**Chapter 4**

**ANIMALS, LIVESTOCK AND FOWL**

**CONTENTS**

**ARTICLE I**

**DEFINITIONS**

§ 4-1. Definitions.

**DIVISION 1. LIVESTOCK AND FOWL**

§ 4-2. Keeping of livestock or fowl within the city limits - Prohibited.

§ 4-3. Livestock and fowl not to run at large.

§ 4-4. Penalty upon violation.

§§ 4-5 to 4-9 Reserved.

**DIVISON 2. DANGEROUS ANIMALS**

§ 4-10. Possession, keeping or harboring certain dangerous animals prohibited.

§ 4-11. Possession, sale of pit bulls, rottweilers and dangerous dogs and cats prohibited - exception.

§ 4-12. Keeping of registered and licensed pit bulls and dangerous dogs or cats.

§ 4-13. Standards and conditions to be maintained to keep dangerous dog, cat, rottweilers and pit bulls.

§§ 4-14 to 4-19. Reserved.

**DIVISON 3. DOGS, CATS AND OTHER PETS**

§ 4-20. Owner’s responsibility – Penalty.

§ 4-21. All dogs, cats and other pets required to be vaccinated – owner to show proof.

§ 4-22. Running at large prohibited; exception.

§ 4-23. Dogs and cats in heat.

§ 4-24. Barking dog.

§ 4-25. Biting dog or cat – when a dangerous dog or cat.

§ 4-26. Limitation upon dogs, cats and other pets kept on premises.

§ 4-27. Owner’s additional responsibilities.

§ 4-28. Sanitation.

§ 4-29. Reserved.

*(Revised 07/09)*

53

**DIVISION 4. ANIMAL IMPOUNDMENT**

§ 4-30. Impoundment – when.

§ 4-31. Location of impoundment.

§ 4-32. Redemption of impounded dogs and cats; fees; disposition of unclaimed or diseased animals.

§§ 4-33 to 4-39. Reserved.

**DIVISION 5. OFEENSES AGAINST ANIMALS**

§ 4-40. Animal neglect.

§ 4-41. Animal abuse.

§ 4-42. Dog, cock and other animal fighting, training, prohibited.

§ 4-43. Poisoning prohibited.

§§ 4-44 to 4-49. Reserved.

**DIVISION 6. PENALTY OF VIOLATION**

§ 4-50. Violation – Penalty.

§§ 4-51 to 4-55. Reserved.

*(Revised 07/09)*

54

**Chapter 4**

**ANIMALS, LIVESTOCK AND FOWL**

**Sec. 4-1. Definitions.**

The following terms used in this Chapter shall have the following meanings:

Animal – Any living vertebrate member of the animal kingdom, excluding man.

Cat – any member of the species Felis domesticus. Cat does not include any other member of the genus Felis.

Dangerous Animals – include:

1. any warm blooded, carnivorous or omnivorous, wild or exotic animal including but not limited to non-human primates, raccoons, skunks, foxes, bats, wild and exotic cats and dogs, but excluding livestock, fowl, cats, dogs, ferrets, and small rodents such as gerbils, hamsters and laboratory mice and rats.
2. any animal with a poisonous bite or sting.
3. any and all snakes and other toothed reptiles.
4. any pit bull dog
5. any Rottweiler dog.
6. any dangerous dog or cat.

Dangerous dog or cat – any dog or cat which has attacked, threatened to attack or bitten any person or other dog, cat, fowl or livestock, or scratched any person which required stitches or left a scar, and in addition, any pit bull dog or Rottweiler dog. A trained law enforcement dog shall not be considered a dangerous dog for the purposes of this Chapter.

Dog – Any member of the species Canis familiaris. Dog does not include any other member of the genus Canis.

Exempt Farm - Any agricultural land used continuously since its incorporation into the City of Potosi, Missouri, for the production of crops, livestock, fowl or pasture.

