

ORDINANCE NO. 08-2023

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 200 LISTED BELOW AND REPEAL SECTION 210.190 PROCLAMATION BY MAYOR REGARDING RABIES

- 210.010 DEFINITIONS
- 210.040 UNLAWFUL TO LET ANIMALS RUN AT LARGE
- 210.050 KEEPING AND MAINTENANCE OF LIVESTOCK AND FOWL UNLAWFUL,
- 210.060 DANGEROUS ANIMALS
- 210.110 MINIMUM STANDARD OF CARE FOR DOGS, CATS, DOMESTIC PETS AND FARM ANIMALS
- 210.115 COMMUNITY CATS
- 210.120 LICENSE AND REGISTRATION – GENERALLY
- 210.130 LICENSE AND REGISTRATION – FEE – CERTIFICATE
- 210.150 HUMANE OFFICER AND ANIMAL CONTROL
- 210.160 DECEPTIVE PRACTICES
- 210.165 SURRENDERING OF DOG OR CAT
- 210.170 IMPOUNDMENT OF DOGS AND CATS RUNNING AT LARGE
- 210.180 ADDITIONAL ADOPTION REQUIREMENTS
- 210.210 COMMERCIAL KENNELS/PET SHOPS/HUMANE SHELTERS
- 210.230 BARKING DOGS
- 210.240 KEEPING OF WILD, EXOTIC, DEADLY, DANGEROUS, POISONOUS, ENDANGERED, PROTECTED, FIGHTING OR ANIMALS TRAINED FOR FIGHTING PROHIBITED-EXCEPTIONS

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISIANA, PIKE COUNTY, MISSOURI, AS FOLLOWS, TO-WIT:

TO AMEND Section 210.010 - Definitions, to read as follows;

As used in this Chapter, the following terms shall have these prescribed meanings:

ABANDON

To forsake entirely, neglect, or refuse to provide or perform the legal obligations for care and support of an animal.

ADEQUATE CONTROL

A reasonably sufficient restraint on an animal so as to prevent that animal from harm or to prevent that animal from causing harm to the general public or property.

ANIMAL

Any legally authorized domestic pet, farm or work animal as permitted by this Chapter and Chapter 405, Zoning Code of Louisiana.

AVIARY

Any commercial operation and/or facility purposely designed to provide cover or protection

for birds against injury, danger or discomfort.

COMMUNITY CAT

Any unowned, free-roaming cat living in an outdoor environment forming part of a cat colony.

COMMUNITY CAT CAREGIVER

A person who, in accordance with and pursuant to a Community Cat Management Program, consents to provide volunteer care, including controlled access to food, temporary shelter, or medical care, to a community cat only on their person's private property, non-public land, while not being considered the owner, custodian, controller, harbinger, or keeper of a community cat.

COMMUNITY CAT COLONY

A group of community cats that congregate, more or less, together as a unit and share a common food source.

COMMUNITY CAT MANAGEMENT PROGRAM

A program for monitoring and managing the population of free-roaming, unowned cats, including Trap-Neuter-Return, within and around the City of Louisiana for the purposes of maintaining a stable or declining population, minimizing negative interactions between unowned cats and humans, property, and owned animals, and providing data on the unowned cat population. Such a plan may be elaborated and adopted by the Council or an Animal Control, Public Safety, or Ordinance Committee of that Council, in order of preference. Such plan shall inform any agreement concluded under 210.115 with a non-profit Community Cat Organization.

CONSUMER

Any person purchasing an animal.

DANGEROUS ANIMAL

An animal as defined by Section 210.060. Dangerous Animals, Subset of Chapter 210. Animals and Fowl

EAR TIPPING

The removal of a one-quarter-inch tip of a community cat's ear, performed while the cat is under anesthesia, in compliance with any applicable Federal or State law, under the supervision of a licensed veterinarian, designed to identify the community cat as being sterilized and lawfully vaccinated for rabies.

FERAL

An unowned animal that has returned to an untamed state not socialized to human contact and which is no longer considered domesticated.

FOWL

Any type or kind of bird.

HARBORING

Purposefully providing food or shelter to any domestic animal.

HUMANE SHELTER

Any facility purposely designed to provide cover or protection for animals against injury, danger or discomfort.

KENNEL

Any facility purposely designed or used for the care, keeping, confining or breeding of animals.

PERSON

An individual, owner, keeper, firm, partnership, corporation, or any combination thereof.

PET DEALER

Any person which engages in the sale of any animals to the consuming public for any purpose at any time. (Such definition shall further include duly incorporated humane shelters or societies dedicated to the care of unwanted animals which make such animals available for adoption whether or not a fee for such adoption is charged.)

QUARANTINE

To hold in segregation from the general population any animal because of the presence or suspected presence of a contagious or infectious disease.

RUN AT LARGE

Any animal owned by a person not on the property of such person without some sort of verbal or physical restraint. Does not include Trap-Neuter-Return.

