to the provisions of Article III.

(d) Any dog not confined as required in this section shall be impounded and shall be reclaimed only as provided in this chapter.

SECTION 3. That Sections 8-56 and 8-57 of Article I, Division 5, of Chapter 8 of the Oklahoma City Municipal Code, 2010, are hereby amended to read as follows:

CHAPTER 8

ANIMALS

ARTICLE 1. In General

Division 5. FEES AND CHARGES; RECLAMATION OF IMPOUNDED ANIMALS; ABANDONMENT; ADOPTION

§ 8-56. - Fees and charges authorized.

- (a) *Fees and charges authorized.* Fees and charges for ~~the~~ impoundment, boarding, and maintenance of animals found running at large, including menacing or dangerous animals, as well as for the care and treatment of animals and the adoption of animals and for miscellaneous services provided by the division in the course of such boarding, care and treatment and miscellaneous fees and charges for services provided by the division are hereby authorized. The amounts of such fees and charges shall be as set forth in Chapter 60 - General Schedule of Fees. The Animal Welfare Superintendent shall be authorized to waive any and all fees or procedures during a state of emergency as declared by the governor of this State.
- (b) *Impoundment, registration and reclamation fees.* No person shall reclaim an animal from the City Animal Shelter without first paying to the City the required impoundment, registration and related fees for the boarding, care and treatment of the animal except as provided in Section 8-57 of this chapter.
- (c) *Adoption fees.* No person shall adopt an animal from the City Animal Shelter without first paying to the City the required adoption fee.
- (d) *Non-resident relinquishment fee.* A non-resident of the City wishing to relinquish an animal or animals to the City Animal Shelter shall pay to the City a fee for such service.
- (e) *Miscellaneous fees and charges.* The division may charge fees and/or deposits for special services such as, but not limited to, implanting of microchips and loaning of cat or dog traps.
- (f) *Exception.* Impoundment fees and related charges other than rabies vaccination fees shall not be owed to the City by a person whose animal was impounded in connection with a citation issued for a possible violation of the provisions of this

Chapter if charges are declined or are dismissed or if the person is found not guilty thereof. Provided, however, this exception shall not apply if the boarding and care of the animal and any medical treatment or other services in the course of such boarding and care are provided by a private veterinarian or kennel.

§ 8-57. Reclamation of impounded animals; registration of at-large, unconfined, menacing or dangerous dogs; spaying or neutering and microchipping requirement; no release without required proof of confinement or compliance with court order and payment of penalties, court costs, fees and charges; exceptions.

(1a) The owner of an impounded animal may reclaim the animal upon providing the Animal Welfare Division with proof of ownership and paying ~~all penalties and costs imposed by the Municipal Court~~ and any and all fees and other charges as authorized in this division, except as provided herein:

(a1) Impoundment fees and board and care fees shall be waived if the owner provides medical proof that the dog or cat was spayed or neutered at the time of impoundment, except for dogs and cats housed in special handling areas.

~~(b) For intact dogs and cats, impoundment fees and board and care fees shall be waived if the owner agrees to have the dog or cat spayed or neutered prior to its release at no charge through the Animal Welfare Division, except for dogs and cats housed in special handling areas.~~

(e2) An amount not greater than \$150.00 of the combined impoundment fees and board and care fees shall be waived upon the reclaim of a dog or cat housed in special handling areas, such as rabies observation and evidence holding, if the dog or cat was spayed or neutered prior to impoundment ~~or if the owner agrees to have the dog or cat spayed or neutered prior to its release at no charge through the Animal Welfare Division.~~

(b) All dogs and cats shall be spayed or neutered and micro-chipped prior to being released, including those reclaimed or otherwise returned to their owners. The Animal Welfare Superintendent may exempt the owner of a full-breed registered animal from the requirement to spay or neuter an animal prior to release upon the owner's presentation satisfactory proof of pure breed status as verified by the American Kennel Club or similar entity and payment of a registration fee or if a licensed veterinarian certifies in writing that the animal is incapable of reproduction or that spaying or neutering the animal would be injurious to the animal's health, provided, however, that if the health condition of the animal is of a temporary nature,

then the animal shall be spayed or neutered immediately after the health condition has been corrected.

(c) The owner of a dog impounded for being at large or unconfined may reclaim the dog upon registering the dog on forms required by the Animal Welfare Division including the owner's written verification that the fence or enclosure in which the dog is to be kept is in good repair along with photographic evidence of the fence or enclosure and payment of the required fees.