Fowl - Any domesticated birds raisedorpossessed that is commonly used for food, or for the production of eggs, such as, but not limitedto any species or breed of: Chickens, Geese, Ducks, Guineas, Turkeys, Pheasants, and other such birds. Fowl does not include up to two non- breeding pair of birds of any species kept as a pet

**CROSS REFERENCES:**

**Persons riding animals to obey traffic regulations, §24-26.**

**STATE LAW REFERENCE:**

**Authority of fourth class cities for regulate animals and fowl, see RSMo. §79.400; animals and agriculture, see RSMo. Chapters 261 to 281.**

*(Revised 09/08)*

55

Livestock- Any domesticated animal raised or possessed that is commonly used for food, milk or other agricultural byproducts, such as, but not limited to: Cattle, Pigs or Swine, Sheep, Goats, Buffalo, domesticated rabbits and other such animals. Livestock does not include Dogs or Cats, or up to a non-breeding pair of rabbits, kept as a pet.

Owner- Includes any person who owns, keeps, harbors, or in any way possesses any animal.

Pet - Any animal, including but not limited to: cats, dogs, ferrets, birds, fish, turtles, gerbils, hamsters, and laboratory mice or rats, possessed, harbored, kept or fed by a person for the purpose of amusement or companionship, or for hunting, guarding, herding, or other work purposes, not including Livestock or Fowl. Pet does not include any animal declared to be a dangerous animal.

Pit Bull- Any of the following dogs are defined as a pit bull dog:

1. Staffordshire bull terrier breed of dog;
2. American pit bull terrier breed of dog;
3. American Staffordshire terrier breed of dog;
4. Any mixed breed of dog which contains as an element of its breeding the breeds of Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, and other breeds commonly known as pit pulls**,** pit bull dogs, or pit bull terriers or a combination of any of these breeds.
5. Any dog which has the appearance and characteristics of being predominantly of the breeds of Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, and other breeds commonly known as pit pulls, pit bull dogs, or pit bull terriers or a combination of any of these breeds.

Rottweiler- Any of the following dogs are defined as a Rottweiler dog:

1. Rottweiler breed of dog;
2. Any mixed breed of dog which contains as an element of its breeding the breed of rottweiler, and other breeds commonly known as rottweilers or a combination of any of these breeds.
3. Any dog which has the appearance and characteristics of being predominantly of the breed rottweilers or a combination of any of these breeds. (Ord. 981, §1)

**DIVISION 1**

**LIVESTOCK AND FOWL**

**Sec. 4-2. Keeping of livestock or fowl within the city limits - Prohibited.**

Itshall be unlawful for any person to keep or maintain any livestock or fowl of any type upon any public or private property within the corporate limits of the City of Potosi, Missouri, except for upon an exempt farm as defined in this Chapter. (Ord. 981, §1)

**Sec. 4-3. Livestock and fowl not to run at large.**

All livestock and fowl shall be allowed only on the property of an exempt farm, and the owner of all such animals shall securely fence in or pen or cage such livestock or fowl so as to not be allowed to run at large upon any other property, or the streets, roads or alleys of the City. (Ord. 981, §1)

*(Revised 09/08)*

56

**Sec. 4-4. Penalty upon violation.**

Any person found guilty of violating Sections 4-2 and 4-3 of this Chapter shall be punished by a fine of not less than $50.00 nor more than $500.00, or confinement in jail for not more than 90 days or by both confinement and fine. Each day a violation exists shall be considered a separate offense. (Ord. 981, §1)

**Secs. 4-5 to 4-9. Reserved.**

**DIVISION 2**

**DANGEROUS ANIMALS**

**Sec. 4-10. Possession, keeping or harboring certain dangerous animals prohibited.**

It shall be unlawful for any person to keep, harbor, own or possess any dangerous animal, with the exception of a registered and licensed dangerous dog, cat, rottweiler or pit bull, within the corporate limits of the City of Potosi, Missouri. Violation of this provision shall, upon conviction be punished by a fine of not less than $200.00 and not more than $500.00, or confinement in jail for not more than 90 days, or both fine and confinement, and in addition, forfeiture of the animal and the board, veterinary, disposal or placement fees or expenses incurred by the City. (Ord. 981, §1)

