

CHAPTER 5

ANIMALS

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ARTICLE I. IN GENERAL

Sec. 5-1. Construction of article provisions.

The provisions of this article shall not be construed to prohibit the department, or any authorized law enforcement officer from enforcing any other law, rule or regulation regarding the humane treatment of animals.

Sec. 5-2. Exemption.

The provisions of this article shall not apply to any federal, state or city law enforcement agency or dog specifically exempted pursuant to any other law, rule or regulation regarding the humane treatment of animals.

Sec. 5-3. Severability.

- A. If any provision of this article is adjudged invalid by any court of competent jurisdiction, such judgment shall not affect or impair the validity of the remainder of this article.
- B. No provision of this article shall prevent the enforcement of existing animal control regulations of the City Code.

Sec. 5-4 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

Animal: Every living vertebrate except a human being.

At large: An animal shall be "at large" when off the property of the owner and unleashed.

Cat: Any member of the feline (genus felis) family over three (3) months of age.

Director: The Director of Community Development or a duly authorized agent or employee. (Ord. No. 13301, §3, 11-5-2001)

Dog: Any member of the canine (genus canis) family over three (3) months of age.

Euthanasia: To put to death in a humane way.

Exposed to rabies: Any animal, whether vaccinated for rabies or not, which has had any physical contact with a rabid animal as determined by the Missouri Department of Health and Senior Services. (Ord. 14199, §1, 5-21-2007)

Ferret: Any member of the mustelid family whose size ranges from 1 to 5 pounds; a derivative from the Steppe and European polecats domesticated over 3,000 years ago by the Egyptians.

Harbor: To feed or shelter an animal at the same location for three or more consecutive days. (Ord. 14199, §1, 5-21-2007)

Impound: To take into custody any animal, for the purpose of confinement.

Kitten: Any member of the feline (genus felis) family under three (3) months of age.

Livestock: Any horse, cow, pig, hog, sheep or goat.

Microchip: A permanent radio-frequency identification (RFID) chip implanted under animal's skin and read by a chip scanner or wand. (Ord. 14481, §1, 3-2-2009)

Owner: In addition to its ordinary meaning, any person, who keeps or harbors an animal or professes to be owning, keeping or harboring an animal. If an animal has been registered as provided in Section 5-31, there

shall be a presumption that the person identified as the owner on the registration record is the owner of the animal. The presumption may be overcome by filing a change of ownership form to be promulgated by the Director, which must be signed by the new owner of the animal. (Ord. 14481, §1, 3-2-2009)

Provocation: Means that an animal may be provoked only if it bites a person over 7 years of age, immediately after the person who is bitten causes, or attempts to cause, the animal to experience physical pain. Provocation shall not exist if the person causing, or attempting to cause the animal physical pain is doing so as a result of a reasonable belief that the animal intends to cause the person or another person imminent injury. (Ord. No. 14600, §1, 10-19-2009)

Pup: Any member of the canine (genus canis) family under three (3) months of age.

Tag: Any object, regardless of shape or size, bearing a registration number and year, and the words "registered and vaccinated for rabies," issued by a practicing licensed veterinarian.

Trap: Any mechanical device or snare which seeks to hold, capture, or kill an animal.

Trapping: The setting or laying or otherwise using of a trap.

Vaccination-registration: The vaccination for rabies and issuance of an appropriate certificate, by a practicing licensed veterinarian.

(Ord. No. 9509, § 1(Art. I, § 1), 9-15-80; Ord. No. 10012, § 1, 81-83; Ord. No. 11904, § 4, 5-17-93)

Vicious Animal: Any animal which;

1. Has caused death or serious injury to a person engaged in a lawful activity;
2. Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or
3. Any animal which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or
4. Has been trained for fighting or is owned or kept for the purpose of fighting; or
5. Causes any person to have a reasonable fear of immediate serious physical injury.
6. Has been determined to be vicious by the Municipal Judge or pursuant to the procedures set forth in this chapter. (Ord. 14142, §1, 1-2-2007)
7. No dog may be deemed a vicious animal under this ordinance if a threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass, or other tort upon the premises occupied by the owner or keeper of the dog, or if a person at the time of such threat, injury or damage was teasing, tormenting, abusing or assaulting the dog, or was threatening or committing an assault or other bodily harm to the owner, the owner's or keeper's immediate family or their invitees; furthermore, dogs used by commissioned officers for law enforcement shall not be deemed vicious animals for purposes of this ordinance.

