

**BEFORE THE BOARD OF ALDERMEN OF  
THE CITY OF PRAIRIE HOME, MISSOURI**

**ORDINANCE NO. 177C**

**AN ORDINANCE TO PROVIDE FOR THE  
CARE AND CONTROL OF ANIMALS WITHIN  
THE CITY LIMITS OF PRAIRIE HOME, MISSOURI**

**BE IT ORDAINED** by the Board of Aldermen of the City of Prairie Home, Missouri, as follows:

**Section 1: Definitions.** For purposes of this Ordinance No. 177C, the following terms shall have the following meanings:

- (a) **Animal:** Any four (4) legged beast of the animal world, or any bird, fowl, or reptile.
- (b) **At Large:** An Animal that is off the premises of its Owner and not on leash controlled by some person physically capable of preventing the Animal from escaping.
- (c) **Cat:** Any member of the feline family.
- (d) **Cat Colony:** A group of Feral Cats that live together in one territory, often near food sources and shelter.
- (e) **Dangerous Dog:** A Dog that has previously bitten a person or a domestic Animal without provocation and such Dog bites any person or a domestic Animal on a subsequent occasion. No Dog may be declared a “Dangerous Dog” if the injury, damage, or threat was sustained by a person who, at the time, was committing an illegal act upon the premises occupied by the Owner of the Dog; was teasing, tormenting, abusing or assaulting the Dog; or has in the past been observed or reported to have teased, tormented, abused, or assaulted the Dog.
- (f) **Dangerous Wild Animals:** All species as defined by RSMo. §578.023, as may be amended from time to time.
- (g) **Dog:** Any member of the canine family.
- (h) **Exotic Animals:** All breeds and species as identified by RSMo. §273.350, as may be amended from time to time.

- (i) **Exposed to Rabies:** An Animal that has been bitten by any other Animal known or reasonably suspected to be infected with rabies.
- (j) **Feral Cat:** An undomesticated, unvaccinated Cat that lives outdoors, has had little or no human contact, and will run away if able. Feral Cats often live in a Cat Colony.
- (k) **Harbor, Harboring:** To feed or shelter an Animal at the same location for three or more consecutive days.
- (l) **Immunize, Immunized, Immunization:** Vaccination against rabies, at the expense of the Owner, by administration of an anti-rabic vaccine by a Licensed Veterinarian.
- (m) **Licensed Veterinarian:** Any veterinarian duly licensed under the laws of Missouri.
- (n) **Livestock:** As defined by RSMo. §265.300, as may be amended from time to time, including but not limited to cattle, calves, sheep, swine, ostrich, emu, goats, horses, or other equines.
- (o) **Owner:** Any person owning, possessing, keeping, or Harboring an Animal.
- (p) **Wildlife:** All species defined by RSMo. §252.020, as may be amended from time to time, including all wild birds, mammals, fish, and other aquatic and amphibious forms, and all other wild Animals, regardless of classification, whether resident, migratory or imported, protected, or unprotected, dead or alive.

**Section 2: Prohibitions, Exceptions, and Limitations.**

- (a) **Cat Colony Prohibited.** No person shall keep or maintain a Cat Colony within the City.
- (b) **Prohibited Animals.** No person shall own, possess, feed, Harbor, keep or allow to be kept upon any premises within the City any Livestock, Dangerous Dog, Feral Cat, Exotic Animals, Dangerous Wild Animals, or Wildlife, each of which shall be deemed to be a “Prohibited Animal.”
- (c) **Exceptions.** The provisions of Section 2(b) above shall not apply to:
  - (i) Horses or other equines used as a means of transportation and present within the City on a temporary (less than 18 consecutive hours) basis.
  - (ii) Rabbits raised in confinement.
  - (iii) Poultry.
  - (iv) Wildlife that has been legally harvested during permitted seasons.

- (v) Livestock of an owner or occupant of any premises lying partially within and partially outside the City limits, which premises are used primarily for agricultural purposes.
  - (vi) Livestock on the premises of the Cooper County Agricultural and Mechanical Society, popularly known as the Prairie Home Fair, while participating in events held upon said premises.
- (d) **Number of Animals Per Household.** No person shall Harbor or otherwise keep more than a total of four (4) Cats or Dogs (or any combination thereof) over the age of six (6) months per household at one time.

