

CHAPTER 210: ANIMAL REGULATIONS

ARTICLE I. DOGS AND CATS

SECTION 210.010: OWNER DEFINED

As used in this Chapter, "owner" means any person, firm or corporation, harboring or keeping a dog or cat. (CC 1984 §73.010; Ord. No. 73.010 §1, 6-14-93)

SECTION 210.020: LIMITATION ON NUMBER OF CATS OR DOGS

No family or group of persons living in a dwelling shall keep, maintain, harbor or own more than four (4) cats or four (4) dogs or more than a total of four (4) dogs and cats, over the age of three (3) months on or about the lot, unless issued a kennel license as provided in Chapter 625. (CC 1984 §73.015; Ord. No. 73.010 §1, 6-14-93; Ord. No 02-07 §1, 3-11-02)

SECTION 210.030: LICENSE REQUIRED FOR DOGS AND CATS

No owner shall keep or harbor any dog or cat above the age of three (3) months within the City limits of Buffalo, Missouri, unless a license therefore has first been secured. Licenses shall be issued by the City Clerk of Buffalo, Missouri, for a fee of two dollars (\$2.00). Licenses shall expire on the thirty-first (31st) day of May, next following their issuance. Dog or cat tags are not transferable and no refund shall be made on any dog or cat license fee because of leaving the State or City of Buffalo, Missouri, or death of the dog or cat before the expiration of the license period. Regardless of when purchased, the full fee shall be paid for the license. (CC 1984 §73.020; Ord. No. 73.010 §1, 6-14-93; Ord. No 02-07 §1, 3-11-02)

SECTION 210.040: METHOD OF SECURING DOG OR CAT LICENSE

No dog or cat license shall be issued unless the owner shows that said dog or cat has a current rabies vaccination by presenting to the City Clerk a certificate of current rabies vaccination issued by a veterinarian licensed by the State of Missouri. For purposes of this Article, "current rabies vaccination", means that the expiration date of the rabies vaccination as indicated on said certificate shall not be sooner than the May thirty-first (31st) next following the application for license. Upon payment of the license fee, the Clerk shall execute a receipt in duplicate; he/she shall deliver the original receipt to the person who pays the fee, retaining the duplicate. He/she shall also procure a sufficient number of suitable metallic tags and he/she shall deliver one (1) appropriate tag to the owner when the fee is paid. Duplicate tags will be issued by the City Clerk of Buffalo, Missouri, upon satisfactory proof that a license has been purchased and lost, for a fee of fifty cents (\$0.50). (CC 1984 §73.030; Ord. No. 73.030 §2, 10-11-93)

SECTION 210.050: AFFIXING TAGS

The owner shall cause the City license tag and the rabies vaccination tag issued by a licensed veterinarian to be affixed by a permanent metal fastener to the collar of the dog or cat so licensed in

such a manner that the tag may easily be seen by the officer and employees of the City of Buffalo, Missouri. The owner shall see that the tag is constantly worn by such dog or cat.
(CC 1984 §73.040; Ord. No. 73.010 §1, 6-14-93)

SECTION 210.060: OFFENSES INVOLVING TAGS

It is hereby made unlawful for any person to take from any dog or cat a tag legally placed upon it with the intent to place it upon another dog or cat or to place such tag upon another dog or cat.
(CC 1984 §73.050; Ord. No. 73.010 §1, 6-14-93)

SECTION 210.070: AT LARGE DEFINED

For the purpose of this Chapter, the term "*at large*" is defined to be and mean off the premises of the owner. A dog or cat is not "*at large*" if off the premises of the owner and under the control of a person, either by leash, cord or chain. (CC 1984 §73.060; Ord. No. 73.010 §1, 6-14-93; Ord. 96-29 §1-2, 8-12-96)

SECTION 210.080: RESTRICTIONS AND IMPOUNDING—UNLICENSED DOGS TO BE SHOT

- A. It shall be unlawful for the owner of any dog or cat to allow said dog or cat to run at large.
- B. Dogs or cats not licensed pursuant to this Chapter, or found to be at large as designated above, whether bearing license or not, may be picked up and impounded by any Police Officer or designated City employee or may be forthwith shot and disposed of by any Police Officer or designated City employee if, in their opinion, to allow said dog or cat to remain unrestrained would create a threat, harm or disease.
- C. The City Clerk shall be notified on the following work day that any animal is impounded.
- D. The Police Officer or designated City employee may elect not to immediately pick up and impound a dog or cat not licensed pursuant to this Chapter or found to be at large, but may serve notice on the owner of the violation as follows:

NOTICE OF VIOLATION

TO: _____ DATE: _____

RE: A dog/cat of the following description Sex: _____ Color: _____

Breed: _____ Approximate Age: _____

You are in violation of the following Sections of the Code of Ordinances for the City of Buffalo:

- () Section 210.030 requiring the owner of any dog or cat above the age of three (3) months within the City limits of Buffalo, Missouri, to obtain a license for the dog or cat. You

must obtain a rabies shot and a license for said animal within five (5) days or the animal will be impounded and you will be subject to the penalties as set forth below.