**Sec. 4-11. Possession, sale of pit bulls, rottweilers and dangerous dogs and cats prohibited**

**– exception.**

(a) It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of Potosi, Missouri, or to sell or give away to any resident of the City of Potosi, Missouri, any pit bull, rottweiler, or any dog or cat found to be a dangerous dog or cat. Violation of this provision shall, upon conviction, be punished by a fine of not less than $200.00 and not more than $500.00, or confinement in jail for not more than 90 days, or both fine and confinement, and in addition, forfeiture of the animal and payment by the owner of the board, veterinary, disposal or placement fees or expenses incurred by the City.

(b) Exception – Any dog meeting the definition of pit bull or rottweiler in this Chapter, that was present in the City of Potosi, Missouri at the time of passage of this act, and which was registered with the City and properly licensed within thirty (30) days of the passage of this act, and whose owner continues to comply with the limitations, requirements and conditions of Section 4-12 et seq, may be kept in the City subject to the limitations, requirements and conditions of Section 4-12 et seq.

(c) Exception – Any dog or cat found to be a dangerous dog or cat by reason of an attack, bite or scratch may be kept in the City subject to the owner’s registration and licensing of said dangerous dog or cat, and continued compliance with the limitations, requirements and conditions of Sec. 4-12 et seq. (Ord. 981, §1)

*(Revised 07/09)*

57

**Sec. 4-12. Keeping of registered and licensed pit bulls, and dangerous dogs or cats.**

Only registered and licensed pit bulls, and other dangerous dogs and cats may continue to be kept in the City of Potosi, subject to the following standards and regulations.

(a) Registration – All pit bulls currently within the City on the date of the passage of this Chapter must be registered with the City Animal Control Officer within thirty (30) days of the passage of this act. All dogs and cats found to be dangerous by virtue of an attack, bite or scratch must be registered with the City Animal Control Officer within thirty (30) days of the latter date of the passage of this ordinance or of issuance of a citation to Municipal Court for that attack, bite or scratch. Registration shall require the completion of a form which shall state the name and address and telephone number of the owner or possessor of the dog or cat, two photos showing the animal from each side, the name of the animal, the age of the animal and the address where the animal will be kept.

(b) For licensing, all such owners shall be initially, and thereafter annually, required to attach proof of a public liability policy of insurance in a single incident amount of $50,000.00 for bodily injury or death of any person or persons and for damage to property which may result from the keeping or possession of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten days written notice is first given to the City. In addition, all such owners shall provide proof of vaccinations by a licensed veterinarian and an affidavit that the animal has been spayed or neutered to prevent the propagation of vicious genes and tendencies. In cases where such animal is a female animal pregnant with a litter at the time registration and licensing is required, the animal shall be spayed within 30 days of the birth of the litter, and proof thereof provided to the City Animal Control Officer.

(c) The license is to be renewed annually. A license will not be renewed without proof of insurance, proof of vaccinations and proof of no violations of Sec. 4- 13 . (Ord. 981, §1; Ord. 995, §1)

**Sec. 4-13. Standards and Conditions to be maintained to keep dangerous dog,**

**cat, rottweilers and pit bulls.**

The owners, keepers, harborers and possessors of all dogs and cats found to be dangerous and all rottweilers and pit bulls that are registered and licensed shall be kept only under the following standards and conditions:

(a) Leash and muzzle. No person shall permit a registered and licensed pit bull, rottweiler or other dangerous dog or cat to go outside its kennel, pen or the owner's house unless such dog is securely leashed with a leash no longer than four (4) feet in length and rated at a test strength of at least 200 pounds. No person shall permit such animal to be kept on a chain, rope or other type of leash outside of its kennel, pen or owner's house unless an adult person is in physical control of the leash. Such animal may not be leashed to inanimate objects such as trees, posts, buildings, porches, patios or other structures. In addition, all such animals on a leash outside the animals kennel, pen or owner's house must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.