TRAP-NEUTER-RETURN

The process of humanely trapping, sterilizing, vaccinating for rabies, ear tipping, and returning community cats to the trapping location.

VETERINARIAN

A licensed veterinarian.

TO AMEND Section 210.040 - Unlawful To Let Animals Run at Large, Penalty, to read as follows;

- A. Any person who purposely lets out, turns out, sets free, or in any way permits any animal under its control to run at large, uncontrolled and unobstructed within the corporate limits of

the City of Louisiana for any purpose shall be deemed guilty of an ordinance violation, and may be punished as provided in Section **100.170** of the City Code.

- B. It is hereby made the duty of the City's Animal Control Officer or his/her designee, on his/her own view or when notified by any other person, that any such animal is running at large, to restrain such animal forthwith, and such Animal Control Officer or his/her designee shall within three (3) days give notice thereof to the owner, if known, stating therein that such animal has been impounded and whether or not such animal has caused any damage or harm to any person, property or thing.
- C. It shall be an affirmative defense to any prosecution under this Section if the animal escapes the keeper's custody by way of any accident on a public road or highway, or as a result of no fault or negligence of a person, provided, however, that such a person shall be held financially liable for any damage or harm to any person, property or thing caused by said animal.
- D. Habitual Offender.
 - 1. A "habitual offender" is a person who has three (3) prior convictions for letting an animal run at large for events occurring at three (3) separate times within a five-year (5) period.
 - 2. Any such person who habitually violates the provision of this Section may, at the discretion of the Animal Control Officer or his/her designee, also be charged with animal neglect or abandonment and/or animal abuse and upon conviction be punished as provided herein.
 - 3. Penalty. As a condition to any probation, the defendant shall be ordered to pay restitution in an amount to be determined by the Municipal Court to any victim for any property damage or injury to any person. Any person convicted as a habitual offender shall may be sentenced to at least forty-eight (48) hours in the City jail and/or fines up to \$1,000 per incident, and such jail sentence may only be suspended if the animal in question is permanently and effectively removed from the defendant's control, or right to control and the defendant will lose all rights to own or perform as a caregiver to any animal within city limits under any circumstance or pretense
- E. This Section shall not apply to community cats.

TO AMEND Section 210.050 - Keeping and Maintenance of Livestock and Fowl Unlawful, to read as follows;

- A. It shall be unlawful to keep or harbor horses, cattle, swine, goats, sheep, turkey, guinea fowl, geese or any livestock or fowl other than, pygmy goats, hen chickens, ducks, and/or turkey in any lot or enclosure in the City of Louisiana, except in agricultural zones as provided in Chapter **405**, Zoning Regulations, and any person, firm or corporation owning or occupying any such tract of land who shall be convicted of permitting the maintenance of such unlawful act shall be declared guilty of an ordinance violation. In addition to any remedial provisions required by the City, any person, firm or corporation owning or occupying any such tract of land who shall be convicted of permitting the maintenance of such nuisance shall be declared guilty of an ordinance violation and may be punished as provided in Section **100.170** of the City Code.
- B. Keeping of eight (8) or less hen chicken(s), ducks and/or turkey (or any combination) allowed for by annual permit.

1. A chicken permit must be obtained annually from the City Clerk. Any violation of the listed regulations for keeping chicken(s) may result in revocation of the chicken permit and no future permit(s) issued.
 - a. Chicken, duck, and/or turkey permit fees shall be four dollars (\$4.00) per chicken, duck, and/or turkey annually, and may be modified by City Council.
 - b. All appropriate enclosure locations must be constructed, including all chicken, duck, and/or turkey tractors, houses, pens, etc. prior to owning the animals
 - c. The permit holder is responsible for timely renewal of the permit; no notifications will be sent upon expiration.
 - d. Any person keeping or harboring chickens in violation of this section shall be subject to penalties as set out in Section 210.050(A).
 2. The maximum number of chickens, ducks, and/or turkey allowed is eight (8) per tract of land regardless of how manydwelling units are on the tract.
 - a. Chicken permits are allowed only upon owner-occupied properties or by tenants when there is written and notarized consent by the landowner.
 3. Only female chickens, ducks, and/or turkey shall be allowed. There shall be no restriction on chicken, duck, and/or turkey breeds.
 4. It shall be unlawful to engage in chicken, duck, and/or turkey breeding or fertilizer production for commercial purposes.
 5. Slaughter may occur for personal use provided it is conducted in a sanitary manner, does not generate noise that creates a nuisance, and is not visible from adjacent properties or any public area right-of-way.
 6. Chickens, ducks, and/or turkey shall be kept in a secured enclosure or fenced area at all times. Chickens, ducks, and/or turkey shall be secured within a henhouse or chicken tractor during non-daylight hours.
 7. Enclosures shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
 8. No dog or cat which kills a chicken, duck, and/or turkey shall, for that reason alone, be considered a dangerous or aggressive animal.
 9. All other applicable City codes shall apply.
- C. Keeping of four (4) or less pygmy goats allowed for by annual permit.
1. A pygmy goat permit must be obtained annually from the City Clerk. Any violation of the listed regulations for keeping pygmy goat(s) may result in revocation of the pygmy goat permit and no future permit(s) issued.
 - a. Pygmy Goat permit fees shall be thirty (\$30) per pygmy goat annually, and may be modified by City Council.
 - b. All appropriate enclosure locations must be constructed, including all pygmy goat tractors, houses, pens, etc. prior to owning the animals
 - c. The permit holder is responsible for timely renewal of the permit; no notifications will be sent upon expiration.

