

ORDINANCE NO. 5

AN ORDINANCE OF THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF HOCHATOWN, OKLAHOMA AMENDING THE CODE OF ORDINANCES TITLE 6, POLICE AND PUBLIC SAFETY, CHAPTER 4, ANIMALS, SECTION 6-5-1 TO PROVIDE FOR A PENALTY IN THE AMOUNT OF \$500 PER ANIMAL AND TO PROVIDE THAT EACH DAY SHALL CONSTITUTE A SEPARATE VIOLATION 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, Chapter 4, Section 6-5-1 of the Code of Ordinances of the Town of Hochatown, Oklahoma is hereby amended and shall hereinafter read as follows:

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

Section 6-5-1: Sale of Animals

It shall be unlawful for anyone to sell, trade, barter, lease, rent, give away—any live animal on any roadside, public right-of-way, commercial parking lot or any flea market within the corporate limits of the Town of Hochatown. The sale of animals can only take place on private property with the consent of the land owner and a valid seller's permit.

Enforcement; impoundment/citation:

In the enforcement of the provisions of this Section, any person authorized to enforce the provision of this chapter shall have the authority to impound any animal found in violation of this article and/or or to issue a town citation in the amount of \$500.00 per violation. Each day shall constitute a separate violation.

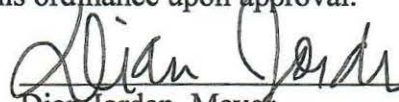
The owner of any animal impounded pursuant to this Section shall be liable to the Town of Hochatown in the amount of the impoundment and boarding fees, charged the owner pursuant to the provisions of this chapter, and any animal so confined pursuant to this Section shall be handled and disposed of in the same manner as any animal that is so confined because of being found at-large within the Town of Hochatown.

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.

SECTION 5. Pursuant to 11 O.S. §14-108, the Town Clerk is authorized to include this ordinance in the official Code of Ordinances for the Town of Hochatown, it being the intent to authorize recodification with the inclusion of this ordinance upon approval.



Dian Jordan, Mayor

ATTEST:



Helen Harden, Town Clerk



Approved:



Liz George, OBA No. 30562
Town Attorney