



Title II Animal Ordinance Amendments Overview

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History and Context

In October 2018, the Comprehensive Animal Welfare Reform Plan was presented with the goal of improving the quality of life and public safety of residents and animals in Tulsa. As part of the Comprehensive Animal Welfare Reform Plan, the Animal Welfare Commission (AWC) was formed in April 2019 to advise the City on best practices that:

- Promote the safety and wellbeing of residents and animals
- Increase public education on spay and neutering to reduce pet overpopulation
- Support the City of Tulsa Animal Welfare shelter and operations

Goals of the Ordinance Changes

The proposed ordinance revision is focused on five key issues:

- **Protecting the safety and welfare** of animals and humans by updating definitions and offenses
- Developing a **system for establishing fees for services** by adding a duty to the Animal Welfare Commission to recommend fee amounts, subject to the discretion and approval of the City Council and Mayor
- **Aligning regulations on agricultural animals with existing zoning provisions** and new land use designation AG-R
- **Codifying exemption permits** for animal rescue organizations, as well as for households that house more than 5 domestic animals, and for residents that want to maintain their animals intact for sport or hobby purposes
- **Updating procedure to improve efficiency** and ensure that language reflects current City structure

A summary of these changes is below and a redlined copy of the proposed ordinance changes is also included.

Timeline and Process

April 2019 The Animal Welfare Commission (AWC) members were appointed and approved by City Council and Mayor. In their first meeting, AWC Commissioners were asked to assist in reviewing outdated ordinances as it relates to animals.

June 2019 The AWC began to review recommendations for updating the Title II Animal Ordinance that had been drafted by previous working groups that operated in 2009 and 2012. The AWC decided it would be necessary to gather feedback from residents and stakeholders to ensure legal viability and relevancy.

July – October 2019 The AWC worked with City staff to emit a public online survey and hosted four public meetings to hear public comments from residents and invited subject matter experts. Following the request of the Commission, a working group that included WIN staff, City Council staff, Tulsa Planning Office staff and legal worked to conduct a formal review of the recommendations based on the feedback received.

November 2019 – December 2019 Based on the feedback from survey respondents, public comment from stakeholders and identifying what items are legally feasible, AWC approved amendments that are presented in this RFA.

January – February 2020 City Legal conducted final review to ensure that legal language aligned with state law and supported prosecution operations.

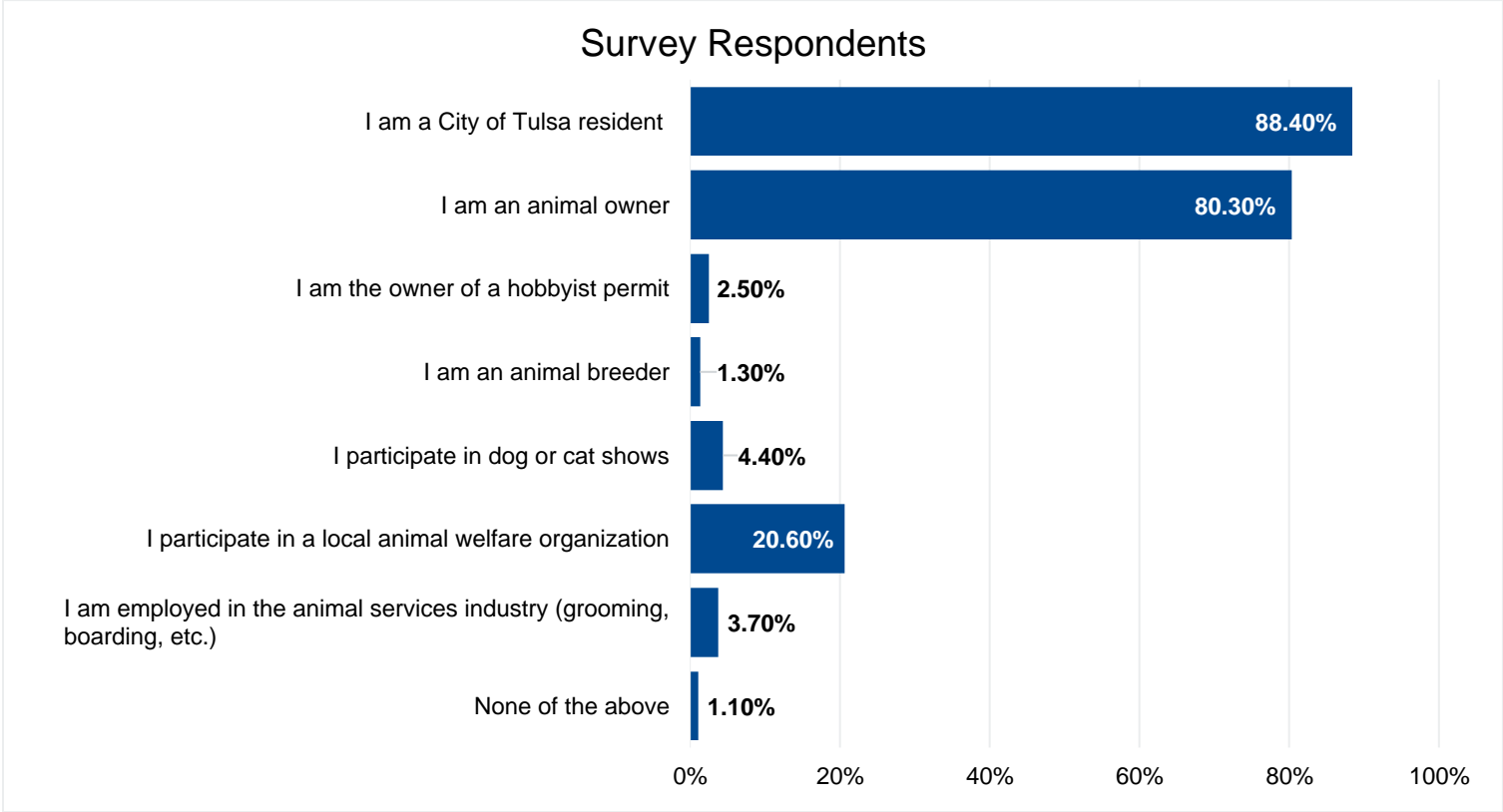
Next Steps: The AWC have formed two subcommittees to continue exploring root causes and solutions that address challenges related to pet overpopulation and enforcement of animal cruelty laws. The Spay & Neuter Subcommittee will host their meeting Friday 02/28 and the Humane Treatment Subcommittee will host their first meeting Friday 03/06.

