

Date July 1, 2019ORDINANCE NO. 07-01-19-01

AN ORDINANCE REGULATING THE OWNERSHIP AND POSSESSION OF ANIMALS IN THE UNINCORPORATED AREAS OF CAMDEN COUNTY, MISSOURI UNDER THE AUTHORITY GRANTED IN SECTION 192.300 RSMo AND SECTIONS 322.090 THRU 322.30 RSMo. IN ORDER TO PROTECT AND PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE OF RESIDENTS AND VISITORS TO CAMDEN COUNTY, MISSOURI; AND TO PROVIDE FOR THE WELFARE OF DOMESTICATED ANIMALS.

BE IT ORDAINED BY THE COUNTY COMMISSION OF CAMDEN COUNTY, MISSOURI AS FOLLOWS:

NOW THEREFORE, be it Ordained by the County Commission of Camden County, Missouri as follows:

Section 1. DEFINITIONS. For purposes of the within Ordinance, the following definitions shall be applied, although the following definitions shall not be considered exclusive definitions:

- A. Adequate Control: to reasonably restrain or govern an animal so that an animal does not injure itself, any person, any other animal, or property.
- B. Animal: Any living vertebrae member of the animal kingdom, excluding man.
- C. Animal Control Officer: An officer employed or appointed to enforce this Ordinance, the animal welfare laws of the State of Missouri, and the regulations and procedures there under.
- D. Breeding: The activity of keeping and caring for animals in order to produce more animals. The offspring are then sold or given away
- E. Cat: A male or female of the Feline family over six (6) months of age.
- F. Dog: A male or female of the Canine family over six (6) months of age.
- G. Health Director: The Director of the Camden County Health Department as appointed by the Camden County Commission.
- H. Health Official: An employee of the Camden County Health Department appointed by the Health Director to administer or enforce the provisions of the Ordinance.

- I. Own or Possess: A property interest in an animal, actual or claimed, or the exercise of dominion or control over an animal, or the intent to exercise dominion or control over an animal with the present ability to do so.
- J. Person: Any natural person, business entity of any type, corporation, trust, association of any type or any other legal entity, or any agent, officer or employee of any of the foregoing.
- K. Rabies Compendium: The most current edition of a document by that name published by the National Association of State Public Health Veterinarians which serves as a standard for rabies vaccine, treatment, and policy.

Section 2. VACCINATION OF PETS:

- A. No person shall own or possess a dog or non-feral cat over three (3) months of age unless such dog or cat is vaccinated with a rabies vaccine approved and listed in the current year's Rabies Compendium and administered by a licensed veterinarian.
- B. The owner/possessor shall produce proof thereof upon request of a health official, animal control officer, or law enforcement officer. Dogs must display a current vaccine certificate tag if wearing a collar.
- C. If the dog is over nine (9) months of age it must be microchipped with the owner's/possessor's address and contact information or may have a collar with a tag showing such information.

Section 3. GENERAL OVERVIEW OF ANIMALS:

- A. No person shall allow an animal to run at large in Camden County, Missouri, unless confined to the property of the owner by a fence, electronic fence or device which prevents the animal from leaving the property of the animal owner. Any Health Official, Animal Control Officer, or law enforcement officer is authorized to capture and impound any animal that may be found running or being at large in Camden County, Missouri.
- B. Every person who owns or possesses any animal shall attend to the needs of such animal by providing wholesome food, clean water, shelter and health care as necessary to maintain the animal's good health, and shall not allow animal to exist in an unhealthy or unsafe environment or in extreme temperature circumstances that may cause harm or death to the animal. Animal Control Officer, law enforcement officer, or Health Officer may enter a residence or vehicle in the event an animal is in danger of imminent injury or death.
- C. No person shall abandon an animal in Camden County. If found guilty of animal abandonment, said person shall be levied a fine of \$500.00 for each abandoned animal. Abandoned animals may be placed for adoption.

- D. Every such person shall take all reasonable and necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from their animal's behavior regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity. Owner may be held financially responsible for any and all damages or injury to person and property.

Section 4. GENERAL OVERVIEW DOGS:

- A. It shall be unlawful for any dog to be unconfined or unrestrained. No person who owns or possesses an animal shall permit such animal to be unconfined or unrestricted, unless such animal is on real estate owned or lawfully possessed by another person that has expressly consented to the presence of such dog; or such dog is in a motor vehicle being driven or parked upon a public road (provided animal is protected from temperature extremes), or such dog is engaged with its owner or possessor in hunting or trailing, or such dog is under immediate control of its owner or possessor by means of a leash, electronic collar or device or trained command. The provisions of this section are not intended, nor shall be construed to abrogate or modify any other provision of law pertaining to trespass or the rights and privileges pertaining to ownership or possession of real or personal property.
- B. The owner or possessor of a female dog in heat or estrus shall confine the animal within a building or secure enclosure, or otherwise handle such dog in a manner that it is not accessible to other dogs, except for planned breeding
- C. Each female dog, whether used for breeding and sale of pups or not, shall be limited to two litters per year. There shall be an annual breeding permit fee of \$25.00 per female per year to be paid by the owner of the female dog used for breeding.
- D. No person who owns or possesses a dog shall permit such dog to bite or attack a human being or domesticated animal except use by law enforcement police dogs, or dogs in defense training involving a person properly prepared as an attack target, or dogs lawfully defending persons or property. Owner shall be financially responsible for any injuries due to bites or attacks.

