

AN ORDINANCE PROVIDING FOR THE LICENSING AND CONTROL OF ANIMALS WITHIN THE VILLAGE OF GLENAIRE, CLAY COUNTY, MISSOURI AND REPEALING ORDINANCES 82 AND 114.

The Trustees of The Village of Glenaire find, determine, and declare that this ordinance is necessary for the immediate preservation of the public health, safety, and general welfare of the inhabitants of The Village of Glenaire. Therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GLENAIRE, CLAY COUNTY, MISSOURI, AS FOLLOWS:

SECTION I

ARTICLE 1: DEFINITIONS

Dog: A domestic animal of the species Canis familiaris over the age of four months.

Cat: A domestic animal of the species Felis domesticus over the age of four months.

Owner: Any person owning, harboring, or keeping an animal including anyone permitting any dog or cat to habitually be, remain on, or be fed within the boundaries of that persons real property.

Animal Control Officer: An official specifically appointed by the Board of Trustees for the purpose of enforcing the provisions of this ordinance within The Village of Glenaire. This may include the services of an officer of another municipality when contracted for by a signed agreement.

Animal Shelter: Any facility designated or recognized by the Trustees of The Village of Glenaire as a place of impoundment for animals.

Spayed Dog or Cat: A female Canis familiaris or female Felis domesticus certified by a licensed veterinarian as having been rendered sterile by removal of her ovaries.

Neutered Dog or Cat: A male Canis familiaris or male Felis domesticus certified by a licensed veterinarian as having been rendered sterile by castration.

Restraint: An animal shall be deemed to be under restraint when (1) On a leash or lead of ten feet or less in length secured in the hands of the animal owner or any other person with the knowledge and consent of the animal owner (2) On a leash or lead firmly attached to a stationary object which confines the animal within the real property limits of the owner or the real property limits of any other person with the knowledge and permission of both the animal owner and the property owner (3) Confined to an enclosed space within the real property limits of the animal owner or within the real property limits of any other person with the knowledge and consent of both the animal owner and the property owner (4) Confined within an enclosed moving vehicle.

At Large: Not under one of the foregoing restraints.

Stray Dog or Cat: Any dog or cat found to be at large, and not wearing current license and/or rabies tags whose owner is not known and not immediately discernable.

ARTICLE 1: DEFINITIONS (Continued)

Rabies: A viral disease of warm-blooded animals also known as hydrophobia.

Exposed to Rabies: An animal is considered to have been exposed to rabies if it has been bitten by any other animal known or reasonably suspected to be infected with rabies.

Bitten: Sliced with the teeth of an animal so that the skin of the person or animal sliced has been pierced, broken, or scratched in such a manner that probable contact of the saliva of the biting animal and the break or abrasion of the skin has occurred. This term shall also include contact of the saliva of the biting animal with any mucous membrane of the person or animal attacked.

Vaccination for Rabies: The inoculation of a dog or cat with a rabies vaccine licensed for the species, recommended in the Compendium of Animal Rabies Vaccines, and administered by a licensed veterinarian.

Vicious Animal: (1) Any animal including any dog or cat that constitutes a physical threat to humans or other domestic animals (2) Any animal customarily bred for fighting other animals (3) Exotic predatory animals.

Village: The Village of Glenaire, Clay County, Missouri.

Shall: As used in this ordinance the word shall is mandatory and not discretionary.

SECTION II

ARTICLE 1: CARE OF ANIMALS

The owner of any animal shall provide it with (1) adequate shelter from heat, cold, rain, snow, sun, and wind (2) sufficient food and fresh water to keep the animal well-nourished. (3) adequate medical attention for any diseases or ailments.

ARTICLE 2: CRUELTY TO ANIMALS

No person shall torment, beat, torture, kill, or abandon any animal in The Village of Glenaire.

SECTION III

ARTICLE 1: RABIES PROTECTION

Every dog or cat over the age of four months kept or harbored within The Village of Glenaire shall be continuously protected against rabies by vaccination. Each dog or cat maintained within the limits of the Village shall have a durable numbered tag issued by a licensed veterinarian which shall be securely attached to the animals' collar or harness. The collar or harness with the rabies tag attached must be worn whenever the animal is outside of an enclosed structure, whether on or off of the owners property.

