

ORDINANCE NO. 55

Be it ordained by the Board of Aldermen of the City of Portage des Sioux, St. Charles County, State of Missouri, as follows:

AN ORDINANCE TO PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE INHABITANTS OF THE CITY OF PORTAGE DES SIOUX, MISSOURI, BY THE CONTROL OF AND PREVENTION OF THE TRANSMISSION OF RABIES, BY PROVIDING FOR LICENSING, CATCHING, COMPOUNDING, CONFINING, REDEMPTION AND ISOLATION AND DESTRUCTION OF DOGS, THE PROHIBITING OF ABANDONMENT OF ANIMALS, THE ESTABLISHMENT OF A SCHEDULE OF FEES AND METHODS FOR COLLECTION, THE ESTABLISHMENT OF THE RIGHT OF ENTRY, AND OTHER RULES ESTABLISHING THE RESPONSIBILITIES OF DOG OWNERS.

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SECTION I

Construction of "dog" The word "dog" as used in this Article, without qualification, shall be construed to mean a female as well as a male dog.

SECTION II

Tag On the twenty-fourth day of July of each year, the owner or keeper of each dog, then over the age of six months, kept within the corporate limits of the City, and for each dog then or thereafter in the City, on attaining six months of age during the year, shall secure from the City Clerk, a license tag for such dog, which license tag shall be issued for a fee of \$2.25.

SECTION III

Registration requirements. It shall be the duty of the owner or keeper of every dog kept within the limits of the City subject to the license tag specified in the preceding Section, cause the same to be registered at the Office of the City Clerk, in the City Dog Register, and such Clerk shall enter into the City Dog Register the date of application for the license tag, the number of the tag issued, to who or to whom issued, the breed,

sex and color of such dog. The Clerk shall thereupon furnish to the person, a metallic plate or tag, having plainly marked, cast or stamped thereon, the figures indicating the year for which the tag was issued, and a number corresponding with the number of the entry of the Dog Register. Such plate or tag shall be attached to a leather or metal collar to be worn by the dog for which the plate or tag was issued; provided, that any person within the City keeping or harboring within the City any dog subject to be registered and licensed in the aforesaid manner, not owned by such keeper may, with the owner's consent have the same registered in the name of the owner of such dog by complying with this Article relating to the keeping of dogs in the City; provided, however, that before any dog required by the preceding Section to have a City license tag shall be registered in the Office of the City Clerk as in this Section required, there shall be presented to the City Clerk a written statement briefly describing such dog sought to be registered and naming the alleged owner or keeper thereof, signed by the duly licensed veterinarian who shall certify that such dog has been immunized against rabies and the date of such immunization. Such date of immunization shall be within ninety days prior to the time of the registration of such dog.

Immunization shots - effective. All immunization shots will be temporarily removed from this Ordinance until further notice by the Board of Aldermen in order to expedite the effective date of this Ordinance.

SECTION IV

City Clerk to supply tags. The City Clerk is authorized annually to procure on behalf of the City a supply of such plates or tags sufficient for the needs of that particular year.

SECTION V

Empounding generally. On and after the 24th day of July of each year any dog subject to the annual dog license tag as provided in this article running at large in any of the streets or other public places in the City, or on any premises not in the actual possession of the owner or keeper of such dog, is hereby declared to be a nuisance, and it shall be the duty of the City dog empounder and his assistant or person thereunto authorized, to take up and empound in a suitable pound or place therefor provided by the City, all such dogs.

Exercising of dogs. All owners or keepers of dogs may exercise their dogs in a public place providing they are present with the dogs.

SECTION VI

City dog empounder - appointment; duties generally. The Mayor may annually, or soon after the 1st day of June or at any time in case of a vacancy, appoint such suitable person as City dog empounder, with such assistants as may be deemed necessary. Such person shall catch, take up and empound dogs running at large in violation of this article.

SECTION VII

Compensation for catching dogs. The city dog empounder and his assistants shall receive \$2.00 as compensation for each dog caught, taken up and empounded.

SECTION VIII

Posting notice of dog empounded; notice to City Clerk. It shall be the duty of the dog empounder to post a notice in the City Hall describing every dog caught and empounded by him. He shall also notify the City Clerk day to day as to dogs so caught and empounded, giving him the same information posted in City Hall.

SECTION IX

Care of empounded dogs; fee therefor. It shall be the duty of the dog empounder to keep the dog pound in a sanitary condition and to feed and water empounded dogs daily. He shall also protect empounded dogs from cruel treatment. For these services he shall be paid at the rate of \$1.00 per day for every day such services are needed.

SECTION X

Replacement of lost tag of empounded dog. Upon proof to the City Clerk by affidavit or otherwise that any dog empounded is under the provisions of the preceding section of this article, has been duly registered and collared, but that the registry tag has been lost, the City Collector shall furnish a new tag upon payment therefor, and thereupon the dog shall be released.

