

St. Louis, Missouri - Ordinances

[Animal Owner/Guardian – Definition and Duties.]

Ordinance amending Title 10 (ANIMALS) of the St. Louis City Revised Code by adding Chapter 10.01 (Definitions), and amending Chapters 10.04 (Dogs and Cats), 10.16 (Dead Animals), 10.20 (Miscellaneous Provisions), and 10.24 (Wild Animals) with amendments to Sections 10.04.010, 10.04.040, 10.04.060, 10.04.070, 10.04.090, 10.04.120, 10.04.130, 10.04.140, 10.04.150, 10.04.160, 10.04.170, 10.04.180, 10.04.190, 10.04.210, 10.04.220, 10.04.225, 10.04.230, 10.04.240, 10.04.250, 10.04.270, 10.04.285, 10.04.310, 10.16.070, 10.16.120, 10.20.010, 10.20.015, 10.20.090, and 10.24.050, to include the term "Guardian" where the term "Owner" is referenced.

Note: Additions are indicated in *bold italic text*;
deletions are indicated in ~~strikethrough text~~.

Be it ordained by the People of the City of St. Louis:

Section 1. The St. Louis ANIMALS Code is hereby amended by adding Chapter 10.01, which shall read as follows:

10.01 Definitions

For the purpose of Title 10 (ANIMALS) of the St. Louis City Revised Code, the following words or phrases shall have the meaning given herein unless otherwise defined within specific Chapters of Title 10.

A. When used in reference to any person or persons caring for animals, "guardian" is equivalent to "owner", a "guardian" shall have the same rights and responsibilities of an "owner", and both terms shall be used interchangeably.

Section 2. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.010, to read as follows:

10.04.010 Definitions.

For the purpose of this chapter the following words or phrases shall have the meaning given herein.

A. "Animal agency" means any corporation, association, individual, partnership, or entity of any kind under contract with the City of St. Louis to perform services under this chapter.

B. "Cat" means all members of the *Felis domesticus*, either male or female, four months of age or older.

C. "City" means the City of St. Louis, Missouri.

D. "Dangerous dog" means any dog that, according to the records of the Health Commissioner, (1) has inflicted severe injury on a human being without provocation on public or private property, (2) has killed a domestic animal without provocation while off the owner's/guardian's property, (3) has been previously found to be potentially dangerous, the owner/guardian having received notice of such and the dog again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

E. "Dog" means *Canis familiaris* either male or female, four months of age or older.

F. "Federal Laboratory Animal Welfare Act" means Public Law 89-544, as amended (7 U.S.C. 2131), and all regulations issued pursuant thereto.

G. "Health Commissioner" means the Health Commissioner of the City of St. Louis, Missouri, in the Department of Health and Hospitals, or his designee.

H. "Health officer or agent" means any individual employed by, contracted with, or appointed by the City or the Health Commissioner for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the regulation or licensure of animals, control of animals, or seizure and impoundment of animals, and including any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

I. "Kitten" means all members of the *Felis domesticus*, under four months of age.

J. "Owner/Guardian" means the holder of the vaccination-registration certificate or, in the case of no certificate, any person who possesses or harbors one or more dogs or cats.

K. "Potentially dangerous dog" means any dog that when unprovoked; (1) inflicts bites on a human or domestic animal either on public or private property, (2) chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury, or to cause injury or otherwise to threaten the safety of humans or domestic animals, (3) has been found running or being at large and collected by the City twice in any eighteen (18) month period or (4) has been found running or being at large with a group of three or more at large dogs.

L. "Private practitioner" means a graduate veterinarian licensed by the State of Missouri to practice medicine.

M. "Property enclosure of a dangerous dog" means, while on the owner's/guardian's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top, and shall also provide protection from the elements for the dog.

N. "Puppy" means *Canis familiaris*, either male or female, under four months of age.

O. "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or breaking of skin.

P. "Spay or neuter" means to alter surgically, chemically or by any other methods approved by the Health Commissioner a dog or cat for the purpose of rendering such animal incapable of reproduction.

Q. "Veterinarian" means a graduate of an accredited veterinary college who is approved by the Health Commissioner to perform certain rabies control functions. (Ord. 65206 § 1 (part), 2001.)