### **Section 3: General Care and Maintenance of Animals.**

- (a) **Abandonment Prohibited.** No person shall abandon any Animal within the City or in the vicinity of the City limits or cause such act to be done. Any person abandoning Dogs, Cats or other Animals within the City shall be fined One Hundred Dollars (\$100.00) for each Animal so abandoned.
- (b) **Cruelty Prohibited.** No person shall over-drive, drive when overloaded or ill, or treat, torture, torment or unnecessarily or cruelly whip, beat, or needlessly mutilate any Animal in the City.
- (c) **Poisoning Prohibited.** No person shall poison any Animal or distribute poison in any manner whatsoever with the intent or for the purpose of poisoning any Animal. This prohibition shall not apply to rodents.
- (d) **Sustenance and Shelter Required.** The Owner of an Animal shall provide it with humane shelter from the heat, cold, rain, wind, and snow, suitable for the species and/or breed, and shall give it food and water sufficient to keep the Animal in good health and comfort. All Dogs shall be given an opportunity for daily exercise and shall be provided by their Owners with the veterinary care needed to prevent suffering. Animal houses and kennels shall be soundly constructed, dry and provided in cold weather with clean bedding.

### **Section 4: Restrictions Upon and Requirements for Dogs Within the City.**

- (a) **Restrictions.** No person shall Harbor or otherwise keep any Dog within the City for more than ten (10) days without having the Dog Immunized, registered, and collared as herein provided. Nothing in this Section 4(a) shall be construed so as to apply to Dogs belonging to visitors or persons temporarily in the City for less than ten (10) days, nor to Dogs under the age of four (4) months.
- (b) **Immunization.** All Dogs Harbored within the City must be Immunized by a Licensed Veterinarian.

- (c) **Annual Registration with the City Required.** The Owner of a Dog Harbored within the City limits shall register such Dog annually with the City, no later than July 1 of each year. To register a Dog with the City, the Owner or a duly authorized representative of the Owner shall present to the City Clerk a current certificate of Immunization. The City Clerk shall thereupon record the following information for each Dog:
- (i) Name, address, phone number, and email address of the Owner
  - (ii) Name of the Dog
  - (iii) Description of the Dog, including breed, sex, and color or other description
  - (iv) Immunization Date and expiration of same
  - (v) Licensed Veterinarian who Immunized the Dog
- (d) **City Clerk to Issue Tag; Tag to Be Attached to Collar.** Upon successful registration of a Dog, the City Clerk shall issue a numbered tag for such Dog, which shall include information identifying it as a City tag, with the year and number corresponding to the Dog's registration. The Owner of the Dog shall attach the City tag to the Dog's collar.
- (e) **Dogs to be Collared and Tagged.** The Owner of a Dog so registered shall, at all times, keep a substantial collar around the neck of the Dog, with the City tag attached.
- (f) **Replacement City Tag.** If a tag is lost or destroyed during the year of registration, the Owner of any registered Dog shall promptly obtain a new one from the City Clerk.

#### **Section 5: Control of Animals.**

- (a) **Animals Not to Run At Large.** No Owner shall allow any Animal to run At Large on any public street, alleyway, sidewalk, or other public way, in a public place, or upon any premises within the City not owned or possessed by such Owner, unless said Animal is under the control of the Owner.
- (b) **Dogs to be Restrained.** The Owner of a Dog shall keep the Dog enclosed, penned, or restrained by a leash or other means upon the Owner's premises. No Owner shall permit a Dog that is unleashed or otherwise unrestrained to be At Large upon the property of another, or upon any sidewalk, street, or public thoroughfare.
- (c) **Animals Causing Annoyance or Nuisance.** No person shall Harbor or otherwise keep or allow to be kept upon any premises within the City any Dog, Cat, Feral Cat or other Animal that is an annoyance or nuisance to any person, or is vicious, fierce, dangerous or likely to harm or injure any person or other Animal, including but not limited to:

- (i) Displaying aggressive behavior, including growling, charging, showing of the teeth, hissing, or raising of fur.
  - (ii) Damaging the property of anyone other than that of the Animal's Owner.
  - (iii) Chasing or intimidating pedestrians, passersby, or vehicles, including bicycles.
  - (iv) Annoying or disturbing any person by loud, frequent, or habitual barking, howling, or yelping, or by habitually jumping upon persons, threatening persons, getting into trash containers, or in other ways being a public nuisance.
- (d) Feral Cats.** Any Feral Cat found running At Large within the City, or on the premises of other persons, or in any tenement building occupied by two (2) or more families, and annoying or endangering any person, shall be immediately killed outside the City by or under the direction of the Chief of Police, Cooper County Sheriff, or other animal control authority, in accordance with applicable law.
- (e) Removal of Excrement.** No person Harboring or otherwise keeping or having custody of an Animal within the City shall allow or permit excrement of their Animal to remain on any property other than that of the Animal's Owner without consent of the property owner or occupant. No person shall allow accumulation of excrement so to cause foul odor on any property within the City limits.
- (f) Dangerous Dogs.** Any Dangerous Dog (whether or not registered in accordance with this Ordinance #177C), found running At Large within the City, or on the premises of other persons, or in any tenement building occupied by two (2) or more families, and annoying or endangering any person, shall be immediately killed by or under the direction of the Chief of Police, Cooper County Sheriff, or other animal control authority.
- (g) Dogs Biting Persons.**
- (i) Duty to Report; Quarantine. Whenever any Dog has bitten a person or other Animal, the Owner of such Dog, or the person bitten, or the Owner of the Animal so bitten shall immediately make a report to the Chief of Police or Cooper County Sheriff. The Owner shall immediately thereafter contact a Licensed Veterinarian for instructions regarding quarantine and observation in accordance with Section 5(h) below.
  - (ii) Delivery of Dog by Chief of Police Upon Refusal by Owner. If any Owner of a Dog that has bitten a person or other Animal fails to immediately quarantine or deliver such Dog to a Licensed Veterinarian or animal shelter for quarantine and observation in accordance with Section 5(g)(i) above, the Chief of Police, Cooper County Sheriff, or other animal control authority shall promptly take possession of such Dog and deliver it to a Licensed Veterinarian or animal shelter for quarantine and observation in accordance with Section 5(h) below.

- (iii) Second Offense of Biting. In addition to the requirements set forth in this Section 5(g), if any Dog that has previously bitten a person or an Animal without provocation bites any person on a subsequent occasion, or if a Dog that has not previously bitten a person attacks and causes serious injury or death to any person, such Dog shall be seized immediately by the Chief of Police, Cooper County Sheriff, or other animal control authority. The Owner of such Dog, if known to the City, shall promptly be notified using the information contained in the registration record of the Dog. If the Dog has no known Owner, or if the City is unable to reach the registered Owner after making reasonable attempts to do so, the Dog shall remain impounded for ten (10) days, after which the Dog shall be destroyed.
- (iv) Appeal. Except in the event that a Dog is found to be infected with rabies, the Owner of a Dog impounded for biting may file a written appeal to the Associate Circuit Court of Cooper County to contest the impoundment and/or destruction of such Dog during the ten (10) day impoundment period. The Owner of such Dog shall provide notice of the filing of the appeal to the animal control authority who seized the Dog. If the Owner files such an appeal and provides proper notice, the Dog shall remain impounded and shall not be destroyed while such appeal is pending, unless and until the Court issues an order for the destruction of such Dog. The Court shall hold a disposition hearing within thirty (30) days of the filing of the appeal to determine whether such Dog shall be humanely destroyed in accordance with applicable law.
- (v) Costs. The costs of apprehension, transportation, confinement, quarantine, and destruction (if warranted) of a Dog that has bitten a person shall be paid by the Owner of such Dog. If the Owner fails and refuses to pay such costs, then such costs shall be recovered in a civil suit against said Owner.

**(h) Rabies Control.**

- (i) Confinement, Notice. Every rabid Dog or a Dog Exposed to Rabies shall be immediately confined by the Owner, who shall promptly notify the Chief of Police, Cooper County Sheriff, or other animal control authority of such fact.
- (ii) Quarantine. The Owner shall, upon demand by the Chief of Police, Cooper County Sheriff, or other animal control authority, surrender any such Dog for quarantine in a qualified shelter, or with a Licensed Veterinarian; provided that, if the Owner elects to place the Dog with a Licensed Veterinarian, such Owner shall provide the Chief of Police, Cooper County Sheriff, or other animal control authority with the name and contact information of such Licensed Veterinarian.
- (iii) Duration; Release. A Dog confined under this Section 5(h) shall be confined for a period of no less than ten (10) days and no more than two (2) weeks, but shall be released earlier if certified free of rabies by a Licensed Veterinarian.