SECTION XI

Redemption of empounded dogs; disposition of unredeemed dogs. Every dog taken up and empounded under the provisions of the preceding Section of this article shall be redeemed by the owner or keeper of such dog after such dog has been empounded for a period of three full days, or by any resident of the City, upon payment to the City Collector of a fee of \$5.00 plus \$.50 a day or fraction thereof, for expenses incurred by the City in taking care of such dog, and by complying with the provisions of this article relative to the tag and registration of such dog, and thereupon, such dog shall be released. It shall be the duty of the City dog empounder to kill any dog which has been empounded for a period of 3 full days or 72 hours in the City dog pound; if at the end of 3 full days, the dog has not been redeemed by the owner or keeper of such dog, or by any other person under

authority of such owner or keeper, or by any resident of the City, If any dog has been empounded for 3 full days in the City pound and shall not have been redeemed by the owner or keeper of such dog, or by any person by authority of such owner or keeper as provided in this Section, such dog, within 2 days thereafter, may be released to any other person as provided in this Section. Such person shall execute a receipt to the City stating that such person received the dog subject to the rights of the real owner thereof and agreeing to indemnify the City in the event that the City sustains any loss by reason of disposal of such dog.

SECTION XII

Taking up and killing dog of unknown owner or without tag.

It shall be the duty of the City Marshal to kill any dog which may be found running at large in the City without an owner or keeper, or without a tag provided by this article, if such dog cannot be safely taken up and empounded, is rabid, or injured to the extent that destruction of such dog would be merciful.

SECTION XIII

Compliance with preceding section of article. Abandonment of animals - penalty. It shall be unlawful for any person, whether as owner or keeper, to keep or harbor in his possession or control, or suffer to permit to run at large in the City, any dog subject to the regulations prescribed by the preceding sections of this article, unless such dog is duly registered and collared. It shall be unlawful for any person having ownership, control, management or possession of any animal or dog to abandon such dog or animal in any locality in the City. Any person violating any provisions of this Section shall, on conviction, be fined not less than \$25.00, Twenty Five Dollars, nor more than One

Hundred Dollars (\$100.00) and each such violation shall constitute a separate offense.

SECTION XIV

Unauthorized removal of tags. It shall be unlawful for any person to remove or cause to be removed the registry tag from the collar of any dog which has been registered under the provisions of this article, without proper authority.

SECTION XV

Control of dogs upon Mayor's proclamation of prevalence of rabies. Whenever, in his opinion, the Mayor deems it necessary for the public safety, owing to the prevalence of rabies, he may issue a proclamation notifying owners and keepers of dogs in the City to keep such dog securely tied or confined on the owner's or keeper's premises, and to keep such dogs on leash, when off the owner's or keeper's premises, during the time specified in such proclamation. Any dog not so tied, confined, or leashed shall be impounded by the City dog empounder or any police officer of the City. Every dog taken up and impounded under the provisions of this Section may be redeemed by the owner or keeper of such dog, or by any other person by authority of such owner or keeper, or after such dog has been impounded for a period of 11 days, and by any other person resident of the City upon payment to the City Collector of a fee of \$2.00 plus \$1.50 per day for any expense incurred by the City for taking care of the dog, and thereupon, such dog shall be released. It shall be the duty of the City dog empounder to kill any such dog which has been impounded for a period of 11 full days in the City dog pound, if at the end of 11 full days, such dog has not been redeemed by the owner or keeper of such dog, or by any other person by authority of such owner or

keeper, or by any resident of the City. It shall be unlawful for any person, whether owner or keeper, to fail to securely tie or confine on the owner's or keeper's premises, any dog owned or kept by such person, or to fail to keep such dog on leash when off the owner's or keeper's premises during the time specified in such proclamation. Any person violating any provision of this Section shall on conviction be fined not less than \$10.00, not more than \$50.00 and each violation shall constitute a separate offense.

SECTION XVI

Dangerous or vicious dog. It shall be also unlawful for any person in this City to keep or harbor, or suffer or permit to stay in or about his premises, any dog that is fierce or dangerous to the public, unless such dog is kept securely chained or fastened. Any dog that shall have attacked or bitten any person who was not at the time trespassing on the premises of the owner or keeper of such, shall be deemed dangerous to the public. Any dog notoriously vicious or dangerous, found running at large in the City, may be killed by the Marshal or any policeman of the City. Any person violating any provision of this Section shall on conviction be fined not less than \$10.00 nor more than \$50.00, and each such violation shall constitute a separate offense.

SECTION XVII

Bitches in heat. It shall be unlawful for any person owning, keeping or harboring within the City any bitch, knowing the same to be in heat, to suffer or permit such bitch to run at large in the City while in that state. Any bitch in heat found running at large in the City shall be taken up and impounded, and the owner or keeper thereof if known to the empounder shall be notified. If

the bitch is not redeemed within 3 days or if such bitch cannot safely be taken up and empounded, it shall be killed by the City dog empounder or the Marshal or any policeman of the City.

SECTION XVIII

Validity. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION XIX

Conflicting Ordinances repealed. Any Ordinance or part of Ordinances in conflict herewith are hereby repealed.

SECTION XX

When effective. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and signed approval of the Mayor.

Enacted June 5, 1961.

MAYOR

ATTEST:

CLERK