

**CITY OF NOBLE ORDINANCE NO. 608**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF NOBLE, OKLAHOMA, AMENDING DEFINITIONS CONTAINED IN SECTION 4-101 OF CHAPTER ONE OF PART FOUR OF THE CODE OF ORDINANCES OF THE CITY OF NOBLE RELATING TO ANIMALS AND ANIMAL REGULATIONS; ADDING A NEW SECTION 4-404 TO CHAPTER FOUR OF PART FOUR OF THE CODE OF ORDINANCES OF THE CITY OF NOBLE RELATING TO TETHERING REGULATIONS OF DOGS WITHIN THE CITY OF NOBLE, OKLAHOMA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE DECLARATION OF AN EMERGENCY IF BY SEPARATE VOTE THE CITY COUNCIL DETERMINES THAT AN EMERGENCY EXISTS NECESSITATING THAT THIS ORDINANCE BE DECLARED TO BE EFFECTIVE IMMEDIATELY UPON ITS ADOPTION.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NOBLE, OKLAHOMA:**

**SECTION 1.** That Part 4, Chapter 1, Section 4-101, Definitions of the Code of Ordinances of the City of Noble, is hereby amended and shall, from and after the effective date of this Ordinance, read as follows:

**SECTION 4-101**

**DEFINITIONS**

**The following words and phrases when used in Part Four (4) of this Code of Ordinance shall have the meanings prescribed in this section except in those cases where the context clearly indicates a different meaning:**

**A. "Adequate Space" means an area of no less than 100 square feet for the animal to move around in (enclosed kennel) or on (tether line) that is clear of obstructions and clutter.**

**B. "Animal" means any horse, mule, donkey, pony, cow, sheep, goat, hog, dog, cat, rabbit, chicken, goose, duck, turkey, or other fowl, or any live, vertebrate member, domestic or wild, excluding man;**

**C. "Appropriate Shelter" means a structure or area of structural soundness with three (3) sides, a weatherproof roof, solid floor, adequate bedding material (fleece, wool, hay), and which is suitable for the species, size, age, condition of animal which is safe and protects each animal from injury, precipitation, direct sunlight, adverse effects of extreme heat or cold, enables the animal to be clean and dry, and shall be small enough to retain the animal's body heat and large enough to allow the animal to stand, turn around and lie comfortably.**

**D. "At large" means not securely confined by a substantial fence or similar enclosure of sufficient strength and height to prevent the animal from escaping there from, or by keeping the animal inside a house or other building, or by a trolley**

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SECTION 4-101                      DEFINITIONS

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B. "Animal" means any horse, mule, donkey, pony, cow, sheep, goat, hog, dog, cat, rabbit, chicken, goose, duck, turkey, or other fowl, or any live, vertebrate member, domestic or wild, excluding man;

C. "Appropriate Shelter" means a structure or area of structural soundness with three (3) sides, a weatherproof roof, solid floor, adequate bedding material (fleece, wool, hay), and which is suitable for the species, size, age, condition of animal which is safe and protects each animal from injury, precipitation, direct sunlight, adverse effects of extreme heat or cold, enables the animal to be clean and dry, and shall be small enough to retain the animal's body heat and large enough to allow the animal to stand, turn around and lie comfortably.

D. "At large" means not securely confined by a substantial fence or similar enclosure of sufficient strength and height to prevent the animal from escaping there from, or by keeping the animal inside a house or other building, or by a trolley

system, or under the immediate physical control of a responsible person by means of a leash not more than six (6) feet in length and of sufficient strength to control the actions of the animal, or temporarily by a tether. Electronic fences shall not be deemed to constitute a substantial fence or enclosure;

E. "Owner" means any person, firm or corporation owning, harboring or keeping an animal. The occupant of any premises on which a domesticated or tamed animal remains, or to which it customarily returns, for a period of ten (10) days or more, shall be deemed to be harboring or keeping the animal; and

F. "Vicious animal" means any animal which alleged to be vicious or dangerous for the reasons set out in Section 4-205.

SECTION 2. That a new Section to be codified as Part 4, Chapter 4, Section 4-404, Tethering of Dogs is hereby added to the Code of Ordinances of the City of Noble, and shall, from and after the effective date of this Ordinance, read as follows:

**SECTION 4-404**                      **DOG TETHERING REGULATIONS**

A. It shall be unlawful to tie, tether or restrain any dog in a manner that is inhumane or detrimental to its welfare. No person owning or keeping a dog shall chain or tether a dog outside unless the tether is designed for dogs. Furthermore, the use of logging chains or other lines or devices not designed for tethering dogs shall be prohibited.

B. No person owning or keeping a dog shall subject the dog to cruel conditions or inhumane chaining or tethering at any time. The area the dog is tethered in must be kept clean and free of objects that could cause the tether to become tangled.

C. No dog shall be tethered unless supervised. Any tether must be at least 10 feet in length to allow the dog adequate space for exercise. The tether may not be placed or be of such length to allow the dog off the owner's property or into public areas (sidewalks, alleyways, or city easements). No dog shall be tethered within reach of an aboveground utility meter, transformer, or mailbox.

D. Any dog tethered outside during inclement weather may only be tethered for a maximum of 30 minutes. Inclement weather shall be defined as: less than 32 degrees Fahrenheit or greater than 90 degrees Fahrenheit; or during periods when it is actively raining, sleeting or snowing.

E. A person owning or keeping a dog may confine such dog outside, subject to the restrictions in this section, through the use of any of the following methods:

1. Inside a pen or secure enclosure that has adequate space and continuous access to clean water and appropriate shelter;

2. Inside a fully fenced or an otherwise securely enclosed yard with adequate space, and continuous access to clean water and appropriate shelter; or
3. With a trolley system or a tether attached to a pulley in a cable run, if the following conditions are met:
  - a. only one dog shall be tethered to each cable run;
  - b. there shall be a swivel on at least one end of the tether to minimize tangling of the tether; and
  - c. the length of the tether from the cable run to the dog's collar or harness shall provide adequate space, and allow continuous access to clean water and appropriate shelter at all times.

**F. Temporary exemptions to this section may be granted by any Animal Welfare Officer or Commissioned Police Officer. No exemptions to this section will be granted if the conditions may reasonably threaten the health or well-being of the animal.**

**SECTION 3. Provisions Severable.**

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.

**EMERGENCY CLAUSE**

**WHEREAS**, it being immediately necessary for the preservation of the peace, health, welfare and safety of the City of Noble, Oklahoma, and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof, this ordinance shall take effect and be in full force from and after its passage as provided by law.

**ADOPTED AND APPROVED THIS 6<sup>th</sup> DAY OF FEBRUARY, 2023.**

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**MAYOR**

**ATTEST:**

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**CITY CLERK  
(SEAL)**

2. Inside a fully fenced or an otherwise securely enclosed yard with adequate space, and continuous access to clean water and appropriate shelter; or
3. With a trolley system or a tether attached to a pulley in a cable run, if the following conditions are met:
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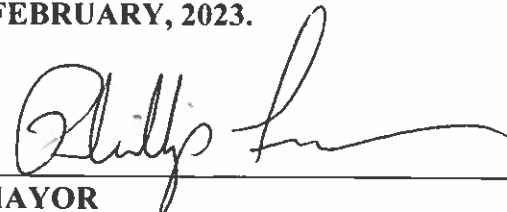
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