Section 3. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.040, to read as follows:

10.04.040 Transient dogs.

An owner/guardian who is either passing through the City or who has been a resident thereof for less than thirty days and who has a dog in his possession or control shall show evidence of the dog's having received rabies immunization, of any approved type, which would produce an immunization period covering the time in St. Louis. If the imported dog remains in St. Louis more than thirty days, the owner/guardian shall procure a St. Louis vaccination-registration certificate in accordance with the provisions of this chapter. (Ord. 65206 § 1 (part), 2001.)

Section 4. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.060, to read as follows:

10.04.060 Vaccination-registration of dogs, cats, kittens, puppies required--Kennels--Exceptions--Tags.

A. Every ~~person who owns~~owner/guardian of any dog, cat, kitten or puppy, whether in a kennel or not, that is kept any time during the year within the City, or permits a dog, cat, kitten or puppy to come upon, on or in the City, or to remain in or about his home, place of business or other premises in the area affected by this chapter, shall have such dog, cat, kitten or puppy vaccinated against rabies, and registered as provided in Section 10.04.070. Such dogs or cats must be vaccinated with a vaccine approved by the Health Commissioner, and at a frequency approved by the Health Commissioner for said vaccine.

B. Puppies and kittens shall be confined to their owner's/guardian's premises. Every person who is responsible for any puppy or kitten shall have such puppy or kitten vaccinated against rabies, and registered as provided in this chapter on or before the puppy or kitten reaches four (4) months of age, but not earlier than three (3) months of age.

C. Every dog or cat which has been vaccinated in accordance with the provisions of the chapter shall at all times wear the registration tag in the manner herein prescribed in subsection D of Section 10.04.070.

D. It shall be unlawful for any person to own *or keep* any dog or cat unless such dog or cat has been vaccinated against rabies and wears a current, unexpired registration tag, and the owner/guardian possesses a certificate issued in accordance with the provisions of this chapter. (Ord. 65206 § 1 (part), 2001.)

Section 5. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.070, to read as follows:

10.04.070 Vaccination-registration system-- Requirements, fees and information files.

A. The Commissioner shall prepare certificates in triplicate and numbered tags for distribution to veterinarians in a form he deems is best calculated to further the progress of the program provided for in this chapter. Spaces shall be provided for the following information and for such other information as the

Health Commissioner may require to be filled in by the veterinarians legally authorized to vaccinate dogs and cats:

1. The name and address and phone number of the owner/guardian;
2. The date the vaccination was administered and the type of vaccine administered;
3. The breed, markings, sex and name of the vaccinated dog or cat.

B. The Health Department shall establish a fee of fifty dollars (\$50.00) for each combined unit of corresponding vaccination-registration certificate and tag for the purpose of maintaining the system of vaccination-registration except that the fee shall be forty-six dollars (\$46.00) less for the vaccination-registration certificate and tag for dogs or cats that have been spayed or neutered. The fee shall be the same for all vaccination-registration certificates and tags issued, regardless of the length of time for which they are issued. Maintenance expenses shall include materials, notification, filing, investigation, and enforcement to increase and maintain a high level of rabies immunization in the City. Each registrar shall order from the Health Division the number of certificates and tags needed to perform his duties as registrar, and pay to the Health Division with the order, the fee for each certificate and tag ordered. The registrar shall be reimbursed and paid the fee for each certificate and tag by the owner/guardian of or other person assuming responsibility over the dog or cat being vaccinated and registered, and which reimbursement and payment may be retained by the registrar.

C. It shall be the duty of every veterinarian to be a registrar under this program and when vaccinating any dog or cat to fill out in triplicate copies, the certificate obtained from the Health Commissioner, with the information required in subsection A of this section, and immediately present one copy to the owner/guardian of the vaccinated dog or cat and mail one (1) copy to the Health Division, by the tenth (10th) day of the following month, for filing and statistical purposes. The Health Division shall maintain cross files of certificates by the name of the owner/guardian and the number of the certificate. The remaining copy of the certificate shall be retained by the person performing the vaccination. The owner's/guardian's copy of the certificate shall be retained by the owner/guardian of the vaccinated dog or cat for inspection by an authorized representative of the Health Commissioner or any police officer.

