

REVISED RESOLUTIONS OF 11TH JUNE 1979 (95665)

REGULATING THE CONFINEMENT, IMPOUNDMENT,
DISPOSAL, REDEMPTION AND RABIES CONTROL
OF DOGS.

NEW RESOLUTION TO PASS REGULATING DOGS AND CATS

Regulating the confinement, impoundment, disposal, redemption and rabies control of dogs. The regulation of nuisance dogs and cats require yearly tags and current rabies vaccinations of dogs and cats, regulation of the control of dogs and cats "in heat," and regulation of the number of dogs and cats in one household without a hobbyist license. Regulation of breeders of dogs and cats is also necessary.

WHEREAS, the Board of County Commissions of Tulsa County, Oklahoma, is empowered to regulate or prohibit the running of dogs and cats at large within Tulsa county pursuant to 19 O.S., Section 339 and 4 O.S., Section 43; and 4 O.S. Section 499.2.

WHEREAS, the Board of County Commissions of Tulsa County, Oklahoma, may cause such dogs and cats as may be running at large to be confined, impounded, disposed of or regulated and sold pursuant to the laws of the State of Oklahoma. And

WHEREAS, the Board of County Commissions has a duty when undertaking the regulation and taxation of dogs and cats in Tulsa County to establish and enforce rules governing the same.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissions of Tulsa County, State of Oklahoma:

That the following revised regulations for control of dogs and cats, as attached hereto and describe as exhibit "A" and "B", is hereby adopted on behalf of Tulsa County, Oklahoma, pursuant to the authority vested in the Board of County Commissions of Tulsa County, Oklahoma by the laws of the State of Oklahoma.

REVISED REGULATION EXHIBIT "A"

REGULATION FOR CONTROL OF DOGS (95665 JUNE 11, 1979)

Section 1. Definitions

- (a) Jurisdiction: These regulations are adopted pursuant to the authority vested in the Board of County Commissions by Section 43 Title 4, Oklahoma Statutes 1971, and shall be applicable in all unincorporated areas of Tulsa County.
- (b) Owner: Any person, group of persons, or corporation keeping or harboring a dog or dogs.
- (c) At Large: Any dog shall be deemed running at large when off the property of its owner and not controlled by any person.
- (d) Revised Regulation to say the following: Spayed female or neutered male: Any bitch or male, which has been operated on to prevent conception.
- (e) County Pound: Any animal shelter designated by the County Sheriff and approved by the Board of County Commissions for the impoundment of animals by the Animal Warden.
- (f) Dog Bite: Any injury inflicted upon a person by a dog, which results in the breaking or severe bruising of the person's skin and exposure thereof to the saliva of the dog.
- (g) Animal Warden: Any person deputized by the County Sheriff and approved by the County Commissioner to perform the duties imposed upon the County Sheriff by these regulations.
- (h) Exposed to Rabies: For the purpose of the regulations, a dog has been exposed to rabies if it has been bitten by or exposed to any animal known to be infected with rabies.
- (i) Stray Dog: One which is found running at large and which has attached to it no tag or other identification.
- (j) Vaccination against rabies: A dog or other animal is vaccinated against rabies when no more than 12 months have passed since it received an inoculation of anti-rabies vaccine, as evidenced by a certificate of vaccination, signed by a licensed veterinarian and stating the date of vaccination.
- (k) On hunt: A dog is on hunt if it is chasing, trailing, or hunting wild animals while accompanied by its owner. The dog need not be restrained, but its owner must be within reasonable control distance of the animal.
- (l) Veterinarian: A person licensed by the State of Oklahoma to practice Veterinary Science.
- (m) Nuisance: Shall mean any animal which habitually commits any one or a combination of the following acts:

1. Scratches or digs into any flower bed, garden, tilled soil, vines, shrubbery, or small plants and in doing so injures the same
 2. Overturns any garbage can or vessel for waste products or scatters the contents of the same
 3. Chases any person or domestic animal, or kills any domestic animal
 4. Barks, growls, brays, or makes any other loud or offensive noise common to its species or peculiar to itself, so as to disturb the inhabitants of the community
 5. Is at large
- (n) Hobbyist: Any person, household or organization who raises animals (example: any dog, cat, bird, or reptile) for the breed, to show, or for a profit and shall have proper enclosure for the animals.
- (o) Rescuer: Any person, household or organization that provides a temporary home to any animal, (dog, cat, bird or reptile) so it can be adopted to a new home or held for the owner in a effort to assist the Animal Warden in the controlling the stray animal (dog, cat, bird, or reptile)and shall have proper enclosure for the animal.
- (p) Proper Enclosure: A structure with secure sides, top, and a concrete floor with drainage to allow the removal of feces matter and urine and to promote a healthy enclosure free of disease. It shall have a double entrance to keep animals (dogs, cats or birds) from escaping. Reptiles shall be kept in a glass cage with a secure top and clean bedding or any special needs for that species of reptile. All enclosures shall be approved by the Animal Warden.

Section 2. Confinement of Certain Dogs

- (a) Revised to say the following: The owner of any fierce, dangerous, or vicious dog, after being given notification of possessing a dangerous dog by the Animal Warden in writing, shall confine it within a building or other secure enclosure, and shall permit its removal there from only when the animal is muzzled or restrained by a leash.
- (b) Revised to say the following: It is hereby declared that any dog of the type described in Paragraph (a) of this Section, found running at large in violation of the provisions of that paragraph, shall constitute a public danger, nuisance, which the Animal Warden shall abate by impounding the animal. Redemption of such a dog will not be permitted except upon the order of a court of competent jurisdiction, issued and served upon the County Sheriff within ten (10) days following the date of impoundment. A fee of \$100.00 per dangerous dog found at large must be paid to the Animal Warden before release.

Section 3. Impoundment

- (a) Any dog found running at large which shows evidence of Estrus may be taken up and impounded by the Animal Warden; provided, that if the owner of the dog is known, the Animal Warden may elect to deliver the animal to its owner. Such election shall have no bearing upon the prosecution of the owner of such dog for a violation of these regulations.
- (b) Any dog found running at large on premises at which people commonly assemble, including but not limited to school grounds, parks, play grounds, and church yards, or upon premises which the Animal Warden cannot determine to be owned controlled by the owner of the dog, may be taken up by the Animal Warden and impounded.
- (c) Revised to say the following: Any dog on hunt which has not been vaccinated against rabies and tagged may be taken by the Animal Warden and impounded. The owner may redeem the dog after it has been vaccinated or proof of being vaccinated by a licensed veterinarian of the State of Oklahoma or other states in the nation. Failure to comply with the requirement shall constitute a violation of the regulations.
- (d) Revised to say the following: Any dog or cat that is not claimed by its owner within three (3) days after the date of impoundment shall become property of Tulsa County and may be sold or disposed of at any time thereafter, except as may be otherwise provided by these regulations. Sale of animals shall be for a fee of \$25.00 plus \$5.00 per day boarding, along with \$7.00 for rabies vaccination. Disposal of animals shall be accomplished in a humane manner, to be established by the County Sheriff, with the approval of the County Commissioner, after consultation with a member of the Tulsa County Chapter of any National Humane or Protective Organization, who shall be designated by the County Sheriff, with approval of the County Commissioners, as his consultant with respect of disposing of animals.
- (e) If in the judgment of the Animal Warden that, for humane reasons, an impounded dog should be destroyed; he may refuse to permit the owner to retrieve it, except upon written approval from a licensed veterinarian.
- (f) It shall be the duty of the Animal Warden to keep accurate and detailed records of the impoundment and disposition of all animals coming into his custody.
- (g) No impounded animal shall be sold or given away to be used for experimental or study purposes of any kind.

Section 4. Redemption of Impounded Animals

- (a) Except in certain cases, as herein otherwise provided, the owner of an animal which has been

impounded may obtain custody of it upon compliance with the provisions of these regulations.

