

ORDINANCE NO. 185

**AN ORDINANCE LICENSING AND REGULATING THE KEEPING OF DOGS; LICENSING CATS; PROHIBITING THE KEEPING OF CERTAIN DOGS; PROVIDING FOR THE CONFINEMENT OF DOGS AND CATS DURING CERTAIN PERIODS; PROVIDING FOR THE QUARANTINE OF CERTAIN DOGS AND CATS; PROHIBITING THE AVANDONMENT OF DOGS AND CATS; AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED BY THE ALDERMEN OF THE CITY OF LAKE ANNETTE, MISSOURI AS FOLLOWS:**

**SECTION 1: Definitions**

For the purpose of this ordinance the following words and phrases shall have the meanings respectively ascribed to them:

- (a) OWNER shall mean any person, group of persons or corporation owing, keeping, or harboring a dog or cat.
- (b) DOG shall mean a member of the canine family of either sex.
- (c) CAT shall mean a member of the feline family of either sex.
- (d) SPAYING shall mean the removing of the ovaries by operation thereby rendering the said female incapable of estrous.
- (e) EXPOSED TO RABIES shall mean a dog or cat has been exposed to rabies within the meaning of this ordinance if it has been infected with rabies, or has bitten any person or persons.
- (f) ANIMAL CONTROL OFFICER shall mean all members of the Lake Annette Police Department or any Animal Control Officer which has been empowered by the Board of Aldermen to assist in the control of animal.
- (g) AT LARGE shall mean when such dog is on the premises of the owner and not under the reasonable control of the owner, his agent, or a member of the owners family.
- (h) REASONABLE CONTROL shall mean when such dog is on the premises of its owner or when such dog is not on the owner's premises but is with and under the control of its owner, his agent, or some member of the owner's family, and is attached securely to a leash, when not on the owner's private property.
- (i) NOT UNDER REASONABLE CONTROL shall mean when such dog is not upon the premises of its owner, his agent, or some member of the owners family, or when such dog commits damage to their person or property of anyone other than its owner.
- (j) ABANDON shall mean to cease to provide control over, and shelter, food and water for an animal without having provided that such care, custody, and physical control of such animal has been transferred to another person.

**SECTION 2: Running at Large Prohibited**

It shall be unlawful for the owner of any dog to let such dog run at large, whether licensed or not, at any time, within the City of Lake Annette, Missouri.

**SECTION 3: Impoundment and Disposal**

- A. Any animal maintained or kept in violation of this ordinance may be seized and impounded by the Animal control Officer. Impoundment may be in any animal shelter designated by the Board of Aldermen.
- B. If the animal control officer can identify the owner of any dog impounded, he shall immediately notify the owner by telephone or in person and return the animal to the rightful owner upon payment of the fine as required by the City of Lake Annette, Missouri.

C. At the end of seven (7) days, if an impounded animal has not been redeemed, or the owner found the Animal Control Officer is at liberty to dispose of such animal in any one of the following ways:

- (1) Humane destruction in a manner approved by the Board of Aldermen.
- (2) Releasing the animal to any competent person expressing a desire for any given animal after the animal has been neutered. A person taking said animal shall pay all impoundment fees, vaccination fees and charges from neutering the animal.

D. An owner redeeming a dog or cat from impoundment shall pay before release:

- (1) Ten dollars (\$10.00) for each redemption.
- (2) Additional fees of \$2.50 for each 24 hours or fraction thereof that the animal has been impounded.
- (3) If the animal is unlicensed, compliance with the licensing section of this ordinance
- (4) Such fees shall be delivered by the animal shelter manager to the City Clerk.

#### **Section 4: License Required**

No person, group of person, or corporation shall own, keep or harbor any dog or cat within the city limits unless such dog or cat is licensed as herein provided.

- (a) Application for a license shall be made to the city clerk stating the name, address and telephone number of the owner of the owner and the name, breed color, sex and distinguishing marks of the dog or cat. Also a certification of rabies and distemper vaccination of the dog or cat by a licensed veterinarian shall be presented when making the application for license. Such certificate shall show the vaccination to be currently effective. By accepting the dog, or cat license for which applied, said owner agrees and covenants that he dog or cat will be revaccinated at the expiration of the period covered by said certificate if such certificate expires during the year for which the said license is issued. The licensee fee shall be paid to the city clerk at the time of making application.
- (b) The city Clerk shall issue a receipt and numbered metallic or plastic tag for each dog or cat licensed, and shall maintain for two years, two records of such receipts and tags, one arranged alphabetically by name of the dog or cat owner and the other arranged numerically by tag number. Such records shall be open to public inspection at any reasonable hour.
- (c) An application for a license for a spayed female dog or cat shall be accompanied by a statement from a qualified veterinarian certifying that the dog or cat has been spayed and giving the date of the operation.
- (d) The yearly license fees shall be \$2.00 for a neutered male dog or cat or a spayed female dog or cat and \$3.00 for an un-neutered male dog or cat or un-spayed female dog or cat.
- (e) The dog license period shall be concurrent with each calendar year, beginning each January 1<sup>st</sup>. Application for license and payment of tax may be made between November 1<sup>st</sup> and December 31<sup>st</sup> of the year preceding the calendar year for which license is issued.
- (f) Any owner or keeper of a dog or cat becoming six (6) months or age during a calendar year for which license has not been purchased, shall immediately apply for and purchase same from the City.
- (g) In the event of destruction or loss of metal or plastic tag as provided herein, a new license and tag shall be issued by the city clerk upon request and presentation of previously issued license, at a charge of \$0.50 to the applicant.
- (h) If the ownership of a dog or cat is transferred, the new owner may have the current license transferred to his name at no charge to the applicant.
- (i) No person shall use for any dog or cat a tag issued for a different animal.