D. At the time of the vaccination of any dog or cat, the person performing the vaccination shall also deliver to the owner/guardian of the said dog or cat, the tag obtained from the Health Division, as evidence of such inoculation. Every owner/guardian of a vaccinated dog or cat shall attach the tag evidencing rabies vaccination and registration to the collar or harness of the vaccinated dog or cat and such collar or harness shall be worn by that dog or cat at all times. Any dog or cat found without a tag shall be deemed to be not vaccinated, unless proof of vaccination is provided to the satisfaction of the Animal Regulation Center.

E. No person shall divulge, distribute, disseminate, give, transfer, show, make available or allow a copy to be made of the name or address of any owner/guardian of a dog or cat registered under this chapter to or by any person other than an officer of a county, municipal, state or federal office or department for the purpose of licensing, tax collection, law enforcement, or rabies or other disease control in his respective jurisdiction; nor shall any of the persons authorized to be in possession of such names or addresses use such information for any purpose other than those allowed above nor shall any other person make any use, relating to dogs or puppies, cats or kittens, of any such name or address that has been obtained as a direct or indirect result of the vaccination-registration program provided for in this chapter; nor shall any person pose as, or falsely claim to be a Health Division employee or an agent of the Health Commissioner or of any other governmental agency while soliciting, or making a survey of the names and addresses of dog or cat owners/guardians. (Ord. 65206 § 1 (part), 2001.)

Section 6. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.090, to read as follows:

10.04.090 Registration tag--Replacement after loss.

The owner/guardian of a dog or cat who loses his registration tag shall report the loss promptly to the Health Commissioner, and upon proof of prior registration there shall be issued a new dog or cat registration and tag upon the payment of one dollar (\$1.00). The Health Commissioner shall enter the number of the replacement tag on the immunization certificate delivered to him when the original registration tag was issued. (Ord. 65206 § 1 (part), 2001.)

Section 7. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.120, to read as follows:

10.04.120 Housing of stray and biting animals.

A. All stray animals collected shall be confined at the Animal Regulation Center; provided, however, that during an emergency period when facilities are inadequate at the Center, the Health Commissioner is authorized to make provisions for adequate housing and care elsewhere.

B. Biting dogs or cats or dogs or cats suspected of having rabies confined for isolation and observation shall be handled under procedures established by the Health Commissioner. The Health Commissioner is authorized to provide for such isolation and observation at the Animal Regulation Center, at a hospital or facility of a private veterinary practitioner having the staff and equipment to handle such cases, or in a home, provided that any dog or cat authorized by the Director of Animal Regulation Center for home observation is impounded in an escape-proof enclosure for a period of not less than ten (10) days.

C. Should the Health Commissioner authorize observation at a hospital or facility of a private veterinary practitioner, the owner/guardian of a cat or dog may request such treatment by application to the Director of the Animal Regulation Center. Such application shall contain the name and address of the facility where the isolation and observation will be done, a description of the dog or cat, and any other information required by the Director of the Animal Regulation Center for his records. Release will be ordered by the Director of the Animal Regulation Center upon verification by the veterinarian that there were no clinical symptoms of rabies on the tenth day after the bite. Verification shall include proof of possession of a valid current license tag.

D. Should the Health Commissioner authorize home observation, the owner/guardian of a dog or cat may request such treatment by application to the Director of the Animal Regulation Center. Such application shall contain any information reasonably required by the Director of the Animal Regulation Center, and the filing of such application authorizes the Director of the Animal Regulation Center to conduct reasonable investigations of the premises proposed for the home observation. Release from home observation will be ordered by the Director of the Animal Regulation Center upon verification that there were no clinical symptoms of rabies on the tenth day after the bite and in the case of a dog or cat held for observation, verification shall include proof of a valid current license tag.

E. Any carnivorous animal, other than a dog or cat, running at large that has bitten any person, or any other animal other than a dog or cat, that is suspected of being afflicted with rabies may be destroyed immediately for the purpose of being tested for rabies, at the direction of the Animal Regulation Center.

F. All animals collected and confined shall be properly housed, fed, watered, and cared for. The Health Commissioner or agency under contract with the City shall provide for all necessary facilities, food, water, vehicles and other equipment required to carry out the provisions of this chapter. Where confinement for isolation and observation is mandatory, the owner/guardian may order that certain protective sera or other medication be administered to his dog. This may be done for a fee, determined by the Health Commissioner or his agent, which is payable in advance.

