

CHAPTER 205: ANIMALS

SECTION 205.010: DEFINITIONS

For the purposes of this Chapter, certain terms and words are hereby defined. Words used in the present tense include the future; the singular number includes the plural, and the plural, the singular; reference to the male gender includes the female, and reference to any person or animal without specifying gender, includes both male and female; the word "*shall*" is mandatory and not directory.

ANIMAL: Unless otherwise limited or further defined by the specific language of a Section, reference to animal shall include any household pet.

AT LARGE: Any dog shall be deemed to be at large when it is off the premises of its owner's real property and not restrained by a competent person.

CAT: All domestic species or varieties of the genus felis, male or female, four (4) months of age or older.

CERTIFICATE: A certificate issued at the time of the vaccination of the dog, and bearing thereon the signature of the vaccinator, the registration number, the name, color, breed and sex of the dog, the name and address of the owner, the date of the vaccination, and type of vaccine administered.

CHICKEN EMBRYO, ORIGIN VACCINE: Vaccine which is manufactured using the embryo of the chicken as a growth medium and also known as Flury Strain vaccine.

COMPETENT PERSON: A human being that is capable of controlling and governing the dog in question, and to whose commands the dog is obedient.

DOG: All domesticated members of the canis familiaris, male or female, four (4) months of age or older.

EUTHANIZE: To put to death in a humane manner.

EXPOSED TO RABIES: Any dog or cat, whether it has been registered or vaccinated for rabies or not or other animal which has been bitten, been fighting with or has consorted with an animal known or suspected to have rabies or showing objective symptoms of rabies.

HEALTH DEPARTMENT: The Health Department of the County of Cole and any person, persons, departments or agencies authorized by the Village of Wardsville to

enforce this Chapter or that otherwise possesses lawful jurisdiction over diseased animals.

HOUSEHOLD: Those members of a family including servants and attendants living in the same dwelling unit.

IMPOUND: The apprehending, catching, trapping, netting, tranquilizing, confining, or if necessary, the destruction of any animal by the Health Department.

IMPOUNDING FACILITIES: Any premises designated by the Village of Wardsville or its contractor for the purpose of impounding and caring of all animals found in violation of this Chapter.

KITTEN: All domestic species or varieties of the genus felis, male or female, under the age of four (4) months.

NERVE TISSUE ORIGIN: Vaccine which is manufactured, using tissue of the nervous system as a growth medium.

OWNER: Includes any person who, or firm or corporation which owns, harbors, shelters, keeps, controls, manages, possesses, or has part interest in any animal.

The occupant of any premises on which a dog or cat remains for a period of seven (7) days or to which it customarily returns daily for a period of ten (10) days is presumed to be harboring, sheltering or keeping the aforementioned dog or cat, within this definition. Under no circumstances are the normal and ordinarily accepted definitions of the terms harboring, sheltering or keeping, to be limited to the words of the aforementioned presumption. If a minor owns a dog, puppy or other animal subject to the provisions of this Chapter, the head of the household of which such minor owner is a member, shall be deemed to be the owner of such dog, puppy or animal for the purpose of this Chapter and under this Chapter shall be responsible as the owner, whether or not such household head is himself/herself a minor. If not a member of a household, such minor owner shall himself/herself be directly subject to the provisions of this Chapter.

PUP OR PUPPY: All domesticated members of the canis familiaris, male or female, under four (4) months of age.

RESTRAINT: A dog, off the premises of its owner's real property is under restraint within the meaning of this Chapter:

1. If it is controlled by a line or leash not more than six (6) feet in length, when said line or leash is held by a competent person;
2. When at "heel" of a competent person;
3. When within a vehicle being driven, parked or stopped;

4. When not more than fifty (50) feet from a competent person, if such dog is not annoying or worrying any human being or domestic animal, or trespassing on private property, or in a public area where dogs are forbidden or required to be on a leash.

REGISTRAR: Any veterinarian, or any other person acting under the direction or control of a veterinarian who performs the services of vaccination-registration.

RURAL: Idle land or land which is used for agricultural purposes and through a lack of streets, lots, utilities and improvements is unsuited for Village uses whether located within the limits of a municipality or not.

TAG: Any object, regardless of the shape and material, which bears a registration number and the words: "Rabies Vaccination-Registration", which has been issued by authority of the Health Department.

