

**AN ORDINANCE TO REGULATE DOGS AND CATS WITHIN THE CITY OF TIPTON, MISSOURI, REPEAL ORDINANCE NO. 05-06 AND PROVIDING THE PENALTY FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Tipton, Missouri, as follows:

**Section 1. Definitions**

As used in this ordinance, the following terms shall mean:

- A. At Large – Any animal shall be deemed to be at large when it is off the property of its owner and not restrained by a competent person.
- B. Cat – Any member of the felis domesticus, either male or female, four months of age or older.
- C. Dog – Any member of the canine family, either male or female, four months of age or older.
- D. Euthanasia – To put to death in a humane way.
- E. Exposed to Rabies – Any dog or cat, whether licensed and vaccinated for rabies or not, which has been bitten by, been fighting with or has consorted with an animal known to have rabies.
- F. Humane Officer – An individual annually appointed by the Mayor and City Council whose job is to take care of animals once placed in the City’s pound facility.
- G. Impound – To apprehend, catch, trap or net a dog, cat or other animal and thereafter confine.
- H. Owner – Any person, group of persons, firm or corporation, owning, keeping or harboring a dog or dogs, cat or cats, or any other domesticated animal.
- I. Restraint – A dog or cat is under restraint if he is controlled by a leash or harness, or is “at heel” of a competent person and obedient to that persons commands or within a vehicle being driven or parked on the streets of the City of Tipton.
- J. Registration-Vaccination – The procedure of vaccinating for rabies and issuing an appropriate certificate. The words shall be interchangeable.
- K. Tag – Any object, regardless of shape or size, which bears a registration number which has been issued by any licensed veterinarian.

**Section 2. Animals to be Vaccinated**

It shall be unlawful for the owner of any dog, cat or other animal routinely vaccinated to keep, harbor or permit a dog, cat or other animal to be within the confines of the City of Tipton, Missouri until and unless such owner secures a certificate from a licensed veterinarian and the animal displays a tag of registration.

**Section 3. Procedure for Vaccination**

The owner of a dog(s) or cat(s) may present same at his/her expense to a licensed veterinarian to receive one copy of a certificate and a tag both bearing a registration vaccination number. This tag and certificate shall only be evidence of registration-vaccination and confer the right to keep said dog or cat in the City of Tipton, Missouri. The veterinarian shall keep one copy of the above certificate on file and a copy shall be held by the City Collector who should keep the same on file.

**Section 4. Time Requirements**

The vaccination procedure described in the preceding section may be carried out at any time; the resulting vaccination shall be valid for a period in accordance with the rabies vaccination directives.

**Section 5. Vaccination Tag**

The vaccination tag issued shall be attached to the dog or cat for which it was issued by means of a secure collar or harness. A vaccination tag shall not be transferred from the dog or cat it was issued to, to any other dog or cat.

**Section 6. Animal Licensed Required**

During the month of November of each year the City Collector shall cause notice to be given to dog and cat owners within the City that the annual dog licenses must be purchased by December 31 of the same year. A dog or cat license must be obtained from the City Collector by December 31 every year and must be displayed by said dog or cat by means of a secure collar or harness. Thus, the dog or cat license being valid January 1 – December 31. The dog or cat license is not transferable to another dog.

**Section 7. Animal License Cost**

The cost of said license shall be as follows: Males, unneutered, twenty-five dollars (\$25); neutered males, ten dollars (\$10); unspayed females, twenty-five dollars (\$25); spayed females, ten dollars (\$10).

**Section 8. Licensing Procedures**

The owner of a dog or cat shall present to the City Collector a certificate from a licensed veterinarian showing that said dog has been immunized from rabies. Upon payment of the sums set out in Section 8, the City Collector shall immediately enter in the City Animal Register the date of payment, the number of entry, and owner of dog or cat, breed, sex, color and size of said animal. The City Collector shall then furnish the applicant a dog or cat license plate which shall be plainly marked, cast or engraved the City's name, the year for which the tax is paid and animal license register number.

**Section 9. Humane Officer – Registered Entries**

The City Collector shall make out and deliver to the Humane Officer a copy of all entries made into the animal register annually and each week thereafter subsequent entries are made into animal register.

**Section 10. Running at Large**

It shall be unlawful for the owner of any dog or cat to permit the same to run at large within the City.

**Section 11. Harboring a Nuisance**

No person shall keep any dog(s) or cat(s) by which frequent howling, screeching barking, baying or yelping shall disturb the peace of residents of the immediate neighborhood. No person shall keep a dog(s) or cat(s), confined on his premises under such conditions that offensive or nauseous odors emanate from the waste of such animals which interferes with the peace and

enjoyment of residents of the immediate neighborhood. Any dog(s) or cat(s) entering upon the grounds or within the buildings used and occupied by any public, private or parochial school within this City and interfering in any respect with the normal, usual and orderly activities of the teachers and students in attendance thereat is hereby declared a public nuisance.

**Section 12. Limitation on Number of Animals in the City Limits**

No more than three (3) animals will be permitted per residence.

**Section 13. Impoundment of Animals**

All dogs and cats found in violation of this ordinance shall be impounded by the Humane Officer in the City's impound facility.