(b) Any person claiming an impounded animal must furnish satisfactory evidence of his ownership by photos, chipping, or tattooing.

(c) Revised to say the following: In the event an impounded animal has not been vaccinated against rabies, it shall be given a vaccination for rabies the fee of which shall be \$7.00 plus the cost of tags if the owner has not registered it in Tulsa County, the fee of which will be \$10.00 unless the owner has proof of registration within the last year.

(d) Revised to say the following: The following fees shall be due upon impoundment and shall be paid to the Animal Warden before any animal is released

- 1) Any dog or cat which is impounded while showing evidence of Estrus \$35.00
- 2) Any other dog or cat \$25.00
- 3) Rabies vaccinations \$ 7.00
- 4) Registration tags \$10.00
- 5) In addition to the foregoing, for each day any dog or cat is housed and fed \$ 5.00

Provided, however that no fees shall be payable in the event an animal is released upon court order or in the event of the acquittal of its owner of a charge arising from the same alleged violation of these regulations for which the animal is impounded.

(e) The redemption of an impounded animal upon payment of fees shall have no bearing upon the prosecution of the owner thereof for any violation of these regulations.

(f) The Animal Warden shall give receipts for all money collected by him and shall maintain duplicated copies thereof as a permanent record. He shall deposit with the County Treasurer each day all money received by him and the County Sheriff shall account therefore on his monthly reports to the County Commissioner.

Section 5. Rabies Control

(a) The Animal Warden shall require a 14-day quarantine of any dog which bites a person or is suspected of having bitten a person, and no dog shall be released from such quarantine except upon written permission of the Animal Warden.

- 1) The quarantine may be at the County Pound, in which event the fees provided in Section 3 hereof must be paid upon release of the animal.
- 2) The Animal Warden may permit the quarantine upon the owner's premises if the dog is securely confined and at the owner's expense, if seen each day by a licensed veterinarian.

- 3) The Animal Warden may permit the quarantine at the expense of the owner's veterinary hospital.
 - 4) In the instance, notwithstanding the provisions of Paragraph 2 and 3 of this subsection, the Animal Warden may order the quarantine to be at the County Pound if, in his judgment, the best interest of the person bitten or of the public generally required such action.
- (b) No dog shall be released from quarantine if it has been diagnosed as rabid or if suspected of being rabid.
- (c) If any animal dies while under quarantine, after having been diagnosed as or suspected of being rabid, the Animal Warden or the Veterinarian who has been observing the dog shall:
- 1) Send the animal's head for pathological examination, to either the State Health Department Laboratory or some other laboratory approved by the State Health Department.
 - 2) Notify the Tulsa City-County Health Department of the diagnosis of suspicion of rabies. Furnishing any information as to human contacts had by the animal prior to its death.
- (d) If it is determined by the Tulsa City-County Health Department that rabies exists in any area of Tulsa County, the County Commissioners may proclaim a quarantine for the entire County or for any designated portion thereof, which quarantine shall be effective for thirty (30) days and may be extended for succeeding periods of thirty (30) days if additional positive cases of rabies occur in the area of the quarantine during the original thirty (30) day period or any extension thereof.
- (e) The following regulations shall be effective in any area of the County for which quarantine has been proclaimed:
- 1) No dog shall be permitted in the streets or in any public place except when leashed or otherwise securely restrained.
 - 2) No dog shall be removed from the area except upon written permission of the Animal Warden.
 - 3) Any animal which is bitten by another animal which is subsequently diagnosed by a veterinarian or by a pathological examiner as being rabid shall be destroyed by the owner, a veterinarian, or the Animal Warden, unless the owner elects:
 - a) To obtain treatment of the animal for rabies by a veterinarian, or
 - b) To quarantine the animal on the owner's premises for 90 days, confining it in such a manner that it cannot come into contact with any person or with any other animal.