- d. Any person keeping or harboring pygmy goats in violation of this section shall be subject to penalties as set out in Section 210.050(A).
 2. The maximum number of pygmy goats allowed is four (4) per tract of land regardless of how many dwelling units are on the tract.
 - a. Pygmy Goat permits are allowed only upon owner-occupied properties or by tenants when there is written and notarized consent by the landowner.
 3. Only female pygmy goats shall be allowed. There shall be no restriction on pygmy goat breeds.
 4. It shall be unlawful to engage in pygmy goat breeding or fertilizer production for commercial purposes.
 5. Slaughter may occur for personal use provided it is conducted in a sanitary manner, does not generate noise that creates a nuisance, and is not visible from adjacent properties or any public area right-of-way.
 6. Pygmy Goats shall be kept in a secured enclosure or fenced area at all times. Pygmy Goats shall be secured within a pygmy goat tractor during non-daylight hours.
 7. Enclosures shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
 8. All uses shall operate in accordance with City noise standards.
 9. No dog or cat which kills a pygmy goat shall, for that reason alone, be considered a dangerous or aggressive animal.
 10. All other applicable City codes shall apply.
- D. Any Potbellied pigs presently residing in the City of Louisiana and current on their required registration within thirty (30) days of the passing of this ordinance shall be able to remain within City limits to the end of their lives so long as they remain properly registered and vaccinated.

TO AMEND Section 210.060 - Dangerous Animals, to read as follows;

- A. *Definitions Of Dangerous Animals.* For the purposes of this Section, a "dangerous animal" shall be any animal with any of the following characteristics:
1. Any animal which has inflicted severe or fatal injury on a human being. "Severe injury" means any physical injury which results in broken bones or lacerations requiring stitches or in-patient hospitalization;
 2. Any animal which has maimed, attacked or killed a domestic animal, or livestock without provocation while outside the owner's property
 3. Any animal owned or harbored primarily or in part for the purpose of animal fighting or any animal trained for fighting;
 4. Any animal which, while on public or private property to include the property of the owner, has bitten, without provocation, a human being other than the owner or a member of the owner's family who normally resides at the place where the animal is kept;
 5. Any animal which, when unprovoked, chases or approaches a person upon the streets,

sidewalks or any public grounds or private property, other than the property of the owner in an apparent attitude of attack, regardless of whether a person is injured by said animal.

B. Procedure For Declaring A Dangerous Animal.

1. Should a complaint be made to the Animal Control Officer or a Police Officer by an offended party alleging any of the circumstances as set forth in Subsection (A) hereof, the Animal Control Officer or Police Officer shall prepare a report and issue a notice to the owner or possessor of said animal that proceedings will be initiated to declare the animal dangerous. The Animal Control Officer or Police Officer will advise the owner or possessor of said animal that, unless said owner or possessor appears, the Court's action may include destruction of the subject animal.
2. If the Animal Control Officer or Police Officer has probable cause to believe that the animal in question is a dangerous animal within the meaning of this Section, the Animal Control Officer or Police Chief may then take possession of the animal, or order that the animal be taken into possession, and put in the City Pound. At the discretion of the Animal Control Officer or the Police Officer, the animal may be removed from City limits if this is likely to remove the danger to the public. When an animal is taken into custody by the City, the City will take proper care of the animal but assumes no liability nor will there be a daily fee to hold such animal.
3. The Municipal Court shall determine whether the animal in question is dangerous within the meaning of this Section after hearing testimony of witnesses.
4. Should a hearing be held by the Municipal Court and the Court determines that the animal is a dangerous animal, then the animal and its owner/possessor shall be subject to the provisions of this Section, and the Court shall make such orders as will effectuate the terms of this Section.
5. Any animal found not a dangerous animal by the Municipal Judge may be returned to the City limits upon such determination if said animal was removed prior to the hearing.

