

**CITY OF NORMAN
ORDINANCE O-2425-23**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE 4-I, SECTION 4-101 ADDING DEFINITIONS FOR ABANDON, ANIMAL, COMMUNITY CAT, COMMUNITY CAT CAREGIVER, AND TRAP-NEUTER-RETURN (TNR) AND AMENDING DEFINITIONS FOR EXOTIC WILDLIFE AND NATIVE WILDLIFE; AMENDING ARTICLE 4-II, SECTION 4-202 AND 4-205 UPDATING LANGUAGE FOR ANIMAL WELFARE SUPERVISOR AND UPDATING LANGUAGE THROUGHOUT FOR CONSISTENCY; DELETING SECTION 4-205(H) DUPLICATIVE LANGUAGE RELATED TO THE TNR PROGRAM; REPEALING SECTIONS 4-211 THROUGH 4-221 PET LICENSE REQUIRED; AMENDING ARTICLE 4-III, SECTION 4-301(D) ADDING ANIMALS VENOMOUS TO HUMAN BEINGS; AMENDING SECTION 4-301(E) REQUIRING ACCREDITATION ASSOCIATION OF ZOOS AND AQUARIUMS (AZA) OR ZOOLOGICAL ASSOCIATION OF AMERICA (ZAA) CERTIFIED FOR ZOOS; ADDING ARTICLE 4-V, SECTION 4-510 COMMUNITY CATS; AMENDING SECTION 4-501, ABANDONMENT OF CATS AND DOGS; AMENDING SECTION 503(C), CONFINEMENT OF DOGS AND CATS; ADDING SECTION 4-510, COMMUNITY CATS; AMENDING ARTICLE 4-VI, SECTION 4-601(A), CRUELTY TO ANIMALS; AND AMENDING SECTION 4-603, ANIMALS THAT ARE NUISANCES.

NOW THEREFORE, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

SECTION 1: **AMENDMENT** “4-101 Definitions” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-101 Definitions

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

Abandon means the voluntary relinquishment of an animal including, but not limited to, vacating a premises and leaving the animal in or at the premises or leaving, dumping, discarding at the Norman Animal Center without Staff approval.

Adequate shelter means a structure or area of structural soundness with three sides, a waterproof roof, solid floor, adequate bedding material, positioned to allow for protection from north and west winds, proper ventilation, and which is suitable for the species, age, condition,

size and type of animal which is safe and protects each animal from injury, precipitation, direct sunlight, adverse effects of extreme heat or cold, enables the animal to be clean and dry, and has sufficient room for the animal to move about freely and to lie comfortably while allowing the retention of the animal's body heat. Wildlife, livestock, and other non-domesticated animals normally residing outdoors shall be only required to have appropriate shelter from extreme weather through natural or artificial means available to it to protect the animal.

Altered means:

- (a) *Neutered*. The term "neutered" means a process performed by a veterinarian or other person authorized by law, which removes the reproductive organs of any male animal as defined in O. S. title 4, ch. 14A, Dog and Cat Sterilization Act.
- (b) *Spayed*. The term "spayed" means a process performed by a veterinarian or other person authorized by law, which removes the reproductive organs of any female animal as defined in O. S. title 4, ch. 14A, Dog and Cat Sterilization Act.

Animal means any mammal, bird, fish, reptile or invertebrate, including wild and domesticated species, other than a human.

Animal Welfare Center means the facility designated and operated by the City, including the actual premises where animals are regularly kept, or places where the Animal Welfare Officer Supervisor, Animal Welfare Center Manager, or other designee may designate, for the purpose of keeping or impounding stray, neglected, abused or seized animals and provide adequate care before disposal of the animals as outlined in this chapter. The Animal Welfare Center includes a portion of the facility to provide for animal adoptions, education, citizen involvement, and spaying or neutering of animals before adoption from the facility.