**Section 14. Notice of Impoundment**

The Humane Officer shall exert all effort to identify any dog or cat that is impounded and to notify the owner thereof and the reason therefore.

**Section 15. Redemption of Impounded Animal**

The owner of any impounded animal or any other person with the authority of the owner may redeem said animal. The owner must pay the Humane Officer the sum of ten dollars (\$10); and an additional five dollars (\$5) per day if redeemed after the first twenty four (24) hours.

**Section 16. Failure to Redeem**

Any animal that is impounded and has not been redeemed within one hundred twenty (120) hours by its owner or in the event the owner of the animal cannot be identified shall be able to be adopted by another individual. If the animal is not redeemed or adopted within five (5) days from the initial date of impoundment the Humane Officer may have the dog euthanized by a licensed veterinarian.

**Section 17. Settlement of Accounts**

Upon redemption of any animal by the owner, the Humane Officer shall execute a receipt in triplicate showing the amount of money received for feeding, sheltering and caring for said animal during the impoundment period. One copy of the receipt shall be given to the owner, one shall be retained by the Humane Officer and the other given to the City Collector along with the monies received.

**Section 18. Animal Bite Procedure**

The owner of any dog or cat which bites any person, regardless of the circumstances or whether the animal is vaccinated or not, shall be required to place the animal in the City's impound facility for a period of fourteen (14) days following the day of the bite for observation. All expenses shall be borne by the animal owner. If such animal develops symptoms of rabies it shall be allowed to die a natural death. If the animal shall die within the confinement for any reason the head of such animal shall be removed by a licensed veterinarian and submitted to a qualified official laboratory within the State of Missouri for examination. If at the end of the fourteen (14) day period the animal is still alive and healthy it may be released to its owner as long as owner fulfills all other conditions of this ordinance.

**Section 19. Suspected Rabid Animal**

Any dog, cat or pet rodent which exhibits clinical symptoms of rabies, may, after notice is given to the owner, be impounded by the City Marshal on or off the owner's property. The animal may be held for fourteen (14) days at the City's impounding facilities for observation and if alive and free from rabies at the expiration of that period it shall be returned to the owner at no expense. As an alternative procedure the owner may designate any veterinary hospital as a place of detention for the said fourteen (14) day period. All expense under this procedure shall be paid by the owner.

**Section 20. Exposed to Rabies**

Any dog, cat or pet rodent which has been exposed to rabies should be immediately destroyed unless otherwise provided. If the owner is unwilling to have said dog, cat or pet rodent destroyed by the Humane Officer, one of the following alternatives must be followed:

- A. Strict isolation in an animal hospital for six (6) months,
- B. If no previous vaccination has been given within a period of three (3) years with LEP (flurry strain) vaccine, or within one year using vaccine of nerve tissue origin, administer post-exposure treatment and confine in a kennel for three (3) months. Post-exposure treatment may consist of administration of anti-rabies serum (0.5 ml/Kgbw), followed by one (1) to three (3) doses chicken embryo vaccine within seven (7) days, or fourteen (14) injections of nervous tissue vaccine.
- C. If the animal has been vaccinated previously within one (1) year with nerve tissue or keley strain vaccine, or within three (3) years with flurry strain vaccine, it is recommended that the animal be revaccinated and restrained by a leash or confined at home for thirty (30) days.

**Section 21. Quarantine**

Whenever the Mayor shall deem it necessary because of the prevalence of rabies among the animal population of the City, County or State, strict quarantine may be placed on all dogs in the City. Upon such proclamation by the Mayor all animals shall be confined in the owner's home, tied up or placed on a leash and under the direct physical control of a competent person at least fifteen (15) years of age. Any animal found otherwise shall be impounded or if impossible to capture shall be humanely killed by any City police officer.

**Section 22. Right of Entry**

The City Marshal and his/her designee, shall have the right to enter any property or premises within this City for the purpose of determining if the provisions of this Ordinance are being complied with and for the further purpose of examining and impounding any animal exposed to or exhibiting clinical symptoms of rabies.

**Section 23. Animal Poisoning**

No person(s) shall feed or place a direct or obvious hazard to man or animal, or shall offer or tempt any dog, cat or pet animal with any liquid, meat or food product which shall cause prostration, convulsion, pain or suffering as a prelude to death, be proven to be toxic or lethal in the amount present to any man or domestic animal by competent medical or veterinary authority or death.

**Section 24. Refusal to Deliver Animal**

No person shall refuse to deliver his/her animal(s) to the Humane Officer when requested to do so under the provisions of this Ordinance.

**Section 25. Penalties**

Any person, firm or corporation violating any of the terms of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500) or imprisonment not more than 90 days, or by both.

**Section 26. Repeals**

This Ordinance shall be in full force and effect after its passage and hereby repeals Ordinance 05-06.

Read two (2) times and passed this 7<sup>th</sup> day of October 2019.

Yeas: Wolf, Basinger, Kelley

Neas: Clifford

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Joe Lutz, Mayor

ATTEST:

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Jennifer Schmidt, City Clerk