C. Action To Be Taken For Dangerous Animals.

1. An animal responsible for an unprovoked severe or fatal injury shall be destroyed.
2. In all other cases, a dangerous animal shall be removed from the City and shall not be permitted to be harbored, kept or possessed within the City limits of Louisiana, Missouri,

D. Penalty For Non-Compliance.

1. It shall be unlawful for a person to keep a dangerous animal within the City limits of Louisiana, Missouri, and fail to comply with the provisions of this Section. Persons found guilty of violating the provisions of this Section shall be subject to a fine not to exceed five hundred dollars (\$500.00) or a jail sentence not to exceed thirty (30) days or both such fine and confinement.
2. Any animal found to be a dangerous animal and kept in the City of Louisiana, Missouri, in violation of the provisions of this Section shall be seized and impounded until

the owner thereof complies with the provisions of this Section. If the owner fails to comply with the provisions of this Section within ten (10) days of the seizure of the animal, the animal shall be destroyed.

TO AMEND Section 210.115 Community Cats, to read as follows;

A. Feral cats definitions.

ABANDONED

A cat that is socialized to humans and is appropriate as a companion to humans. The responsibilities of owners of domesticated cats are set forth in Article II, Section 210.105, 210.110.

EAR TIPPING

Straight-line cutting of the tip of the left ear while the cat is anesthetized

FERAL CAT

A cat that is (i) born in the wild or is the offspring of an owned or feral cat and that is not socialized, or (ii) is a formerly owned cat that has been abandoned and is no longer socialized.

FERAL CAT CAREGIVER

Any person other than an owner who provides food, water or shelter to, or otherwise cares for a feral cat.

NUISANCE

For purposes of this chapter, means conduct by stray or feral cats that disturb the peace. Stray or feral cats may create a nuisance by (a) habitually or continually howling, crying or screaming, or (b) habitually and significantly destroying, desecrating or soiling property against the wishes of the owner of the property.

SPONSOR

Any animal welfare provider that agrees to comply with the requirements of this Section for sponsors provides written notice to and is approved by Animal Control and the majority of any other approved sponsor(s).

STRAY CAT

A cat that is regularly off the property of the owner, is not under the physical control and restraint of the owner and/or has no apparent owner.

TNR

Trap, neuter and return.

TNR PROGRAM

A program in which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies, and returned to the location where they congregate, in accordance with this Section.

TNR TASK FORCE

An advisory task force comprised of TNR experts appointed by and at the discretion of the Director of Health to advise Animal Control on current TNR practices and policies.

- B. The following actions shall be permitted in pursuance of the Trap-Neuter-Return Program:
1. Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and ear tipping community cats.
 2. An ear-tipped cat received by local shelters will be returned to the trapping location unless veterinary care is required. A trapped ear-tipped cat will be released on site unless veterinary care is required. In the case that the animal is suspected to be dangerous or a nuisance under Subsection (C) of this Section, such community cat shall be delivered to the City Pound or referred to the Animal Control Officer.
 3. Community cat caregivers are empowered to reclaim impounded community cats, withoutproof of ownership solely for the implementation of the process of the Trap-Neuter-Return Program.
- C. The Mayor will enter into a mutual agreement with a non-profit, 501(c)3 organization at the term of no less than five (5) years for the initial term. Subsequent terms may have variable time lengths. The non-profit organization will be held to the task of overseeing the Community Cat Management Program, including a Trap-Neuter-Return Program. The mutual agreement must be approved bythe City Council prior to the Mayor entering into said agreement. Such agreement shall include the reporting of such metrics to Mayor and Council as are commonly accepted within the TNR community.
- D. Community cats which are reported to be dangerous animals within the meaning of this Code, or which are destroying property, including personal property, fixtures upon real property, plants, planting beds, etc., may be picked up by the Animal Control Officer or a Police Officer for purposes of evaluation and possible re-homing for a period of up to ten (10) days. If such cat is determined tobe a persistent threat to life, health, or property, it may be euthanized.
- E. Feral cat colonies
1. Feral cat colonies shall be permitted and feral cat colony caregivers shall be entitled to maintain and care for feral cats by providing food, water, shelter and other forms of sustenance, provided that the feral cat colonies are registered with an Animal Control approved sponsor, as defined in Section 210.115, and that the feral cat colony caregiver takes all appropriate and available steps to meet the terms and conditions of this Section.
 2. Sponsorship of Colony TNR Programs. Any animal welfare group shall be eligible to act as a sponsor, if approved by Animal Control and the majority of any other approved sponsor(s). Any animal welfare group intending to undertake the responsibilities of sponsor shall so advise Animal Control in writing and provide its address and telephone number, and electronic mail address.
 3. Sponsor requirements. It shall be the duty of the sponsor to:
 - Review, and in its discretion, approve of feral cat colony caregivers.
 - Help to resolve any complaints over the conduct of a feral cat colony caregiver

or of cats within a colony.