VACCINATE: The injection, by a veterinarian, or his/her authorized agent, of a specified dose of anti-rabies vaccine into the body of an animal, such vaccine having the U.S. Government license number approval stamped on the label of the vaccine container and having been approved by the Health Department. Vaccine used for vaccination of dogs shall be stored and kept under conditions proper for the vaccine and shall show no signs of spoilage or otherwise be unfit for producing immunity against rabies.

VACCINATION-REGISTRATION: The procedure of vaccinating for rabies and issuing an identification number and an appropriate certificate. The above words shall be interchangeable.

VETERINARIAN: Any veterinarian, holding a current Missouri License and operating on a participating basis with the Health Department, as required by this Chapter.

SECTION 205.020: VACCINATION--REGISTRATION OF DOGS AND CATS REQUIRED--EXCEPTION--TAGS

A. An owner of any dog or cat that is kept anytime during the year within the Village of Wardsville shall have such dog or cat vaccinated against rabies and registered. Such dogs or cats must be vaccinated at least once each year if a nerve tissue origin vaccine is used, unless a chicken embryo or other three (3) year type vaccine approved by the Health Department is administered, in which case the dogs or cats shall be inoculated at least once every three (3) years, or if other vaccine approved by the Health Department is administered, then at the frequency approved by the Health Department.

B. Puppies and kittens shall be confined to their owner's premises.

C. It shall be unlawful for any person to own any dog or cat unless such dog or cat has been vaccinated against rabies.

SECTION 205.030: HEALTH DEPARTMENT--AUTHORITY TO CONTRACT FOR DOG IMPOUNDING TERMS

A. The Village Clerk is authorized and directed to make and enter into a contract on behalf of the Village of Wardsville, for the confinement, impounding, care, release, and disposing of dogs and other animals acquired pursuant to the provisions of this Chapter as follows:

B. The authority contained in Subsection (A) hereof shall be exercised after due notice inviting proposals and receipt thereof from any and all interested persons, firms, associations and corporations, public or private.

C. Cole County facilities may be utilized without inviting proposals.

SECTION 205.040: NON-RABID ANIMALS--CLAIMING

Any animal captured or impounded as authorized herein, and determined not to be infected with rabies may be redeemed by the owner or other person having the right of possession of such animal, upon the presentation of a proper vaccination-registration certificate, and upon payment of a shelter service fee when applicable. If the animal is not claimed in the manner provided herein, within five (5) days after its capture, such animal shall be disposed of by euthanasia or sale as directed by the Village Clerk. Before release by such sale, the buyer shall have the dog vaccinated and registered and pay the shelter service fee provided herein.

SECTION 205.050: RABID ANIMALS--DISPOSAL

The Village Clerk or person designated by it shall dispose of any animal infected with rabies and it shall have the power to examine and impound any animal bitten by or exposed to any other animal infected with rabies. It shall have the power to require the owners of such animal to take necessary measures to prevent further spread of rabies, and to dispose of any exposed animal, if such necessary measures are not taken by the owners.

SECTION 205.060: DESTRUCTION OF ANIMAL REPORT

Any person destroying an animal infected with rabies or suspected of being infected with rabies shall immediately notify the Village and shall surrender the carcass of such animal upon demand. The owner or custodian of any such destroyed animal shall immediately provide the Village Clerk with full particulars thereof, including the time, date, location, the names and addresses of any person bitten by said animal, and also the name and address of the owner or person having custody of any animal exposed to the animal destroyed.

SECTION 205.070: RABIES--SUSPECTED OF, EXPOSED TO

A. Any dog, cat or other animal which exhibits objective symptoms suggestive of rabies may, after written certification by the Village to the owner, be impounded on or off the property of the owner. This animal shall be held for ten (10) days at the impounding facilities for clinical observation and, if alive at the termination of this period, shall be returned to the owner after payment of the shelter service fee provided for in [Section 205.050](#). As an alternative procedure, the owner, at his/her own expense, may designate any Veterinary Hospital in the County for a similar ten (10) day period. If such animal shall die, during the observation period, regardless of the location, the head shall be removed and submitted to a qualified laboratory for examination.

B. Any dog, cat or other animal, which has been exposed to rabies, shall be immediately destroyed, unless the owner, at his/her expense, desires, chooses, elects, specifies or picks one of the following alternative methods:

1. Strict isolation in a kennel or animal hospital for six (6) months;
2. If no previous vaccination has been given to an animal within a period of three (3) years with chicken embryo (Flury Strain) vaccine, or within one (1) year, using vaccine of nerve tissue origin, or if other vaccine approved by the County Health Department was used and if the effective protection limit of the last such vaccination has passed, then such animal shall be placed on a schedule of immunizations approved by the County Health Department.
3. If an animal has been vaccinated previously with another vaccine approved by the Health Department within the duration of the vaccine's effective protection as approved by the Health Department, the animal shall be re-vaccinated and restrained by a leash or confined at home for thirty (30) days.

