

## ORDINANCE NO. 26

**AN ORDINANCE OF THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF HOCHATOWN, OKLAHOMA ADDING A NEW SECTION 6-4-3 TO TITLE 6, POLICE AND PUBLIC SAFETY, CHAPTER 4, ANIMALS, REGULATING DOGS; REQUIRING LEASHING AND CONFINEMENT; PROHIBITING TETHERING AS A PRIMARY MEANS OF RESTRAINT; PROVIDING FOR ENFORCEMENT, IMPOUNDMENT, AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOCHATOWN, MCCURTAIN COUNTY, STATE OF OKLAHOMA:

SECTION 1. That Title 6, Police and Public Safety, Chapter 4, Animals of the Code of Ordinances of the Town of Hochatown, Oklahoma, is hereby amended by adding a new Section 6-4-3, which shall hereafter read as follows:

### **TITLE 6: POLICE AND PUBLIC SAFETY CHAPTER 4: ANIMALS**

#### **SECTION 6-4-3: Dogs -Leash, Confinement, and Control.**

**(a) Definitions.** For purposes of this Section, the following words and phrases shall have the meanings set forth below:

1. **Dog** means any member of the species *Canis familiaris*.
2. **Owner** means any person who owns, keeps, harbors, controls, or has custody of a dog.
3. **At Large** means any dog that is off the owner's property and not restrained by a physical leash held by a responsible person.
4. **Leash** means a physical restraint made of durable material, not exceeding six (6) feet in length, and held by a person capable of controlling the dog.
5. **Confinement** means secure enclosure by a fence, wall, kennel, or structure sufficient to prevent a dog from leaving the property.
6. **Public Place** means any street, sidewalk, park, trail, right-of-way, or other property open to the public.

**(b) Leash Required Off Owner's Property.** No owner shall permit a dog to be at large. Any dog that is off the owner's property shall be restrained by a leash at all times. There shall be no off-leash privileges for dogs within the corporate limits of the Town of Hochatown.

**(c) Confinement Required on Owner's Property.**

1. Any dog kept on the owner's property shall be securely confined within a fenced yard, enclosed kennel, or other secure structure at all times when not inside a dwelling.
2. All fencing or enclosures shall be of sufficient height, material, and construction to prevent the dog from escaping and shall be properly maintained.

3. Allowing a dog to roam freely, unattended, or under voice control only, without secure confinement, is prohibited.

**(d) Tethering Prohibited as Primary Restraint.**

Tethering, chaining, staking, or otherwise tying a dog shall not constitute adequate confinement and is prohibited as a primary means of restraint, except when the dog is under direct physical supervision and secured in a manner that prevents escape or contact with other persons or animals.

**(e) Duty to Control.** An owner shall exercise reasonable care and control to prevent a dog from:

1. Attacking, biting, or harassing any person or animal;
2. Entering neighboring property without permission; or
3. Creating a public nuisance.

**(f) Enforcement; Impoundment.** Any person authorized to enforce the provisions of this Chapter shall have the authority to issue a town citation and/or to impound any dog found in violation of this Section. Any impounded dog shall be handled and disposed of in accordance with applicable state law and Town procedures.

**(g) Penalties.**

1. **General Violations.** Any owner found in violation of this Section shall be subject to the following fines, per violation, in addition to court costs and impoundment fees:
  - o First offense: **\$150.00**
  - o Second offense: **\$300.00**
  - o Third and subsequent offenses: **\$450.00**
2. **Injury Enhancement.** If a violation of this Section results in injury to another person or animal, the owner shall be subject to an **additional fine of \$500.00**, which shall be a separate ticket and penalty.
3. **Separate Violations.** Each day a violation continues shall constitute a separate and distinct offense.

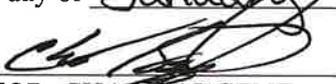
**(h) Exceptions.** This Section shall not apply to dogs actively engaged in lawful law enforcement or emergency services, or to dogs being transported in a secure vehicle or enclosure.

SECTION 2. That the remaining portions of Title 6 of the Code of Ordinances of the Town of Hochatown, Oklahoma shall be unchanged by this Ordinance.

SECTION 3. The provisions of this ordinance are severable and if any section, subsection, subdivision, paragraph, sentence, clause or phrase or any part thereof is for any reason determined to be unconstitutional or adjudged invalid or ineffective by any Court of competent jurisdiction, such determination or adjudication shall not affect or impair the validity or effectiveness of the remaining parts, provisions or portions hereof.

**SECTION 4.** It being immediately necessary for the preservation of the public health, peace, and safety of the citizens of the Town of Hochatown, Oklahoma, that an emergency be declared to exist, this ordinance shall be in full force and effect immediately from and after its passage, approval, and publication.

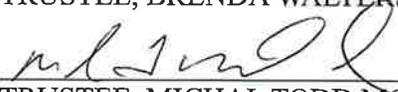
**PASSED AND APPROVED** by the Town Trustees of the Town of Hochatown, Oklahoma this the 17<sup>th</sup> day of January, 2026

  
MAYOR, CHAD SARGENT

  
TRUSTEE, DIAN JORDAN

Absent  
TRUSTEE, BRENDA WALTERS

  
TRUSTEE, HOWARD HAGGARD

  
TRUSTEE, MICHAL TODD MCDANIEL

**ATTEST:**

  
Julie Arrieta, Town Clerk

Approved:

  
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Liz George, OBA No. 30562  
Town Attorney