(2d) The division shall not release an animal being held for a judicial determination of whether it is menacing or dangerous or because the owner has been charged with cruelty to an animal or with failure to provide humane care and treatment for an animal until such case has been decided in a court or the charges are declined or dismissed. Unless otherwise directed by order of the Municipal Court or otherwise provided in this Chapter, once such cases have been decided, the animal shall be released upon the owner's payment of all penalties and costs imposed by the municipal court fees and other charges as authorized in this division. If the charges are declined or dismissed, the animal is determined to be not a menacing or dangerous animal, or the defendant is found not guilty, no fees shall be assessed to the owner. Otherwise, the animal shall only be released back to the owner pursuant to Court order and the Animal Welfare Division shall verify that any release requirements ordered by the Court and mandatory registration, spaying or neutering and micro-chipping requirements in this chapter have been met and fees required by this Chapter are paid.

(e) An animal impounded because the owner has been charged with cruelty to an animal or with failure to provide humane care and treatment for an animal may be transferred to a foster facility approved by the Animal Welfare Superintendent until the court has decided the case or the charges are declined or dismissed.

SECTION 4. That Sections 8-131 and 8-132 of Division I, Article III of Chapter 8 of the Oklahoma City Municipal Code, 2010, are hereby amended to read as follows:

CHAPTER 8

ANIMALS

ARTICLE III. MENACING BEHAVIOR BY DOGS AND DANGEROUS ANIMALS

DIVISION I. GENERALLY

§ 8-131. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning.

- (a) *Animal bite* means any penetration of the skin by the teeth or claws of an animal, but shall exclude scratches by the claws of dogs.
- (b) *At large* means the status of any dog, livestock or domesticated fowl other than homing pigeons that is/are not confined to the property of the owner of the animal, or when the dog or livestock is not confined to the property of the owner and is not under the direct control of the owner or a person able to safely and humanely restrain the animal.
- (c) *Attack* means the act by any animal of approaching a domestic animal or a person in such a manner that hostile contact with the other animal or the person occurs or an act of aggression against a person or a domestic animal that requires the person or the other animal to take evasive action to prevent injury.
- (d) *Dangerous animal* means any animal:
 - (1) that inflicts an injury upon a human as a result of an unprovoked attack regardless if the dangerous animal is on or off the property on which it is harbored; or attempts to bite or attacks a human requiring that person to take evasive action regardless of the location; or
 - (2) that, when unprovoked, either kills, bites or attacks another animal off the property on which the dangerous animal is harbored; or
 - (3) that is owned, trained, used, or harbored, primarily or in part, for the purpose of animal fighting.
- (e) *Menacing behavior* as used in this section means an animal that, unprovoked, charges an individual, growls, snarls, takes an aggressive stance, shows teeth or destroys property (e.g., a fence) in an attempt to get to a human or domesticated animal. An animal cannot be considered as menacing if it is on its owner's property, unless its attempts to escape appear to be reasonably likely to be successful. Barking or being at-large does not of itself constitute menacing behavior.
- (e) *Owner* means any person, firm, business, organization, or corporation owning, possessing, harboring, or keeping any animal, or having an interest in or control of an animal, or in the case of a person under 18 years of age, that person's parent or legal guardian. This definition shall not apply to any animal shelter, veterinary clinic or kennel that is boarding animals belonging to another.
- (f) *Unprovoked* means an act of aggression towards an animal or human that occurs without apparent cause, reason, prompting or motivation.

§ 8-132. - Menacing or dangerous behavior by dogs prohibited.