C. All animals under clinical observation for rabies must fulfill all conditions of this Chapter prior to release.

SECTION 205.080: RABIES--TO BE REPORTED

Any person within the Village of Wardsville, Missouri, having information or knowledge of any animal that:

1. Exhibits clinical symptoms suggestive of rabies,
2. Has been exposed to rabies, or
3. Is suspected of having rabies

shall report such knowledge or information to the Village Clerk.

SECTION 205.100: QUARANTINE

A. Whenever rabies becomes prevalent in the Village of Wardsville, the Village Clerk shall recommend a quarantine order. The Village Clerk, during the first (1st) week after a quarantine order is issued, shall take proper measures to inform the people of the Village of the existence of the quarantine order and of the penalties attached to the violation of the quarantine order. A quarantine order shall direct that all animals, whether vaccinated and registered according to the provisions of this Chapter or not, shall be confined in the home of the owner or tied up, placed on a leash or otherwise confined under the direct physical control of a competent person, not less than fifteen (15) years of age. Any animal found otherwise, during such a quarantine, shall be impounded. Animals subject to rabies which are impossible to capture or impound, after the exercise of reasonable efforts and diligence, shall be destroyed, if the County Health Department so designates.

B. The quarantine may be terminated by the Village Clerk after the necessity therefore no longer exists. No quarantine shall remain effective for more than six (6) months from the date of the adoption of the quarantine order unless such quarantine order is specifically extended by order of the Circuit Court of Cole County.

SECTION 205.110: ANIMAL BITE--PROCEDURE

A. The owner of any dog, cat or other animal which bites any person, regardless of the circumstances, or irrespective of whether such animal is vaccinated and registered, shall be required to place such dog, cat or animal in the custody of the Health Department for confinement in a manner satisfactory to the Health Department and in a manner that will prevent contact with people and other animals for a period of ten (10) days, following the evening of the day of the bite, for the purpose of clinical observation. All expenses shall be borne by the owner of the dog, cat or other animal. If such dog, cat or other animal develops clinical symptoms suggestive of rabies, it shall be allowed to die a natural death, or, if for any reason, such dog, cat or other animal should die while in confinement, its head shall be removed by the veterinarian and submitted to a qualified laboratory. If, at the end of such ten (10) day period, such dog, cat or other domestic animal is alive and healthy, it may be released to its owner.

B. All dogs under clinical observation as the result of biting a person must fulfill all other conditions of this Chapter prior to release.

C. If, at the time of the biting, the dog, cat or other animal had not been vaccinated and registered, the procedure outlined in Section 205.220 shall be followed.

D. It shall be the duty of any person bitten by any animal or the parent or guardian of any minor bitten by an animal to report the same to the Health Department immediately. Such report shall contain the name and address of the owner and of the animal, the day and time bitten, the location where bitten, and a general description of the animal.

E. It shall be the duty of every physician to report immediately to the Health Department the full name, age and address of any person under his/her care or observation who has been bitten by an animal irrespective of whether infected with rabies or suspected of being infected with rabies or not so infected or so suspected and every veterinarian treating or having under observation any animal infected with rabies, or suspected of being rabid, or suspected of having been exposed to rabies, shall report to the Health Department, the owner's name and address, and if the animal is a dog, the vaccination-registration number.

SECTION 205.120: RIGHT OF ENTRY

It shall be unlawful for any person to conceal an animal or interfere with the Health Department or persons designated by it, in the performance of its legal duties, as provided in this Chapter. The Health Department or persons designated by it, shall have the right of entry onto any unenclosed lots or lands for the purpose of collecting any dog, cat or other animal, which is on such a lot or land, in violation of this Chapter and whose presence on such lot or land constitutes a violation of any of the provisions of this Chapter, or whose presence or existence is a violation of the provisions of this Chapter. The Health Department or its duly appointed representative shall have the right of entry to any property or premises within any quarantined area during the period of such quarantine, for the purpose of examining or obtaining any dog, cat or any other animal suspected of; having rabies, having been exposed to rabies, or having bitten a person or other animal.

SECTION 205.130: ABANDONMENT OF ANIMALS

No owner of any animal subject to rabies shall abandon such animal in the Village of Wardsville.