() Section 210.080 which provides that it is unlawful for the owner of any dog or cat to allow said dog or cat to run at large.

E. Violations of these ordinances are punishable by a fine not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00) or by confinement in the City Jail or County Jail for a period of not greater than thirty (30) days, or by both such fine and confinement for each violation. (CC 1984 §73.070; Ord. No. 73.010 §1, 6-14-93; Ord. No. 96-29 §1-2, 8-12-96; Ord. No 02-07 §1, 3-11-02)

SECTION 210.090: NOTICE OF IMPOUNDING

A. Upon taking up and impounding any dog or cat as provided above, an officer or City employee shall promptly post on the City Hall Bulletin Board a Notice of Impounding as follows:

NOTICE OF IMPOUNDING

Date

To Whom It May Concern:

I have this day taken up and impounded in the pound of the City of Buffalo, Missouri, at Street, a dog/cat answering to the following description: Sex __, Color _____ Breed _____ Approximate Age _____ Name of Owner _____.

Notice is hereby given that unless dog/cat is claimed and redeemed on or before _____ o'clock A.M./P.M. on the _____ day of _____, 200__, the same will be disposed of as provided by Section 210.090 of the City Code.

Signed: _____

B. The date of disposal of dog/cat shall be the fifth (5th) day after the posting of this notice unless that date falls on a Saturday or Sunday or holiday, in which case it shall be the following weekday. If a dog/cat is impounded bearing a license then an effort will be made to contact the person to whom the license is issued. (CC 1984 §73.080; Ord. No. 73.010 §1, 6-14-93)

SECTION 210.100: HOW DOGS AND CATS REDEEMED

No cat or dog shall be redeemed from the pound by the owner except upon compliance with Subsections (1) and (2) below:

1. Owners shall present to the Clerk a certificate of rabies vaccination issued by a licensed veterinarian within the past year. In the event the owner is unable to present such certification, then he/she will be required to post with the City Clerk a bond of fifty dollars (\$50.00) cash

which shall be returned to the owner if the owner presents a certificate of rabies vaccination issued by a licensed veterinarian within seven (7) days of posting said bond. After seven (7) days the said bond shall automatically forfeit to the City if not redeemed sooner.

2. The owner shall, within the time stated in the notice, pay to the Clerk the license fee for the current year in the case of a dog or cat plus an impounding fee of twenty dollars (\$20.00) and five dollars (\$5.00) per day for each day the dog or cat is confined in the pound as the cost of feeding.

Upon presentation of the certificate of the Clerk that the owner has complied with Subsections (1) and (2) above, the City Officer or employee shall release to any owner the cat or dog claimed by him/her. Any cat or dog impounded may be transferred to Dogwood Animal Shelter or another animal care facility which meets Missouri Department of Agriculture regulations and shall be held for a total of five (5) days excluding Saturday, Sunday or holidays. After which time the animal becomes the property of the animal care facility. The City shall negotiate the fee to be paid to Dogwood Animal Shelter or another animal care facility. (CC 1997 §73.090; Ord. No. 73.010 §1, 6-14-93; Ord. No. 95-08 §§1-2, 5-8-95; Ord. 97-02 §§1-2, 1-13-97)

SECTION 210.105: VICIOUS DOGS

A. As used in this Chapter:

1. "*Vicious dog*" means:

- a. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals;
 - b. Any dog which because of its size, physical nature, or vicious propensity is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life or property if it were not kept in the manner required by this Chapter; or
 - c. Any dog which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or
 - d. Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.
2. A vicious dog is "*unconfined*" if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one (1) foot. All such pens or structures must be kept in a clean and sanitary condition.

B. The owner of a vicious dog shall not suffer or permit the dog to go unconfined.

C. The owner of a vicious dog shall not suffer or permit the dog to go beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or lease, and under the physical restraint of a person. The muzzle shall be made in a manner that will not cause injury to

the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

- D. The owner of a vicious dog shall display in a prominent place on his or her premises a clearly visible warning sign indicating that there is a vicious dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal.
- E. Owners of vicious dogs must within thirty (30) days of August 12, 1996, provide proof to the City Clerk of public liability insurance in the amount of at least fifty thousand dollars (\$50,000.00) insuring the owner for any person injuries inflicted by his or her vicious dog. (Ord. No. 96-29 §2, 8-12-96)

SECTION 210.110: CATS OR DOGS CAUSING NUISANCES

No person shall keep any cat or dog which, by frequent howling, barking, baying, yelping or squalling, shall disturb the peace of the neighborhood.
(CC 1984 §75.410; Ord. No. 73.500 §1, 9-9-91)