(b) Confinement. All registered and licensed pit bulls, rottweilers and dangerous dogs and cats shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine a registered and licensed pit bull, rottweiler or

*(Revised 07/09)*

58

dangerous dog or cat must be locked with a key or combination lock of sufficient strength to withstand the force of the animal, at all times when such animals are in said structures. Such structure must also have a secure bottom or floor attached to the sides of the pen or kennel, or the sides of the pen or kennel must be embedded in the ground no less than two (2) feet. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

(c) Confinement indoors. No pit bull, rottweiler or dangerous dog or cat may be kept on a porch, patio, or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.

(d) Signs. All owners, keepers or harborers of registered and licensed pit bulls, rottweilers or dangerous dogs or cats within the City shall within ten (10) days of registering and licensing such animal shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware - Dangerous Dog" or "Beware - Dangerous Cat" as appropriate. In addition, a similar sign is required to be posted on the kennel or pen of such animal.

(e) Reporting requirements. All owners, keepers, harborers or possessors of registered and licensed pit bulls or other dangerous dogs or cats must within ten (10) days of the incident, report the following information in writing to the Potosi City Animal Control Officer:

1. The removal from the City or the death of a registered and license pit bull or dangerous dog or cat.
2. The birth of any offspring of a registered and licensed pit bull or dangerous dog or cat.
3. The new address of a registered and licensed pit bull or dangerous dog or cat, should the owner move from one residence to another within the city limits. (Ord. 995, §2)

(f) Animals born of registered and licensed pit bulls, rottweilers and other dangerous dogs or cats.

All offspring born of any registered and licensed pit bull, rottweiler or other dangerous dog or cat, within the City must be removed from the City within eight (8) weeks of the birth of such animal

(g) Sale or transfer of ownership prohibited. No person shall sell, barter, or in any way dispose of a registered and licensed pit bull, rottweiler or other dangerous dog or cat to any person with the City. However, an owner may sell or otherwise dispose of such animal to a person who does not reside within the City.

(h) Irrebuttable presumption. There shall be an irrebuttable presumption that any dog or cat registered and licensed as a pit bull, rottweiler or other dangerous dog or cat is in fact a dog or cat subject to the requirements of this Chapter.

(i) Rebuttable presumption. Any animal which appears to be, at least in part, a pit bull or rottweiler shall be presumed to be a pit bull or rottweiler, unless and until a licensed veterinarian certifies that such dog has no genetic heritage from any of the breeds defined as pit bulls or rottweilers by this Chapter.

*(Revised 07/09)*

59

(j) Failure to comply. It shall be unlawful for the owner, keeper, harborer or possessor of a pit bull, rottweiler or other dangerous dog or cat registered and licensed with the City to fail to comply with the requirements and conditions set forth in Sections 4-10 through 4-13 of this Chapter. Any such animal found to be subject of a violation of this Chapter shall be subject to immediate seizure and impoundment, wherever found. In addition to the other penalties which may be provided, any owner of any such animal found to be in violation of the provisions of this Chapter shall have the license of such animal revoked and the animal shall be removed from the City or destroyed humanely.

(k) Violation and penalties. Any person violating or permitting the violation of any provision of Sections 4-12 and 4-13 shall upon conviction for the first offense be fined not less than $200.00 and not more than $500.00, or confined in jail for not more than 90 days, or both fine and confinement. For a second or subsequent offense, upon conviction the person shall be fined $500.00 and shall be assessed jail of not less than 10 days nor more than 90 days. In addition to the penalties for a first or subsequent offense, the Court shall order the revocation of the registration and licensing of said animal and any other such animal owned or possessed by said person, and in addition, forfeiture of the animal and the board, veterinary, disposal or placement fees or expenses incurred by the City.

