

ORDINANCE NO. 4

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, BY CREATING A NEW CHAPTER 4 TO BE TITLED “ANIMALS”; ADDING SECTION 6-4-1 REQUIRING LICENSE TO SELL DOGS OR CATS AND OTHER ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF HOCHATOWN, OKLAHOMA; ADDING SECTION 6-5-1 ESTABLISHING REGULATIONS AND ESTABLISHING PENALTIES RELATING TO THE SALE OF ANIMALS; 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 of the Code of Ordinances of the Town of Hochatown, Oklahoma is hereby amended to include Chapter 4, Animals, and to read as follows:

TITLE 6: POLICE AND PUBLIC SAFETY CHAPTER 4: ANIMALS

SECTION 6-4-1: License to sell dogs, cats and other animals.

Any person who sells or offers for sale one (1) or more animal pets must obtain a seller’s permit and pay the \$500.00 fee to the Town Clerk or other designated person as set forth by resolution.

1. Each Seller’s Permit shall be valid for six (6) months.
2. The Seller’s Permit number shall be prominently displayed in all advertisements, notices, or displays for sale of the animals.
3. A Seller’s Permit holder shall provide a purchaser a written statement which shall include a guarantee of good health for a period of not less than two (2) weeks with a recommendation to have the animal examined by a licensed veterinarian.
4. If a person fails to obtain a permit after this notice, then the Police Department shall be authorized to impound the animals.
5. The application for sellers permit must include the location where such sales shall take place and written consent from the property owner must be obtained.

Upon submission of a Seller’s application for permit to the Town Clerk (or other designated person), the Town will issue one of the following determinations:

- Approved—you will have five (5) days to pay your permit fee. Payments need to be made at: Hocha Town Hall, 101 Rock Oak Lane, Hochatown, Oklahoma 74728.
- Approved with contingency—Minor requirements need to be met by a date indicated by the Town Clerk or authorized person.
- Denied—if denied, you are required to come into compliance with the Town of Hochatown Ordinance(s) and/or penalties may apply. A new application and fee will need to be submitted to the Town Clerk or other authorized person.

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, or to issue a town citation.


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.

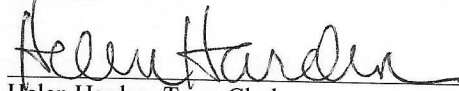
SECTION 3. The provisions of this ordinance are severable and if any section, subsection, subdivision, paragraph, sentence, clause or phrase or any part thereof is for any reason determined to be unconstitutional or adjudged invalid or ineffective by any Court of competent jurisdiction, such determination 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.

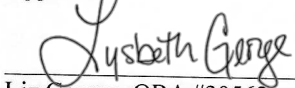
PASSED and the **EMERGENCY CLAUSE** ruled upon separately by the Board of Trustees of the Town of Hochatown, Oklahoma and signed by the Mayor of said Town this 5th day of November 2023.


Dian Jordan, Mayor

ATTEST:


Helen Harden, Town Clerk

Approved:


Liz George, OBA #30562
Town Attorney

