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**AN ORDINANCE AMENDING ORDINANCE NO. 11-09-2009 REGARDING
ANIMALS AND FOWL**

Whereas, by the Board of Aldermen, City of Meadville, Missouri, on the 14th day of June, 2010, to add a citation fee for permitting a dog or cat to run at large.

Whereas, Ordinance No. 11-09-2009, Section 18 will have the addition of a citation fee of \$100.00 for permitting a dog or cat or run at large.

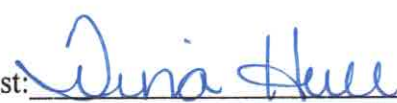
This Ordinance No. 11-09-2009 shall take affect from and after the date of its approval and all Ordinances in conflict herewith are hereby repealed.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF MEADVILLE,
MISSOURI THIS 14 DAY OF June 2010.



Mayor, Richard Melton

Attest:



City Clerk, Tina Hull



ORDINANCE NO. 11-09-2009

ANIMALS AND FOWL

ARTICLE I. IN GENERAL

Sec. 1. Definitions.

The following terms as used in this ordinance shall be deemed to have the following meanings:

Animal: Any living vertebrate creature, domestic or wild other than humans.

Animal, Domestic: Any living vertebrate creature customarily raised for food, agricultural, or riding purposes including, but not limited to cows, horses, sheep, and chickens, but not including dogs, cats, or other pet animals.

Animal Shelter: Any premises designated by action of the city of the purpose of impounding and caring for all animals found running at large in violation of this ordinance.

At large: Any animal shall be deemed to be at large when it is off the property of its owner and not under the control of a responsible person.

Confinement: Confinement or confined as used in this ordinance shall mean constant and continuous, sole and segregated, physical enclosure of the animal.

Control: Under immediate and effective restraint of a responsible person, to include leashes and voice control.

Dog: Any member of the canine family more than four months of age.

Exotic or wild animal: Any mammal, fowl, fish or any other species not commonly considered as pets or commonly raised for food or agricultural purposes which would be a possible threat to the life or health of humans.

Exposed to rabies: Any dog or cat, whether licensed or vaccinated for rabies or not, which has been bitten by, or fought with, or has come in close contact with an animal showing symptoms of rabies.

Kennel- commercial: Any persons, group or persons or corporations engaged in the commercial business of breeding, buying or selling or boarding dogs and pets.

Owner: The person or other entity having legal title to, keeping or harboring a dog or cat.

Puppy: Any member of the canine family less than four months of age.

Vicious dog:

- (1) Any dog that when unprovoked inflicts, bites or attacks a human being or domestic animal either on public or private property, or in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places; or
- (2) Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or

- (3) Any dog which engages in, or is found to have been trained to engage in, exhibitions of dog fighting; or
- (4) Any dog at large found to attack, menace, chase, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any domestic animal or person;
- (5) Vicious dog does not mean:
 - a. Any dog that attacks or inflicts bites upon a trespasser of a fully enclosed building or fence; or
 - b. Any dog used in the military or police if the bites or attack occurred while the dog was performing in that capacity.

Sec. 2. Domestic animals or fowl running at large.

It shall be unlawful for any person possessing, owning or otherwise having under his custody or control any domestic animal or fowl of any kind to permit the same to run at large in or upon any of the streets and public places or upon the land of any person in the city or tether the same in such a way that such animals or fowl may go across or upon any of such places.

Sec. 3. Impounding animals and fowl.

Any domestic animals or fowl found running at large or tied, staked, or pastured in, on or along any street, alley, unenclosed land or public place in the city shall forthwith be taken up by the city animal control officer and impounded in some secure place to be provided by the city.

Sec. 4. Redemption of impounded animals.

It shall be the duty of the city to attempt to locate the owner of any animal or fowl impounded only if the animal name and address of the owner is displayed on the animal collar. The owner may retrieve the animal or fowl within 5 days, after obtaining a city license and paying all cost incurred by the city of Meadville plus boarding cost. After 5 days the animal or fowl shall be considered a stray and deemed the shelter's animal.

Sec. 5. Turning out animals to cause impounding.

No person shall turn loose from any pen or enclosure any animal for the purpose of causing same to be impounded.

Sec. 6. Keeping of goats, horses, or other forms of livestock; keeping of hogs, swine or pigs – prohibited.