(l) Additional penalties. In addition to the penalties for violation of Sections 4-10 through 4-13 of this Chapter, upon conviction of an offense involving an attack, threatened attack, bite or scratch by a Dangerous Animal, Dangerous Dog or Cat or pit bull or rottweiler, the owner shall pay to the victim thereof full restitution for all injuries to persons or property. (Ord. 981, §1)

**Secs. 4-14 to 4-19. Reserved.**

**DIVISION 3**

**DOGS, CATS AND OTHER PETS**

**Sec. 4-20. Owner’s responsibility – Penalty.**

The owner of any dog or cat or other pet shall be responsible for the actions of his dog, cat or pet and shall exercise care to keep his/her dog, cat or pet under such restraint as may be required to prevent the animal from injuring life or property. Failure of the owner to comply with this Chapter shall render the owner liable for any penalty imposed by law, this Code or other ordinance. (Ord. 981, §1)

**Sec. 4-21. All dogs, cats and other pets required to be vaccinated – Owner to show proof.**

All dogs and cats and other mammalian and avian pets susceptible to rabies shall be required to be vaccinated at least once per year with anti-rabies vaccine and the owner must be able to present a certificate or other proof of said immunization upon request by any police, animal control officer or health official. Failure to produce the certificate or proof of vaccination for the current year for each such animal upon request shall be an offense, chargeable to the owner and/or the person in possession of the animal at the time. (Ord. 981, §1)

*(Revised 07/09)*

60

**Sec. 4-22. Running at large prohibited; exception**

(a) It shall be unlawful for any person to permit any dog, cat or other pet, whether vaccinated or not, to run at large and to go off the premises of the owner, unless such animal is under restraint by leash.

(b) The provisions of paragraph (a)above shall not apply to any trained law enforcement dog while being used for official purposes. (Ord. 981, §1)

**Sec. 4-23. Dogs and Cats in heat.**

It shall be unlawful for any person to permit a female dog or cat to roam at large, or not securely confined in an enclosed place while in heat. (Ord. 981, §1)

**Sec. 4-24. Barking Dog.**

It shall be unlawful for a person to permit a dog owned by him/her or within his/her custody or control to habitually bark, or continuously bark thereby causing any person of ordinary temperament and disposition to have their peace disturbed. Factors to be considered in whether a dog is habitually barking are the length of time and the time of day when the barking occurs, and whether there is a reasonable cause for the barking, and what actions were taken by the owner of the dog to quiet the animal. The owner or person in custody or control of the dog shall have the burden of proof with respect to issue of causation and reasonableness of their efforts to quiet the dog. (Ord. 981, §1)

**Sec. 4-25. Biting dog or Cat - when a dangerous dog or cat.**

(a) Any dog or cat that shall bite or threaten to attack any person or scratch such person so as to cause stitches or scarring, or attack, bite or scratch any other dog, cat or other animal not on the owner's property, or do any damage to the property of another shall be declared a dangerous dog or cat, and the owner or person in custody or control of such person shall be guilty of an offense.

(b) It shall be a defense that the person bitten, scratched or attacked was a trespasser upon the property of the owner or was on the property of the owner for the purpose of committing some crime or tort upon the person or property of the owner or his/her family, or was teasing, tormenting, abusing or assaulting the dog or cat.

(c) It shall be a defense that the animal bitten or scratched or attacked was upon the property of the owner and the owner's dog or cat was confined, either by tethering or fencing.

(d) In any case where the Court does not find the owner guilty of an offense by virtue of a successful defense under paragraphs (b) or (c) of this section, the animal shall not be declared a dangerous dog or cat. (Ord. 981, §1)

**Sec. 4-26. Limitation upon dogs, cats and other pets kept on premises.**

(a) It shall be unlawful for any person to keep, harbor or possess upon his/her premises more than three (3) dogs, or more than three (3) cats, or more than three (3) pets of any species, not limited to a lesser number elsewhere in this Chapter, or more than four (4) of any combination of dogs, cats or other pets.