G. No biting animal should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered and micro-chipped for identification have been followed. (Ord. 65206 § 1 (part), 2001.)

Section 8. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.130, to read as follows:

10.04.130 Notice to owner/guardian.

Upon the collection and holding of any animal there shall be kept in the records of the Animal Regulation Center a detailed description of each animal. The Animal Regulation Center shall immediately notify the owner/guardian from whom the animal was taken, if the owner/guardian can be determined. These records shall be available for public inspection. (Ord. 65206 § 1 (part), 2001.)

Section 9. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.140, to read as follows:

10.04.140 Running at large.

The Health Commissioner or his agents shall take up and hold any dog which may be found running or being at large in the City contrary to the provisions of this chapter or any lawful order made pursuant thereto. Dogs found running at large may be pursued across, or taken upon, unenclosed private property, unless specifically prohibited by the *property* owner. (Ord. 65206 § 1 (part), 2001.)

Section 10. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.150, to read as follows:

10.04.150 Release fees--Licensed dogs or cats.

Licensed animals taken up and confined in the Rabies Control Center may be released to the owner/guardian upon the furnishing of adequate proof that the animal was licensed at the time of the confinement and the payment of a service fee to the center. The service fee shall be twenty dollars (\$20.00) for the first three (3) days and ten dollars (\$10.00) per day additional after that period of time. After a five (5) day holding period, the animal may be disposed of by any method provided by City ordinance. No dog or cat should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered and micro-chipped for identification have been followed. (Ord. 65206 § 1 (part), 2001.)

Section 11. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.160, to read as follows:

10.04.160 Release fees--Unlicensed animals.

Unlicensed animals taken up and confined at the Animal Regulation Center may be released to the owner/guardian by having them licensed and the payment of a service fee of twenty dollars (\$20.00) for the first three (3) days and ten dollars (\$10.00) per day additional after that period. After five (5) days confinement, the Animal Regulation Center may order disposal of the animal by any method provided by this chapter. No dog or cat should be finally released unless procedures approved by the Health

Commissioner to have it spayed or neutered and micro-chipped for identification have been followed. (Ord. 65206 § 1 (part), 2001.)

Section 12. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.170, to read as follows:

10.04.170 Adoption of strays.

After notice required by Section 10.04.130 has been given, if the owner/guardian is known, and after the five days of holding for all stray animals required by Ordinance 60878, or any subsequent ordinance, has elapsed, then such animal may be released to any person upon payment of the fees required under this section or any other ordinance and provided all other requirements for adoption are met. No dog or cat should be finally released unless procedures approved by the Health Commissioner to have it spayed or neutered have been followed. (Ord. 65206 § 1 (part), 2001.)

Section 13. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.180, to read as follows:

10.04.180 Release of animals held for observation.

Biting and other animals that must be observed for a period of ten days at the Animal Regulation Center shall be released to their owners/guardians upon payment of a fifty dollar (\$50.00) service fee for the observation period, provided all other requirements of this chapter are met. Animals may be held for the owner/guardian for a maximum of three days past the observation period for a fee of ten dollars (\$10.00) per day if the owner/guardian makes such a request. If no such request for extra holding time is made, the animal may be disposed of in any way provided by in this chapter at the discretion of the Director of the Animal Regulation Center. (Ord. 65206 § 1 (part), 2001.)

Section 14. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.190, to read as follows:

10.04.190 Disposal of unclaimed animals.

Animals not claimed by their owners/guardians shall be held for five days or for ten days for dogs or cats under observation for rabies, after which the animals may be disposed of as provided for in Section 10.04.170 or 10.04.200 or may be humanely put to death in a manner prescribed by the Health Commissioner. (Ord. 65206 § 1 (part), 2001.)

Section 15. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.210, to read as follows:

10.04.210 Destruction of sick and severely injured animals.

Collected, unidentified animals which are brought to the Center by the fieldsmen in a visibly sick condition due to canine distemper, hepatitis, leptospirosis, advanced demodectic or sarcoptic mange, or other serious communicable disease, or are severely injured, which in a veterinarian's judgment renders the animal beyond a reasonable hope of recovery, may be ordered destroyed at once by the veterinarian or, in his

absence, by the Director of the Animal Regulation Center. Sick animals whose ownership/guardianship can be determined shall be placed in isolation until the owner/guardian can be contacted for instructions as to destruction, treatment, or release to a private veterinarian for treatment. Such release shall be made only after all requirements of this chapter, as to licensing and fees, are met or provided for. (Ord. 65206 § 1 (part), 2001.)