(Ord. No. 13583, §1, 7-21-2003)

Sec. 5-5. Keeping near dwellings.

It shall be unlawful for any person to keep any livestock or fowl in an outdoor enclosure or pasture, the exterior boundary of which is within one hundred (100) feet of the dwelling house of another without the written permission of the owner or occupant of such dwelling house.

(Ord. No. 9509, § 1(Art. I, § 6), 9-15-80)

Sec. 5-6. Minimum area of enclosures or pastures.

- A. No person shall keep more than one livestock animal in an outdoor enclosure or pasture, unless such enclosure or pasture shall have an area of one-half acre for each livestock animal; provided, that this area requirement shall not apply to the keeping of a suckling offspring of such animal.
- B. It shall be unlawful for any person to keep or use within the corporate limits any pen, stall, place or enclosure in which hogs or swine shall be kept for more than 12 hours, except for the purpose of transportation or immediate use for the market.
- C. The provisions of this section shall not apply to any lawfully operated stockyard, slaughterhouse, university or college or veterinary hospital **or to a farm lawfully operating within a RU Rural District..**

(Ord. No. 9509, § 1(Art. I, § 7), 9-15-80)

Sec. 5-7. Cleanliness of pens, coops, etc.

It shall be unlawful to keep any animal in any structure, pen, coop or yard that is not maintained in a clean and sanitary condition at all times, devoid of all rodents and vermin and free from offensive, disagreeable or obnoxious smells or odors, tending to injure, annoy or inconvenience any inhabitant of the neighborhood. The provisions of this section shall not apply to a farm lawfully operating within a RU Rural District.

(Ord. No. 9509, § 1(Art. I, § 5), 9-15-80; Ord. 13426, §2, 8-19-2002)

Sec. 5-8. Excretion of animals.

It shall be unlawful for any owner in charge of any animal to permit their animal to excrete on sidewalks, driveways, right-of-way, or other private property; the owner or person in charge of the animal is at all times responsible to clean and remove excretion from property not owned or controlled by such person.

(Ord. No. 9509, § 1(Art. I, § 3), 9-15-80)

Sec. 5-9 Confinement of females in heat.

It shall be unlawful for the owner or the person in charge of any female dog or cat in heat to fail to keep such dog or cat confined to a roofed enclosure.

(Ord. No. 9509, § 1(Art. II, § 5), 9-15-80)

Sec. 5-10. Hatcheries.

Any person within the city, engaged in the business of hatching baby fowl by the use of incubators, who permits any odor to escape from such incubators that is offensive or annoying to persons residing within the vicinity of the place of business shall be deemed actively maintaining a nuisance. The provisions of this section shall not apply to a farm operating within a RU Rural District.

(Ord. No. 9509, § 1(Art. I, § 9), 9-15-80; Ord. 13426, §3, 8-19-2002)

Sec. 5-11. Poisoning animals.

It shall be unlawful for any person to feed or place so as to constitute a direct or obvious hazard to man or animal, or to offer or tempt any animal with, liquid, meat, or any food product which shall be proven to be toxic or lethal in the amount present to any man or domestic animal by competent medical or veterinary authority. (Ord.

No. 9509, § 1(Art. I, § 17), 9-15-80)

Sec. 5-12. Dead animals.

It shall be unlawful for the owner of any dead animal to permit such animal to create a nuisance or health hazard by remaining undisposed of in excess of twenty-four (24) hours.

(Ord. No. 9509, § 1(Art. I, § 18), 9-15-80)

Sec. 5-13. Loading, transferring, of livestock.

It shall be unlawful for any person to unload or transfer livestock from one vehicle to another in any public place, street or thoroughfare or on any private premises, or for any person to park or stand any vehicle for such purpose on any street or thoroughfare or on any unenclosed private premises within the city for longer than four hours; provided, that nothing in this section shall prohibit loading, unloading or transferring livestock at any established and maintained stockyard, slaughterhouse or stable barn, or in any enclosed building. The provisions of this section shall not apply to a farm lawfully operating within a RU Rural District.

(Ord. No. 9509, § 1(Art. I, § 19), 9-15-80; Ord. 13426, §4, 8-19-2002)

Sec. 5-14. Breeding livestock.

