

2017-9
ORDINANCE

AN ORDINANCE OF THE TOWN OF LUTHER, OKLAHOMA AMENDING SECTION 4-124 OF THE TOWN CODE OF THE TOWN OF LUTHER, OKLAHOMA AMENDING OFFENSES; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA:

Section 1. That Section 4-124 of the Code of Ordinances for the Town of Luther, Oklahoma shall be amended as follows:

SECTION 4-124 OFFENSES.

It is an offense for any person within the hydranted area of the town to:

1. Permit any dog owned, possessed, or harbored by him upon any private property which he does not own or control. This section shall not apply to any person who takes a dog upon private property not owned by him or under his control with the consent of the person who owns or controls such property where such dog is either confined in a vehicle or controlled by means of a chain or leash of sufficient strength and length;
2. Permit any dog owned, possessed, or harbored by him upon any street, alley, or other public place, unless the dog is under control of the owner or other person in a vehicle or by means of a chain or leash of sufficient strength and length to control the actions of such dog;
3. Own, keep, possess, harbor, or allow to remain on premises under his control any dog or cat of the age of three (3) months or older, unless such dog or cat shall have been licensed as provided in this chapter;
4. Fail to confine any dog or cat as provided by Section 4-125 of this code;
5. Remove the metal license tag without the owner's consent;
6. Place the metal license tag on any animal other than the one for which it was issued;
7. Own, possess, keep, or harbor any dog or cat which by loud and frequent barking, howling or yelping shall cause annoyance or disturbance to any of the citizens of the town; and
8. Own, possess, keep, or harbor any dog or cat of such vicious and fierce disposition as to attack human beings without provocation. The fact that a dog or cat has previously bitten a human being two (2) or more times without provocation shall be prima facie evidence that the dog or cat is of a vicious and fierce disposition.

(Prior Code, Section 3-19; Ord. No. 87-3, 10/7/86)

Section 2. **REPEALER.**

All former ordinances or parts of Ordinances conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

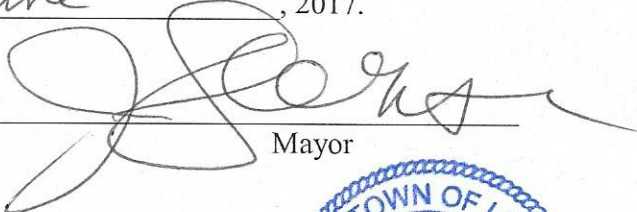
Section 3. **SEVERABILITY.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. **EMERGENCY.**

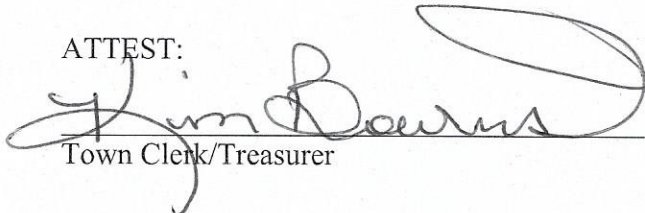
It being immediately necessary for the preservation of the public health, peace and safety of the Town of Luther and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after the end of the current clerk-treasurer's term.

PASSED AND APPROVED and the Emergency Clause voted upon separately and passed and approved this 29 day of June, 2017.

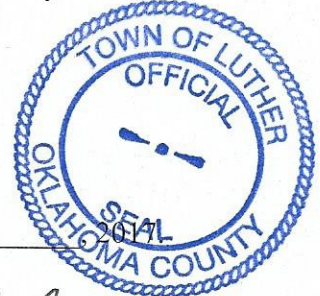


Mayor

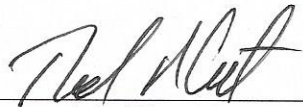
ATTEST:



Town Clerk/Treasurer



APPROVED as to form this 29 day of June



Raymond A. Vincent
Town Attorney