- (iv) *Dog to be Destroyed if Infected with Rabies.* Any Dog found to be infected with rabies shall not be returned to the City, but shall instead be destroyed forthwith in a manner determined by a Licensed Veterinarian.
- (v) *Costs.* The costs of apprehension, transportation, confinement, quarantine, and destruction (if warranted) of a Dog under this Section 5(h) shall be paid by the Owner of the Dog. If the Owner fails and refuses to pay such costs, then such costs shall be recovered in a civil suit against said Owner.

## **Section 6: Enforcement; Impoundment of Dogs.**

- (a) **Authority of Chief of Police, Sheriff, and Others.** The Chief of Police, the Cooper County Sheriff, and other duly authorized animal control authority are authorized to enter any premises within the City where a Dog is present or Harbored, to inspect conditions under which the Dog is kept, and to require the Owner to exhibit a City tag for the Dog. No person shall hinder, molest, or interfere with the Chief of Police, Cooper County Sheriff, or other such animal control authority in the performance of his duties hereunder.
- (b) **Animals May be Seized.** Dogs not registered pursuant to Section 4 above, and Dogs and other Animals found At Large, unrestrained, or abandoned within the City may be seized and impounded by the Chief of Police, Cooper County Sheriff, or other animal control authority. Impoundment may be in any animal shelter, dog kennel, or any agency or facility engaged in the housing and keeping of Animals.
- (c) **Notice to Owner of Impounded Animal.** If an impounded Dog is wearing a City tag, or if the Owner of any impounded Animal can by any other reasonable means be identified and located, the Owner shall, within twenty-four (24) hours, be notified that such Dog or Animal has been impounded. If such Owner is not located, a notice shall be placed on the exterior door of City Hall.
- (e) **Method of Disposing of Animals Not Redeemed.** Any Animal not redeemed within five (5) days of impoundment may be disposed of by destruction, using a method approved by the Humane Society or an authorized animal control officer, or released for adoption to a new owner who shows evidence of ability and intention to provide the Animal with an appropriate home and humane care.
- (f) **Impoundment and Redemption Fees; Failure to Pay.**
  - (i) An Owner redeeming an Animal from impoundment shall pay, before release, an impoundment fee for the cost of caring and feeding said Animal during the period of impoundment.
  - (ii) An Owner redeeming an Animal shall, in addition to the aforementioned impoundment fee, pay to the City a redemption fee of Fifty Dollars (\$50.00), which fee shall be credited to the City's General Fund.

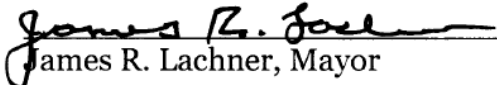
- (iii) If the Owner of an Animal so impounded fails and refuses to pay the aforementioned costs, said costs shall be recovered in a civil suit against such Owner.

**Section 7: Penalties.**

- (a) **Imposition of Fine; Confinement.** In addition to any other applicable fees described herein, a person convicted of an offense under this Ordinance No. 177C shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or by confinement in the Cooper County Jail for a period not exceeding thirty (30) days, or by both such fine and confinement. Each day that a violation of any provision of this Ordinance No. 177C continues shall be deemed a separate offense.
- (b) **Additional Costs.** In addition to any other applicable fees and/or penalties imposed, any person who violates any provision of this Ordinance No. 177C shall pay all expenses incurred with respect to the subject Animal(s), including shelter, food, handling, veterinary care, and transportation, as well as costs of enforcement, including but not limited to necessary witness testimony.

**Section 8: Effect.** This Ordinance No. 177C repeals and replaces Ordinance No. 177B, and shall take effect and be in full force immediately after its passage by the Board of Aldermen of the City and approval by the Mayor.

**Having previously been made available to the public, this Ordinance No. 177C was read two (2) times by title only and passed this 21<sup>st</sup> day of March, 2024.**

  
James R. Lachner, Mayor

Attest:   
Mary Sue Fontana, City Clerk

SEAL: