

ORIGINAL

2013

ORDINANCE 13-01

AN ORDINANCE OF THE TOWN OF INOLA, OKLAHOMA, AMENDING THE TOWN CODE BY AMENDING CHAPTER 4 RELATING TO ANIMALS AND ANIMAL REGULATIONS.

WHEREAS, Chapter 4 of the Ordinances of the Town of Inola contain various provisions relating to Animals and Animal Regulations; and

WHEREAS, the Board of Trustees desires to amend Chapter 4 of the Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Inola, Oklahoma that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the Town of Inola, Oklahoma, and the sections of this ordinance may be renumbered to accomplish this intention.

Section 1: SECTION 4-102 ANIMALS NOT TO BE AT LARGE is hereby amended to read as follows:

A. These sections only apply to areas within Inola town limits not zoned as agriculture or previously zoned as agriculture prior to this ordinance being certified and signed into law. No individual shall permit any animal, including fowl, dogs and cats, owned, harbored or kept by said individual to be at large within the town. It is unlawful for any animal as provided in this section to be at large at any time within the town. Individuals may place live traps on property which they own to catch any dog or cat that is at large on their property. Any property owner who wishes to set a live trap to catch dogs or cats that are at large, must register each trap with the Inola town clerk prior to setting any traps. The Inola town clerk will provide a tag with a registration number for each trap.

All traps set to catch dogs or cats that are at large must be checked once every day and a tag must be affixed to the trap on which the owner of the trap must write the Inola town registration number, date and time the trap was set and write the date and time on the tag each time it is checked. Dogs or cats caught in a live trap must be turned over to the Inola Police within 8 hours of being caught in any live trap on any week day or Saturday and within 12 hours if caught on a Sunday.

Dogs and cats caught in live traps may not be harmed, abused or in any way mistreated. Owners of animals, dogs or cats that are at large are financially responsible for any damage or destruction caused by said animal. Owners of animals, dogs and or cats that are caught at large are responsible to pay all fines and cost associated with catching, holding, treating, vaccinating and if required spay or neutering of said animals. Dogs and or cats caught at large and found not to be properly registered, immunized and tagged with the town, will be registered, tagged and vaccinated and if required spayed or neutered at the owner's expense prior to being returned to the owner.

B. Individuals may keep one Pot Belly pig as a pet, but the same requirements pertain to these animals as to other domestic animals maintained as pets.

C. All Oklahoma Department of Wildlife regulations established by the Oklahoma Department of Wildlife are hereby incorporated. In the event any provisions of the Ordinances of the Town of Inola conflict with the Wildlife Regulations, the Wildlife Regulations shall prevail.

Section 2: **SECTION 4-104** **PASTURING IN PUBLIC AREAS ILLEGAL** is hereby amended to read as follows:

It is unlawful for any person to take, confine or pasture any animal on any public property, federal, state, town or other, on any railroad right-of-way, or on any property without the consent of the person owning or controlling such property. The Town of Inola waives all jurisdiction, control or responsibility for any and all animals kept or maintained on Inola school property. All rules and regulations relating to animals kept or maintained on Inola school property shall be established and enforced by the Inola School Board and Superintendent.

Section 3: **SECTION 4-106** **SWINE NOT TO BE KEPT WITHIN CITY** is hereby amended to read as follows:

It is unlawful for any person being the owner of, or having the care, custody, or control thereof, to keep or allow to be kept any hogs, shoats, goats, sheep, poultry, rabbits or pigs at any time in any enclosure within the town, or any lot therein, or running at large within the town. Individuals may keep one rabbit as a pet or keep poultry or rabbits, which are shown in competitions. Poultry may also be kept for private use as a meat source or for eggs, but not for resale or as a business. No more than 10 chickens or other poultry may be kept to include no more than one male or rooster. If the area is zoned as agriculture or was previously zoned as agriculture prior to this Ordinance being signed and certified into law, this ordinance does not apply.

Individuals must pay a one-time registration fee of \$5.00 for every male or female rabbit and \$5.00 for each poultry / fowl more than 6 months of age unless the animals are kept in an area zoned as agriculture or which was previously zoned as agriculture prior to this Ordinance being signed and certified into law.

The Town of Inola waives all jurisdiction, control or responsibility for any and all animals kept or maintained on Inola school property. All rules and regulations relating to animals kept or maintained on Inola school property shall be established and enforced by the Inola School Board and Superintendent.

Section 4: **SECTION 4-111** **DOG AND CAT REGISTRATION, TAG** is hereby amended to read as follows:

SECTION 4-111 ANIMAL REGISTRATION, TAG

A. A one-time fee of \$15.00 for every male or female dog and or cat more than 6 months of age is hereby levied upon the owner of any such dog or cat kept or harbored within the town boundaries. In addition, a one-time fee of \$5.00 is hereby levied for every rabbit or fowl or other animal kept or harbored within the town boundaries.

B. The fee shall not apply to a dog or cat temporarily brought and kept within the town, nor a dog brought therein to participate in a dog or cat show, nor to a "seeing eye dog" "Service dog" or any dog used in any official capacity such as a Police Dog, Drug Dog etc nor to dog or cat being kept in a kennel or pet shop for sale, or any animals brought onto school property in connection with the school AG program.

C. The owner shall pay such fee to the town clerk the time of registration.

D. Before the clerk accepts any money offered in payment of the fee for a dog or cat or issues a license for it, the person offering the fee shall present to the clerk the certificate of a veterinarian or other person legally authorized to immunize dogs and cats, showing that the dog or cat has been immunized against rabies during the calendar year (that is since the 31st day of last December).