Section 16. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.220, to read as follows:

10.04.220 Leashing of dogs.

No owner/guardian of any dog shall permit such dog to be found at large on the streets of the City or in any public place or on another person's private property, unless such dog is on a leash, not longer than six feet in length and held by or under control of a responsible person so as to effectively prevent it from biting any person or animal. All dogs are prohibited from running or being at large unless under restraint as described above. (Ord. 65206 § 1 (part), 2001.)

Section 17. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.225, to read as follows:

10.04.225 Stray cats, prohibited.

No owner/guardian of any cat shall permit such cat to be found at large on the streets of the City or in any public place or on another person's property. (Ord. 65206 § 1 (part), 2001.)

Section 18. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.230, to read as follows:

10.04.230 Enticing dog or cat--Refusal to surrender.

No person shall entice any dog or cat out of the enclosure of the owner/guardian thereof or molest or seize any dog or cat while lawfully held or led by any responsible person, except that no person shall refuse to surrender any dog that has bitten a person to an agent of the Health Commissioner for isolation and observation as required by this chapter. (Ord. 65206 § 1 (part), 2001.)

Section 19. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.240, to read as follows:

10.04.240 Rabies or suspicion of rabies.

Every ~~person owning or harboring~~ owner/guardian or *harborer* of an animal known to have or suspected of having rabies, or which has been bitten by or exposed to a rabid animal, shall confine and isolate such animal in some secure place and immediately notify the Animal Regulation Center as to where the animal is confined. If required by the Health Commissioner or the Rabies Control Officer, he shall surrender the animal to the Animal Regulation Center for disposal. (Ord. 65206 § 1 (part), 2001.)

Section 20. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.250, to read as follows:

10.04.250 Veterinarian reports.

Every veterinarian in the City shall report at once, by telephone and also in writing, every case of clinical rabies, of which he has knowledge, to the Health Commissioner. Veterinarians shall submit the brain of all animals treated by them and dying of rabies or suspected rabies to the Health Division Laboratory for confirmation of diagnosis. Veterinarians vaccinating dogs that are kept within the City shall furnish the owner/guardian with a certificate of immunization giving the name and address of the owner/guardian, the date of immunization, the type of vaccine used, the sex and complete description of the dog and any other information required by the Health Commissioner. (Ord. 65206 § 1 (part), 2001.)

Section 21. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.270, to read as follows:

10.04.270 Dangerous dogs.

A. It is unlawful for any person to have a dangerous dog in the City without a certificate of registration issued under this chapter. This section shall not apply to dogs used by law enforcement officials for police work.

B. The Health Commissioner of the City shall issue a certificate of registration to the owner/guardian of each dangerous dog if the owner/guardian presents to the animal control unit sufficient evidence of:

1. A proper enclosure to confine a dangerous dog and the posting of a notice conspicuously visible to the public at each entrance to the premises and on each side of the proper enclosure, reading in letters not less than two inches high "DANGEROUS DOG -- BEWARE." In addition, each such notice shall conspicuously display a warning symbol that informs children of the presence of a dangerous dog;

2. a. A surety bond issued by a surety insurer qualified under the chapter in a form acceptable to the animal control authority in the sum of at least fifty thousand dollars, payable to any person injured by the dangerous dog; or

b. A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified in the amount of at least fifty thousand dollars, insuring the owner/guardian for any personal injuries inflicted by the dangerous dog. Such surety bond or insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the Health Commissioner.

3. Sufficient evidence that such animal has been spayed or neutered and micro-chipped for identification.

4. In addition, the owner/guardian shall provide the Health Commissioner with the following information prior to the issuance of a certificate of registration:

a. Name and address of owner/guardian;

b. Dog's name;

c. Photograph of dog;

d. Location where dog is to be enclosed;

e. Veterinarian's name;

f. Dog's immunization number.

