

Chapter 205

ANIMAL REGULATIONS

Section 205.010. Definitions.

The following words, when used in this Chapter, shall have the meanings set out herein:

DOGS OR CATS — All animals of the canine or feline species, both male and female.

OWNER OR KEEPER — Any person having a right of property in a dog or cat, or who keeps or harbors a dog or cat, or who has it in his/her care or acts as its custodian, or who knowingly permits a dog or cat to remain on or about any premises owned or occupied by him/her.

PIT BULL DOG — Shall be held and construed to mean any and all of the following dogs:

1. The bull terrier breed of dog;
2. The Staffordshire bull terrier breed of dogs;
3. The American Staffordshire terrier breed of dogs;
4. The American Pit Bull terrier breed of dogs;
5. Dogs of mixed breed or other breeds than above listed which breed or mixed breed is known as pit bulls, pit bull dogs, or pit bull terriers;
6. Dogs which have the appearance and characteristics of being predominantly of the breeds of dogs known as Staffordshire bull terrier, American Pit Bull Terrier, or American Staffordshire Terrier.

RUNNING AT LARGE — Allowing a dog or cat to be off the private premises of the owner or keeper, or his/her agent or servant, and not on a leash or confined to the arms, motor vehicle, trailer or other conveyance of the owner or keeper, his/her agent or servant.

SERIOUS PHYSICAL INJURY — Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

TRESPASSER — A person upon the premises of the owner or keeper of the dog in question without license or privilege to be upon said premises.

UNRESTRAINED DOG — Any dog running at large or a dog on the premises of its owner or keeper but not confined to said premises by a leash, fence, structure or other means that would prevent the dog from leaving such premises.

VICIOUS DOG — Any of the following dogs:

1. Any dog, whether or not running at large and whether or not unrestrained, that without provocation has bitten any person not a trespasser causing serious physical injury to that person.
2. Any unrestrained dog, whether or not running at large, that without provocation has attempted to bite any person not a trespasser which would cause serious physical injury to that person.
3. Any unrestrained dog, whether or not running at large, that without provocation has placed any person not a trespasser in apprehension of immediate serious physical injury.
4. Any dog that has killed another dog, cat or other domestic animal without provocation.

Section 205.020. Vaccination and Tag.

It shall be unlawful for the owner or keeper of any dog or cat to permit such animal to remain in the City of Puxico unless it is wearing a rabies/vaccination tag issued by a licensed veterinarian. The tag must be securely attached to a collar worn continuously by the animal for which the tag was issued.

Section 205.030. Running at Large Prohibited — Impoundment.

It shall be unlawful for the owner or keeper of any dog or cat to permit the same to run at large within the City of Puxico at any time. Any dog or cat found without the tag provided in Section 205.020, and any dog or cat found running at large, shall be impounded.

Section 205.035. Responsibility of Parent or Guardian of Minor Owning.

The parent or guardian of a minor child is responsible for the adequate care of any animal owned by, in the control of, or harbored by that minor child.

Section 205.040. Vicious Dogs Prohibited — Exceptions.

- A. It shall be unlawful to own, keep or harbor a vicious dog in the City of Puxico except in accordance with the following provisions:
 1. *Leash and muzzle.* No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts or buildings. In addition, all vicious dogs on a leash outside its kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
 2. *Confinement.* All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine vicious dogs must be locked with a key or combination lock when such dogs are within the structure. Said structure must have a secure bottom or floor attached to the sides of the pen or the sides of the

- pen must be imbedded in the ground no less than two (2) feet. Also, such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
3. *Confinement indoors.* No vicious dog may be kept on a porch, patio or any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.
 4. *Signs.* All owners, keepers or harborers of vicious dogs within the City shall display in a prominent place on their premises a sign easily readable by the public using the words "*Beware of Dog*". In addition, a similar sign is required to be posted on the kennel or pen of such dog.

Section 205.045. Dangerous Animals and Dogs Known to Have Vicious Propensities — Prohibited.