It shall be unlawful for any person to permit the breeding of livestock within the city, unless the same is in an enclosed shed or stable and entirely out of public view or hearing. The provisions of this section shall not apply to a farm lawfully operating within a RU Rural District.

(Ord. No. 9509, § 1(Art. I, § 20), 9-15-80; Ord. 13426, §5, 8-19-2002)

Sec. 5-15. Minimum Standards of Sanitation, Care, and Adequate Housing of animals.

It shall be unlawful for the owner or person in charge of any animal to permit such animal to remain without sufficient food, water or shelter in accordance with the following:

- A. Animals maintained in pens, cages, or runs for periods exceeding 24 hours shall be provided with adequate space to prevent overcrowding and to maintain normal exercise according to species. Cages are to be of material and construction that permit cleaning and sanitizing.
- B. Indoor housing. These facilities shall be sufficiently temperature controlled and ventilated to provide for the animal's comfort and health.
- C. No person shall keep a dog outdoors on any premises unless at least one of the following applies: either the dog has access to the owner's home through a dog door during all time spent outside; or the dog is under the supervision of a human being who can allow the dog access to the owner's home during all time spent outside; or the dog is at all times in the company of a human being; or the dog spends less than one hour per day outside; or the dog is provided full access to an enclosed building, dog house, or similar shelter at all times. The dog must have space outside its shelter to move around and relieve itself away from its confinement, and this space must be free of broken glass and similar potentially dangerous materials which could result in injury to the dog. Outside housing or enclosures shall allow protection against weather extremes. Floors of buildings, runs, and walls shall be of waterproof material to permit proper cleaning and disinfection.
- D. Provisions shall be made for the removal and proper disposal of animal and food waste, bedding, dead animals, and debris. Disposal facilities shall be provided and so operated as to minimize vermin infestation, odors, and disease hazards.

- E. All animal quarters and runs are to be kept clean, dry, and in a sanitary condition.
- F. The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal.
- G. All animals shall have fresh water available at all times. Water vessels shall be weighted or be mounted or secured in a manner that prevents tipping.

(Ord. 14275, §1, 11-5-2007)

Sec. 5-16. Cruelty to Animals.

No person shall beat, cruelly ill treat, torment, overload, overwork, or otherwise abuse any animal, or cause to permit any dog fight, cockfight, bullfight or other combat between animals or between animals and humans.

(Ord. No. 9509, § 1(Art. I, § 21), 9-15-80)

Sec. 5-17. Running at large.

- A. It shall be unlawful for the owner or the person in charge of any animal to fail to keep any animal from running at large, that is without either being in a securely fenced yard or secured with a leash, rope, or chain, at any time, at any place in the City.
- B. In the case of a conviction in municipal court and the animal has been spayed or neutered, the court shall fine the owner of said animal running at large at least the following amounts:
 - 1. First offense - Twenty-five dollars (\$25.00)
 - 2. Second offense - One hundred dollars (\$100.00)
 - 3. Third offense - One hundred fifty dollars (\$150.00)
- C. All fines established in Sec. 5-17(B) shall be a minimum fine and no portion of said fine shall be suspended or stayed. Neither shall the municipal judge suspend imposition of sentence.
- D. In the case of a conviction in municipal court and the animal has not been spayed or neutered, the court shall fine the owner of said animal running at large at least the following amounts:
 - 1. First offense - Fifty dollars (\$50.00)
 - 2. Second offense - Two hundred dollars (\$200.00)
 - 3. Third offense - Three hundred dollars (\$300.00)
- E. All Such fines shall be minimum fines and no portion of any fine shall be suspended or stayed by anyone other than the municipal judge who may suspend one-half of the fine established in Section 5.17(D) on the condition that the animal be implanted with a microchip and be spayed or neutered within thirty (30) days of the date of conviction.

(Ord. No. 9509, § 1, Art. II, § 4, 9-15-80; Ord. No. 10124, § 1, 12-5-83; Ord. 14481, §2, 3-2-2009)

Sec. 5-18. Animals Disturbing the Peace.

No person shall own, keep, harbor, or allow to be in or upon his premises any animal which, by howling, barking, baying or yelping, shall disturb the peace of any person after a reasonable demand to cease the disturbance has been disregarded by the owner or keeper thereof. (Ord. No. 13583, §2, 7-21-2003)

Sec. 5-19. Vicious Animals.