*(Revised 09/08)*

61

(b) Puppies or kittens born of dogs or cats being kept, harbored or possessed on the premises when born shall not be included in the limitations set out in paragraph (a) above, until they reach the age of six (6) months.

(c) The animal control officer or any health or police officer is authorized, in his/her discretion, to seize and impound any and all dogs and cats upon or within any premises when it is ascertained that a violation of this Section has occurred.

(d) Any person who violates the provisions of this Section shall be guilty of a misdemeanor, and upon conviction, punished by a fine of not less than five dollars ($5.00) nor more than five hundred dollars ($500.00) for each violation, and in addition, any fee which may apply from the impoundment of any animal. Each day a violation of this ordinance exists shall constitute a separate offense. (Ord. 981, §1)

**Sec. 4-27. Owner's additional responsibilities.**

Every owner, keeper, harborer or possessor of a dog or cat or other pet shall have the following additional responsibilities:

(a) Any dog or cat or pet that bites or scratches a human being shall be impounded, at the owners expense, for a ten day rabies quarantine at the Municipal Animal shelter or at a veterinarian clinic within the City of Potosi, Missouri.

(b) The owner of a dog or cat or pet shall be responsible for reasonably supervising said animal, and not permit it to run at large, or injure any person or animal, or damage property of another.

(c) The owner of any dog or cat or pet shall immediately notify the animal control officer or the police if his/her animal has attacked another animal or a human being. (Ord. 981, §1)

**Sec. 4-28. Sanitation.**

All structures, pens, coops, or yards wherein animals are kept or permitted to be, shall be maintained in a clean and sanitary condition at all times, devoid of all rodents and vermin, and free from offensive and disagreeable or noxious odors to persons not on the property. Any person failing to comply with this requirement shall be guilty of an offense. (Ord. 981, §1)

**Sec. 4-29. Reserved.**

**DIVISION 4**

**ANIMAL IMPOUNDMENT**

**Sec. 4-30. Impoundment – when.**

(a) The Animal Control Officer or any health or police officer shall have the power to catch, confine and impound dogs and cats and other animals as follows:

*(Revised 09/08)*

62

1. All female dogs or cats not securely confined in an enclosed place while in heat.
2. All dogs and cats which are at large and not restrained upon their owner's property.
3. All dogs or cats or pets exposed, infected or suspected of being infected with rabies, and regardless of whether at large, on leash or confined to it's owners premises.
4. All dogs and cats or pets which have not been vaccinated with anti-rabies vaccine as required by this Chapter, and all dogs and cats whose owners can not provide proof of vaccination within one year of the request for proof.
5. All dangerous dogs or cats that are not properly licensed and registered, or which are not confined or restrained pursuant to this Chapter, or which have attacked, bitten, scratched or attempted to bite a person or animal.
6. All dogs or cats or pets which have bitten or scratched a person or another animal, until it is determined that the dog or cat is not infected with rabies.
7. All dogs or cats not confined while in a quarantined area.
8. All dogs or cats that are found to be kept in violation of section 4-26 of this Chapter.
9. All dangerous animals

(b) All dogs and cats are subject to impoundment regardless of whether the owner has evidence of the animal’s vaccination. (Ord. 981, §1)

**Sec. 4-31. Location of impoundment.**

Any dog or cat impounded in accordance with this Chapter shall be held at the City dog pound or such other facility within the County designated by the Board of Aldermen. (Ord. 981, §1)

**Sec. 4-32. Redemption of impounded dogs and cats; fees; disposition of unclaimed**

**or diseased animals.**

(a) Any dog or cat captured or impounded under the provisions of this Chapter determined not to be infected with rabies by the Animal Control Officer or Chief of Police, may be redeemed by the owner or other person having a right to possession of such animal upon presentation of proof of recent vaccination, or payment and administration of any necessary rabies vaccination, and the payment of the accrued impoundment fees.