ARTICLE 2: EXPOSURE TO RABIES; ANIMAL BITES

A dog or cat exposed to rabies or any animal that has bitten any person or another domestic animal shall be immediately confined by the owner who shall promptly notify the Animal Control Officer. The owner shall surrender such animal for quarantine in an animal shelter or licensed veterinary hospital. The cat or dog shall be quarantined for a minimum of ten (10) days after which it may be released to the owner, if in the opinion of a licensed veterinarian, it has shown no symptoms of having rabies. The owner shall be responsible for all costs incurred for isolation of their animal in an animal shelter or veterinary hospital.

ARTICLE 3: DOGS OR CATS BITTEN BY A RABID ANIMAL

In the case of animals known to have been bitten by an animal proven or strongly suspected of being rabid, the following regulations shall apply.

(1) Dogs or cats not having current protection against rabies by reason of timely vaccination and which are known to have been bitten by an animal proven or strongly suspected of being rabid shall be quarantined immediately in an animal shelter or a licensed veterinary hospital. Upon verification that the biting animal tests positively for rabies the bitten animal shall be euthanized in a humane manner.

If the owner of the bitten animal is unwilling to have the animal euthanized, such animal must be kept in strict isolation in a licensed veterinary hospital for a period of at least six (6) months. The owner must agree in writing to pay all expenses incurred during the quarantine period. The owner absolutely may not quarantine the bitten animal within The Village of Glenaire.

(2) Dogs or cats having current protection against rabies by reason of timely vaccination and which are known to have been bitten by an animal proven or strongly suspected of being rabid shall immediately be revaccinated and confined in a licensed veterinary hospital for a minimum of sixty (60) days.

If the biting animal tests positively for rabies, and if the bitten dog or cat is not immediately revaccinated, it shall be confined in strict isolation in a licensed veterinary hospital for a minimum of six (6) months. The owner must agree in writing to pay all expenses incurred during either quarantine period. The owner absolutely may not quarantine the bitten animal within The Village of Glenaire.

ARTICLE 4: DISPOSITION OF DISEASED ANIMALS

If an animal which has been impounded due to exposure to rabies or because of biting or attacking a person or another domestic animal should test positively for rabies or exhibit definite symptoms of rabies, such animal shall be euthanized immediately in a humane manner.

Otherwise, no person shall kill a rabid animal or an animal exposed to rabies unless it is necessary to prevent that animal from escaping or from biting another animal or a person.

The body of an animal which has been exposed to rabies prior to death shall be taken to a licensed veterinary hospital for removal of the head. The head of the animal shall be delivered to the Missouri Division of Health, Jefferson City, Missouri, for examination.

SECTION IV

ARTICLE 1: ANIMAL LICENSES

Any dog or cat over the age of four months maintained within the Village limits shall be required to be licensed as provided in this section. The licensing provisions of this section shall not apply to non-residents until they have kept a dog or cat within the Village limits for over thirty (30) days. Any owner of a dog or cat which is lawfully required to be licensed, but remains unlicensed, shall be deemed guilty of a misdemeanor.

ARTICLE 2: LICENSE APPLICATION

Written application for a cat or dog license shall be made at the Village Office or to the Village Clerk on the official form provided for that purpose. The written application must be accompanied by a signed certificate of vaccination for rabies issued by a licensed veterinarian, effective no more than one year prior to the date of application.

ARTICLE 3: LICENSE FEES

The annual license fees shall be \$3.00 for neutered or spayed dogs or cats; \$5.00 for an unneutered male dog or cat; and \$7.50 for an unspayed female dog or cat. License fees shall be waived for dogs serving the blind.

ARTICLE 4: LICENSE SALES

Licenses shall be offered for sale by the Village Clerk on and after June 1st of each year for dogs and cats maintained in the Village at that time. As soon as practicable after June 1st of each year the Village Clerk shall arrange a general registration day at which time a veterinarian will be present to provide inoculations. Dog and cat owners have thirty days after the general registration day to apply for a cat or dog license without penalty, but beginning on the thirty-first day a penalty of fifty percent of the applicable license fee may be charged.

Dogs or cats reaching the age of four months or those acquired after the general registration date shall be licensed at a rate prorated to the nearest quarter-year. A fifty percent penalty may be added thirty-one days after the date that the license should have been procured.

ARTICLE 5: ISSUANCE OF LICENSE TAGS

The Village Clerk shall issue a receipt and a numbered metallic tag for each dog and cat licensed. Every dog and cat owner shall provide a collar or harness to be kept on the animal at all times when it is not in a private building. The license tag shall be securely affixed to the collar or harness in such a manner that it may be easily seen. The Village Clerk shall maintain records of dog and cat license receipts and tags for a period of three years from the date of issuance.