- A. The owner or possessor of any vicious animal shall provide the city with the name and address of the owner or possessor of the dog, the address of the location where the dog is kept, and color photograph of a size not less than three inches by four inches of the dog.
- B. No person shall own, possess keep, harbor or allow to be in or upon his premises any vicious animal unless it is done in conformity with this chapter.
 - 1. Vicious animals shall be securely confined indoors or in a securely enclosed and locked kennel or cage.
 - a. The kennel or cage shall be of a size appropriate to the size of the animal kept therein and shall provide adequate ventilation, shade from the sun and protection from the elements. In the event of a dispute over the appropriate size, the guidelines of the United States Department of Agriculture shall apply.
 - b. The kennel or cage must have secure sides and a secure top attached to the sides. Such kennel or cage must have a secure bottom or floor attached to the sides or the sides must be embedded in the ground.
 - c. The kennel or cage must be locked with a key or combination lock when such animals are within the structure.
 - d. Any such kennel or cage must be located at least ten (10) feet from any property line and must comply with all zoning and building regulations of the City.
 - e. Kennels for vicious animals must be at least six(6) feet in height and, unless a secure bottom or floor is attached to the sides, the sides must be embedded in the ground no less than two (2) feet.
 - f. Any enclosure, structure, or vehicle used to confine a vicious animal must be locked or otherwise secured against accidental entry by people or domestic animals while the vicious animal is within. Notwithstanding the provisions of Sections 5-15 and 5-16, housing a vicious animal in a vehicle for purposes other than transport shall be a violation of these provisions requiring adequate confinement of any vicious animal.
 - g. Should any enclosure, structure, or vehicle used to confine a vicious animal fail to confine the vicious animal or allows escape, there shall arise a rebuttable presumption that owner has failed to take adequate measures to confine the vicious animal in accordance with this ordinance.
 - 2. When confined indoors, no vicious animal may be kept on a porch, patio or in any part of a house, building or structure that would allow the animal to exit such building on its own volition. No such animal may be kept in a house, building or structure when the windows are open. No vicious animal may be kept in a house, building or structure when screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.
 - 3. No person shall permit a vicious animal to go outside its kennel, cage or secure structure unless that person has the animal securely leashed on a leash no longer than four (4) feet in length and that person has physical control of the leash. Such animals shall not be tied to stationary objects such as railings, fences, trees, posts, or buildings. Additionally, all such animals on a leash outside the animal's kennel, cage or secure structure must be muzzled by a muzzling device sufficient to prevent the animal from biting persons or other animals.
 - 4. A sign or signs, written in legible English, shall be conspicuously posted upon the kennel or cage of any vicious animal with letters at least two (2) inches high containing a warning to beware of

the vicious animal.

5. All owners keepers or harborers of any vicious animal must maintain in effect public liability insurance in a single incident amount of not less than one hundred thousand dollars (\$100,000.00) for bodily injury to or death of any person or persons, or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. All owners, keepers or harborers of vicious animals shall present to the animal control officer upon request of the animal control officer a statement certifying that they have the required insurance policy in effect. Certification of the insurance required by the ordinance shall be submitted within 10 days following the animal control officer's request. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days' written notice is first given to the Director.

C. Any vicious animal which is found within the City limits which is not being kept in a manner which is not in compliance with this chapter, or for which the requirements to keep a vicious animal have not been conformed to, shall be immediately taken up and held by the Director for at least 10 days or until such time as the Director is satisfied that the owner or possessor has met the requirements of this chapter. Failure to comply with this chapter shall authorize the Director to destroy the animal.

1. Any person having or claiming ownership or possession of a vicious animal, which the Director has ordered to be taken up and held under the provisions of this sub-section, shall upon request immediately deliver the animal to the Director. Failure to deliver the animal as required herein shall be a violation of this code, punishable by a fine of not less than Fifty and no/100 Dollars (\$50.00), nor more than Five Hundred and no/100 Dollars (\$500.00).
2. The costs of caring for any animal taken up pursuant to this sub-section shall be borne by the owner, at the usual rates charged by the City, unless there is a subsequent finding that the animal was unlawfully seized.
3. The owner may request a hearing before the Director to review the decision that the owner has not complied with the requirements to keep a vicious animal, provided that such request must be received by the Director within 10 days of the date that the animal is taken up by the Director. If such a request is made, the Director shall promptly set a hearing on the matter. The hearing shall be conducted by the Director and shall be to determine whether under the terms of this Chapter the owner is in compliance with all requirements under this chapter for keeping a vicious animal.
4. In determining whether the animal is being kept in compliance with this chapter, the Director may consider all relevant evidence.
5. Any person aggrieved by a decision of the Director may appeal his decision to the Circuit Court of Cole County.