Animal welfare group means a nonprofit organization which is registered with and approved by the City's Animal Welfare Center and has as one of its purposes the providing for the welfare and/or protection of animals. Approval may be refused to any animal welfare group if the Animal Welfare Officer Supervisor determines that the animal welfare group or one of its members meets one or more of the following:

- (a) Has a record of cruelty to animals;
- (b) Is under 18 years of age;
- (c) Has committed acts of harassment to animals;
- (d) Owns other animals which are in violation of any requirement of this chapter;
- (e) Refuses to comply with adoption requirement;
- (f) Has released two or more animals to the Animal Welfare Center in the past six months;
- (g) Lacks adequate housing and/or fencing to contain the animals; or
- (h) Has a conviction in municipal Court for any violation of this chapter.

At heel means within a radius of ten feet of the owner and obedient to the owner's commands.

At-large means a phrase indicating that an animal is:

- (a) Off the premises of its owner and not securely and physically restrained by means of harness, leash, or other device designed to restrain such animal.
- (b) Not confined on the premises of the owner or at heel on those premises.

Chicken coop means a small structure or enclosure where chickens nest, roost or perch and may include feeding and watering devices.

Chicken run means an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices.

Community cat means any outdoor, unowned, free-roaming kitten or adult cat that could be friendly, feral, healthy, sick, sterilized or unsterilized.

Community cat caregiver means a person who provides food, shelter or medical care to a community cat while not being considered the owner, custodian, harbinger, controller or keeper of a community cat.

Confined on the premises means and indicates that an animal is securely and physically restrained on and within the premises of the owner by means of fences, leashes, walls, or other devices designed to prevent the animal from leaving those premises.

Dangerous animal means any animal whose behavior, temperament, size, or any combination thereof, when considered under the totality of the circumstances, including the nature of the surrounding area, constitutes a reasonable risk of injuring a human or animal or damaging personal or real property. That behavior includes, but is not limited to, an animal biting or attacking or attempting to attack a human or another animal. However, this definition shall not apply to any animal that has been subject to provocation or if the victim has been trespassing, as defined in NCC 24-505, upon the animal owner's premises.

Domesticated farm animal means any domestic species of cattle, sheep, swine, goats, llamas, or horses, or any other animals which are normally and have historically, been kept and raised on farms in the United States, and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber; in A-1 and A-2 zones only.

Exotic wildlife and native wildlife.

- (a) The following members of the Class Aves: Order Falconiformes (hawks, eagles, falcons and vultures) which are not kept pursuant to federal or state permit, and Order Ratites (ostriches, rheas, cassowaries and emus); or birds native to the continental United States and Alaska and all birds covered under the Lacey Act and Migratory Bird Act.
- (b) The following members of the Class Mammalia: Order Carnivora, Family Felidae (such as ocelots, margays, tigers, lions, panthers, jaguars, leopards and cougars, bobcat, lynx, cheetah, serval) except commonly accepted domesticated cats; the

Family Canidae (such as wolves, foxes, dingoes, coyotes and jackals), except domesticated dogs; Family Mustelidae (such as weasels, martins, minks and badgers); Family Procyonidae (such as raccoons or coatimundi); Family Ursidae (such as bears); Order Chiroptera (such as bats); Magnorder Xenarthra (such as sloths, anteaters and armadillos); Order Marsupialia (such as kangaroos and common opossums); Order Proboscidea (such as elephants); Order Primate (such as monkeys, lemurs, chimpanzees and gorillas); Order Rodentia (such as beavers, muskrats and porcupines); Order Perssodactyla (such as zebras and tapirs); Order Crocodilia (such as alligators); and any hybrid or cross-breed of any of the above-listed animals.