- Maintain records provided by feral cat colony caregivers on the approximate size and location of the colonies by address, as well as the vaccination and spay and neuter records of cats in the sponsor's colonies.
- Provide, at a minimum, written educational training for all caregivers addressing uniform standards and procedures for colony maintenance.
- Report annually to Animal Control:
 - a. The approximate number of cats in colonies;
 - b. The approximate location of all cats in colonies;
 - c. The number of cats in colonies vaccinated, spayed and neutered; and
 - d. The number of cats and kittens from colonies placed in permanent homes.
- Use due consideration to prevent feral cat colonies from being maintained on lands managed for wildlife or other natural resources, such as, but not limited to, nature preserves, where the presence of a feral cat colony is a proven threat, and to avoid the taking of rare, threatened or endangered species under state and federal law.
- Provide any forms or other documentation necessary to allow feral cat colony caregivers to receive any public or private subsidies, medical care or other forms of assistance for their feral cat colonies which may be available to them.
- Animal Control has the right to the address of a colony where feral cat colony caregivers have regularly failed to comply with this Section, where the sponsor has been unable to resolve a nuisance behavior situation, and/or where the sponsor or caregiver has refused to work with the TNR Task Force and Animal Control.

F. Disposition of feral cat colony cats.

1. Animal Control, its designee, or a licensed veterinarian, in accordance with the enforcement of this Section and the entire Animal Control Code, shall be the only persons permitted to destroy a feral cat. No person may knowingly poison or cause to be poisoned, or cause the destruction by other means, of a feral cat. The only exception will be by written order of the municipal judge for the purpose of controlling diseases which have been medically proven to be transmissible to humans or other animals and only when all other methods and means have been exhausted. Such an order shall name a person or persons to conduct this course of action, specify any products to be used, give the boundaries of the area involved and specify the precautionary measures to be employed to ensure the safety of humans and other animals. Any drugs used for euthanasia shall be by or under the direction of a licensed veterinarian.
2. Any ear tipped cats found or turned in to any City animal shelter, animal welfare organization or veterinarian may notify Animal Control or sponsor(s), if known, via mail, email, or telephone.
3. Animal Control or its designee, in order to encourage the stabilization of the feral cat population in the City of Louisiana, shall have the following rights:
 - The right to direct that a sponsor remove a feral cat that is creating a nuisance if the sponsor has failed to adequately resolve the nuisance within 90 days after being given written notice thereof. In the event that Animal Control directs the sponsor to remove the cat, the sponsor shall have 30 days to do so. Failure of

the sponsor to remove the cat within said time period (or such longer time than Animal Control may specify) shall constitute grounds for Animal Control to remove the cat.

- Animal Control Officers (ACO), Police Officers or sponsors shall investigate any nuisance complaint allegedly caused by a feral cat.
- In the event that an ACO or a Police Officer finds that a feral cat or feral cat colony has created a nuisance, the ACO or Police Officer shall advise the City of Louisiana and sponsor in writing of the nuisance. If the sponsor fails to correct the nuisance, Animal Control shall have the right to remove the cat.
- If a caregiver cannot be found for all or parts of a colony, the sponsor shall make reasonable efforts to relocate the cat(s) to another location.
- If a sponsor fails to perform its duties as set forth in this Section, the department may notify the sponsor that it must comply with the requirements of this Section within 30 days. If the sponsor fails to do so, Animal Control may remove this sponsor from the list of City approved sponsors, and shall reassign the feral cat colonies from this sponsor to another sponsor.
- If a feral cat colony caregiver regularly fails to comply with this Section, the sponsor may notify the feral cat colony caregiver that he or she has 30 days to make all reasonable efforts to fulfill the responsibilities defined in this Section. If the feral cat colony caregiver fails to comply within that time period, the sponsor may identify and obtain replacement feral cat colony caregivers for the feral cat colonies of the noncompliant caregiver. If no other feral cat colony caregiver can be found within 30 days, the sponsor may notify Animal Control, and the City may reassign colony to another sponsor, undertake TNR or humanely remove all, or parts of, the feral cat colonies and dispose of them in accordance with this Section and the Animal Control code of the City Louisiana.

TO AMEND Section 210.120 License and Registration - Generally, to read as follows;

- A. All persons owning, keeping, harboring or protecting a dog or cat within the City limits shall register and license the same with the City Clerk on or before the first (1st) day of June of each year and shall keep, upon or around the neck of such animal, the tag which shall be issued by the City Clerk. It shall be the owner's responsibility to maintain in compliance with this Chapter.
- B. The only exceptions to the above are as follows:
 - 1. Dogs or cats under four (4) months of age; and
 - 2. Dogs or cats brought into the City limits for dog or cat "shows".

TO AMEND Section 210.130 License and Registration - Fee - Certificate, to read as follows;

- A. In order that an owner or keeper of any dog or cat may have the same registered, the following fee shall apply and be paid to the City Collector on or before the first day of June:
 - 1. A one-year license for each dog and cat which has been spayed or neutered for the sum of five dollars (\$5.00); or
 - 2. A one-year license for each dog and cat which has not been spayed or neutered for the sum of thirty-five dollars (\$35.00); or
- B. Such license or registration shall not be issued for any dog or cat unless such owner or keeper

shall submit to the City Collector a certificate by a licensed veterinarian that such dog or cat has been vaccinated for rabies, and is designed to be effective for the full term for which such license or certificate is issued. Any person or keeper applying for a license or registration for a neutered male or spayed female dog or cat shall first produce and show to the City Collector a certificate from a licensed veterinarian setting forth that such dog or cat has been neutered or spayed. Upon the payment of the above-stated amount, the City Collector shall deliver to the owner or keeper of such dog or cat a certificate in writing, which certificate shall show that such person has registered such dog or cat and which shall contain a description of the dog or cat and a number by which it has been registered. The City Collector shall also give to such owner or keeper a metal tag or check upon which shall be stamped the year for which such tax has been paid and a number corresponding with the certificate of registration.