- (f) Except as herein otherwise provided, no person shall kill or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or any animal which has bitten a human, nor shall any such animal be removed from the County without written permission of the Animal Warden.
- (g) Any animal diagnosed by a veterinarian as rabid shall be disposed of as directed by the Animal Warden.
- (h) It shall be a violation of these regulations if any person shall refuse to surrender to the Animal Warden, upon his demand, any animal which he has ordered quarantined or destroyed.
- (i) It shall be the duty of every physician or other practitioner to report to the Animal Warden and to the Tulsa City-County Health Department the name and address of any person treated by him for an animal bite.
- (j) It shall be the duty of the Animal Warden to keep an accurate and detailed record of each animal bite incident and report to him and of his investigation thereof.

Section 6. Enforcement

The provisions of these regulations shall be enforced by the County Sheriff and his deputies.

Section 7. Interference

It shall be a violation of these regulations if any person shall interfere with, hinder or molest the County Sheriff or any of his deputies in the enforcement of these regulations or shall endeavor to secure the release of any impounded or quarantined animal by any means other than those provided in these regulations.

Section 8. Punishment

As is provided by Section 43 or Title 4, O.S. 1971, any person who violates any of the foregoing regulations shall be guilty of a misdemeanor and shall be punished as provided by the laws of this state in any court of competent jurisdiction, provided that in the case continuing offenses, each day on which the offense occurs shall constitute a separate offense.

REGULATIONS EXHIBIT "B"

Section 1. Registration and Rabies Inoculation

- (a) It shall be the duty of every resident in designated unincorporated areas of Tulsa County owning or having in his charge or possession any dog or cat four (4) months or more of age to cause such dog or cat to be registered with the Animal Warden and pay the license fee for registration of \$10.00 per dog or cat which may follow or be led by any nonresident or traveler through Tulsa County while the dog or cat is with its owner or keeper.
- (b) It shall be further duty of every person owning or having in his charge or possession within the unincorporated areas of Tulsa County any dog or cat four (4) months or more of age to such dog or cat, within thirty (30) days after the dog or cat reaches four (4) months of age to be inoculated as set forth below.
 - 1) Inoculation must be with a prophylactic vaccine approved by the United States Department of Agriculture to prevent rabies. Rabies vaccine currently licensed by the United States Department of Agriculture will be recognized by the Tulsa County Commissioners, Tulsa County Sheriff and the Animal Warden for one (1) year or a three (3) year immunization period as follows:
 - 2) Three (3) year immunity. Modified live virus flurry strain rabies vaccine or killed strain vaccine, as licensed by The United States Department of Agriculture will be recognized for three (3) years in dogs, provided the dog is at least one (1) year of age at the time of vaccination; if dogs under one (1) year of age are vaccinated with this type of vaccine, immunity will be recognized for a period of one (1) year or
 - 3) One (1) year immunity, all other vaccines currently licensed by the United States of Department of Agriculture are recognized for a one (1) year period.
 - 4) Cats must be inoculated with vaccines specifically for cats. Vaccines must be recognized by the United States Department of Agriculture.
- (c) Thirty (30) days shall be permitted for an owner to secure revaccination of his dog or cat after the duration of immunity has lapsed.
- (d) Every veterinarian, after vaccinating a dog or cat for rabies, shall keep three (3) copies of the vaccination one (1) as a permanent record and one (1) as an expiration notice, and the third copy shall be given the Animal Warden, upon request, and

to be used to secure the license tag. Such certificate shall include the following:

- 1) Owner's full name, address, zip code, home telephone number, daytime and/or emergency contact number
- 2) Breed, date of birth, sex and color or marking of dog or cat
- 3) Type of vaccine and duration of immunity
- 4) Signature of veterinarian administering the vaccine
- 5) Name of the animal if applicable; and
- 6) Permanent identification information, if any; and
- 7) Whether the animal is spayed or neutered or unaltered

Section 2. Animal a Nuisance

- (a) It shall be the duty of the Tulsa County Sheriff or his deputies or Animal Warden to investigate any proper claim that an animal is a nuisance. Should the investigating official determine that a nuisance exists and it is necessary to abate the nuisance or should the official have a reason to believe a threat to public health or safety exists, he shall refer the matter to the District Attorney for approval and an order from the court that the animal be impounded. All fees for impoundment shall apply and any fines or court cost shall be assessed by the court.

