

AN ORDINANCE RELATING TO THE LICENSING AND CONTROL OF ANIMALS WITHIN THE CITY OF ST. MARY; REPEALING ORDINANCE NO. 541,432 AND SETTING WHEN THIS ORDINANCE SHALL TAKE EFFECT. & 399

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, MISSOURI AS FOLLOWS:

Section 1. Definitions

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them:

Animal shall mean any living vertebrate member of the animal kingdom, excluding man.

Animal control officer shall mean any person employed by the city as an officer charged with the enforcement of this chapter and other city ordinances relative to animals.

At large shall mean when an animal is off the property of its owner and not under the reasonable control of its owner, a member of its owner's family or its owner's agent.

Cat shall mean any member of the feline (genus felis) family.

Dog shall mean any member of the canine (genus canis) family.

Euthanize shall mean the humane destruction of an animal.

Livestock shall mean cows, horses, mules, hogs, goats, sheep, domestic fowl or other animals commonly associated with farming and agriculture.

Neutered shall mean all animals that have been altered to prevent conception.

Owner shall mean any person owning, keeping, harboring or otherwise having the care or control of an animal.

Veterinary hospital shall mean any establishment maintained and operated by a licensed veterinarian for the boarding of animals or the diagnosis and treatment of diseases and injuries of animals.

Section 2. Animal control officer; enforcement; right of entry.

(a) The mayor shall appoint some suitable person as animal control officer for the city. It shall be the duty of the animal control officer and all police officers of the city to enforce the provisions of this chapter.

(b) Police officers are authorized and empowered to enter private property to

enforce the provisions of this chapter, providing the owner thereof does not notify such police officers that they may not enter during the time such persons are actively engaged in the pursuit of such animal.

Section 3. City pound.

There is hereby established a pound for the containment of all animals impounded in accordance with the provisions of this chapter. The pound shall at all times be kept clean and sanitary and shall be designed and kept in such manner as to provide for the most humane treatment of all animals deposited therein, with a provision for the segregation of diseased animals.

Section 4. Cruelty prohibited.

It shall be unlawful for any person to intentionally or knowingly torture or seriously overwork an animal; unreasonably fail to provide necessary feed, care or shelter for an animal in his custody; transport or confine an animal in a cruel manner; kill, injure or administer poison to an animal or cause one animal to fight with another.

Section 5. Presence of animal carcasses prohibited.

(a) It shall be unlawful for any person to permit to remain upon or in any street, alley, lane or highway or upon any ground within this city, the carcass of any dead animal whatsoever.

(b) It shall be the duty of the owner of any dead animal to remove or cause to be removed without the city limits, at his own expense, all or any remains of such animal as would be liable to become a nuisance, within twelve (12) hours of the death of such animal.

Section 6. Livestock running at large prohibited; nuisance declared; impoundment.

It shall be unlawful for any person, persons, firm or corporation to keep or house any type of livestock, within the corporate limits of the City of St. Mary, Missouri. It shall be unlawful for the owner of any livestock animal to permit such animal to run at large within the city limits and any such animal running at large is hereby declared to be a nuisance. It is hereby made the duty of the City marshal or animal control officer to at once take up any animal found running at large in violation of this section and impound it in some safe place until same shall be disposed of according to section 8. Any violations shall be subject to a fine of not less than \$25.00 (Twenty-five Dollars) but not more than \$100.00 (One Hundred Dollars).

Section 7. Impoundment.

It is made the duty of the City marshal or animal control officer to have any livestock animal found running at large to be at once taken up and he is empowered to take with him such assistance as may be necessary.

Section 8. Redemption; sale at auction.

When any livestock animal is impounded as provided in section 18, if it is not redeemed by its owner within a reasonable time, the City marshal shall sell the same at auction to the highest bidder for cash after giving three (3) days notice by handbills posted up in two (2) or more public places in each ward of the city, notifying the public of the time and place of such sale. Any money arising from such a sale shall, after the expenses of impounding and selling the animal are deducted, be paid over to the owner on his proving to the satisfaction of the City marshal that the ownership of such animal is in him. If no owner appears, the proceeds of the sale, after deducting the costs aforesaid, shall be paid into the city treasury.

Section 9. Sanitation, location of pens and stys.

Any livestock kept within the City limits at the time of passage shall be kept clean and free from any offensive smell or unhealthy matter, restrained from running at large or on any other persons property. Said animals shall be kept ten feet from any street, alley or adjoining lot not his own so as not to be a nuisance. Failure to comply shall be subject to a fine of not more than \$25.00 (Twenty-five Dollars) but not less than \$10.00 (Ten Dollars). It shall be unlawful for any person to permit any livestock pen or sty to become noxious or offensive.

DOGS AND CATS

Section 10. Dogs and cats running at large prohibited.

It is unlawful for any person having the care or control of a dog or cat to allow such dog or cat to run at large within the city. No dog shall be allowed to roam upon the streets or sidewalks of the city unless the dog is securely fastened to a leash and the leash held by some person at all times. Failure to comply shall be subject to a fine of not more than \$25.00 (Twenty-five Dollars) but not less than \$10.00 (Ten Dollars).