- C. The fee specified for licensing any dog or cat which has not been spayed or neutered shall be prorated, which can be verified with the City Collector
- D. The certificate of registration referred to in this Section shall entitle such person to keep such dog or cat for a period of one (1) year from the first day of July of the year of such registration and payment.
- E. Duplicate tags or checks may be obtained from the City Collector by the payment of the sum of one dollar (\$1.00).
- F. It shall be unlawful for any person to remove or cause to be removed from any dog or cat, without the consent of the owner or keeper of such animal, the tag or check or other evidence of the payment of and registration of such dog or cat.
- G. It shall be the duty of each and every owner or keeper of a dog or cat to make certain that proper identification, as stated in Section 210.130, is on such dog or cat at all times, except when such dog or cat is within the confines of the owner's or keeper's or person's home, and that home must be the place in which the owner, person or keeper of such dog or cat reside

TO AMEND Section 210.150 - Humane Officer and Animal Control, to read as follows;

- A. A suitable and appropriate animal shelter, as approved by the City Council, may be provided by the City upon a site and at a cost determined by the City Council.
- B. Animal Control shall be provided the necessary equipment and clothing by the City required to execute the duties of his/her office. The cost of such equipment and clothing shall be as provided by the City Council.
- C. Animal Control shall have the right to enter upon any private property or public property within the City in order to examine or capture any animal which such officer reasonably believes to be in violation of this Chapter; provided however, that such officer shall not have the right to enter any house which is in use as a residence without first having secured a search warrant.
- D. No person shall hinder, molest or interfere with Animal Control in the performance of his/her duties.
- E. The Mayor, with consent and approval of a majority of the members elected to the City Council, shall have the power to appoint a qualified person to serve as Animal Control of the City.
- F. The Animal Control Officer may be appointed for a salary, to be set at the discretion of the City Council, or for a definite term, if serving in a volunteer capacity; or both. Irrespective of

salary or lack thereof, Animal Control Officer shall be considered an appointive officer for purposes of Chapter 115 of this Code and Chapter 77, RSMo.

- G. The City Council may establish a Committee to recommend rules, policies, and operating procedures for day-to-day management of the City Pound and Animal Control generally for the City of Louisiana. Such committee shall not be granted any power to take on any debt in the City's name or to use the City's property as collateral, nor to raise money through the sale of debt instruments such as bonds. The Animal Control Committee must keep records of all expenditures and revenues of the Animal Control Department, Pound and Animal Control Officer. Further, the Committee shall maintain meeting minutes and other public records in accordance with Chapter 610, RSMo. All proposed rules and recommendations made by the Animal Control Committee shall be subject to approval of the City Council.

TO AMEND Section 210.160 Deceptive Practice, to read as follows;

- A. It shall be a deceptive practice for any owner to sell or transfer ownership of animals within the corporate limits of the City of Louisiana without complying with the provisions and requirements of Chapter 210.
- B. Within five (5) days prior to the offering any animal for sale, the owner shall have the animal examined by a licensed veterinarian. The name and address of the examining veterinarian, together with the findings made and treatment, if any ordered as a result of the examination, shall be noted on the animal history and health certificate for each animal.
- C. The owner or operator of a kennel, pet shop or humane shelter shall have any animal that has been examined more than fourteen (14) days prior to the date of purchase re-examined by a veterinarian for the purpose of disclosing its condition within seventy-two (72) hours of the delivery of the animal to the consumer, unless the consumer has waived the right to the re-examination in writing.
- D. The veterinarian shall provide to the consumer in writing and within the seven (7) days after the consumer consults with the veterinarian any certification that is appropriate pursuant to this Section upon the determination that such certification is appropriate. The certification shall include:
1. The name of the owner;
 2. The date or dates of examination;
 3. The breed, color, sex and age of the animal;
 4. A statement of the findings of the veterinarian;
 5. A statement that the veterinarian certifies the animal to be "unfit for purchase";
 6. An itemized statement of veterinary fees incurred as of the date of certification;
 7. If the animal may be curable, an estimate of the possible cost to cure or attempt to cure the animal;
 8. If the animal has died, a statement establishing the probable cause of death; and
 9. The name and address of the certifying veterinarian and the date of the certification.
- E. The City's Animal Control Officer may investigate and pursue enforcement against any kennel, pet shop or humane shelter reported by a consumer.