- (c) Except as expressly provided in this Chapter, exotic animals do not include:
- (1) Nonpoisonous aquatic or amphibious animals, gerbils, hedgehogs, hamsters, guinea pigs, mice, rabbits, birds except for those listed in this definition, domestic rats, chinchillas, domestic honeybees, ferrets and those reptiles described in this definition as not prohibited.
 - (2) The families of reptiles listed below, since these reptiles pose no life-threatening hazards to humans, provided that the reptiles are also owned in accordance with all state, federal and Convention of International Trade of Endangered Species (CITED) regulations that may apply.
 - a. The following Families of the Order Squamata Suborder Sauria: Family Gekkonidae (such as geckos); Family Agamidae (such as agamas); Family Iguanidae (such as anoles, swifts and iguanas); Family Cordylidae (such as ungazers and girdled lizards); Family Anguidae (such as alligator lizards, galliwasp and glass lizards); Family Varanidae (such as monitors); Family Lacertidae (such as wall lizards); Family Anniellidae (such as legless lizards); Family Teiidae (such as tegus and racerunners); Family Chamaeleonidae (such as chameleons); Family Scincidae (such as skinks); Family Xenosauridae (such as knob-scaled lizard); Family Shinisauridae (such as crocodile lizard)
 - b. The following Families of the Order of Squamata, Suborder Ophidia; Family Leptotyphlopidae (such as blind and worm snakes); Family Boidae (such as boas and pythons); Family Colubridae, sub family Colubrinae (such as garter snakes, water snakes, gopher snakes, bull snakes, hognose snakes, ringneck green snakes, rate snakes, kingsnakes, corn snakes and racer snakes).
 - c. The following Families of the Order Testudines; Family Chelydridae (such as snapping turtles); Family Kinosternidae (such as musk turtles); Family Platysternidae (such as big-head turtles); Family Emydidae (such as painted turtles, slider turtles, box turtles and pond turtles); Family Testudinidae (such as tortoises); Family Trionychidae (such as soft-shelled turtles); Family Pelomedusidae (such as flat-headed turtles); and Family Chelidae (such as sidenecked turtles).

Exotic livestock means commercially raised exotic livestock including animals of the families bovidae, cervidae and antilocapridae or birds of the ratite group. Feral dog or cat

means a dog or cat that was either born in the wild or has reverted to a wild state due to abandonment or lack of domestication and has no owner. Any feral dog or cat which has been captured and neutered or spayed and returned to the wild shall continue to be classified as a feral animal.

Foster home means any premises owned by an individual who works under the direction of an approved Animal Welfare Group registered with the City who will take in stray or unowned dogs and/or cats, or other animals, for the purpose of providing temporary care up to 12 months for each animal. A temporary care extension may be requested for up to an additional six months for an animal, if there is proof of a documented medical condition that requires the extended temporary housing of the animal.

Kennel classifications.

- (a) *Commercial kennel* means any business or establishment, whether operated separately or in connection with another business or establishment that keeps, boards, sells, shows, and/or trains dogs and/or cats for profit, except for an Animal Hospital as outlined in NCC 20-1401.
- (b) *Private kennel* means any premises which exceeds the allowable number of dogs and/or cats as described in this section, and the animals are kept as pets and not used for any other purpose other than companionship for their owners.
- (c) *Rescue kennel* means any facility operated by a non-profit Animal Welfare Group where dogs and/or cats, or other animals, are kept and are provided temporary housing for an animal for up to 12 months and up to an additional six months if there is proof of a documented medical condition that requires the extended temporary housing, and care for the purpose of placing them into a permanent home, except for a designated foster home.

Nuisance means an animal that:

- (a) Damages the property of anyone other than its owner, including, but not limited to, scratches or digs about any flower bed, garden, tilled soil, vines, shrubbery, or small plants and in so doing injures them;
- (b) Habitually prowls around, on, or over any premises not the property of its owner to the frequent annoyance of the owner or occupant of those premises;
- (c) Overturns any garbage can or other container of waste products, or scatters the contents of the same;
- (d) Chases or kills any domesticated animals or domesticated birds;
- (e) Annoys or disturbs any person by loud and frequent barking, howling, yelping, or causes noise in an excessive, continuous or untimely fashion/manner so as to interfere with the reasonable use and enjoyment of neighboring private premises;

- (f) An animal that habitually or repeatedly chases, snaps at, or barks at pedestrians, joggers, dogs walked by owners, bicycles or vehicles;
- (g) Disturbs the rights of, threatens the safety of or injures a member of the general public or interferes with the ordinary use and enjoyment of his property.

