

**ORDINANCE NO. 2011-24**

**AN ORDINANCE AMENDING CHAPTER 102, ARTICLE I, SECTION 102-2 DEFINITIONS, BY ENACTING AND ADDING NEW DEFINITIONS OF "HOBBY BREEDER" AND "COMMERCIAL BREEDER"; AND AMENDING CHAPTER 102, ARTICLE IV, DIVISION 2, BY ENACTING AND ADDING NEW SECTION 102-223.1, USES BY SPECIAL PERMIT; AND AMENDING CHAPTER 102, ARTICLE IV, DIVISION 3, A-2, BY ENACTING AND ADDING NEW SECTION 102-230.1, USES BY SPECIAL PERMIT; AND AMENDING CHAPTER 102, ARTICLE IV, DIVISION 9, C-3, SECTION 102-412, USES BY SPECIAL PERMIT, BY ENACTING A NEW SECTION 102-412 (c); AND AMENDING CHAPTER 102, ARTICLE IV, DIVISION 10, C-4, BY ENACTING AND ADDING NEW SECTION 102-432.1, USES BY SPECIAL PERMIT, TO THE CITY OF SALLISAW CODE OF ORDINANCES AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SALLISAW, OKLAHOMA.**

**SECTION 1.**

Chapter 102, Article I, Section 102-2, Definitions, of the Sallisaw Code of Ordinances be established by adding and enacting the following definitions, to-wit:

*"Hobby Breeder"* means a person who breeds eight (8) or less intact female dogs or cats for the purposes of show and the betterment of the breed.

*"Commercial Breeder"* means a person who breeds eight (8) or more intact female dogs or cats for the purpose of dealing in direct or indirect sale or exchange in consideration.

**SECTION 2.**

Chapter 102, Article IV, Division 2, A-1, of the Sallisaw Code of Ordinances be established by adding and enacting the following Section 102-223.1, Uses by Special Permit, to-wit:

**Section 102-223.1: Uses by Special Permit**

- (a) A Special Use Permit may be granted to a Hobby Breeder Applicant by the Planning Commission, by majority vote, 60% rule, and, if granted, shall be valid for use only by the owner of record. All Applications shall be considered on a case by case application basis,

and each application shall require public notice and hearing for determination in accordance with Chapter 102, Article II, Division 5, of the Sallisaw Code of Ordinances.

### **SECTION 3.**

Chapter 102, Article IV, Division 3, A-2, of the Sallisaw Code of Ordinances be established by adding and enacting the following Section 102-230.1, Uses by Special Permit, to-wit:

#### **Section 102-230.1: Uses by Special Permit**

- (a) A Special Use Permit may be granted to a Hobby Breeder Applicant by the Planning Commission, by majority vote, 60% rule, and, if granted, shall be valid for use only by the owner of record. All Applications shall be considered on a case by case application basis, and each application shall require public notice and hearing for determination in accordance with Chapter 102, Article II, Division 5, of the Sallisaw Code of Ordinances.

### **SECTION 4.**

Chapter 102, Article IV, Division 9, C-3, Section 102-412, Uses by Special Permit, of the Sallisaw Code of Ordinances be amended by enacting the following Section 102-412 (c), to-wit:

- (c) A Special Use Permit may be granted to a Commercial Breeder Applicant by the Planning Commission, by majority vote, 60% rule, and, if granted, shall be valid for use only by the owner of record. All Applications shall be considered on a case by case application basis, and each application shall require public notice and hearing for determination in accordance with Chapter 102, Article II, Division 5, of the Sallisaw Code of Ordinances.

### **SECTION 5.**

Chapter 102, Article IV, Division 10, C-4, of the Sallisaw Code of Ordinances be established by adding and enacting the following Section 102-432.1, Uses by Special Permit, to-wit:

#### **Section 102-432.1: Uses by Special Permit**

- (a) A Special Use Permit may be granted to a Commercial Breeder Applicant by the Planning Commission, by majority vote, 60% rule, and, if granted, shall be valid for use only by the owner of record. All Applications shall be considered on a case by case application basis,

and each application shall require public notice and hearing for determination in accordance with Chapter 102, Article II, Division 5, of the Sallisaw Code of Ordinances.

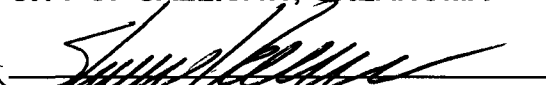
**SECTION 6.**

**WHEREAS**, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Sallisaw; therefore, an emergency is declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

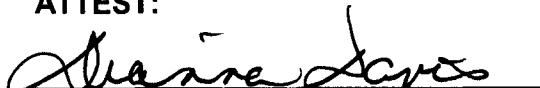
**APPROVED** this 14th day of November, 2011.

**CITY OF SALLISAW, OKLAHOMA**

By:

  
SHANNON YANN, Mayor

**ATTEST:**

  
DIANNA DAVIS, City Clerk

[SEAL]