TO AMEND Section 210.165 Surrendering of Dog or Cat, to read as follows;

- A. An owner may surrender a dog or cat to the animal pound if the following conditions are met:
1. Owner must reside in the City; and
 2. The dog or cat should have written proof that its vaccinations are up-to-date; and
 3. The animal does not have any life-threatening disease(s); and Owner pays a surrender fee of fifty dollars (\$50.00) or perform voluntary community service in the amount of five (5) hours to have the surrender fee waived.

TO AMEND Section 210.170 - Impoundment of Dogs and Cats Running at Large, to read as follows;

- A. Every dog or cat, except community cats, found running at large within the City shall be impounded within the City pound and kept or restrained in such shelter for a period of two (2) weeks, unless sooner claimed. If any dog or cat so impounded has been registered with the City of Louisiana, reasonable attempt to notify the owner or keeper of such animal shall be made.
- B. Any animal owner or keeper who receives actual or constructive notice of impoundment hereunder and fails to claim the animal within fourteen (14) days as provided in Subsection (C) hereof shall be declared guilty of an ordinance violation, and may be punished as provided in Section 100.170 of the City Code.
- C. If an animal is not redeemed by the owner or appears to have no owner within thirty (30) days after impoundment, the animal may be disposed of in one of the following ways, but no other way:
1. Release for adoption by a new owner who shows evidence of ability and intention to provide the animal with an appropriate home and humane care; provided that no unspayed female or unneutered male shall be released for adoption until spaying or neutering has been performed by a licensed veterinarian, or, if too young, the fee for such spaying or neutering has been paid, with a certification letter received from a licensed veterinarian so that it will be brought in for spaying at the age of six (6) months; register the animal with the City if residing in City limits, and by payment of thirty-five dollars (\$35.00); or
 2. Transferred to a recognized non-profit organization that relocates animals; or
 3. Euthanasia, using a method approved by the Department of Agriculture.
- D. Any owner or keeper claiming such impounded dog or cat shall be entitled to redeem and reclaim such dog or cat during regular office hours of the Court Clerk by paying an impoundment fee of fifteen dollars (\$15.00) for the first day of confinement plus ten dollars (\$10.00) per each additional day for the boarding of such dog or cat.
- E. No dog or cat shall be released from impoundment unless the claimant exhibits or purchases a current registration certificate, check or tag for every such animal, nor without proof of all necessary vaccinations. Impounded animals may be claimed at all other times through such person so designated for processing claims by paying the aforementioned confinement and

impoundment fees and by exhibiting a current registration certificate, check or tag as well as proof of necessary vaccinations for each impounded animal claimed.

- F. The Animal Control Officer shall make every reasonable effort to determine the owner of any impounded dog or cat and notify said owner, person or keeper. In an effort to accomplish this task, the Animal Control Officer shall make a weekly report to the Chief of Police of any and all dogs or cats impounded from the previous week, along with an abbreviated description of dogs or cats. Any person, owner or keeper may inspect such dogs or cats at the animal shelter by making suitable arrangements through the Chief of Police or with the Animal Control Officer.

TO AMEND Section 210.180 Additional Adoption Requirements , to read as follows;

- A. The City pound shall agree to give title, possession and control of the animal so long as the adopter complies with the terms and conditions of the adoption agreement as follows:
 - 1. Owner who shows evidence of ability and intention to provide the animal with an appropriate home and humane care.
 - 2. Non-spayed female or unneutered male must be spayed or neutered by a licensed veterinarian prior to release for adoption paid for by the adoptee, or, if too young, the fee for such spaying or neutering be paid, with a certification letter received from a licensed veterinarian so that it will be brought in for spaying at the age of six (6) months.
 - 3. Register the animal with the City if residing in City limits.
 - 4. Payment of adoption fee of fifty dollars (\$50.00).

TO AMEND Section 210.210 - Commercial Kennels/Pet Shops/ Humane Shelters, to read as follows;

- A. Any person which harbors more than five (5) animals over the age of four (4) months upon one (1) property, including "pet shops," for the purpose of breeding or for sale, shall be deemed as operating a commercial kennel. Any person desiring to operate a commercial kennel within the City shall first apply for and must be granted a Conditional Use Permit for the purpose of operating a commercial kennel. The location of the proposed commercial kennel shall be inspected by the Animal Control Officer or his/her designee who will determine that such location will not be a nuisance to the neighborhood. Upon approval of the location by the Animal Control Officer or his/her designee, the applicant shall procure a commercial kennel license by applying to Code Enforcement, the applicant shall pay the current kennel license fee and such owner must also obtain a City business license as required by City Code Section 605.010(A), Code Enforcement shall then issue the commercial kennel license. If, at a later date, the Animal Control Officer or his/her designee shall find that the operation of such kennel has become a nuisance to the neighborhood, such kennel license shall be revoked. [Ord. No. 20-2018, 10-22-2018]
- B. All animals offered for sale by such commercial kennel or pet shop shall have all pertinent records concerning the animal's health and place of origin readily available on the premises at all time and shall produce the same upon demand.
- C. All animals within such kennel or pet shop which are over the age of four (4) months shall have a rabies inoculation.
- D. Any person having or conducting a licensed commercial kennel or pet shop shall keep the same and maintain the same in a clean and humane manner and keep the same free from

offensive odors and failure to comply with this Subsection (D) shall subject such person to the loss of such person's kennel/pet shop license.