D. Any case filed under this section shall go to the top of the docket in the municipal court and shall have priority over other matters.

E. If the animal control officer has cause to believe than an animal is a vicious animal, as defined in this chapter, due to an attack or biting incident, then the animal control officer, in his discretion and in the interest of public safety, may immediately confiscate said animal to be confined in the city animal shelter for a period of ten days, except as provided in subsection 2.

1. If the animal has not been previously marked in accordance with the provisions of this chapter, the Director may mark such animal as provided in Section 5-24.
2. Upon written request of the animal's owner, any animal confined under this section may be transferred to a licensed veterinarian or animal hospital for the remainder of the observation period. The animal's owner is responsible for all costs associated with the observation period,

including but not limited to boarding, food, fines, expenses, and/or fees, and in no case shall the City be held responsible for these or any other costs associated with this subsection.

3. Whether the animal is confined with a licensed veterinarian, animal hospital, or the city animal shelter, if the observation period is completed without incident, the animal may be released to the owner following full payment of all court costs, fines, fees, and/or expenses associated with the confinement. However, the owner may not remove the animal from the city limits if a case regarding the attack or biting incident is still pending in municipal court.
 4. Animals left unclaimed more than ten (10) days following the observation period will be disposed of at the discretion of the Director, unless the municipal court has ordered that the animal continue to be confined, in which case the animal may only be released to the owner following disposition of the municipal court case.
 5. Any animal confined pursuant to this subsection shall be subject to the provisions of Article II of this Chapter.
- F. If the Director has cause to believe that an animal is a vicious animal, as defined in this chapter, then the Director may, in his discretion and in the interest of public safety, declare the animal to be a vicious animal, provided however that any such order shall not be effective until at least 10 days after notice is served on the owner.
1. The owner may request a hearing before the Director to review such a decision, provided that such request must be made within 10 days. If such a request is made, the Director shall promptly set a hearing on the matter. The hearing shall be conducted by the Director and shall be to determine whether under the terms of this Chapter the animal in question is vicious.
 2. In determining whether the animal is vicious, the Director may consider all relevant evidence, including the size and breed of the dog and the history of the dog.
 3. Any person aggrieved by a decision of the Director may appeal his decision to the Circuit Court of Cole County.
- G. Upon conviction of any person of a violation of this section, the municipal judge may, in addition to the usual judgment upon conviction, order the animal control officer to forthwith take up and put to death such vicious animal.

Ord. No. 9509, § I(Art. II, § 6), 9-15-80; Ord. No. 9697, § 1, 11-2-81; Ord. No. 13583, §3, 7-21-2003; Ord. No. 13588, § 1, 8-18-2003; Ord. 14142, §2, 1-2-2007; Ord. No. 14600, §1, 2, & 3, 11-2-2010)

State law reference - Penalty for ordinance violations, RSMo. § 77.590.

Sec. 5-20. City Shelter.

There is hereby established a City Animal Shelter under the supervision and direction of the director, for the reception, humane care and disposition of sick, injured, diseased or impounded animals.

(Ord. No. 9509, § 1(Art. I, and II),9-15-80; Ord. No. 10011, § 2, 8-1-83)

Sec. 5-21. Impoundment generally.

All animals found running at large in the city are hereby declared to be a public nuisance and shall forthwith be impounded by the director and placed in the City animal shelter. When any animal is impounded as provided in this section, it shall be the duty of the director to make diligent inquiry for the owner thereof and, when such owner shall be found, to notify him, of impounded and the impoundment of such animal or fowl.

(Ord. No. 9509, § 1(Art. I, § 12, §13), 9-15-80)

Sec. 5-22. Redemption and adoption of impounded animals; disposition of unredeemed animals.