- (a) It shall be unlawful for any person to allow any dog owned, harbored, possessed or maintained by him within the City to exhibit menacing or dangerous behavior. No person who has an ownership interest in real property shall permit another person to harbor, possess, or maintain on that property and within the City limits any animal that is dangerous or menacing as defined in this chapter, unless the Municipal Court orders the animal returned to the person owning, harboring, possessing or maintaining the animal under restrictions designated by the Municipal Court.
- (b) A dog that is exhibiting menacing or dangerous behavior shall be immediately impounded. Menacing behavior as used in this section, means that a dog, while not confined to the property of the owner of the animal or under direct control as defined in Section 8-5 of this Chapter, causes a reasonable person to believe that an unprovoked attack on a person or on a domestic animal is imminent.
- (c) A dog determined to be menacing or dangerous but ordered released under specific conditions pursuant to § 8-151 of this chapter shall be micro-chipped and spayed or neutered, as set out in § 8-57, before the dog shall be released from impoundment.
- (d) A dog determined to be menacing or dangerous but ordered released under specific conditions pursuant to § 8-151 of this chapter shall be annually registered as a menacing or dangerous dog through a process established by the Superintendent for as long as the cited owner is in possession of the menacing or dangerous dog. The process shall include annual verification that the Court's conditions continue to be met.
- (e) No dog shall be determined to be exhibiting menacing or dangerous behavior toward a person who at the time such behavior was exhibited:
- (1) was committing or attempting to commit a willful trespass or other tort upon property occupied by the person who owns, harbors, possesses or maintains the animal; or
 - (2) was not lawfully present upon the property occupied by the person who owns, harbors, possesses or maintains the animal; or
 - (3) was attempting to or was tormenting, abusing, or assaulting the dog or who had, in the past, been observed or reported to have tormented, abused, or assaulted the dog; or

(4) was committing or attempting to commit a crime.

(d~~f~~) A K-9 dog which attacks a human upon command of the person in charge of the dog at the time of the incident shall not, by reason of such incident, be deemed to be exhibiting menacing behavior.

SECTION 5. That Section 8-133 of Division I, Article III of Chapter 8 of the Oklahoma City Municipal Code, 2010, is hereby repealed.

SECTION 6. That Sections 8-146, 8-148, 8-150, 8-151, 8-152, 8-153 and 8-154 of Division 2, Article III of Chapter 8 of the Oklahoma City Municipal Code, 2010, are hereby amended to read as follows:

CHAPTER 8

ANIMALS

ARTICLE III. MENACING BEHAVIOR BY DOGS AND DANGEROUS ANIMALS

DIVISION 2. ENFORCEMENT

§8-146.- Superintendent to investigate complaints; file report; and maintain records.

- (a) The Superintendent or ~~his/her~~ designee shall investigate any incident appearing to involve a menacing or dangerous animal, or any citizen complaint of a menacing or dangerous animal, or any impoundment of an animal believed to be a menacing or dangerous animal. If the incident or impoundment meets the criteria for classification of an animal as menacing or dangerous, a citation shall be issued in accordance with the provisions of Article I of this chapter.
- (b) During the course of the investigation, the Superintendent shall cause photographs to be taken of the animal and shall collect other information gathered pertaining to the animal's size, weight, markings or other distinctive characteristics.
- (c) The Superintendent shall maintain a record of all animals upon which menacing or dangerous animal charges have been filed and the disposition of each case, together with the photographs and other information pertaining to each animal.

* * *

§8-148. – Confinement.

An animal that is impounded at the time of an incident that resulted in the owner being charged with harboring or possessing a menacing or dangerous animal, or an animal impounded by order of the Municipal Court, shall be confined in the City Animal Shelter pending the disposition of the animal. Such confinement shall be at the owner's expense unless the Municipal Court does not find the animal to be a menacing or dangerous animal or the charge is declined or is dismissed. Provided, however, the animal may be confined in a licensed veterinary clinic or other licensed facility at the sole discretion of the Municipal Court Judge and at the owner's expense no matter what the outcome of the court hearing.

* * *

§8-150. – Hearing and adjudication.

- (a) If, after notice as set forth in this article, the owner does not appear at the hearing, the animal shall be deemed abandoned and subject to disposition under the provisions of Article I, Division 5 of this chapter.
- (b) The Municipal Court Judge, upon the presentation of all evidence at the hearing and upon a finding that the animal is a menacing or dangerous animal, may order the animal euthanized or require confinement of the animal under restrictions designated by the Municipal Court.
- (c) If the Municipal Court does not order the animal euthanized, but does find the animal to be menacing or dangerous, the judge may refer to the following list and may impose other remedies as determined by the Municipal Court. Such restrictions may include:
 - (1) Secure confinement in an enclosure; ~~or~~
 - (2) No contact with other animals or humans; ~~or~~
 - ~~(3) Neutering; or~~
 - ~~(4) Microchip; or~~
 - ~~(5) Muzzle; or~~
 - ~~(6) Restraint; or~~
 - ~~(7) Signs; or~~

(86) Notification of escape or death of the animal; ~~or~~ and

(97) Notification of change of address or ownership.