Tulsa Animal Ordinance Feedback Survey

To gather feedback on proposed revisions of the Title II ordinance, a survey was created to gauge the levels of support and collect any recommendations or best practices from the public. The survey was open from July 1st and closed on August 31st.

Survey Results

The survey was shared electronically via email, social media and posted on the City of Tulsa website. In total, the survey had 1,417 responses from individuals who rated their approval/disapproval and also offered comments and language suggestions.



85%-90%
Approval rating of proposed revisions from survey respondents

20% of respondents expressed strong disapproval or disapproval on the following items:
Section 101 Offenses – Harboring more than 5 combined dogs or cats
Section 117 Exemption Permits

In addition to responding to the proposed revision, there were several comments from the respondents that expressed the need for Tulsa Animal Shelter and Operations to enforce current or proposed policies.

All the survey results, including the comments and suggestions were categorized and reported to the Commission in their monthly public meeting on September 2019. The Commission hosted two more public meetings to receive public comment from stakeholders. In December 2019, AWC approved the amendments included in this request for action.

Highlights of Proposed Amendments

The following are highlights of proposed amendments, organized by chapter in the Animal Ordinance.

Chapter 1 Definitions, Regulation Generally

The central components of amendments to the Chapter 1 Definitions, Regulation Generally section are outlined below.

Section 100 Definitions

The following definitions were **added to support the safety of victims who are attacked by an animal**:

- *Animal Bite*
- *Severe injury*

The following definitions were **amended to help with the enforcement of loose animals**:

- *At large*
- *Confined on premise*
- *Leash*
- *Nuisance Animal*
- *Removed at heel*

The following definitions were **amended to support public education efforts on spay and neutering** as well as **supporting animal welfare organizations** that partner with City of Tulsa Animal Welfare operations and shelter:

- *Intact Animal*
- *Rescue organization*
- *Rescuer*
- *Foster*

The following definitions were **adapted to allow for changes to the exemption permit process**:

- *Hobbyist* definition, which was removed by the AWC, was reinstated by the Council, consistent with its simultaneous reinstatement of a Hobbyist exemption permit. Although the AWC amended the ordinance to allow for three types of exemption permits: animal count (for more than 5 animals), intact animal, and rescue organization (see section 117 for more explanation) a Hobbyist exemption permit was restored by the Council and the requirements for an animal count, an intact animal and a rescue organization exemption were also modified
- *Immediate family* was clarified to help with defining exemption permit process

A definition for a Miniature pig was added when the City Council added a new section 202 to permit and regulate the keeping of a miniature pig as a pet

Other definitions provided clarification and updates **for efficiency and standardization of processes**:

- *Proof of ownership*

Section 101 Offenses

Any offenses that affected public safety or public health, e.g. refusing to turn in a rabies suspected animal, were changed to have a maximum penalty of \$1200 and/or six months in jail. Any offenses that may be considered minor nuisance were assigned maximum penalty of \$500 or less. However, the Council has since added a provision that if a person's animal is found to be a nuisance a second or subsequent time, a penalty assessed could be as high as a \$1200 fine and/or six months in jail.

Section 101(A)(13) made it a new offense to permit an animal to destroy or damage property.

Section 104 License Fee

The AWC received a lot of feedback and public comment on fees and how they are established. There was a lot of concern that any increases to fees, especially to exemption permits, would make it cost prohibitive for many to apply.

In response to this, the AWC approved language that would allow for an annual review fees for services, taking into consideration cost associated for providing these services. This language mirrors similar processes in other boards and commission, e.g. Park fees. All fees would have to be voted and approved by City Council.