- A. Unless otherwise specified in the Code of the City of Jefferson, all impounded animals shall be held for a period of five (5) days after which they may be placed for adoption or euthanized at the discretion of the Director. An animal may be euthanized immediately if:
1. Ownership of the animal has been assigned to the City by the animal's owner; or
 2. In the judgement of the Animal Protection and Control Director or designee, the impounded animal is a feral animal;
- Any animal that is impounded which bears proof of rabies vaccination or other form of identification shall be held an additional 5 days before it may be placed for adoption or euthanized at the discretion of the director.
- B. The owner of any impounded animal, or any other person with the written permission of the owner who is at least 18 years of age, may redeem such animal within the period specified in Sec. 5-22(A) above after impoundment by paying to the city an impoundment fee to be set by the Director for each twenty-four (24) hours of impoundment, or fraction thereof, for the expense of keeping, feeding and sheltering such animal during the term of impoundment. In addition to the impoundment fee for each twenty-four (24) hours of impoundment, or fraction thereof, the owner must pay any and all veterinary expenses incurred for such animal.
- C. Impounded dogs or cats which does not bear proof of rabies vaccination at the time of impoundment shall not be released to the owner until payment of the required fee for vaccinating has been received by the City from the owner ensuring that the dog or cat will be vaccinated for rabies.
- D. Adopters, shall be at least 18 years of age, pay the adoption fee and execute an adoption form agreeing to take all necessary steps to comply with the provisions of this chapter. The adoption fee for animals at the shelter shall be set by the Director.
- E. All dogs and cats adopted from the animal shelter must be spayed or neutered. Adopters shall pay the fee as set out in paragraph (D) above. Adopters shall have the animal inoculated for rabies and spayed or neutered by a licensed veterinarian within the time specified on the adoption form. The City will pay part or all of the cost of rabies inoculation, spaying, or neutering for animals which are adopted from the City. To qualify, the owner of the animal adopted must take the animal to a veterinarian who has agreed to participate in the City program. The City will pay to the veterinarian an amount for each eligible service according to the fee schedule promulgated by the Director of Community Development. (Ord. No. 13875, §1, 5-2-2005) (Ord. No. 13875, §1, 5-2-2005)

The City Administrator is hereby authorized to execute agreements with veterinarians who wish to participate in the program and who are willing to accept the fees promulgated by the Director of Community Development as full compensation for the spaying, neutering and rabies inoculation. (Ord. No. 12703, § 1, 1-5-98; Ord. No. 13785, §1, 5-2-2005)

(Ord. No. 9509, § 1(Art. I, § 14), 9-15-80; Ord. No. 10012, § 2, § 3, 8-1-83; Ord. 10937, § 1, 10-19-87; Ord. No. 13533, §1, 5-5-2003; Ord. No. 14245, §, 9-4-2007)

Sec. 5-23. Euthanasia of animals which are diseased or disabled.

If an animal impounded is so diseased or disabled beyond recovery for any useful purpose at the time it is impounded in the judgment of a licensed veterinarian, it shall be euthanized as quickly as practical.

State Law Reference - RSMo 578.016

Sec. 5-24. Animal Identification.

- A. The director shall have the authority to permanently mark or identify any animal that is or has been in the director's custody by means of the implantation of an electronic device, such as a microchip.
- B. Any vicious animal owned or kept by any person convicted of violating this ordinance shall be delivered to the director for permanent identification or marking. The municipal court shall have continued jurisdiction subsequent to conviction to enforce the provisions of this section.
- C. Refusal to submit a vicious animal for permanent identification or marking pursuant to this ordinance is a separate violation thereof.
- D. The Director's cost of permanent marking or identifying an animal shall be borne by the owner thereof, and shall be paid upon redemption of the animal.
- E. It shall be a violation of this ordinance for any person other than the Director to tamper with, efface, disable, or remove the Director's mark or other form of identification on a vicious animal.

(Ord. No. 13583, §4, 7-21-2003)

Sec. 5-25. Refusal to deliver animals to director.

It shall be unlawful for any person to refuse to deliver an animal to the director, when requested to do so under the provisions of this chapter.

(Ord. No. 9509, § I(Art. I, § 15), 9-15-80)

Sec. 5-26. Removing animals from custody of the director.

It shall be unlawful for any person to remove from the custody of the director, by force, deceit or otherwise, any animal which has been trapped, captured or impounded by the director.

(Ord. No. 9509, § I(Art. I, § 6), 9-15-80)

Sec. 5-27. Right of entry of director.

The director shall have the right of entry to any property or premises within the city for the purpose of determining if the provisions of this chapter are being violated.

(Ord. No. 9509, § I(Art. III, § 5), 9-15-80)

State law reference - Penalty for ordinance violations, RSMo. § 77.590.

