

## **CHAPTER 205: - ANIMAL CONTROL**

SECTION 205.010: - RESERVED

SECTION 205.020: - PURPOSE

The purpose of this Code is to protect the public health, safety and welfare of the animals and citizens of Raymore. These include but are not limited to:

1. To protect citizens and other animals from dangerous animals.
2. To minimize safety hazards and ensure that the public health and welfare will be safeguarded.
3. To ensure adequate care for animals.
4. To preserve the value of the property throughout the City.
5. To provide mechanisms for the enforcement and administration of this Code to ensure that the above purposes are accomplished.

SECTION 205.030: - APPLICABILITY OF CITY CODE

Owners of every animal/pet shall conform to the requirements of this Code, regardless of when an animal/pet was acquired.

SECTION 205.040: - INTERPRETATION

If any Section, Subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 205.050: - DEFINITIONS

For the purpose of this Chapter, the following words and phrases shall have the following interpretation and/or meanings indicated below:

*ABANDONED:* The condition of an animal being deserted, or having the protection of its owner or caregiver withdrawn.

*ADEQUATE CARE:* Normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal.

*ANIMAL:* Any living vertebrate or invertebrate creature, domestic or wild, except human beings.

**ANIMAL CONTROL OFFICER:** Any member of the Police Department, person, firm, association or corporation authorized by the City or contracted with the City to enforce this Chapter.

**AT LARGE:** An animal that is off the premises of the owner and not under the control of the owner or a member of their immediate family or their agent, by leash.

**BITTEN:** Any contact between an animal's mouth and teeth, and skin of a bite victim which causes visible trauma such as a puncture wound, laceration, abrasion, or other piercing of the skin.

**COURT:** The Raymore Municipal Court, a Division of the 17th Judicial Circuit Court of the State of Missouri.

**DANGEROUS ANIMAL:** Any animal declared to be a dangerous animal as set forth in Section 205.130 of the Raymore City Code.

**DOMESTIC ANIMAL:** Any animal domesticated by a person so as to live and breed in a tame condition.

**FENCE:** Any barrier consisting of posts, wire, boards or electronic means used to prevent entry to property or confine animals to the same.

**FOWL:** Hens, roosters, ducks, geese, turkeys, doves, pigeons, cornish game hens or other fowl raised for profit, hobby or kept as pets.

**KEEPING AND HARBORING:** To feed or shelter an animal at the same location for three (3) or more consecutive days.

**LIVESTOCK:** Horses, mules, sheep, goats, cattle, swine and other domesticated animals, excluding dogs and cats.

**OWNER:** In addition to its ordinary meaning, any person who keeps or harbors an animal or profession to be owning, keeping, or harboring an animal.

**PET:** Any animal kept for pleasure rather than utility.

**RESTRAINT:** An instrument or a means of restraining an animal either by electronic means, fence, leash or by verbal commands to which the animal immediately responds.

**SERVICE ANIMALS:** Any animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability or an animal trained for public safety purposes.

**UNPROVOKED:** Occurring without motivation or provocation.

*WILD ANIMAL:* Any animal which can normally be found living in a state of nature and not ordinarily tame or domesticated.

*WILDLIFE:* All wild or exotic 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.

#### SECTION 205.060: - LICENSE

It shall be unlawful for any person to own, keep or harbor any dog or cat over six (6) months of age living within the corporate limits of the City without registering such dog or cat and paying a license fee.

#### SECTION 205.070: - LICENSE REGISTRATION/FEE

- A. Any person, firm or corporation owning, keeping or harboring any dog or cat over the age of six (6) months living within the corporate limits of Raymore shall pay a license registration fee approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department. Proof of current vaccinations from a licensed veterinarian must be presented at the time of license registration for dogs and cats. Public safety and service animals are exempt from the license registration fee imposed by this Section.
- B. It shall be the duty of the City upon receipt of the license fee to keep in a record suitable for the registration of dogs and cats. Following payment of the registration fee, the owner will be provided a receipt and issued a metallic tag associated with the registration number.
  1. Lost tags. When a tag is lost, another may be issued according to the Schedule of Fees and Charges approved by the Governing Body and maintained in the Finance Department.
  2. Dog or cat tags—removal of. It shall be unlawful to remove the license tag of any animal which does not belong to that person.

#### SECTION 205.080: - LICENSE FEE-WHEN PAYABLE

The license fee shall be due on January first (1st) of each year. Applications made after January thirty-first (31st) are subject to a penalty approved by the governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department. Residents relocating to the City after January first (1st), may have the fee prorated to the nearest quarter of the year.

#### SECTION 205.090: - ANTI-RABIES VACCINATION REQUIRED

A. Should any dog or cat be picked up by the Animal Control Officer that does not have a current tag, and the owner is unable to show proof of vaccination, such owner, prior to release of the dog or cat, shall be responsible for any costs associated with impoundment.