- E. The Animal Control Officer or his/her designee shall quarterly inspect all licensed commercial kennels located within the corporate limits of the City of Louisiana. The owner shall remit an inspection fee of twenty-five dollars (\$25.00) to the City Clerk for each inspection. Such fee shall be deposited with the account of the Animal Control Department to be used for the operation and maintenance of the City pound. Failure to allow an inspection of the premises for which a commercial kennel license has been issued shall be a violation and cause for summary revocation of the kennel license, without need for a prior hearing. If, upon an inspection, a commercial kennel premises is found not be satisfactory, the Animal Control Officer or his/her designee may, after opportunity for a hearing, revoke the license issued therefore.
1. The Animal Control Officer or his/her designee shall immediately impound any animal where there is suspected neglect or abuse and such animal shall be housed within the confine of the City pound.
 2. If the Animal Control Officer or his/her designee have reason to believe such animal impounded is in need of medical care, the Animal Control Officer or his/her designee shall arrange for a licensed veterinarian to attend to such animal.
 3. Any and all expenses in connection with the housing and medical care of such impounded animals shall be charged to the owner of such animals.
 - a. In the event the owner refuses to pay such charges, Animal Control shall certify the cost to the City Clerk who shall cause a special tax bill to be prepared against the property for the cost of such owner. Such special tax bill shall be issued by the City Clerk and delivered to the City Collector on or before the first (1) day of June of the following year. The Collector shall collect such tax bill along with other taxes assessed against the property. Such tax bill if not paid when due shall bear interest at the rate of eight percent (8%) per annum.
 4. Appeals to the decision of the Animal Control Officer or his/her designee shall be filed in the office of the City Clerk within two (2) workdays of the notification of such decision. Such appeals shall be heard by the City of Louisiana Appeal Board.
- F. Where an inspection reveals a violation of any City code in connection with the kennel, the Animal Control Officer or his/her designee shall issue the owner thereof a citation specifying such violation and shall include a reasonable time for such violation to be corrected. If the violation is not corrected within said time, the Animal Control Officer or his/her designee shall issue a second (2nd) citation to such owner and refer the matter to the City Attorney for prosecution.
- G. Any person whose kennel license has been revoked shall immediately remove all animals connected with that kennel from the City.

TO AMEND Section 210.230 - Barking Dogs, to read as follows;

Any dog within the City limits which, by continual barking, howling or yelping during the nighttime or daytime that annoys the neighborhood is hereby declared to be a public nuisance, and any person keeping or harboring such a dog shall be subject to a fine, upon being found guilty, by the Municipal Court and it is hereby unlawful for any owner or keeper of such a dog to allow such a dog to become a public nuisance or fail to prevent such dog from such actions. In addition

to any penalties that may be imposed under this Section, the Animal Control Officer of the City or his/her designee shall have the power to impound.

TO AMEND Section 210.240 Keeping of Wild, Exotic, Deadly, Dangerous, Poisonous, Endangered, Protected, Fighting or Animals Trained For Fighting Prohibited - Exceptions, to read as follows;


- A. It shall be unlawful to keep, harbor, possess, own or transport any wild, exotic animal or fowl or any animal or fowl trained or used for fighting or any deadly, dangerous, poisonous, endangered or protected animal or fowl within the City limits of the City of Louisiana, Missouri, whether gratuitously or for a fee. Provisions of this Section shall not apply to properly maintained and accredited zoological parks, state permitted animals, circuses, scientific or educational institutes, research laboratories or veterinary hospitals or trained guard dogs, further the provisions of this Section shall not apply to the transportation of any legally taken game or fur-bearing animal or the transportation of any animal being removed as a danger or pest.
1. Guard dogs shall be exempt only when utilized in such a fashion that such guard dog or dogs cannot, under any circumstance or condition, gain access to the general public off the premises where they are to be utilized or at such times when the general public has access to said premises.
- B. A "wild animal" and/or "exotic animal" is defined as live non-human primate; native and/or foreign wildlife; poisonous reptiles, venomous snakes, constrictor reptiles six (6) feet or more in length, crocodilian reptiles two (2) feet or more in length. An animal trained for fighting shall be any animal or any type or kind that has been trained for or used for the purpose of fighting or attacking other animals or people.

READ TWO TIMES, PASSED AND APPROVED THIS 23 DAY OF October, 2023.



Tim Carter, Mayor

ATTEST:



April Gilbert, City Clerk