Owner means any person possessing legal title to any animal or, possessing no legal title microchip registration, or a person who keeps or harbors the animal with exception of Community Cat Caretakers in excess of 14 days without delivering the animal to its proper owner or the Animal Welfare Center, provides food or water regularly for the animal, or provides routine or ongoing non-emergency medical care for the animal.

Service animal means:

- (a) A dog or miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The Americans with Disabilities Act (ADA) rules state that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are purely for emotional support, are not service animals.
- (b) Therapy, comfort, and/or emotional support animals are often a great asset to those they work with. However, they are not service animals, and may not enjoy the same rights, privileges and/or access to restricted areas as is allowed under federal or State law, as a service animal.

Trap-Neuter-Return (TNR) means the process of humanely trapping, sterilizing, vaccinating for rabies an ear-tipping community cats and returning them to their original location.

Unprovoked means an act of aggression towards an animal or human that occurs without apparent cause, reason, prompting or motivation.

(Code 1976, §§ 3-101--3-119; Ord. No. O-7475-56; Ord. No. O-0809-18, § 1; Ord. No. O-1213-18, § 1; Ord. No. O-1516-18, § 1; Ord. No. O-1819-39, § 1)

SECTION 2: AMENDMENT “4-202 Duties Of Animal Welfare Supervisor And Animal Welfare Shelter Manager” of the City of Norman Municipal Code is hereby amended as follows:

AMENDMENT

4-202 Duties Of Animal Welfare CenterCenter or Animal Welfare Officers, police or her designee and the Shelter Officer Supervisor may supervise all Kennel TechniciansSupervisor And Animal Welfare Shelter Manager

- (a) The Animal Welfare Officer Supervisor shall supervise all Animal Welfare Officers and the Shelter Supervisor shall supervise all Kennel Technicians. The Animal Welfare Center Manager shall supervise all other division employees and is responsible for the administration and maintenance of the Animal Welfare Center.
- (b) The Animal Welfare Officer Supervisor, Animal Welfare Officers, police officers, and other persons designated by the City Manager, may pick up all animals in violation of the provisions of this chapter; or
 - (1) Any animal that is or will be without proper care because of injury, illness, incarceration or other excusable, involuntary absence of the person responsible for the care of such animal, and shall impound them at the Animal Welfare Center; or
 - (2) May within the City, search out and destroy with firearms or other methods any dangerous animal when causing an immediate threat to a human or another animal after a reasonable attempt is unable to be captured.
- (c) The Animal Welfare Center Manager shall cause all animals which are located within the City limits and are brought to the City Animal Welfare Center after being lawfully picked up or seized by an Animal Welfare Officer and delivered to the Animal Welfare Center or any stray animal delivered to the Animal Welfare Center by a citizen to be impounded and shall provide suitable and necessary sustenance for all animals while impounded in the shelter.
- (d) The Animal Welfare Center Manager shall not release an impounded animal to its owner until all impoundment fees and room and board charges are paid in full. The Animal Welfare Center Manager, or designated employees, shall have the discretion and authority to waive or suspend part or all of the fees based on documentable, reasonable and necessary needs to allow an animal to be returned to its owner.
- (e) The Animal Welfare Center Manager or his or her designee shall regularly transfer all proceeds from sales, fees, charges, and deposits to the City Finance Director.
- (f) Nothing in this section shall prevent the Animal Welfare Supervisor or his or her designee from seizing and/or forfeiting an animal pursuant to any other provision of the City ordinances or State law.