- (j) The owner shall keep on the dog or cat, at all times except when the animal is inside a private building, a collar or harness and the tag issued by the City Clerk shall be affixed to the collar or harness in such a manner that the tag can be readily seen.

- (k) License fees shall not be required for Seeing Eye dogs or governmental police dogs.

#### **Section 5: Care of Animals**

The owners of dogs or cats shall provide them with humane shelter from heat, cold, rain, wind and snow, and shall give them food and water adequate to keep the animals in good health and comfort. Animal houses and kennels must be soundly constructed, dry and provided in cold weather with clean bedding. All animals must be given opportunity for vigorous daily exercise and must be provided by their owners with veterinary care when needed to prevent suffering.

#### **Section 6: Other**

No person shall own, keep, or harbor any dog or cat which by loud, frequent or habitual barking, howling or yelping annoys or disturbs person or is in any other way a public nuisance.

#### **Section 7: Confinement of Female Dogs or Cats in Season**

The owner shall confine any female dog or cat in season within a building in such a way that the dog or cat will not be accessible to other dogs or cats, except for planned breeding and then will not attract male dogs or cats.

#### **Section 8: Rabies**

- (a) Every rabid dog, cat, or other animal exposed or suspected of being exposed to rabies shall be immediately confined by owner, who shall promptly notify a police officer or animal control officer. The owner shall upon demand by the police officer or animal control officer, surrender any such dog, cat or other animal for quarantine in the city pound, a humane society animal shelter or a licensed veterinary hospital; the owner shall be responsible for all costs during such quarantine. The dog, cat or other animal shall be quarantined for fourteen days but shall be released earlier if certified by a licensed veterinarian to be free of rabies.
- (b) No person shall kill a known or suspected rabid animal or an animal, exposed to rabies, nor remove such an animal from the city limits without permission from the police department or an animal control officer, except when it is necessary to kill such animal to prevent it from escaping or from biting any other animal or person.
- (c) The location of the remains of any dead animal known or suspected to have been exposed to rabies prior to death shall be surrendered to the animal control officer for laboratory examination.
- (d) The Animal Control Officer shall have the authority to immediately destroy any animal which is determined to have bitten or scratched a human if the Animal Control Officer determines that destruction of such animal is necessary to determine whether such animal is rabid, and the Animal Control Officer shall have the authority to promulgate rules and regulations concerning the handling and disposition of such animals.

#### **Section 9: Ownership of certain dogs prohibited**

No person shall own or harbor a pit bull or part blood pit bull dog within the city limits of Lake Annette, Missouri.

#### **Section 10: Investigation and interference with officers**

Any police officer or animal control officer is authorized to enter any premises where a dog or cat is kept or harbored, to inspect conditions under which the dog or cat is kept and to inquire if the owner can exhibit a license for the dog or cat. No person shall hinder, molest, or interfere with any police officer or any animal control officer in the performance of his duties. (This does not authorize the animal control person to enter any building or dwelling without the occupant or owners consent.)

## **Section 11: Authority of Mayor to Order Confinement of Dogs and Cats**

Whenever the prevalence of rabies renders such action necessary to protect the public health and safety, the Mayor may issue a proclamation ordering every person owning, keeping, or harboring a dog or cat to confine it securely on his premises. No person shall violate such proclamation and any dog or cat not so confined during the time fixed in the proclamation may be killed by the police without notice to the owner.

## **Section 12: Unlawful Removal**

It shall be unlawful for any person to remove from the custody of the Animal Control Officer by force, deceit, or otherwise and animal which has been legally impounded by said officer, prior to obtaining the permission of the Animal Control to remove such animal.

## **Section 13: Display of Wild Animals**

No person shall keep or permit to be kept on his premises any wild or exotic animal for display or exhibition whether gratuitous or for a fee. This shall not be construed to apply to duly licensed or registered zoos, circuses or performing animal exhibitions.

## **Section 14: Sale of Animals**

No person, group of persons or corporation shall own, keep or harbor more than three dogs and/or three cats of six months of age unless such person, persons or corporation is a licensed dealer, hospital, clinic, or veterinarian duly licensed in accordance with city ordinance.

## **Section 15: Number of Dogs**

OK No person, group of persons or corporation shall own, keep or harbor, more than three dogs and/or three cats of six months of age, unless such person, persons, or corporation is a licensed dealer, hospital, clinic or veterinarian duly licensed in accordance with city ordinance.

## **Section 16: Enforcement**

The provisions of this ordinance shall be enforced by the Police Department and Animal Control Officer.

## **Section 17: Penalties**

Any person violating any section of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$10.00 but not more than \$500.00 or by imprisonment not exceeding three months or by both such fine and imprisonment. Each and every day of continued violation shall be a separate offense.

## **Section 18: Severability**

If any section, paragraph, subdivision, clause, phrase or other provision of this ordinance shall be adjudged or held to be unconstitutional or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so declared invalid or unconstitutional. Any other prior ordinance or parts or ordinances in conflict herewith are hereby repealed.

**Section 19: Date of Effect**

This ordinance shall take effect on the first day of the month following its passage.

Read <sup>two by title</sup> ~~three times~~ and approved by the Board of Aldermen of the City of Lake Annette, Missouri this 1<sup>st</sup> day of June, 1998.

*[Signature]*  
Mayor and Ex-Officio Chairman of the  
Board of Aldermen

ATTEST:

*[Signature]*  
City Clerk

APPROVED this 1<sup>st</sup> day of June, 1998.

~~*[Signature]*~~  
MAYOR

ATTEST:

~~*[Signature]*~~  
City Clerk