(b) Impoundment fees are set as follows:

1. Impoundment fee $10.00 per animal

2. Daily board fee $3.00 per day per animal.

3. Rabies vaccination At cost from veterinarian

4. Veterinarian fees (as necessary) At cost from veterinarian

(c) If any animal is not claimed in the manner provided herein within five days after its impoundment, such animal shall be disposed of by adoption placement, sale or euthanasia. Before release by adoption or sale, the new owner shall have the animal vaccinated and pay any impoundment fees due under paragraph (b) 3 and (b) 4 only. In certain cases, the Animal Control Officer may waive the daily board fees for animals adopted. If the buyer or adopter is a City resident, he shall also purchase a license tag, if the City adopts such additional regulations. (Ord. 981, §1)

**Secs,. 4-33 to 4-39. Reserved.**

*(Revised 09/08)*

62.1

**DIVISION 5**

**OFFENSES AGAINST ANIMALS**

**Sec. 4-40. Animal neglect.**

A person commits the offense of animal neglect when he/she has custody or ownership, or both, of an animal and fails to provide adequate care or adequate control, including but not limited to, failing to provide adequate food or water for the animal, failure to provide adequate shelter for the animal, abandoning an animal, failing to provide adequate supervision of the animal so that injury results, or failing to make provisions for its care and welfare, which results in substantial harm to the animal. (Ord. 981, §1)

**Sec. 4-41. Animal abuse.**

A person is guilty of animal abuse when a person:

1. Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of Section 587.005 to 587.023 and 273.030 RSMo.; or
2. Purposely or intentionally causes injury or suffering to an animal; or
3. Having ownership or custody of an animal, knowingly fails to provide adequate care or adequate control and as a result thereof, the animal dies or suffers serious injury or harm; or
4. Having ownership or custody of an animal, shall cruelly drive or work the animal when unfit for work, or shall carry or cause the same to be carried, moved or kept in or upon any vehicle in a cruel and inhumane manner, or fail to provide adequate veterinary care when necessary, or otherwise treat the animal in an unnecessarily cruel or inhumane manner.

(Ord. 981, §1)

**Sec. 4-42. Dog, cock and other animal fighting, training, prohibited.**

(a) It shall be unlawful for any person to:

1. Own, possess, keep or train any dog, cock or other animal, with the intent that such dog, cock or other animal shall be engaged in an exhibition of fighting with another dog, cock or animal; or
2. For amusement or gain, cause any dog, cock or other animal to fight with another dog, cock or other animal, or causes any dog, cock or other animal to injure each other; or
3. Permit any act described in paragraph 1 and 2 of this Section to be done on any premises under his/her ownership, charge or control, or aids or abets and such act; or
4. Be knowingly present as a spectator at any place, building or structure where an exhibition of fighting dogs, cocks or other animals is being held.

(b) Nothing in this Section shall be construed to prohibit:

1. The use of dogs in the management of livestock by the owner of such livestock, or his/her employees or other persons in the lawful custody of such livestock; or
2. The use of dogs or other animal in hunting; or
3. The training of dogs or other animals or use of equipment in such training for any purpose not prohibited by law.

(Ord. 981, §1)

*(Revised 09/08)*

62.2

**Sec. 4-43. Poisoning prohibited.**

(a) 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 offer or tempt any animal with liquid, meat or any food which shall cause death, or prostration, convulsions, pain or suffering as a prelude to death, or be proven toxic or lethal in the amount present.

(b) This Section does not apply to the poisoning of rodents or other harmful pests if done in such manner as not to expose poisonous substances to pets or livestock or fowl. (Ord. 981, §1)

**Secs. 4-44 to 4-49. Reserved.**

**DIVISION 6**

**PENALTY OF VIOLATION**

**Sec. 4-50. Violation – penalty.**

Any person who violates any of the provisions of this Chapter which does not have a specific punishment or penalty provision, shall be punished upon conviction by a fine of not less than $5.00 nor more $500.00, or by confinement in jail for not more than 90 days or by combination of both fine and confinement, for each violation. (Ord. 981, §1)

**Secs. 4-51 to 4-55. Reserved.**

*(Revised 09/08)*

62.3

62.4