No person shall keep a cow, bull, mare, horse, goat, or sheep in an outdoor enclosure or pasture, the exterior boundary of which is within 100 feet of any residence, business or other such structure intended for human habitation on a permanent or temporary basis. The pen, pasture or enclosure in which such animals are kept shall provide an area of at least 900 square feet for each such animal. This section shall not apply to animals kept in the conduct of commercial enterprise or business at locations where such enterprise or business is permitted. No hogs, swine, or pigs shall be kept within the city under any condition, except that said livestock may be kept in a place of business where livestock are auctioned, bought commercially, and marketed for sale to third parties.

Sec. 7. Keeping of rabbits, chickens, ducks, turkeys, or other domestic animals or fowl.

No person shall keep rabbits, small animals or fowl in such number as to create a health or unsanitary condition. Sections 8 and 9 of this ordinance shall apply to the keeping of such animals.

Sec. 8. Confinement of livestock and fowl within city.

Every person owning land with the city upon which livestock are kept or permitted to be kept by the landowner or otherwise shall confine or restrict such livestock, fowl, or small animals at all times to such property. Failure to so confine or restrict livestock, fowl, or small animals kept or permitted to be kept in the city shall be a violation.

Sec. 9. Cleanliness of barns and sheds.

Every person keeping or maintaining domestic animals or domestic fowl shall keep the barn, shed, hutch or pen in which such animals or fowl are kept or maintained in a clean and sanitary condition so that the same will not create a nuisance as defined by the Code.

Sec. 10. Loading and transporting of livestock and fowl.

No person shall, within the city, load, unload or transfer from one vehicle to another vehicle, any hogs, sheep, cattle or other livestock or fowl in any public place, street, or any unenclosed private premises for a longer period than one hour. Nothing continued in this section shall prohibit loading, unloading or transferring of hogs, sheep, cattle or livestock or fowl at any established and maintained stockyards, slaughterhouse, or sale barn.

Sec. 11. Cruelty to or mistreatment of animals.

- (a) A person commits an ordinance violation if he intentionally or knowingly tortures or seriously overworks an animal; fails unreasonably to provide necessary food, care, or shelter for an animal in his custody; abandons unreasonably an animal in his custody; transports or confines an animal in a cruel manner; kills, injures, or administers poison to animals belonging to another without legal authority or the owner's effective consent; causes one animal to fight with another; or treats any animal in an inhumane or improper manner or exercises any control over an animal inconsistent with rights or ownership of the animal.
- (b) Notwithstanding subdivision (b), a person may do any of the following in accordance with this Section:
 - (1) Attach a dog to a running line, pulley, or trolley system. A dog shall not be tethered to the running line, pulley, or trolley system by means of a choke collar or pinch collar.
 - (2) Tether, fasten, chain, tie, or otherwise restrain a dog pursuant to the requirements of a camping or recreational area.
 - (3) Tether, fasten, chain, or tie a dog no longer than is necessary for the person to complete a temporary task that requires the dog to be restrained for a reasonable period, which is defined herein as: a period of time not to exceed three hours in a 24-hour period, or a time that is otherwise approved by animal control.
- (c) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand held leash.

Sec. 12. Humane treatment of animals.

No person shall collect, purchase or solicit dogs, cats, or other domestic animals for resale to serum plants, laboratory supply houses, or other experimental research teaching purposes. The provisions of this section shall not be applicable to pet shops or commercial kennels.

Sec. 13. Trapping.

No person shall within the city, kill, wound, injure or capture or attempt to kill, wound, injure or capture any animal or bird; provided, that the owner, tenant or authorized agent of real estate in the city frequented by animals or birds which would deprive the owner of full enjoyment of such property or real estate, may

by humane methods, trap such animals or birds. No traps shall be set in any manner that could in any way unreasonably jeopardize the life or health of any person or animal.

Sec. 14. Feces Removal.

Person's controlling or allowing his/her domestic animal to be away from their own property shall be required to clean up and carry off any feces deposited on any public or private property not the property of the animal's owner, and properly dispose of said feces upon their return to their own property.

ARTICLE II. DOGS

Sec. 15. Annual license.