#### SECTION 205.100: - NUMBER OF DOGS AND CATS

The owning, harboring or keeping of four (4) dogs and cats total over six (6) months of age upon any property in the City shall be deemed a nuisance. Upon adequately showing that the premises are so situated and that special circumstances exist which would not constitute a nuisance to the neighborhood, the owner or keeper may request a use variance from the Board of Adjustment under the Unified Development Code to keep or harbor a combination of more than four dogs or cats upon adequately showing that the premises are so situated and that special circumstances exist which would not constitute a nuisance to the neighborhood.

#### SECTION 205.110: - RUNNING AT LARGE UNLAWFUL

- A. It shall be unlawful for any owner, keeper or harbinger of an animal to allow an animal to run at large within the City. An animal shall be kept within the owner's private premises by some person in charge of the animal. An animal shall be deemed running at large unless:
  - 1. The animal is on the premises of the owner; or
  - 2. The animal is confined within a building, enclosure or the passenger compartment of a motor vehicle; or
  - 3. On a durable leash, cord, chain, similar restraint or under the physical control of a competent person who is capable of controlling the animal.
- B. The owner of any animal found running at large, shall be responsible for any costs associated with impoundment. Any owner who is in violation or fails to comply with any of the provisions of this Chapter shall be, upon conviction or a plea of guilty, subject to the penalty provisions provided for in Section 100.220 of the City Code.

#### SECTION 205.115: - IMPOUNDMENT

- A. Any animal found in the City running at large in violation of Section 205.110 or otherwise in violation of this Chapter, may be placed in the City animal shelter.
- B. Every animal placed in the City's animal shelter shall be held for recovery by the owner for a period of not less than five (5) regular business days. (A regular business day is a day during which the animal shelter is open for business to the public.)
- C. Upon the impoundment of any animal, the owner of the animal, if known, shall be notified. If the owner is unknown, all efforts shall be made to identify and contact the owner.
- D. In case the owner shall desire to reclaim the animal from the animal shelter, the owner must:

1. If the owner is a resident of the City, produce proof that the animal has a valid City license;
  2. If the owner is not a resident of the City, produce proof that the animal has had a valid rabies vaccination as required by this Chapter;
  3. Pay all maintenance costs, as established from time to time by the City, for keeping the animal while in the animal shelter as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department;
  4. Pay the impoundment fee as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department.
- E. If an impounded animal is not reclaimed by the owner within five (5) days after impoundment and notice of such impoundment, the animal may be placed in a good home or transferred to another facility for adoption.

#### SECTION 205.120: - FEMALE DOGS AND CATS

It shall be unlawful to keep or harbor any female dog or cat within an unconfined area during such time as she is in heat. The owner shall keep such dog or cat confined in a building or secure structure or in a veterinary hospital or boarding kennel in a manner that such female animal cannot come in contact with other animals.

#### SECTION 205.130: - DANGEROUS ANIMALS

- A. It shall be unlawful for any person's animal to inflict or attempt to inflict bodily injury to any person or other animal whether or not the owner is present. However, this shall not apply to an attack by a dog under the control of a Law Enforcement Officer or to an attack upon an uninvited intruder who has entered the owner's property with criminal intent.
- B. A dangerous animal is one that:
1. Has inflicted a severe or fatal injury on a human being. ~~(Severe injury means any physical injury resulting directly from an animal's bite that results in broken bones, lacerations requiring stitches or in-patient hospitalization. A victim who receives severe injuries must provide the Police Department with a signed physician's statement documenting injury and treatment qualifying such as a severe injury or sign an authorization for release of such statement;~~
  2. Has killed a dog, cat or other domestic animal without provocation while off the owner's property;
  3. Is owned or harbored primarily or in part for animal fighting;
  4. Has bitten a human being without provocation on public or private property;