Sec. 5-28. Penalty.

Any person violating the provisions of this chapter, upon conviction shall be fined not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00), or shall be sentenced to a term of imprisonment of not more than three (3) months in jail, or shall be both fined and sentenced. Each day that the condition exists in violation of these provisions constitutes a separate offense. Upon conviction under this section the city enforcement personnel shall have the right to seize and impound the animal(s).

Ref. Sec. 5-22.(Ord. No. 9509, § I(Art. III, § 6), 9-15-80; Ord. No. 9601, § 1, 4-6-81) State law reference - Penalty for ordinance violations, RSMo. § 77.590.

Sec. 5-29. Costs for Euthanasia of an animal to be assessed against owner.

The City of Jefferson may assess the costs of euthanasia of an animal pursuant to this chapter and an administrative fee against the owner of the euthanized animal. (Ord. 14245, §2, 9-4-2007)

Sec. 5-30. Microchip required.

Each dog, cat or ferret that is not spayed or neutered shall have implanted a microchip of a brand and model approved by the Director. The owner shall keep current the information provided through the microchip and shall provide the Director with a copy of the microchip information which the Director shall include in the registry created by Section 5-31. (Ord. 14481, §3, 3-2-2009)

Sec. 5-31 Registry.

- A. The Director shall keep a registry of all dogs, cats and ferrets within the City, which are known to the City. Each dog, cat or ferret that is issued a vaccination tag pursuant to Article II of this Chapter shall be placed in the registry by the Director, at no cost to the owner, utilizing the identification and ownership information found on the record of vaccination. The registry shall include microchip information if the same is available.
 - B. The Director shall promulgate a form and policy to allow an owner of an animal to:
 - 1. Register the animal if it is not registered as in subsection A; and
 - 2. Amend the ownership or other information on the registration; and
 - 3. Provide the City with the animal's microchip information.
 - C. This section shall not be construed to require a citizen to register their animal.
- (Ord. 14481, §3, 3-2-2009)

Sec. 5-32. Maximum number animals.

- A. No occupant of any residential building or unit of a residential building shall allow more than six (6) dogs or cats, or combination of dogs and cats, to be kept within the residential building or unit without a permit.
- B. The number of dogs or cats permitted in subsection (A) of this section may be increased to twenty (20) if the occupant has obtained a Multiple Animal Permit. The City Administrator (or his designee) shall issue a Multiple Animal Permit if the applicant meets the following qualifications:
 - 1. The residence where the animals are kept must be clean and free of animal waste.
 - 2. The animals must all be healthy and free of contagious diseases.
 - 3. The applicant must consent to the inspection of the premises at reasonable times by employees of the Department of Community Development.
 - 4. At least 75% of the residents living within 100 feet of the applicant's property have indicated that they do not object to the granting of the permit.

5. The applicant has not pleaded guilty, been found guilty, or pleaded no contest to an offense involving animal abuse, cruelty, or neglect.
- C. If the Administrator finds that the applicant does not meet the qualifications required, he may deny the permit or may issue a conditional permit.
 1. The conditional permit shall specify any restrictions, limitations, conditions or prohibitions required. The conditional permit may be modified or revoked by the City Administrator for failure to conform to such restrictions, limitations, conditions or prohibitions.
 2. If the City Administrator denies the permit, the applicant may appeal the decision to the City Council Public Works Committee.
 - D. If the applicant meets the qualifications required, the City Administrator shall issue a permit. The initial permit shall be issued for one year. Upon the expiration of the first year's permit, the City Administrator may issue additional permits for periods of five years each.
 - E. Current Animals exempted. Any person who on the date of passage of this Ordinance has more than six (6) dogs or cats may continue to keep such animals on their premises by registering such animals with the Jefferson City Division of Animal Control. Such registration shall include the name, age and location of the animal; the name and contact information for the owner; and a photo of the animal.

(Ord. No. 14727, §1, 10-4-2010)

Sec. 5-33. Animal unattended in motor vehicle.

- A. Endangering health of animal prohibited. A person may not leave an animal unattended in a standing or parked motor vehicle in a manner that endangers the health or safety of the animal.
 1. There shall be a presumption that the health and safety of an animal is in danger if an animal is inside a motor vehicle and the temperature outside the motor vehicle is 80 degrees or greater, and the interior of the vehicle is not provided with conditioned air to maintain an internal temperature of 80 degrees Fahrenheit or less.
 2. This shall not conflict or exempt a person from Sec. 19-307, Unattended Vehicles.
- B. Use of reasonable means necessary to remove animal from vehicle. Except as provided in subsection (c) of the section, a person may use reasonable means necessary to remove from a motor vehicle an animal left in the vehicle in violation of the provisions of subsection (a) of the section if the person is:
 1. A law enforcement officer;
 2. A public safety employee of the State or the City;
 3. An Animal Control Officer under the jurisdiction of the State or a local governing body;
- C. Liability. A person described in subsection (b) of this section may not be held liable for any damages directly resulting from actions taken under the provision of subsection (b) of this section.

(Ord. No. 14728, §1, 10-4-2010

Secs. 5-34 - 5-44. Reserved.

ARTICLE II. RABIES CONTROL

Sec. 5-45. Vaccination of dogs, cats and ferrets - Generally.

- A. It shall be unlawful for any person to own, keep, harbor or permit a dog, cat or ferret within the city, unless rabies vaccination is secured from a practicing licensed veterinarian and the dog, cat or ferret bears a registered tag of current rabies vaccination.
- B. The rabies vaccination shall be valid for a period of one year from the date of vaccination.

Sec. 5-46. Display of tag; replacement tag or certificate.

- A. Each dog, cat or ferret shall have attached, by means of a secure collar or harness, a current serially numbered, nontransferable rabies tag.
- B. A replacement tag may be obtained by presenting the certificate of vaccination and payment of the required fee to the issuing party.

(Ord. No. 9509, § 1(Art. II, § 2), 9-15-80)

Sec. 5-47. Animal bite or puncture procedure.

- A. The owner of any dog, cat or ferret that is not vaccinated, which bites any person, or punctures the skin, shall be required to confine the animal under the supervision of a practicing licensed veterinarian, for a period of ten (10) days following the evening of the day of the bite, for clinical observation. All expenses thereof shall be borne by the owner of the animal.
- B. In the event the animal is vaccinated, the animal will be confined for a period of (10) days at home.
- C. If such animal develops symptoms of rabies, it shall be euthanized, or if death shall occur while such animal is confined, for any reason, the head of such animal shall be removed by the veterinarian and submitted to any qualified official laboratory. If at the end of such ten day period the animal is alive and healthy, it may be released to its owner; provided, that all other conditions of this chapter are fulfilled.

(Ord. No. 9509, § 1(Art. III, § 1), 9-15-80)

Sec. 5-48. Suspected rabid animals.

The owner of any animal exhibiting clinical symptoms of rabies shall be required to have the animal confined under the supervision of a practicing licensed veterinarian in the city for a period of ten (10) days for clinical observation. All expenses under this procedure shall be borne by the owner of the animal.

(Ord. No. 9509, § 1(Art. III, § 2), 9-15-80)

Sec. 5-49. Animals exposed to rabies.

The owner of any animal which has been exposed to rabies shall accept one of the following alternatives:

- A. If vaccination is not current, the animal shall be confined six (6) months and vaccinated one (1) month before release;
- B. If the animal has a current vaccination by a licensed veterinarian, the animal shall be revaccinated immediately and confined at home for forty-five (45) days;

C. Immediate euthanasia.

Ord. No. 9509, § 1(Art. III, § 3), 9-15-80)

Sec. 5-50. 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 animals in the city. Upon such proclamation by the mayor, all animals shall be confined on the owner's premises. Any animal found otherwise shall be impounded or destroyed by the City.

(Ord. No. 9509, § 1 (Art. III, § 4), 9-15-80)

Secs. 5-51 - 5-59. Reserved.

Sec. 5-60. Enforcement; search and seizure.

- A. Authorized city enforcement personnel shall be empowered to enforce the provisions of this chapter or any rule or regulation.
- B. Persons authorized to enforce the provisions of this chapter or any rule or regulation shall have the authority to seek and execute search and seizure warrants.
- C. Within 10 days of a conviction under this chapter, the city enforcement personnel shall have the right to seize and impound the animal(s) and offer said animals for adoption, as provided in Article 1, Sec. 5-22.
- D. No person whose animal is seized under this section shall have the right to redeem the animal.

(Ord. No. 12952, §1, 7-19-99)

Secs. 5-61 – 5-69. Reserved.