E. The owner of any domestic animal, fowl, dog or cat shall register the animal with the Town of Inola and pay a registration fee. The individual shall provide the Town Clerk the name and address of the owner, the name, breed, color, and sex of the animal, fowl, dog or cat, and such other reasonable information as the clerk request. In addition, the owner should provide the Town Clerk a photograph of the animal to assist in finding the animal in the event of escape. Provided, this section shall not apply to areas zoned as agriculture or previously zoned as agriculture prior to the date this Ordinance was certified and signed into law,

F. The Town Clerk thereupon shall deliver an original receipt to the fee payer and direct them to the Inola Police Department or designated individual responsible for issuing the tag. An appropriate tag will be issued and such a tag shall constitute a license for the dog or cat and must be placed on the collar of the dog or cat. For fowl and other animals, a tag will be issued and must remain in the possession of the owner as a license for the animal or fowl.

G. Any animal, fowl, dog or cat found at large within the boundaries of the Town of Inola and not registered will be impounded by the city. If the dog or cat is claimed by the owner, the owner must register the dog or cat, pay for the dog or cat to be immunized or provide documentation proving the animal, fowl, dog or cat has been immunized as described herein. The owner will also be required to pay a fine of not less than \$50.00 per animal, fowl, dog or cat found to be at large that is not registered.

H. Due to the proliferation of cats within Inola town limits, all cats found at large within Inola city limits will be impounded. If the cat is not registered, the cat will be disposed of within 72 hours of being picked up (unless claimed by the Owner as set forth above).

I. If an animal, fowl, cat or dog is found to be at large and it has been properly registered, the owner will be contacted immediately and the dog or cat will be returned to the owner with no fine for the first three incidents. The owner will not receive a fine if it is determined and proved that the animal, fowl, dog or cat was at large at no fault of the owner. If the owner intentionally allowed the animal, fowl, dog or cat to be at large, the owner will receive the appropriate fine as described previously in item G.

J. It is illegal to feed wild or stray / feral animals other than deer, birds and squirrels within the boundaries of the Town of Inola. It is also illegal to feed stray domestic animals within the boundaries of the Town of Inola. Individuals who violate this ordinance shall receive a fine of \$50.00 for each offense and \$50.00 per animal fine regardless if the animals are on private or public property.

K. Any city employee may catch and impound any dog or cat that is at large and not registered within the limits of the Town of Inola. If the dog or cat is on private property and not confined behind a fence, secured by a restraint or by use of an electric non visible fence and shock collar, the town employee may impound the dog or cat, but the employee may not go onto private property to catch the animal unless the owner of the property has permanently vacated, abandoned or it is a vacant lot or the dog or cat is determined to be a threat to life or property or if the life of the dog or cat is threatened. If the dog or cat is registered and has a tag, the employee is required to return the dog or cat to the address on the tag and if they cannot make contact with anyone at the address on the tag, the employee is next to call the phone number on the tag. If, after taking the first two steps, the employee has not been able to contact the owner, the dog or cat it is to be taken to the town pound. A note is to be left at the address with information regarding the dog or cat and where it can be picked up at as well as a contact phone number.

L. No dog or other animal may be placed on any type of restraint on or near a utility meter or secured to a utility meter in such a way as to restrict city employees from performing their jobs. If a dog or other animal is fenced or restrained to or near a utility meter and the presence of the dog or animal inhibits or prevents a town employee from reading a meter or performing their duties, the Town of Inola will notify the occupant of the home or building that is responsible for the utility bill of the situation and need to correct the situation within 24 hours of receipt of the notice. If, after 72 hours of receipt of notice, the individual has not corrected the situation, the Town will issue a fine of \$100.00 which will be added to the utility bill for the subject property.

Section 5: **SECTION 4-137 REQUIREMENT FOR KEEPING CATTLE AND HORSES** is hereby amended to read as follows:

A. It shall be and is hereby declared to be unlawful for any person to keep or maintain or permit or suffer to be kept or maintained a horse or any animal of the equine species or cow or any animal of the bovine species upon any property or premises within the corporate limits of the Town of Inola, Oklahoma, unless the following conditions and requirements are maintained:


1. The enclosure in which such animal is kept is maintained in a sanitary condition and not offensive or dangerous to the public health; and
2. The enclosure in which any such animal is kept shall not be less than twenty-five thousand (25,000) square feet in area for one such animal including the space covered by a barn or shed. For each additional animal at least fifteen thousand (15,000) square feet of additional enclosure shall be provided; and
3. The enclosure where such animal is kept shall not be at its nearest point closer than fifty (50) feet to any building used or occupied for human habitation, and any barn or shed in such enclosure shall not be closer than seventy-five (75) feet at its nearest point to any building used or occupied for human habitation.
4. All horses or any animal of the equine species or cow or any animal of the bovine species that are kept or maintained within the boundaries of the Town of Inola, not zoned as agriculture and areas that were not previously zoned as agriculture prior to being annexed or prior to this Ordinance be certified and signed, must be registered with the Town of Inola by giving the clerk the name and address of the owner, the name, breed, color, and sex of the animal and such other reasonable information as the clerk request. The owner of the animal must also provide proof of all required vaccinations and sign a statement indicating the animal is in good health and agree to random and periodic inspections by the Inola Town Code Enforcement Officer.
5. The Town of Inola waives all jurisdiction, control or responsibility for any and all animals kept, maintained or housed on Inola school property and nothing in this section shall apply to animals located on School property.

Section 6: In the event any provisions of the existing Ordinances of the Town of Inola conflict with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.

Passed and approved in regular session this _____ day of September, 2013.


Cheryl Charles, Mayor



ATTEST: 
Wilma Caspell, Clerk