5. When unprovoked, chases or approaches a person upon the streets, sidewalks or any public grounds or private property other than the property of the owner in a menacing fashion or apparent attitude of attack, regardless of whether or not a person is injured by such animal; or
  6. Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise threaten the safety of human beings and domestic animals.
- C. Law Enforcement Officers shall have the authority to designate any animal as a dangerous animal upon receiving evidence that the animal meets any of the criteria for a dangerous animal set forth in Subsection (B) above. When such a designation is made, at least one (1) owner of the animal, if known, shall be served a summons notifying the person of the designation and informing them of their right to appeal such designation by appearing in court. Pending a disposition by the court, the animal must be confined in such a manner as determined by the Animal Control Officer. The Animal Control Officer shall be authorized to require confinement of the animal by permitting the owner to have the animal confined at a veterinary facility or kennel, or by permitting the animal to be confined on the owner's premises in such secure facilities as are approved by the Animal Control Officer. If the animal is deemed dangerous by the court, the court shall issue an order to have the animal euthanized or removed from the City. If removal is authorized by the court, the animal shall be placed in the custody of Animal Control while the owner makes immediate arrangements to have the animal removed from the City. If the animal is not removed within twenty-four (24) hours, animal control shall make arrangements for humane euthanization after an order from the Raymore Municipal Judge.
- D. Exceptions to dangerous animal classification:
1. With the exception of Subsection (B)(1) above, no animal may be declared to be dangerous 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 animal; was teasing, tormenting, abusing or assaulting the animal; has in the past been observed or reported to have teased, tormented, abused or assaulted the animal; or was committing or attempting to commit a crime.
  2. With the exception of Subsection (B)(1) above, the Animal Control Officer may, because of extenuating circumstances, determine from the investigation of an incident that an animal is not dangerous. However, the owner may be warned of the animal's tendencies and to take appropriate action to prevent subsequent incidents. This, however, does not exempt the owner from being cited for other Animal Control ordinance violations.
- E. Any owner of an animal declared to be a dangerous animal and is in violation of, or failure to comply with any of the provisions of this Section shall be, upon

conviction or a plea of guilty, subject to the penalty provisions provided for in Section 100.220 of the City Code. In addition, the dangerous animal shall be subject to immediate seizure and impoundment.

#### SECTION 205.135: - TRAPPING-TAMPERING WITH TRAPS

It shall be unlawful for anyone to set or use traps within the City limits unless authorized by the Police Department. If a trap is approved, said property owner may request a trap from Animal Control and immediately inform Animal Control if an animal is caught. Furthermore, it is a violation of this Section for anyone to tamper with, alter or otherwise damage any trap set by Animal Control.

#### SECTION 205.140: - RESERVED

#### SECTION 205.150: - ANIMAL BITES-QUARANTINE

If it has been determined that an animal has bitten a human or another animal, the animal is to be quarantined for a period of no less than ten (10) days and may be placed at the residence of the owner at the discretion of the Animal Control Officer, if a current rabies vaccination record is produced. If no current rabies vaccination record exists, the animal will be quarantined in the City's animal shelter or a veterinarian of the Animal Control Officers choosing, and the owner shall be notified of the location of quarantine. The animal must remain within the City limits for the entire period of quarantine.

#### SECTION 205.160: -RESERVED

#### SECTION 205.170: - CITY TO BE NOTIFIED-RABIES CONTROL

If an animal infected with rabies is delivered to a veterinary hospital or clinic, notice of the name and location of such hospital or clinic shall be immediately furnished to the City by the owner, keeper of such animal, or Animal Control Officer. In addition, the City shall be notified immediately by the veterinarian in charge of an animal in the event of the death of the animal while under observation in a veterinary hospital or animal clinic.

#### SECTION 205.180: - VETERINARY CARE REQUIRED-RABIES CONTROL

It shall be the duty of the owner or keeper of any infected animal upon receiving notice of the infection to immediately place such animal in a duly licensed veterinary hospital or clinic where the animal shall be confined for a period of at least ten (10) days or to convey or cause such animal to be conveyed to an animal shelter which is to be designated by the City, where such animal shall be secured or confined for a period of at least ten (10) days, at the expense of the owner or keeper of said animal.

#### SECTION 205.190: - CERTAIN ANIMALS MAY BE EUTHANIZED

Animals that are so severely diseased, dangerous, or injured, may be euthanized without impoundment by any licensed veterinarian or Law Enforcement Officer.

#### SECTION 205.200: - ANIMAL NEGLECT OR ABANDONMENT

- A. A person is guilty of animal neglect when they have custody or ownership or both of an animal and fails to provide adequate care or adequate control which could result in harm or inhumane conditions to the animal.
- B. A person is guilty of animal abandonment when they have knowingly abandoned an animal in any place without making provisions for its adequate care.
- C. Animal neglect or animal abandonment are ordinance violations. Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.
- D. In addition to any other penalty imposed by this Section, the court may order a person found guilty of animal neglect or animal abandonment to pay all reasonable costs and expenses necessary as allowed by RSMo. 578.009.

#### SECTION 205.205: - RESCUE OF ANIMAL FROM VEHICLES UNDER DANGEROUS WEATHER CONDITIONS

Whenever any animal is found confined in a motor vehicle in a public place under weather conditions that endanger its life as determined by Animal Control or a Law Enforcement Officer, The Officers are authorized to enter such vehicle and rescue such animal and impound it in accordance with this Chapter. A prominent written notice shall be left on the vehicle advising that the animal has been removed and impounded in accordance with this Section.

#### SECTION 205.210: - NOISY ANIMALS

The keeping or harboring of any animal which is frequently and habitually loud (barking, howling, yelping or making any other loud or unusual noise) and frequently disturbs the peace of any neighborhood, based on a signed complaint, is prohibited and declared to be a public nuisance and unlawful under this Code. It shall be the duty of any person harboring or keeping such loud animal to abate said nuisance, and if they fail to do so, the City may impound the animal or take any other appropriate action to abate said nuisance.