A current dog or cat license may be transferred to a new owner by payment of a fee of \$2.00. A lost license tag may be replaced by application to the Village Clerk and payment of a fee of \$2.00.

ARTICLE 6: RESTRAINT

Dog and cat owners shall keep their animals under restraint at all times (see definitions). The owner shall further confine any female dog or cat in heat within a building in such a manner that the animal is inaccessible to male animals of the same species except for planned breeding and will not attract male animals of the same species to the area.

ARTICLE 7: NUISANCES

A dog or cat shall be considered a nuisance if it (1) damages private property other than the owners (2) defecates on any property other than the owners causing unsanitary and offensive conditions (3) causes a disturbance by excessive barking, howling, or other noisemaking (4) molests trash placed on private property for collection (5) chases vehicles or (6) attacks, menaces, or interferes with persons or other domestic animals. No owner shall keep, possess or harbor any dog or cat considered to be a nuisance.

ARTICLE 8: IMPOUNDMENT

Dogs or cats not licensed, found not under restraint or stray or abandoned animals may be picked up by the Animal Control Officer. If the owner of the dog or cat can be identified and located, they shall be notified and the cat or dog returned to them, provided, that the Animal Control Officer shall issue any citation(s) which are appropriate under the circumstances.

A dog or cat whose owner cannot be identified and/or located may be impounded by the Animal Control Officer in an animal shelter authorized by the Board of Trustees.

The owner of an unlicensed cat or dog will not be permitted to redeem that animal from impoundment until a license has been obtained. If licensing would require vaccination for rabies, the Village Clerk may issue a license prior to vaccination upon the written agreement of the owner to provide a certificate of vaccination for rabies issued by a licensed veterinarian within ninety-six (96) hours of the date and time of issuance of the license. Failure to provide valid proof of vaccination within the time specified shall cause the animal owner to be deemed guilty of a misdemeanor.

An owner redeeming a cat or dog from impoundment shall pay, prior to release of the animal, an impoundment fee of \$15.00 plus a boarding fee of \$5.00 for each 24-hour period or fraction thereof that the animal has been impounded. These fees may be adjusted from time to time as may be necessary. Payment of impoundment, boarding, and license fees does not relieve the owner of the impounded animal of responsibility for any fines which may be assessed for violations of various sections of this ordinance.

A dog or cat not redeemed by the owner within five (5) days of the date of impoundment may be disposed of by the Animal Control Officer in one of the following ways and no other: (1) Euthanasia, using a method approved by the Humane Society of The United States or (2) release for adoption by a new owner who shows evidence of the intention and ability to provide the animal with a decent home and humane care.

SECTION V

ARTICLE 1: ENFORCEMENT

The provisions of this ordinance shall be enforced by the Animal Control Officer(s). The intent of this ordinance is to require dog and cat owners to comply with its provisions. The Animal Control Officer(s) shall place primary emphasis on identifying, apprehending, and initiating prosecution of violators of this ordinance.

ARTICLE 2: INTERFERENCE WITH AN ANIMAL CONTROL OFFICER

No person shall interfere with, hinder, harass, or molest any Animal Control Officer in the performance of any duties necessary to enforce the provisions of any part of this ordinance. Any person engaging in any of the above actions shall be guilty of a misdemeanor.

ARTICLE 3: PENALTIES

Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than \$1.00 nor more than FIVE HUNDRED DOLLARS (\$500.00) or by imprisonment not to exceed ninety (90) days, or both such fine and imprisonment; provided, however, that each day such violation shall continue shall constitute a separate offense.

SECTION VI

ARTICLE 1: CONFLICTING ORDINANCES

Ordinances 82 and 114 of The Village of Glenaire are hereby repealed. All other ordinances of The Village of Glenaire which are in conflict with this ordinance are hereby repealed to the extent of such conflict.

ARTICLE 2: SEVERABILITY

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity shall not affect the remaining parts of this ordinance.

ARTICLE 3: APPLICABILITY

This ordinance shall be in full force and effect immediately upon its passage.

ADOPTED by the Board of Trustees of The Village of Glenaire, Clay County, Missouri on this 20th day of May, 1986.



CHAIRMAN, BOARD OF TRUSTEES

ATTEST:



VILLAGE CLERK