- (a) Every person owning, keeping, harboring or permitting a dog to remain on his premises shall register and secure a license for such dog if over the age of four months. Dog licenses shall be issued by the City Clerk upon payment of the license fee not to exceed \$5.00 for each spayed or neutered male or female and a fee not to exceed \$15.00 for each unneutered male or unsprayed female. Application for a dog license shall be made by the owner on a printed form, provided by the city for that purpose, upon which he shall state his name and address and the name, breed, color and sex of each dog owned or kept by him. Before any dog license shall be issued the owner shall present to the licensing officer a certificate of vaccination from a licensed veterinarian showing that such veterinarian has vaccinated the dog sought to be licensed with an anti-rabies vaccine and certification from a veterinarian verifying neutering or spaying. This provision of the article shall not apply to a dog whose owner is a nonresident temporarily within the city not to exceed thirty (30) days and not to "leader" dogs which have been vaccinated and are trained and actually used to assist a handicapped person. However, "leader" dogs may be registered by the owner thereof, but no annual license fee shall be charged for same. Licenses shall be issued for the calendar year beginning January 1, after which the applicant shall be assessed a penalty of 50 percent if the dog was the age of 4 months by March 1. This licensing provision shall become effective for the registration period beginning January 1, 2010.
- (b) No vicious dog shall be granted a license, unless the owner provides proof of homeowner's or renter's insurance of not less than \$100,000.00 for coverage against personal injury or death of any person resulting from attack by a dog.
- (c) Subject to the above, if during the license period ownership of the dog is transferred to the new owner upon making application to the City Clerk, the transfer fee shall be \$5.00.

Sec. 16. Dog tags.

Upon payment of the license fee, the city clerk shall issue to the owner a license certificate and a metallic tag for the dog so licensed. In case a dog tag is lost or destroyed, a duplicate shall be issued by the city clerk upon presentation of a certificate showing the license fee paid for the current year, and the payment of \$3.00 fee for such duplicate. Dog tags shall not be transferrable from one dog to another and no refunds will be made on any dog license tag because of the death or loss of the dog or the owner's leaving the city before the expiration of the license period. No person shall remove or cause to be removed the collar or tag from any dog without consent of the owner or keeper thereof.

Sec. 17. Dogs or Cats at large.

It shall be a violation of the code of the City of Meadville, Missouri for an owner or keeper of a dog or cat to let such dog or cat run at large, which is defined to mean off the premises of the owner and not under the

control of the keeper, owner, or responsible member of the household of the keeper or owner. A dog or cat is under control if it is under the immediate and effective restraint of a responsible person.

Sec. 18. Impoundment of licensed dogs.

Any licensed dog found running at large in the city will be humanely handled by the animal control officer taken up and secured at the animal control shelter. Notification will be made to the owner of the dog's impoundment. The licensee or person making claim for the dog shall be considered the owner or keeper of said dog by virtue of the license application or the claim made and will be cited for the offense of permitting a dog to run at large.

Sec. 19. Impoundment of unlicensed dog.

Any dog running at large in the City of Meadville, Missouri, whose licensed applicant owner, or keeper cannot be found, or not wearing a collar bearing a dog license tag as provided and described herein, shall be taken up by the animal control officer and impounded at some suitable place for five days during which time it shall be the responsibility of the animal control officer to see that such dog is fed and watered. If an unlicensed dog is found running at large, but its ownership is known to the Animal Control Officer, impoundment shall be in accordance with Section 18.

Sec. 20. Injury to humans.

No person will own, keep, possess, or harbor an animal which has a history of inflicting to any human being injury on two separate incidents reported to the animal control officer unless it can be proven that the animal was defending itself against unwarranted harassment by a human. No section of this ordinance shall be construed as preventing a person from exercising reasonable self-defense tactics to prevent an animal attack.

Sec. 21. Animals damaging property.

It shall be unlawful for any person to own, keep or harbor any animal which repeatedly does damage to shrubs, gardens or property.

Sec. 22. Dogs without current vaccination.

It shall be unlawful for any person to own, keep, harbor or permit a dog on his premises that does not have current and effective vaccination against rabies.

ARTICLE III. CATS

Sec. 23. Damaging shrubs, gardens and property.

Cats in the city that repeatedly do damage to shrubs, gardens or property shall be subject to the same regulations regarding dogs.

Sec. 24. Apprehension of cats running at large.

Apprehension of cats running at large in violation of Sec. 2 and Sec. 17 shall be addressed by effected person. The city will make available humane box traps to be used by the complainant to apprehend such cats. The city will pick up cats apprehended and handle them in accordance with Sec. 17 through 19.

ABANDONMENT OF ANIMALS

Sec. 25. Abandonment of an animal within the municipality.

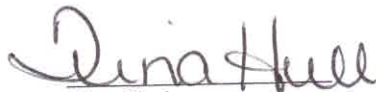
It shall be unlawful for any person to abandon any animal within the corporate limits of this municipality.

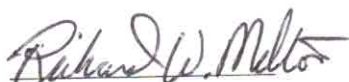
Sec. 26. This ordinance supercedes any other conflicting ordinance.

This ordinance shall be in effect from and after date of passage.

Passed this 9th day of Nov 2009.

Attest:


City Clerk


Mayor