Section 106 Rabies Suspect

Changes were made to provide clarification and support for enforcement. A provision was made to allow owners quarantine their animal at home if they can prove that their animal has current a current rabies vaccination and was not at large. Language was added to clarify that if an animal is quarantined at home, it would be at the owner's expense and liability.

Section 116 Notice of Impoundment

Provides a process for a municipal judge to impound an animal for health and safety related offenses existing in the Animal Code.

Section 117 Exemption Permits

Although the AWC found that the current Hobbyist Exemption had several challenges in its current form and broke the Hobbyist Exemption into three categories (listed below), the Council reinstated the Hobbyist Exemption permit provisions in the current ordinance and modified the permitting requirements for the following exemption categories:

- *Intact Animal exemption permit* - allows pets that participate or train in events to remain intact. The City does not want to prevent citizens from being involved in dog/cat shows, agility competitions and other formal activities with their animals and some of those activities require that the pet remain intact.
- *Animal Count exemption permit* – allows more than the total of 5 pets of which 3 can be dogs, due to participation in events or taking care of family pets. This exemption also limits the number of pets based on property size.
- *Animal Rescuer exemption permit* – the number of rescue groups has grown in Tulsa and most of them are foster based. This exemption allows a citizen to foster for a recognized/approved rescue group with those fostered animals being intact and the number in the household to exceed the number allowed by ordinance, current and proposed.

All fees would have to be reviewed and vetted by the Animal Welfare Commission and then ultimately voted for approval by City Council.

Chapter 2 Agricultural Animals

The central components of amendments to the Chapter 2 Agricultural Animals are outlined below:

- *Cattle*: Removed requirement for 1 acre **per head of cattle** and changed it to just 1 acre for the pen, lot, or enclosure. This was based on WIN recommendation that cows do not need 1 acre per cow.
- *Horses*: Added AG-R to list of residential zoning categories where horses are allowed. Horses in AG-R (and other residential districts) must have 1 acre of usable land (includes the barn but not the home or house area). This is not a change to the previous ordinance, just an addition of AG-R.
 - All horses must be registered with WIN now, **including on AG zoned property**. Based on discussion with WIN and frequency of lost horses—would make it easier to find owners
- *Poultry*: The AWC proposed a number of amendments to the regulation of poultry within the City. These included **increasing** limits to 8 hens and 14 juvenile birds from current 6 hens and 14 juvenile birds. Based on discussion with WIN, the increase to 8 was chosen based on the idea of 2 adult hens per person for an average family of 4. This also aligns with American Planning Association best practices for urban livestock.
 - Added limits for number of poultry on AG-R, with a possibility to increase as size of AG-R lot increases, to a maximum of 45 hens on 2 acres, based on research from the American Planning Association best practices for urban livestock.

- Prohibits roosters unless they were owned before this ordinance change and are registered with WIN
- Specific requirements for cleanliness and sanitation of poultry building or pen

However, after some discussion among Councilors, it was decided that there should be no changes to existing poultry regulations, maintaining the status quo until the Council can reach a consensus as to how these regulations should be amended.

- *Rabbits*: Added limits for number of rabbits on AG-R, with a possibility to increase as size of AG-R lot increases, to a maximum of 20 adult rabbits on 2 acres. This was based on research about commercial operations which identified approx. 25 adult rabbits as the number needed to start a small-scale commercial operation.
- *Miniature pigs*: Added by the Council was a new section 202, which would allow residents to keep a miniature pig as a pet. This addition mirrors regulation adopted by the cities of Broken Arrow and Sapulpa.

Chapter 4 Miscellaneous Provisions.

Section 406 Outdoor Shelter Requirements

Added language to provide support for enforcement of safety and welfare of residents and animals.

Chapter 5 Dead Animals

Updated language to include current City department Streets and Stormwater. Additionally, it was codified that Streets and Stormwater would check for microchip or pet license tags on every dead dog and cat picked up by the City of Tulsa. Codified a proactive strategy to bring closure to families with stray or deceased pets.

Chapter 6 Dangerous Dogs

Terms and definitions in this section were moved to Chapter 1 to assist with public notification

Chapter 7 Reptiles

The Council has elected to eliminate the lengthy list of reptiles that are not prohibited, but retain the list of reptiles which are prohibited, leaving it so that if a reptile is not on the prohibited list, it is automatically not prohibited.

Next Steps

The City Council will place this ordinance, as amended, on its regular meeting agenda for consideration of adoption.

The Animal Welfare Commission has formed two subcommittees that host open and public meetings to further explore topics and engage with subject matter experts. By the end of the year, the AWC will produce a report with findings and recommendations for the Mayor and City Council to further improve animal welfare services.

Spay & Neuter Subcommittee

The Spay & Neuter Subcommittee will focus on reviewing current operations and efforts to reduce pet overpopulation while exploring best practices and opportunities to expand spay and neutering services to residents of Tulsa.

Animal Cruelty & Humane Treatment Subcommittee

The Animal Cruelty & Humane Treatment Subcommittee will work with local law enforcement agencies, including the Animal Welfare Investigators, Tulsa Police Department, and District Attorney's office, to review current enforcement procedures. Recommendations for process improvements and policy recommendations will be documented in a final report that will be presented to the City Council and Mayor later this year.