SECTION 210.120: PROHIBITIONS AND PENALTIES

- A. It shall be unlawful for any person to abandon any cat or dog within the corporate City limits of the City of Buffalo, Missouri, or to permit any dog or cat abandoned by him or her in the vicinity of the corporate limits of the City of Buffalo, Missouri, to stray within the corporate limits of the City of Buffalo, Missouri.
- B. It is unlawful for any unauthorized person to break open the pound or to attempt to take from any officer any dog or cat taken up by him/her in compliance with this Chapter or in any manner to interfere with or hinder such officer in the discharge of his/her duties under this Chapter.
- C. Any owner who shall violate any of the provisions of this Chapter shall upon conviction, be subject to a fine of not less than ten dollars (\$10.00) or more than one hundred dollars (\$100.00) or by confinement in the City Jail or County Jail for a period of not greater than thirty (30) days, or by both such fine and imprisonment. Each and every occurrence shall be an additional violation and a separate offense. (CC 1984 §73.100; Ord. No. 73.010 §1, 6-14-93; Ord. No. 96-29 §§1–2, 8-12-96)

ARTICLE II. CRUELTY TO ANIMALS

SECTION 210.130: 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 Sections 578.005 to 578.023, and 273.030, RSMo.;
- 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.

For the purposes of this Section, "animal" shall be defined as a mammal.

SECTION 210.140: ANIMAL NEGLECT

A person is guilty of animal neglect when he has custody or ownership or both of an animal and fails to provide adequate care or adequate control, including, but not limited to, knowingly abandoning an animal in any place without making provisions for its adequate care which results in substantial harm to the animal.

SECTION 210.150: ANIMAL FIGHTS PROHIBITED

No person in the City shall maintain any place where fowl or animals are suffered to fight upon exhibition or for sport or upon any wager. (CC 1984 §73.440)

SECTION 210.200: FERAL CAT COLONIES

- A. Definition - A feral cat colony is a group of non-domestic cats living in a common or public defined area and which has a caretaker and has received approval from the Feral Cat Colony Coordinator and the City's Animal Control Officer to exist.
- B. Feral Cat Colony Coordinator - Is a volunteer and citizen of Buffalo who agrees to coordinate all feral cat colonies within the City of Buffalo. Said coordinator shall be recommended by the Animal Control Officer and appointed by a majority vote of the Board of Alderman. Said coordinator shall perform the duties as listed in this section and may be removed for any reason by a majority vote of the Board of Alderman. If a volunteer coordinator is removed or resigns from the position and another coordinator is not appointed under this ordinance the feral cat colonies will cease to exist legally under the Buffalo City Code and the cats shall be considered to be at large and thus subject to impoundment by the Animal Control Officer.
- C. Feral cat colonies may exist within the city limits of the City of Buffalo, if the same are registered with the Feral Cat Colony Coordinator and maintained as set forth herein. The colony shall be registered with the Feral Cat Colony Coordinator and a caretaker designated as responsible for the same. The registration shall specify the location of the colony.
- D. The caretaker shall:
 1. Insure that the animals within the colony are fed on a regular basis, including holidays, weekends, and during inclement weather, including in the absence of the caretaker.
 2. Sterilize or neuter all cats over the age of four months.
 3. Insure that all cats within the colony which are over the age of three months are vaccinated for rabies.

4. Remove kittens from the colony which are between the ages of six (6) and eight (8) weeks of age.
 5. Remove sick or injured cats from the colony for veterinary care or humane euthanasia.
 6. Maintain proof of sterilization, vaccination, identifying markings and medical records for all cats in the colony.
 7. Provide proof of any of the above requirements to the Feral Cat Colony Coordinator, City Animal Control Officer, or other designated City representative upon request.
 8. Understand that funding these requirements will not come from the City of Buffalo.
- E. The City Animal Control Officer shall immediately seize and remove all or any parts of a feral cat colony if, in the opinion of the Animal Control Officer, removal is necessary for the public health or public safety, including, but not limited to, public safety concerns regarding rabies or other epizootic and zoonoses.
- F. The City Animal Control Officer shall remove any cats within a feral colony which are creating a public nuisance, or which are being kept in violation of the requirements of this ordinance. The Animal Control Officer, may, but is not required to, give notice of the nuisance or violation, to the caretaker, and give the caretaker a reasonable period of time to correct the same.
- G. The Feral Cat Colony Coordinator shall be responsible for ensuring caretakers are following the guidelines required by this section and shall provide proof of the same to the Animal Control Officer immediately upon request. The Feral Cat Colony Coordinator shall assist the Animal Control Officer in removing cats from colonies as required by this section. The Feral Cat Colony Coordinator shall get approval from the Animal Control Officer prior to allowing any new colonies to be lawfully formed as prescribed by this section. (Ord. No. 03-05 §1, 4-14-03; Ord. No. 03-27 §§1–2, 11-10-03)