(Code 1976, § 3-202; Ord. No. O-7475-56; Ord. No. O-0809-18, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

SECTION 3: AMENDMENT “4-205 Sale And Disposition Of Animals Not Retrieved By Owners” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-205 Sale And Disposition Of Animals Not Retrieved By Owners

- (a) Except as hereinafter provided, any animal which is impounded by the City pursuant

to the provisions of this chapter, shall be sold, destroyed or otherwise disposed of after three full days from the time of its impoundment at the Animal Welfare Center; provided, however, in the event an animal is taken into the custody of the Animal Welfare Center and the animal has been injured or otherwise disabled as would ordinarily would require the animal's destruction or treatment by a veterinarian, the Animal Welfare Officer Supervisor, Animal Welfare Center Manager, Shelter Supervisor, shelter veterinarian, or other authorized division staff, may order its destruction if the ownership of such animal cannot be determined within a reasonable period of time. Should such ownership be determined, the injured or disabled animal shall be promptly delivered over to such owner. For the purposes of this section, the three-day time period shall begin at 8:00 a.m. the day following the animal's intake into the facility. Calculation of the three total days shall not include Sundays, holidays, or other days the shelter is not open to the public. Impounded kittens and puppies which enter the shelter in groups of three or more and are under four months of age without a known owner or mother may, at the discretion of the shelter staff, be exempted from any required hold times prior to their release. The age of four months shall be determined by the eruption of the animal's adult teeth.

- (b) Animals held at the Animal Welfare Center due to legal seizure, arrest, medical situation, protective custody seizures, or other legal means involving law enforcement requests shall be returned to the owners or legal representative as soon as possible. Upon verification that the animal's owner has been notified of its impoundment, the three-day holding time referenced in the above section shall apply as if the animal were impounded for other reasons.
- (c) An animal's impoundment period will be increased by 48 hours should that impounded animal display a tag, microchip or markings indicating that:
 - (1) animal has an owner; or
 - (2) Such animal displays a tag which indicates it is vaccinated against rabies.
- (d) Should it be determined that the owner of an impounded animal is experiencing a situation that prohibits him or her from reclaiming or arranging for the release of the animal in a timely and reasonable manner, the Animal Welfare Center Manager, Shelter Supervisor or Animal Welfare Officer Supervisor may seek an order from a judge of competent jurisdiction for the release of the animal into the care and custody of the Animal Welfare Center in order that the highest level of long-term care and safety of the animal may be provided for.
- (e) Notwithstanding any provisions of this chapter, no animal suspected of being rabid or otherwise diseased shall be destroyed until such destruction is recommended by the Animal Welfare Officer Supervisor Shelter Supervisor Animal Officer Shelter Supervisor Shelter Supervisor or the Animal Welfare Center Manager.
- (f) The manner and method of disposal or destruction of an impounded animal shall be directed by the Animal Welfare Officer Shelter Supervisor or the Animal Welfare Center Manager; and such disposal may include, but is not limited to, adoptions, euthanasia, or transfer to another animal welfare group, an animal rescue group or

other animal welfare facility. For domestic animals other than dogs and cats, sale by auction may be utilized as outlined in State law. No live animals shall be released or sold to any facility for educational, scientific and/or medical research.

(g) Adoption or sale may be refused to anyone determined by the Animal Welfare Officer Supervisor, Shelter Supervisor or Animal Welfare Center Manager, or their designated staff members to meet one or more of the following:

- (1) Has a record of cruelty to animals;
- (2) Is under 18 years of age;
- (3) Has committed acts of harassment of animals;
- (4) Owns other animals which are in violation of any requirement of this chapter;
- (5) Refuses to comply with adoption requirement;
- (6) Has released two or more animals to the Animal Welfare Center in the preceding 12 months;
- (7) Lacks adequate housing and/or fencing to contain the animals; or
- (8) Has a conviction in Municipal Court for any violation of this chapter.

(Code 1976, § 3-205; Ord. No. O-7475-56; Ord. No. O-0809-18, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

SECTION 4: **REPEAL** “4-211 Pet License Required” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-211 Pet License Required

(Code 1976, § 3-211; Ord. No. O-9091-38; Ord. No. O-9495-44; Ord. No. O-0304-42, § 2; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

SECTION 5: **REPEAL** “4-212 Exemptions” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-212 Exemptions

(Code 1976, § 3-212; Ord. No. O-1516-18, § 2)

SECTION 6: **REPEAL** “4-213 Term Of License” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-213 Term Of License

