

ORDINANCE NO. 76

AN ORDINANCE TO AMEND ORDINANCE NO 55 SO AS TO PERMIT THE EMPLOYMENT OF AN INDEPENDENT CONTRACTOR AS DOG EMPOUNDER.

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

That the sections 5,6,7,9,11,12, and 15 of Ordinance 55, now in force, be repealed and the following sections 5,6,7,9, 11,12, and 15 be enacted as replacing them in the said Ordinance No. 55

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; and should the City employ an independent contractor as dog empounder, said dogs may be empounded in a suitable place maintained by said independent contractor employed as dog empounder.

SECTION VI

The Mayor may annually or soon after the 1st day of June or at any time in the 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. Should it be deemed advisable to employ persons other than residents of

this City as dog empounder, the Board of Aldermen may do so by written agreement or contract, in writing.

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; however, should it be deemed advisable to contract for the services of an independent contractor as dog empounder, the fees or salary of said independent contract empounder shall be stipulated by contract in writing.

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; however, should an independent contract empounder be employed by the City, the compensation for said independent contract empounder shall be set by contract in writing.

SECTION XI

Redemption of empounded dogs: disposition of unredeemed dogs. Every dog taken up and empounded under the provision 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 should an independent contractor be employed as dog empounder, at the end of 3 full days the dog has not been redeemed at the pound or place of empoundment used by said independent contractor. Said dogs may be redeemed by the owner or keeper of said 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 dog pound, or the place of empoundment used by an independent contract empounder, and shall not have been redeemed by the owner or keeper of such dog, or by any person by authority of said 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 or any policeman of the City, to kill any dog which may be found running at large in the City without any owner or keeper, or without a tag provided by this article, if the dog cannot be safely taken up and empounded, is rabid, or injured to the extent that destruction of such dog would be merciful.

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 said proclamation. Any dog not so tied, confined, or leashed shall be impounded by the City dog impounder or any police officer of the City. Every dog so taken up and impounded under the provisions of this proclamation 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 caring for the dog, and thereupon, such dog shall be released. It shall be the duty of the City dog impounder to kill any such dog which has been impounded for a period of 11 full days in the City dog pound, or should an independent contract impounder be employed by the City, at the place of impoundment used by the contractor, 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 of the proclamation. Any person violating any provision of this section shall be, on conviction, fined not less than \$10.00, nor more than \$50.00, and

each violation shall constitute a separate offense.

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

Passed this 5th day of June, 1967.

Mayor

Attest:

Clerk