SECTION 205.140: DANGEROUS DOG--NOTICE

When any fierce or dangerous dog or any one that has previously attacked or bitten any person or domestic animal, or possesses a propensity to attack or bite man or domestic animal; or cause annoyance to persons using the public roads, streets and sidewalks, or chase, worry or molest live stock, other dogs or children, or cause any damage or injury, which propensity is known or ought reasonably to be known by the owner of such dog, it shall be the duty of such owner to confine such dog on a chain, tether or leash, or confine to a yard completely enclosed by a fence of such height, strength and construction so as

to prevent the dog confined therein from jumping over, through, or crawling under such fence, and to post a notice on the premises, conspicuously visible to the public and reading in letters not less than two (2) inches high "Beware of Dog". Any fierce or dangerous dog found off the premises of its owner may be seized by any Police Officer or other agent authorized by the Health Department and the dog and owner may be brought to trial. Upon establishment by a preponderance of the evidence of the fierce or dangerous character of such dog, by testimony, under oath (and reduced to writing) the Court may order such dog to be euthanized, or the owner subjected to the penalties provided in Section 205.220 (D) of this Chapter, or both euthanization and such penalties.

SECTION 205.150: DOGS RUNNING AT LARGE--PROHIBITED--EXCEPTION

A. It shall be unlawful for the owner of any dog, whether properly tagged and certified by vaccination-registration or not, to permit or allow such dog to run at large on land which is non-rural in character.

B. The provisions of Subsection (A) of this Section shall not apply to dogs being used in hunting, field trials and dog shows while on public lands set aside for those purposes, while on the private property of others with the actual, implied, customary or constructive consent of the owner of such private premises, or while on Federal, State, Municipal, or County roads or highways, in a rural area, while going to or coming from a hunting, field trial or dog show site. Nor shall the provisions or prohibitions in Subsection (A) of this Section apply to bloodhounds or other dogs used for tracking in conjunction with police activities, nor to dogs of the Canine Corps of any Police Force of the City of Jefferson, Cole County, the Missouri State Highway Patrol, any Federal law enforcement agency, or the Armed Forces of the United States, while being used to conduct official business or being used for official purposes.

SECTION 205.160: PRESUMPTION WITH REFERENCE TO DOGS RUNNING AT LARGE

In any prosecution charging a violation of [Section 205.150](#) hereunder, proof that:

1. The dog was running at large in violation of said Section.
2. The defendant named in the complaint was, at the time described in the complaint, the person who owned such dog, shall constitute a rebuttable presumption that the owner permitted such dog to run at large.

SECTION 205.170: REFUSAL TO DELIVER ANIMALS TO THE HEALTH DEPARTMENT--PROHIBITED

No person shall refuse to deliver up to the Health Department any dog, cat or other animal subject to rabies, which such person owns, when requested to do so under the provisions of this Chapter.

SECTION 205.180: ANIMAL WASTE

It shall be unlawful for any person owning or in the control of any animal within the Village, to allow or permit such animal to deposit its waste upon any private or public property other than such person's own premises, unless such person shall remove and dispose of such waste within one (1) minute of the deposit.

SECTION 205.190: VIOLATION AND PENALTIES

The violation of, failure to comply with or the committing of any act prohibited in any provision of this Chapter shall constitute an unlawful act and upon the conviction of such unlawful act, unless a penalty has been otherwise specified within this Chapter, the person so convicted shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) and each day that such unlawful act continues to be committed shall constitute a separate offense.

SECTION 205.200: CERTAIN LOUD AND OBNOXIOUS ANIMAL NOISES PROHIBITED

A. Any cat or kitten, as defined by [Section 205.010](#) of this Chapter, which by continual screeching, calling or meowing or any dog or pup, as defined by [Section 205.010](#) of this Chapter, which by continual or habitual barking, howling or yelping shall annoy any neighborhood or person, is hereby declared to be a public nuisance, and any owner of such cat, kitten, dog or pup, upon being notified to do so by any officer of the Village shall take such action as may be necessary to prevent the animal from continuing the acts constituting the nuisance.

B. Five (5) days after such notice, as provided for in Subsection (A) hereof, is given by the Village or a representative thereof to the owner or possessor of such animal, or the person occupying the premises where such animal is located, of a violation of Subsection (A), the failure to control or prevent a continuation of the acts complained of, shall be prima facie evidence of the causing, allowing or creation by such owner or possessor, so notified, of a public nuisance.

C. The penalty for violation of this Section shall be twenty-five dollars (\$25.00) for the first (1st) offense and not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for a second (2nd) and subsequent offenses.