¹ [R.O. 2011 §205.040; Ord. No. 08-08 §§1 — 5, 9-18-2008; Ord. No. 08-09, 9-18-2008]

- A. It shall be unlawful for any person to possess, own or otherwise have under his/her custody or control any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, Canada lynx, bobcat, jaguarundi, hyena, wolf, bear, non-human primate, coyote, python, boa constrictor or any other deadly, dangerous or poisonous reptile in any place within the City of Puxico, Missouri, other than in a properly maintained zoological park for public viewing, circus, scientific or educational institution, research laboratory or veterinarian hospital.
- B. It shall be unlawful for any person to own, keep, harbor, allow to be in or upon his/her premises or otherwise have under his/her custody or control within the City of Puxico, Missouri, any of the following breeds of dogs: Rottweiler, Pit Bull Dog or Doberman Pinscher.
- C. Upon an affidavit of any resident of the City of Puxico that such an animal as described in Subsections (A) and/or (B) above, said affidavit being made from the personal knowledge of the affiant, the Marshal or City Attorney shall obtain a search warrant authorizing members of the Puxico Police Department to enter upon said premises for the purpose of determining if there are such animals being harbored on the premises.
- D. The members of the Puxico Police Department or Animal Control Officers shall take possession and custody of any such animals described in Subsections (A) and (B) above and place the same in the animal pound facility of the City of Puxico. Upon being reclaimed by its owner from the animal pound facility, the animal shall be immediately removed from the City limits of the City of Puxico and shall not be brought back into the City limits of the City of Puxico.

Section 205.050. Notice of Impoundment.

Every officer impounding a dog or cat under this Chapter shall, within twenty-four (24) hours after such impounding, enter upon a registry open to the public and in plain public view at the

1. Cross Reference — As to penalty, §100.220.

City Hall of the City, a description of such dog or cat, including breed, color and approximate size, and the date apprehended, and if the owner or keeper is known, the name and address of such owner or keeper; or the owner or keeper shall be given actual notice of the impoundment of such dog or cat before disposition of such dog or cat.

Section 205.060. Cost of Impoundment. [R.O. 2011 §205.060]

Any officer performing duties under this Chapter shall be compensated from the City Treasury as provided from time to time by the Board of Aldermen. Such officer shall account to the City for all sums collected from owners or keepers under this Chapter and pay same into the City Treasury. Costs of feeding and keeping dogs or cats impounded shall be paid from the City Treasury.

Section 205.070. Reimbursement of Costs.

The owner or keeper of any dog or cat impounded under this Chapter shall pay to the Marshal, Police Officer, or other official especially designated to receive the same a sum sufficient to reimburse the City for its costs in impounding such dog or cat and keeping it impounded.

Section 205.080. Term of Impoundment. [Ord. No. 13-10, 10-17-2013]

It shall be the duty of any officer impounding any dog or cat under this Chapter to keep the same impounded for a period of five (5) days, unless such dog or cat shall be reclaimed by his/her owner or keeper under Section 205.070 of this Chapter. If, after the expiration of five (5) days from the date of such impoundment, such dog or cat shall not have been reclaimed, the same shall be disposed of or destroyed in a humane manner.

Section 205.085. Redemption.

Any person wishing to redeem an impounded dog or cat shall contact the Puxico Police Department or the City of Puxico City Hall and pay costs as provided in Section 205.070.

Section 205.090. Animal Neglect or Abandonment.

- A. A person is guilty of animal neglect when he/she has custody or ownership or both of an animal and fails to provide adequate care or adequate control which results in substantial harm to the animal.
- B. A person is guilty of animal abandonment when he/she has knowingly abandoned an animal in any place without making provisions for its adequate care.
- C. Animal neglect or animal abandonment are ordinance violations. For a first (1st) offense of either violation, a term of imprisonment not to exceed fifteen (15) days, or a fine not to exceed five hundred dollars (\$500.00), or both such fine and imprisonment may be imposed. For a second (2nd) or subsequent violation of either offense, a term of imprisonment not to exceed ninety (90) days, or a fine not to exceed five hundred dollars (\$500.00), or both such fine and imprisonment may be imposed. All fines and penalties for a first (1st) conviction of animal neglect or animal abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that

adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived.

- D. In addition to any other penalty imposed by this Section, the court may order a person found guilty of animal neglect or animal abandonment to pay all reasonable costs and expenses necessary for:
1. The care and maintenance of neglected or abandoned animals within the person's custody or ownership;
 2. The disposal of any dead or diseased animals within the person's custody or ownership;
 3. The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and
 4. The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals.