In case a minor is the ~~keeper or~~ owner/guardian of such dog, the duties imposed by this section shall devolve upon the adult person in whose family the minor lives or who is in charge of the premises where such dog is kept.

C. The fee for the registration of dangerous dogs shall be established by the Health Commissioner and shall equal the estimated costs of administering the provisions of this chapter with respect to dangerous dogs.

D. It is unlawful to permit or allow a dangerous dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash not longer than six (6) feet and under physical restraint of a responsible 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 person or animal.

E. Dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a wilful trespass or other tort upon the premises occupied by the owner/guardian of the dog or was tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

F. Any dangerous dog shall be immediately confiscated by an animal control authority if the (a) dog is not validly registered under this chapter, (b) owner/guardian does not secure and maintain the liability insurance coverage required by this chapter, (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner/guardian or outside of the proper enclosure and not under physical restraint of the responsible person.

G. Upon any attack or assault by a dangerous dog, the Health Commissioner or his designee is hereby empowered to confiscate and destroy such vicious dog.

H. Upon any aggressive attack or assault by any dog causing the severe injury or death of any human, the Health Commissioner or his designee is hereby empowered to confiscate and destroy such vicious dog. (Ord. 65206 § 1 (part), 2001.)

Section 22. The St. Louis ANIMALS Code is hereby amended by amending Section

10.04.285, to read as follows:

10.04.285 Tethering, confinement and treatment of dogs and cats on owner's/guardian's property.

A. No dog or cat shall be tied, hitched or fastened to any rope, chain or cord that is directly attached to the animal's neck. Animals that must be tied, hitched or fastened to restrain them must wear a properly fitted collar or harness made of leather or nylon, not of the choker type. The tying device shall be attached to the animal's collar or harness and shall be at least ten (10) feet in length and free from obstruction or items which may cause the tying device to become caught, wrapped or twisted or prevent the animal from reaching food, water or shelter.

B. All areas where an animal is confined or tethered shall be kept in a sanitary manner. The person responsible for the animal shall sanitize the area regularly to prevent health, odor or sanitation problems.

C. All dogs and cats shall be treated humanely and shall not be beaten, tormented, overworked, neglected or cruelly treated, except that reasonable force may be used to drive off vicious animals. No animal shall be induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices which may cause physical injury or suffering. (Ord. 65206 § 1 (part), 2001.)

Section 23. The St. Louis ANIMALS Code is hereby amended by amending Section 10.04.310, to read as follows:

10.04.310 Feces removal--Required.

It shall be the duty of every dog owner/guardian, defined and identified under the provision of Sections 10.04.010 et al. of the Revised Code of the City and the applicable provisions of Ordinance 57980 of the City of St. Louis, 1980, to remove any feces left by said dog on any sidewalk, gutter, street, park or other public area, or on any private property used by said dog for depositing any feces, if the same is done in the presence of the owner/guardian of said dog, or in the presence of any person exercising control over said dog at the time of said offense. (Ord. 65206 § 1 (part), 2001.)

Section 24. The St. Louis ANIMALS Code is hereby amended by amending Section 10.16.070, to read as follows:

10.16.070 Disposal permit—Required.

No person shall remove, flay, steam render or in any other manner dispose of the carcass of any dead animal which has been abandoned by its owner *or guardian*, or *which* has become a nuisance and which is found lying upon the streets, alleys or public places of the City, or on private premises therein without obtaining a permit. (1948 C. Ch. 6 § 50; 1960 C. § 519.060.)

McQuillin:
24.254 Rendering

Section 25. The St. Louis ANIMALS Code is hereby amended by amending Section 10.16.120, to read as follows:

10.16.120 Carcasses declared nuisances.

The carcass of any dead animal lying on the streets, alleys or public places of the city, or on private premises therein, and not slain for human food and not removed by the owner, guardian, or other person entitled thereto within four hours of daylight time after the death of the animal is declared a nuisance and shall be removed and disposed of as provided in this chapter. (1948 C. Ch. 6 § 55; 1960 C. § 519.110.)