Section 3. Harbor, Keep, or Possess In Any One Household Dogs and Cats

- (a) The owner of any dog or cat can harbor, keep, or possess in any one household no more than a combined total of five (5) dogs and cats over the age of four (4) months; provided that no more than three (3) of such animals shall be dogs over the age of four (4) months. It is specifically provided that a household may keep or possess more dogs and/or cats that permitted by this section so long as: The household or an individual in the household has secured a hobbyist exemption as required in this section.
- (b) Hobbyist exemption permit: The Animal Warden shall maintain a register of qualified hobbyist exemption permit holders. Application shall be submitted in writing to the Animal Warden who shall notify the applicant of the acceptance or denial with thirty (30) days of the application date. If the application is denied the applicant shall be notified of the reason for denial. A fee of \$100.00 will be charged for the initial permit. Each subsequent yearly renewal shall be \$50.00.
- (c) A holder of a hobbyist exemption permit will be permitted to own and keep, at a single family

dwelling, a number of dogs and cats that would otherwise constitute an offense to Section 3.A. Provided, however, that the hobbyist is actually involved in the following:

- 1) Permit qualification. Any individual or organization
 - 2) Is actively involved in any nationally recognized, organized animal sport or hobby
 - 3) Qualifies as a rescuer according to the provision of this resolution and Section 3
 - 4) Has not been convicted in the past ten (10) years of any offense related illegal commercial breeding, brokering, dog fighting, nuisance offense under Section 2.A, animal cruelty, animal neglect, a violation of Oklahoma Wildlife Conservation Code or Regulation , or two (2) or more violations of at-large dogs or cats shall qualify for a hobbyist exemption permit
- (d) Application document. An applicant for a hobbyist exemption permit or rescue organization shall submit to the Animal Warden the following
- 1) Certificates of nationally recognized training classes, dated with the twelve (12) months immediately preceding the date of application (for hobbyist only)
 - 2) A show catalog including the applicants name as in exhibitor in no less than two (2) superintendents confirmation receipts, dated within the twelve (12) months immediately proceeding the date of application (for hobbyist only);
 - 3) For a rescuer organization, proof that the organization is approved by the Animal Warden and notification to the Animal Warden in ninety (90) days if the owner is not found, to be impounded by the Animal Warden. The animal will be impounded by the Animal Warden and held the same as a stray dog or cat then will be properly disposed of according to the resolutions and state law.
 - 4) For the owner of hunting dogs, proof that the owner holds or is exempt form holding a current valid State of Oklahoma hunting license.
 - 5) Any activity involving the fighting or physical contact between animals shall not be considered an organized sport or hobby for the purpose of this section.
- (e) Renewal. A permit holder must reapply for the exemption permit every year. To make application, the permit holder must furnish to the Animal Warden or Sheriff one or more of the items listed for application in this section.

- (f) Records. If applicable the permit holder shall keep accurate records in accordance with the requirements of his associated national registry on each dog or cat owned, and on each dog and cat where ownership has been transferred. These records shall be open to the registry with which the hobbyist is affiliated.
- (g) Requirements of a rescuer. A rescuer may harbor dogs and cats in accordance with the resolutions Section 3 provided, however, that such dogs and cats are harbored for no longer than ninety (90) days each while the rescuer attempts to locate the animal's home or a new home. If a rescuer must harbor an animal for longer than ninety (90) days due to a medical condition, the rescuer shall notify the Animal Warden for impoundment after ninety (90) days.
- (h) Revocation. A permit holder shall have his hobbyist exemption permit or the right to serve as a rescuer under an organizations permit revoked if he has been convicted of an offense: illegal commercial breeding, brokering, dog fighting, nuisance offense under Section 2.A, animal cruelty, animal neglect, a violation of Oklahoma Wildlife Conservation Code or Regulation, or two (2) or more violations of at-large dogs or cats.