Section 11. License required.

(a) No dog or cat owner shall keep any dog or cat within the city after the first day of January of each year, unless a license therefor has first been secured.

(b) Licenses shall be issued by the city collector for a fee of Two Dollars (\$2.00) for each dog, Two Dollars (\$2.00) for each cat.

(c) Applications for licenses under this section shall be accompanied by a certificate from a qualified veterinarian showing that the dog or cat to be licensed has been given a vaccination against rabies in compliance with section 12.

(d) Licenses under this section shall expire on the first day of December next following the issuance thereof.

Section 12. Vaccination.

No license shall be granted for a dog or cat which has not been vaccinated against rabies during the ninety (90) day period preceding the making of an application for such license, except that when a dog or cat is first licensed for an entire year, the license may be issued if the dog or cat has been vaccinated within a period of six (6) months preceding the application for the license. Vaccination shall be performed only by a doctor qualified to practice veterinarian medicine in the state which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the city shall complete in duplicate a certificate of vaccination. One (1) copy shall be issued to the owner for affixing to the license application and one (1) copy shall be retained in the veterinarian's office.

Section 13. Receipts; tags.

(a) Upon payment of the license fee provided in section 11, if required, the city clerk shall execute a receipt in duplicate. He shall deliver the original receipt to the person who pays the fee, and shall retain the duplicate. He shall also procure a sufficient number of suitable metallic tags the shape of which shall be different for each license year and he shall deliver one (1) appropriate tag to the owner of the dog or cat when the fee is paid.

(b) The owner of every dog or cat shall cause a tag to be attached by a permanent metal fastener to the collar of the dog or cat so licensed in such a manner that the tag may be seen by the animal control or police officers of the city. The owner shall see that the tag is constantly worn by such dog or cat.

(c) In case any tag is lost, a duplicate may be issued by the city collector upon presentation of a receipt showing the payment of the license fee for the current year. Tags are not transferable. No refund shall be made on any license fee because of leaving the city or of a death before the expiration of the license period.

Section 14. Impoundment.

All police officers of the city and the animal control officer shall take up and impound, in a suitable place to be designated by the board of aldermen, any and all dogs and cats found running at large as provided in section 10 and any and all dogs and cats found in the city without the tag required in section 13, it shall be the duty of such police officers or animal control officer to destroy any dog or cat acting in such manner as to be dangerous to the public or which cannot be safely taken up and impounded without endangering the life or limb of the officer attempting to capture and impound the same.

Section 15. Redemption; adoption.

(a) Any dog or cat impounded as provided in section 14 may be redeemed by its owner or the custodian thereof by paying and receiving a receipt from the city collector for a sum of money in accordance with the following schedule:

- (1) For taking up and impounding such dog or cat, first occurrence, five dollars (\$5.00); second occurrence, ten dollars (\$10.00); third occurrence, fifteen

dollars (\$15.00); fourth occurrence and each occurrence thereafter, twenty dollars (\$20.00);

(2) For feeding and caring for such a dog or cat, Five Dollar (\$5.00) per day.

(b) If any impounded dog or cat is not redeemed by its owner or custodian thereof within five (5) days after the date of taking up and impounding the same, any person may adopt such dog or cat by paying the fees set forth in subsection (a). The city clerk shall post a notice in the city hall of all dogs and cats impounded, giving a general description thereof and the date impounded, which shall be open to inspection of the public; provided, however, that such notice shall not be posted any more than three (3) days specified for holding such dog or cat. Upon the payment of the fees aforesaid to the city collector, the clerk shall authorize the release of such dog or cat from impoundment.

Section 16. Disposition of unclaimed dogs and cats.

Each dog or cat impounded under the provisions of this article shall be held for a period of five (5) days unless sooner released in a manner provided by section 14. When any dog or cat is impounded and not redeemed, it shall be disposed of according to humane procedures approved by the board of aldermen.

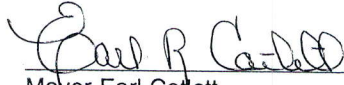
Section 17. Repeal of Conflicting Ordinances.

Ordinances No. 399, 432, 541 and all other prior ordinances relating to the licensing and control of animals within the City of St. Mary are hereby repealed.

Section 18.

This Ordinance shall be in full force and effect from the date of and after its passage and approval.

Read three times and Passed this 14th day of February, 1995.



Mayor Earl Catlett

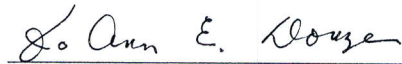
ATTEST:



City Clerk JoAnn E. Donze

<u>Alderman</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Robert Schultz	X			
Stephen Schwent	X			
Henry Coffman	X			
Francis Bader	X			

I, JoAnn Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary, Missouri at a regular meeting thereof assembled this the 14th day of February, 1995.



City Clerk