Section 5. ADMINISTRATION /ENFORCEMENT OF REGULATIONS:

- A. The provisions of this Ordinance shall be administered by the Health Director who shall be appointed by the Camden County Commission and serve at the pleasure of the Commission.
- B. The Health Director is hereby authorized to appoint or designate such other health officials, animal control officers, or other law enforcement officers authorized by this Ordinance for the purpose of assisting the Health Director in administering or enforcing the same.
- C. All such appointments shall be subject to the discretionary review and approval of the Camden County Commission.

Section 6. INTERFERENCE WITH HEALTH OFFICIALS/ANIMAL CONTROL OFFICERS:

- A. No person shall knowingly interfere with any person appointed under the provisions of this Ordinance in the performance of his/her official duties under this Ordinance or as provided by State law.
- B. No person shall refuse to deliver an animal to an animal control officer when requested to do so under impoundment provision of the Ordinance.
- C. No person shall remove an animal from the custody of a licensed veterinarian, an animal control officer, or animal shelter by force, deceit or otherwise, when such animal has been impounded for rabies observation.

Section 7. IMPOUNDMENT, GENERAL: Any animal owned, possessed or otherwise found to be in violation of this Ordinance or other provision of State law may be impounded and placed in an animal shelter by a health official, an animal control officer or a law enforcement officer.

Section 8. DOG AND CAT IMPOUNDMENT FOR OBSERVATION:

- A. Any dog or cat **without proof of current rabies vaccination** which bites or otherwise injures any human being shall be impounded for observation and be securely confined by an animal control officer at an animal shelter or by a licensed veterinarian of the owner's /possessor's choice for a period of ten (10) days after the reported bite or injury for observation for symptoms or manifestation of rabies at owner's full expense.
- B. Dogs or cats **with proof of current rabies vaccination** which bites or injures a human being may be quarantined at the owner's home for ten (10) days after the incident at the discretion and approval of the Animal Control Officer. Animal Control Officer retains right to monitor status of quarantined animal on minimum of daily basis. If found to be noncompliant with quarantine requirements, animal will be seized and taken to licensed veterinarian's office or animal shelter for remainder of quarantine at full expense of owner.
- C. If such dog or cat exhibits symptoms or manifestation of being infected with rabies, in the opinion of a licensed veterinarian, Animal Control Officer, or Health Director; then such dog or cat shall be humanely euthanized and head of animal submitted for rabies testing through MO State Public Health Laboratory.
- D. If dog or cat exhibits no symptoms or manifestations of rabies after required observation period, then such animal shall be returned to its owner/possessor, if known. Otherwise it shall be vaccinated against rabies and put up for adoption.

Section 9. IMPOUNDMENT OF SUSPECTED RABIES CARRIER: Any warm-blooded animal other than a dog or cat which is reasonably suspected to be infected with rabies in the opinion of an animal control officer or health official may be seized, impounded and upon direction of the Health Director, may be humanely euthanized if found to have rabies.

Section 10. ISOLATION AND QUARANTINE: The Health Director may order the temporary isolation or quarantine of domestic or wild animals reasonably suspected of having a contagious communicable disease which may directly or indirectly affect human health or food or water supplies until such time as the State veterinarian or other state or federal agency having jurisdiction assumes responsibility for animal disease management and determination of the need for further disease control measures.

Section 11. PENALTY

- A. Upon complaint, law enforcement may issue the person who owns or has custody of an offending animal a warning unless the law enforcement officer determines the animal has caused property damage or physical injury to another or the owner is a repeat offender.
- B. Excluding any charges for Animal Abandonment as addressed in Section 3, any person, firm or corporation convicted of violating any of the provision of this Ordinance shall be deemed guilty of an Ordinance violation and shall be punished by a fine of not less than \$50.00 nor more than \$200.00 for a first offense. For second or subsequent offenses, a fine of not less than \$100.00 nor more than \$500.00 shall be assessed, or imprisonment in the county jail for not more than thirty (30) days, or community service work, or any combination of these penalties. In addition, court costs shall be levied against the guilty party. The Court shall have the authority to order the defendant to pay for any costs of the care, housing and veterinary or medical care for an impacted animal or victim, as applicable.
- C. All fines or other penalties for a first violation/conviction under this Ordinance may be waived by the Court, provided that the person found guilty demonstrates that adequate and permanent remedies have been made. Reasonable cost incurred for the care and maintenance of impounded animals may not be waived.
- D. If any violation of this Ordinance continues, each day of said violation shall be deemed a separate violation.
- E. As part of the sentence for a violation of this Ordinance the Court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation.

Section 12. EXEMPTION: Any animal used by law enforcement officers for enforcement, protection and rescue activities shall not be subject to the provisions of the ordinance while in performance of law enforcement, protection or rescue activities. At all other times animals used by law enforcement shall be subject to the provisions of the Ordinance. Furthermore, designated service animals shall be exempt from some portions of this Ordinance as provided for federal law.

Section 13. REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County,
Missouri, on the 15th day of JULY, 2019.


CAMDEN COUNTY, MISSOURI

(Seal)



By: _____


Greg Hasty, Presiding Commissioner


Beverly Thomas, 1st District Commissioner


Don Williams, 2nd District Commissioner

Attest:

 7/3/19
County Clerk

Approved as to Form:


Charles E. McElyea