(Code 1976, § 3-213; Ord. No. O-1516-18, § 2)

SECTION 7: **REPEAL** “4-214 License Application” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-214 License Application

(Code 1976, § 3-214; Ord. No. O-1516-18, § 2)

SECTION 8: **REPEAL** “4-215 Rabies Vaccination” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-215 Rabies Vaccination

(Code 1976, § 3-215; Ord. No. O-1516-18, § 2)

SECTION 9: **REPEAL** “4-216 Issuance Of Tags And Certificates” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-216 Issuance Of Tags And Certificates

(Code 1976, § 3-216; Ord. No. O-1516-18, § 2)

SECTION 10: **REPEAL** “4-217 Owner Must Attach License” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-217 Owner Must Attach License

(Code 1976, § 3-217; Ord. No. O-1516-18, § 2; Ord. No. O-1819-39, § 2)

SECTION 11: **REPEAL** “4-218 Tag Or Certificate Must Be Shown” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-218 Tag Or Certificate Must Be Shown

(Code 1976, § 3-218; Ord. No. O-1516-18, § 2)

SECTION 12: **REPEAL** “4-219 Removal Of Registration Tags Prohibited” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-219 Removal Of Registration Tags Prohibited

(Code 1976, § 3-219; Ord. No. O-1516-18, § 2)

SECTION 13: **REPEAL** “4-220 Lost And Destroyed Tags” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-220 Lost And Destroyed Tags

(Code 1976, § 3-220; Ord. No. O-1516-18, § 2)

SECTION 14: **REPEAL** “4-221 Counterfeit And Imitation Tags” of the City of Norman Municipal Code is hereby *repealed* as follows:

REPEAL

4-221 Counterfeit And Imitation Tags

(Code 1976, § 3-221; Ord. No. O-1516-18, § 2)

SECTION 15: **AMENDMENT** “4-222 Authority To Euthanize” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-222 Authority To Euthanize

SECTION 16: **AMENDMENT** “4-301 Keeping Of Animals Other Than Dogs And Cats” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-301 Keeping Of Animals Other Than Dogs And Cats

- (a) Except, as provided otherwise, all animals commonly known as domesticated farm animals may be kept and maintained in any of the City's zoning districts only as long as:
 - (1) The provisions of NCC ch. 36 pertaining thereto are complied with;
 - (2) Such animals maintained in single-family, two-family or multifamily districts are not permitted closer than:
 - a. 25 feet to a lot line upon which is situated an inhabited dwelling; nor
 - b. 100 feet to any dwelling other than the owner's;
 - (3) The owner or occupant of the land upon which such animals are kept and maintained erects and maintains a suitable barrier sufficient to ensure compliance with the above distance requirements.
- (b) Except, as provided otherwise, chickens or laying hens may be kept and maintained in the R-1 zoning district so long as:
 - (1) The provisions of NCC ch. 36 pertaining thereto are complied with;
 - (2) Such chickens or laying hens are maintained on land upon which the owner or occupant resides;

- (3) Chickens or laying hens may only be kept under the following conditions:
- a. No more than four chickens or laying hens are allowed per R-1-zoned parcel unless additional setback conditions can be achieved as described in subsection (a)(2) of this section;
 - b. Roosters are not allowed;
 - c. The chickens are kept within a designated chicken coop and chicken run, unless supervised as described in subsection (b)(3)m of this section;
 - d. 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;
 - e. The chicken coop and chicken run shall be attached and shall be located no closer than five feet from any side or rear property lines and no closer than 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 section;
 - f. The minimum size for a chicken coop shall be four square feet per animal and the chicken run shall be eight square feet per animal;
 - g. During daylight hours, the chickens shall have access to a chicken run and a chicken coop;
 - h. From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;
 - i. Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;
 - j. Chicken runs shall be adequately fenced and protected from predators;
 - k. The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;
 - l. Water shall be provided onsite and accessible to chickens at all times;
 - m. 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 NCC 4-101;
 - n. 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.
- (4) Outdoor slaughter of chickens is prohibited.
- (5) Electrical and heat sources shall comply with the City's building code.
- (c) No person shall own, keep, or maintain a swine within the City limits, except in those areas zoned A-1 or A-2 and only then when in compliance with the limitations regarding those areas.
- (d) Except as otherwise provided, it shall be unlawful for any person to keep or maintain, or allow to be maintained any exotic wildlife or species defined in this chapter, or