## SECTION 205.215: - OFFENSIVE ODORS

It shall be unlawful for any person to keep any animals in a pen, shed, yard or other confined area within the City limits from which offensive odors are emitted. The maintaining of animals in such conditions shall be a violation of this Section.

## SECTION 205.220: - PUBLIC NUISANCES

Any animal or group of animals which behave in the following manner will be considered a public nuisance:

1. Molests any passerby or chases passing vehicles, including bicycles, when upon public property.
2. Attacks any other animal.
3. Is in heat and not properly confined.
4. Is running at large.
5. Damages public or private property.
6. Barks, whines, howls, meows or creates any other disturbance which is continuous or untimely so as to disturb an individual who is a neighbor and who does in writing state they will so testify if called upon to testify about such matter under oath. For purposes of this Section, a "neighbor" is defined as an individual residing in a residence structure which is within one hundred (100) yards of the property on which the animal is kept or harbored.
7. Is ridden, driven or led on public property in such a manner to obstruct or interfere with vehicular or pedestrian traffic.
8. Causes injury to a person.
9. Threatens or causes a condition which endangers public health or safety.
10. Impedes refuse collection by ripping any bag or tipping any container of refuse.
11. If a neighbor signs a complaint that the animal is entering upon the neighbor's property and it is found on that neighbor's property after that complaint.

## SECTION 205.230: - EXOTIC AND WILD ANIMALS

- A. It shall be unlawful for any person to own, keep or harbor any non-human living creature that is not customarily regarded as capable of being domesticated or any non-human living creature whose size, inherent characteristics, physical attributes or dangerous propensities make it a threat to human health whose nature precludes it being safely kept in captivity or to whom captivity would be detrimental to its health.

- B. With the exception of areas zoned agricultural or rural estate, the following animals are specifically prohibited: chickens, turkeys, pot bellied pigs, ducks, sheep, goats, and otters.
- C. Zoological parks performing animal exhibitions and circuses are exempt from the requirements of this Chapter and may exhibit, display or allow wild animals to perform upon acquiring the proper permits to do so under the Codes of the City.
- D. Any person finding or capturing any wild animal shall make a report to the Animal Control Officer within twenty-four (24) hours of the time of capture.
- E. Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.

SECTION 205.240: - ANIMAL ABUSE

- A. A person is guilty of animal abuse when a person violates the provisions of 578.012 RSMo.

SECTION 205.250: - ASSAULT ON A POLICE ANIMAL

A person commits the offense of assault on a Police animal as provided for in 575.353 RSMo.

SECTION 205.260: - ANIMAL FIGHTING UNLAWFUL

It shall be unlawful for any person to promote, train animals for, conduct, participate in or collect any monies from or on account of non-human animal fighting. Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.

SECTION 205.270: - REMOVAL OF EXCREMENT

- A. No person owning, keeping or having custody of a dog or cat shall allow or permit excrement of their animal to remain on public property, private property other than the owner of the animal without consent of the owner or occupant or allow the excrement to cause foul odor on the owner's property.
- B. Any person owning, keeping or having custody of an animal shall immediately remove the excrement deposited by the animal if deposited on property other than that of the owner of the animal.

SECTION 205.280: - RESERVED

SECTION 205.290: - KENNELS

Any person, firm or corporation that maintains in this City a kennel where dogs are kept for sale having obtained a license under this Code shall not be required to obtain dog licenses for such dogs under this Code.

SECTION 205.300: - OFFENSES INVOLVING TAGS

It is unlawful to counterfeit or transfer animal license tags.

SECTION 205.310: - TAG REFUND

No refunds shall be made on any animal license fee because of the animal leaving the City before the expiration of the license or death of the animal.

SECTION 205.320: - IMPOUNDING FEES

Any animal impounded in the public animal shelter of the City shall be released to the owner upon compliance with Section 205.115 and payment of impoundment and maintenance fees approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department.

SECTION 205.330: - NOTICE TO OWNER

Notice of impoundment shall immediately be made, if possible, by the City to the owner or keeper of the animal as shown by the licensing records of the City or if known to the Animal Control Officer. Failure to receive such notice, within five (5) days, shall not prevent the City or its authorized agency from carrying out the provisions of this Chapter.

SECTION 205.340-205.350: - RESERVED

SECTION 205.360: - INTERFERENCE WITH OFFICERS

It is unlawful for any unauthorized person to take or attempt to take from any Officer any animal taken up by them in compliance with this Code or in any manner to interfere with or hinder such Officer in the discharge of their duties under this Code.

SECTION 205.370: - PENALTY FOR VIOLATIONS OF CHAPTER

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.