§8-151. – Restriction guidelines for maintaining a menacing or dangerous animal.

The Court ~~court~~ may order the owner of an animal found to be menacing or dangerous to be in compliance with any requirements imposed by the Court ~~court~~. The Court ~~court~~ shall determine the time frame within which the owner must be in compliance. The Court ~~court~~ may use the following guidelines, but may impose lesser or additional restrictions as the Court ~~court~~ deems necessary.

(a) *Confinement; enclosure.* Except as provided herein, the animal shall be confined at all times to prevent it from escaping. Confinement may be within the owner's residence or other building and shall provide access to a secure outside enclosure.

(1) ~~Any~~ any enclosure used for the animal shall be of dimensions appropriate to the size and needs of the animal. ~~;~~

(2) ~~The Court~~ the court may require the enclosure to have a secure top, secure sides, concrete footings around the perimeter to prevent the animal from escaping over, through, or under the structure, and ~~to~~ be kept locked at all times to prevent unintentional opening of the enclosure.

(3) ~~The~~ the outside enclosure shall include suitable shelter and protection from the elements, be cleaned regularly to maintain sanitation, and shall provide adequate exercise room, light, and ventilation for the animal.

(4) ~~The Court~~ the court may order that the enclosure be approved by the Animal Welfare Division prior to usage for confinement.

(b) *No contact with other animals or humans.* The Court ~~court~~ may prohibit the menacing or dangerous animal from having contact with animals or humans other than those that reside on the owner's property, and ~~to~~ may restrict the ages of people who may have contact with the animal.

~~(c) *Neutering.* The court may order neutering of an animal that has been found to be dangerous. If so, such animal shall be spayed or neutered by a licensed veterinarian within a time frame determined by the court or at the conclusion of any appeal. A veterinarian's statement that the animal has been spayed or neutered shall be provided to the Animal Welfare Superintendent, unless:~~

~~(1) a licensed veterinarian certifies in writing that the animal is incapable of reproduction.~~

~~(2) a licensed veterinarian certifies in writing that spaying or neutering the animal would be injurious to the animal's health, provided, however, that if the health condition of the animal is of a temporary nature, then the animal shall be spayed or neutered immediately after the health condition has been corrected.~~

~~(d) *Microchip.* The court may order an animal found to be dangerous to have a microchip implanted by a licensed veterinarian at the expense of the owner of said animal within ten days of the animal's classification. If the animal receives a microchip, the number of the microchip shall be provided to the Animal Welfare Superintendent.~~

~~(e) *Muzzle.* The Court court may order a menacing or dangerous animal to wear a properly-fitted muzzle when it is outside of the enclosure, except while the animal is receiving medical care, to prevent it from biting humans or other animals. Such muzzle shall not interfere with the animal's breathing.~~

~~(f) *Restraint.* The Court court may order that whenever a menacing or dangerous animal is outside of the enclosure, it shall be restrained by an adult capable of controlling the animal and may designate ~~designated~~ the length and type of leash to be used. If so ordered, when being transported, such animals shall be safely, humanely and securely restrained within a vehicle or carrier capable of preventing the animal from escaping or making physical contact with persons outside the vehicle.~~

~~(g) *Signs.* The Court court may order the owner of a menacing or dangerous animal to display clearly visible warning signs on the property on which the menacing or dangerous animal is maintained warning that a menacing or dangerous animal is being harbored on such property, including posing entry points, the enclosure in which the animal is maintained, and ~~for~~ any other locations ~~location(s)~~ designated by the Court court. The Court court may designate that the signs inform both children and adults of the presence of the menacing or dangerous animal and may include a graphic of a snarling dog and wording that warns of the presence of the menacing or dangerous animal ~~Dangerous Animal~~.~~

~~(h) *Notification of escape or death of animal.*~~

~~(1) the Court court may order the owner of a menacing or dangerous animal ~~Dangerous Animal~~ to notify the Animal Welfare Division immediately if the~~

animal escapes from its enclosure or restraint and is at large, or if it bites or attacks a person or domestic animal, or if it dies.

(2) if so ordered by the Court ~~court~~, in the event of the animal's death, satisfactory proof of such death shall be provided to the Animal Welfare Division within 48 hours of the animal's death. Satisfactory proof shall be either verification from an animal shelter or veterinary hospital that the animal was euthanized, or verification from an Animal Welfare Officer that he or she has seen the dead body of the animal.