native wildlife or any species of animal which is venomous to human beings, whether its venom is transmitted by bite, sting, touch or other means. If a person is found in possession of a prohibited animal, the animal may be immediately seized and impounded by an Animal Services Officer. 4-205(b) regarding release or disposition of the animal shall apply to prohibited animals. However, the prohibited animal shall only be released to the owner if the owner has found a place where the animal may be legally kept.

- (e) Persons excepted from subsection (d) of this section shall be:
- (1) Duly authorized educational institutions;
 - (2) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;
 - (3) Zoos which are AZA or ZAA certified;
 - (4) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the Federal Regulations;
 - (5) Required to ensure the animal is properly secured during any transport, remains detained, or prohibited from unsafe access to others;
 - (6) Be required to provide proof of required licensing and liability insurance to any City officer for keeping and displaying the animal.

(Code 1976, § 3-501; Ord. No. O-7475-56; Ord. No. O-8687-50; Ord. No. O-0102-9; Ord. No. O-1213-18, § 2; Ord. No. O-1516-18, § 5; Ord. No. O-1819-39, § 5)

SECTION 17: **AMENDMENT** “ARTICLE 4-V DOGS AND CATS” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

ARTICLE 4-V DOGS AND CATS

SECTION 18: **AMENDMENT** “4-501 Abandonment Of Cats And Dogs” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-501 Abandonment Of Cats And Dogs

- (a) No person shall abandon or desert any animal or permit such animal to become a stray.

- (b) Any dog or cat found at-large not wearing any tag indicating proof of current vaccination against rabies, or that the owner is a City resident, shall be presumed abandoned, and will be impounded by the City.

(Code 1976, § 3-401; Ord. No. O-7475-56; Ord. No. O-1516-18, § 4)

SECTION 19: **AMENDMENT** “4-503 Confinement Of Dogs And Cats” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-503 Confinement Of Dogs And Cats

- (a) No person shall knowingly or unknowingly permit his dog to be at-large anywhere within the City limits; and such dogs found at-large may be impounded and/or the owner cited by the City.
- (b) No person shall knowingly or unknowingly permit his cat to be at-large unless the cat is altered, current on its vaccinations, as required in this chapter, has a collar with an identification tag and has a registered microchip containing accurate and current information for the owner, notwithstanding that the cat could still be determined to be a nuisance animal by its actions as defined in NCC 4-101 and NCC 4-509.
- (c) All dogs and cats shall be confined to the owner's premises should the Mayor declare a state of emergency due to an outbreak of rabies within the City.

(Code 1976, § 3-403; Ord. No. O-7475-56; Ord. No. O-0809-18, § 4; Ord. No. O-1516-18, § 4; Ord. No. O-1819-39, § 4)

SECTION 20: **ADOPTION** “4-510 Community Cats” of the City of Norman Municipal Code is hereby *added* as follows:

ADOPTION

4-510 Community Cats(*Added*)

- (a) Community cats are exempted from stray, at large and other provisions of this Chapter that apply to owned animals.
- (b) community cats may be managed and maintained by a community cat caregiver. Any person may provide care for a community cat, including but not limited to, the following:
 - (1) maintained in a feeding container.
 - (2) Clean, potable water that is free from debris and algae.