Section 205.100. Animal Abuse. ²

- A. A person is guilty of animal abuse when a person:
1. Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of Sections 578.005 to 578.023 and 273.030, RSMo.;
 2. Purposely or intentionally causes injury or suffering to an animal; or
 3. Having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.

Section 205.105. Keeping of Certain Animals. ³ [R.O. 2011 §205.120; CC 1979 §§73.600 — 73.620]

No person, firm or corporation shall keep or maintain any hog or hogs, cow or cows, pony or ponies, horse or horses, sheep, goat or goats, or undomesticated fowl within the limits of this City.

Section 205.110. Knowingly Releasing an Animal.

- A. A person commits the offense of knowingly releasing an animal if that person, acting without the consent of the owner or custodian of an animal, intentionally releases any animal that is lawfully confined for the purpose of companionship or protection of persons or property or for recreation, exhibition or educational purposes.
- B. As used in this Section, "*animal*" means every living creature, domesticated or wild, but not including *Homo sapiens*.

2. Note — Under certain circumstances this offense can be a felony under state law.

3. Cross Reference — As to penalty, §100.220.

- C. The provisions of this Section shall not apply to a public servant acting in the course of such servant's official duties.

Section 205.120. Animal Waste Prohibited on Public and Private Property — Exception.

Any person in physical possession and control of any animal shall remove excreta or other solid waste deposited by the animal in any public or private area not designated to receive such wastes including, but not limited to, streets, sidewalks, parking lots, public parks or recreation areas and private property. The provisions of this Section shall not apply to a guide dog accompanying any blind person.

Section 205.130. Quarantine Order to Be Issued by Mayor — To Be Published and Posted.

Whenever rabies becomes prevalent in the City, the Mayor shall, according to the necessity of the case, issue a quarantine order requiring every owner or person in charge of any dog or dogs within the limits of the City to either kill or impound his/her dog or dogs or to have such dog or dogs immunized. Said order shall be published once in the paper officially publishing the business of the City; and in the absence of such paper, shall be posted as in case of sales of personal property. The Mayor is authorized by proclamation to terminate any such quarantine whenever, in his/her judgment, the necessity for it no longer exists.

Section 205.140. Dogs, Fowls, or Other Animals Suspected of Having Rabies. [R.O. 2011 §205.140]

Any dog, fowl or other animal which bites, scratches, or otherwise injures a person and has not been inoculated against rabies within the twelve (12) month period immediately preceding the date of the injury or is believed to have rabies or has been bitten by an animal suspected of having rabies shall be impounded in the City Pound and shall be placed under observation of a veterinarian at the expense of the owner for a period of two (2) weeks. At its own discretion, the City is empowered to have such dog, fowl or animal placed in a veterinary hospital or clinic and there placed under observation for a period of two (2) weeks at the expense of the owner of such dog, fowl or other animal.

Section 205.150. Rabid Dogs, Fowls or Other Animals. [R.O. 2011 §205.150]

All dogs, fowls or other animals which are affected with rabies shall be put to death.

Section 205.160. Trainers of Guide, Hearing or Service Dogs, No Extra Charge for — Liability for Damages. [R.O. 2011 §205.160; Ord. No. 2003, 11-16-2000]

Any trainer, from a recognized training center, of a guide dog, hearing assistance dog or service dog shall have the right to be accompanied by such dog in or upon any of the premises listed in Section 209.150, RSMo., while engaged in the training of the dog without being required to pay an extra charge for such dog. Such trainer shall be liable for any damage done to the premises or facilities by such dog.

Section 205.170. Assault on a Police Animal. ⁴ [R.O. 2011 §205.170; Ord. No. 2003, 11-16-2000]

A person commits the ordinance violation of assault on a police animal when such person knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a police animal when that animal is involved in law enforcement investigation, apprehension, tracking or search, or the animal is in the custody of or under the control of a Law Enforcement Officer, Department of Corrections Officer, Municipal Police Department, Fire Department or a rescue unit or agency.

4. Cross Reference — As to penalty, §100.220.