(ig) *Notification of change of address or ownership.* The Court ~~court~~ may order the owner of a menacing or dangerous animal who intends to change his/her address, or intends to move the animal, or intends to sell, give away, or trade any animal classified as dangerous, to notify the Animal Welfare Division prior to such change of address, sale, transfer, or trade. If so ordered, the owner shall provide the Animal Welfare Division with the name, address, and phone number of the person receiving the animal, as well as the location at which the animal shall be maintained.

(1) the Court ~~court~~ may order that prior to transferring the classified animal to the custody or ownership of another, it shall be the responsibility of the owner to notify the person receiving the menacing or dangerous animal in writing of the classification of the animal as menacing or dangerous and that the person receiving the animal shall be responsible for meeting the requirements of this division prior to obtaining the animal. If so ordered by the Court ~~court~~, a copy of the written notice, signed and dated by both the owner and the person receiving the animal, shall be provided to the Superintendent of Animal Welfare no later than 24 hours prior to the transfer. If the animal is to be moved outside the City limits, the Superintendent shall give notice to the Animal Welfare Superintendent of the City in which the animal will be located.

(2) Any ~~any~~ person obtaining an animal classified as menacing or dangerous shall comply fully with the provisions of this division pertaining to the maintenance, control, and ownership of a dangerous animal and shall further comply with all orders of the Court ~~court~~ regarding the maintenance of an animal found to be dangerous.

§ 8-152. - Violations.

It shall be unlawful to violate the provisions of Article III, including a failure to annually register a released menacing or dangerous animal or a failure to comply with the conditions of a Court order for release of a menacing or dangerous animal. An Animal Welfare Officer shall issue a citation to the owner of a menacing or dangerous animal when said animal is found in violation of any of the provisions of this division. Each day's violation shall be a separate offense. In addition to the issuance of a citation, an Animal Welfare Officer shall impound the animal.

§ 8-153. - Impoundment upon subsequent incident.

An Animal Welfare Officer shall impound any animal which, subsequent to its classification as menacing or dangerous, bites, wounds, attacks, or kills, or assists in biting, wounding, attacking, or killing a domestic animal or human is alleged to be at large or exhibiting menacing or dangerous behavior or it is alleged that any of the conditions in the Court's prior order regarding release of the animal are being violated. Such animal shall remain impounded pending an investigation by the Animal Welfare Superintendent. The impoundment and care of the animal shall be at the owner's expense upon conviction.

§ 8-154. - Penalty.

(a) Any person who violates any of the provisions of Article III ~~herein shall upon conviction thereof be~~ shall upon conviction thereof be guilty of a Class "a" offense. The animal determined to be in violation of this article ~~may also~~ shall be impounded and ~~ethanized,~~ at the discretion of the Court, may be euthanized or conditionally released pursuant to §§ 8-150 and 8-151.

(b) Upon a second or subsequent conviction, any person who shall be convicted of any of the provisions of Article III shall be guilty of a Class "b" offense, even if the first conviction involved a different menacing or dangerous animal. The animal determined to be in violation of this article shall be impounded and, at the discretion of the Court, may be euthanized or conditionally released pursuant to §§ 8-150 and 8-151.

SECTION 7. That Section 60-8-1 of Title 8 of Chapter 60 of the Oklahoma City Municipal Code, 2010, is hereby enacted to read as follows:

CHAPTER 60

GENERAL SCHEDULE OF FEES

TITLE 8. ANIMALS AND FOWL

§60-8-1. Animal registration fee.

<u>At large or unconfined dog</u>	<u>\$12.00</u>
<u>Menacing or dangerous animal initial registration.....</u>	<u>\$12.00</u>
<u>Menacing or dangerous animal recurring annual registration.....</u>	<u>\$12.00</u>

SECTION 8. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of The City of Oklahoma City and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason whereof the provisions of this ordinance shall take effect and be in full force from and after its passage, as provided by law.

INTRODUCED AND CONSIDERED in open meeting of the Council of The City of Oklahoma City the 20th day of June, 2017.

PASSED by the Council and **SIGNED** by the Mayor of The City of Oklahoma City, Oklahoma, on the 5th day of July, 2017.

s/b Mick Cornett
MAYOR

ATTEST:

Frances Kersey
CITY CLERK