- (3) and safe shelter that is the proper size for the cat(s).
- (4) community cats (except by Norman Animal Welfare) is permitted only only for the purpose of TNR unless a community cat is injured, veterinary care is required or is a nuisance.
- (5) community cat received by the Norman Animal Welfare or a local veterinarian from a community cat caregiver may be returned to the location where the cat was trapped or found with no hold period unless veterinary care is required.
- (6) cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose returning of ear tipped community cats to their original location.
- (7) community cat caregiver who returns a community cat to its original location when conducting TNR is not deemed to have abandoned the cat.
- (8) is permitted to be practiced by community cat caregivers and a 501(c)(3) nonprofit corporations in good standing with a TNR program in compliance with applicable federal or state law. As part of TNR, spay or neuter and vaccination for rabies must take place under the supervision of a licensed veterinarian. The Animal Welfare Division is authorized to direct impounded community cats to a TNR program.

SECTION 21: **AMENDMENT** “4-601 Cruelty To Animals” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-601 Cruelty To Animals

- (a) No person shall willfully or maliciously:
 - (1) Torture, cruelly beat, injure, maim, mutilate, or unjustly destroy or kill any animal;
 - (2) Deprive any animal in subjugation or captivity of food generally accepted as being nutritious, potable drinking water, or adequate shelter;
 - (3) Administer any poison or noxious drug or substance to any animal;
 - (4) Expose any drug or substance with the intent that the same shall be taken by an animal, whether such animal be the property of that owner or another person;
 - (5) Cause any other person to do any of the above items;
 - (6) It shall be unlawful for any person to leave any animal in any standing or parked vehicle, box, container or other situation without providing for adequate ventilation nor shall a person allow an animal to be exposed to extreme temperature while confined in a vehicle, box, container or other situation which would likely cause distress, harm or death to the animal;

- (7) It shall be unlawful to intentionally torment, harass, throw objects at, verbally or physically confront any animal, whether confined or unconfined, in a manner to cause unjustified agitation or injury to the animal;
 - (8) No person shall cause an animal to be overloaded or forced to work in a manner unsuitable to its species, breed, condition or health so as to cause injury to the animal;
 - (9) No person shall fail to provide or deprive any animal in their possession, care, or control reasonable medical or necessary veterinary care if the animal is sick, diseased, and/or injured;
 - (10) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be dyed, colored, or otherwise similarly altered for the purposes as a promotional item, prize, or giveaway. This prohibition shall in no way limit the actions of a commercial or private groomer, medical care provider, or owner preparing an animal for a commonly recognized and accepted competition or show event as long as the action is performed in a safe and humane way that does not result in discomfort or injury to the animal;
 - (11) It shall be unlawful to participate in, assist with, sell, transport or otherwise allow any animal to be provided to another person as a promotional item, or prize to be given away at any event, festival, carnival, or parade.
- (b) Animal Welfare, Police, or Fire Department Officials are hereby authorized to remove, impound or take possession of any animal which has been treated in violation of subsection (a) of this section.

(Code 1976, § 3-301; Ord. No. O-7475-56; Ord. No. O-8485-87; Ord. No. O-8687-50; Ord. No. O-0809-18, § 3; Ord. No. O-1516-18, § 3; Ord. No. O-1819-39, § 3)

SECTION 22: **AMENDMENT** “4-603 Animals That Are Nuisances” of the City of Norman Municipal Code is hereby *amended* as follows:

AMENDMENT

4-603 Animals That Are Nuisances

- (a) No person shall own, keep, possess, or harbor any animal that is a nuisance.
 - (1) The Municipal Court Judge, upon a finding that the animal is a nuisance animal, may order that the animal be confined on the premises of the owner.
 - (2) If there are three convictions, pleas of guilty or nolo contendere of violations of subsection (a) of this section or NCC 4-503 against the same animal within a 12-month period, then such animal shall be ordered removed from the City limits or destroyed, at the owner's option, within ten days of the order.
- (b) Noncompliance shall be a violation punishable as listed in NCC 4-223.

(Code 1976, § 3-303; Ord. No. O-7475-56; Ord. No. O-8687-50; Ord. No. O-0506-10; Ord. No. O-1516-18, § 3; Ord. No. O-1819-39, § 3)

SECTION 23: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 24: **EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

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AYE

NAY

ABSENT

ABSTAIN

Presiding Officer

Attest

Larry Heikkila, Mayor, City of
Norman

Brenda Hall, City Clerk, City of
Norman