Section 26. The St. Louis ANIMALS Code is hereby amended by amending Section 10.20.010, to read as follows:

10.20.010 Definitions.

As used in this part, the following words and phrases shall have the meaning ascribed to them in this section:

A. “Adequate care” means 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;

B. “Adequate control” means reasonable restraint or governance of an animal so that it does not injure itself, any person, another animal, or property;

C. "Domestic animal" means a dog or cat, including any puppy or kitten, which is more than six weeks old.

D. "Commissioner" means the Commissioner of the Health Division of the City of St. Louis Department of Health and Hospitals or his delegate.

E. "Farm animal" means any cattle, sheep, goat, swine, except for Vietnamese Pot-Bellied Pigs which may be kept pursuant to Section 10.20.015 of this part.

F. "Kennel" means any premises on which more than four animals are domiciled or otherwise kept, must obtain a graduated business license except for those persons obtaining a noncommercial kennel permit.

G. Kept. A farm animal or domestic animal shall be considered to be "kept" on premises if an owner or occupant of that premises, for a period of more than seven days, provides food and/or shelter for the animal, even if such person does not claim ownership of the animal.

H. "Noncommercial kennel permit" means a permit issued to an owner/guardian or keeper of no more than eight (8) domestic animals that are owned or kept for personal pets, and the domestic animals or their offspring are not sold or offered for sale or used for breeding.

I. "Owner" means any person who provides food or shelter to a farm or domestic animal for more than seven consecutive days or who professes to own, keep or harbor an animal.

J. "Pot-bellied pig" means a domestic Vietnamese pot-bellied pig.

K. "Research facility" means a laboratory operated by a college or university in which research is conducted using animals.

L. "Property located within a residentially zoned district" means any parcel of property which the official zoning District Map, as it may be amended by the Board of Aldermen from time to time, shows as being located within an A, B, C, D or E zone. If a portion of a parcel is within one of the zones, the entire parcel shall be considered to be located within a residentially zoned district for purposes of this part.

M. "Reptile" means all turtles, lizards and nonpoisonous snakes except boids over eight (8) feet in length.

N. "Veterinarian" means an individual licensed to practice veterinary medicine by the State of Missouri.

O. "Veterinary hospital" means a premises at which one or more veterinarians provide treatment for sick and injured animals. (Ord. 62941 § 2, 1993: prior Ord. 62853 § 2, 1993.)

P. "Owner/guardian" means any person who provides food or shelter to any animal, other than a farm animal, for more than seven consecutive days or who professes to own, keep or harbor such animal.

Section 27. The St. Louis ANIMALS Code is hereby amended by

amending Section 10.20.015, to read as follows:

10.20.015 Keeping of certain animals prohibited.

A. No person shall raise or keep within the City of St. Louis any cattle, sheep, goats, swine, except for Vietnamese pot-bellied pigs. Nor shall any person raise or keep within the City of St. Louis any canine which is the offspring of the mating of a domestic canine with a wolf or coyote. The raising of such animals is hereby declared to be a public nuisance. Notwithstanding the foregoing, the above specified animals may be raised or kept within biological laboratories, hospitals, slaughter houses, stockyards, zoological gardens, or an itinerant or temporary show.

B. One Pot-Bellied Pig, per parcel of property, may be kept in the City of St. Louis, provided that males over the age of four (4) weeks (28 days) are neutered and females over the age of one hundred twenty (120) days are spayed. All such animals must be proven purebred lineage, and the owner/guardian must be able to produce litter papers to verify pedigree. Pigs over the age of one hundred twenty (120) days must be registered and licensed as required of dogs and cats. Fees for such licenses will be the same as required for dogs and cats, and must be obtained from the Health Commissioner, who must receive certificate of immunization from a licensed veterinarian that such Vietnamese pot-bellied pig has been vaccinated against pseudorabies prior to issuing such license. Upon complaint of annoyance, the privilege of keeping a Vietnamese pot-bellied pig will be determined by an investigation by agents of the Health Commissioner, and if deemed an annoyance and nuisance, the pot-bellied pig shall be removed from within the limits of the City of St. Louis, within 48 hours.

C. No person shall raise or keep chickens, ducks, geese, turkeys, guineas, peafowl or rabbits within the City, and the raising or keeping thereof is declared a public nuisance; except that such animals may be raised or kept within biological laboratories, hospitals, pet shops, slaughter houses, stockyards, zoological gardens, or itinerant or temporary shows; and except that such animals may be raised or kept where not more than four in the aggregate of all animals, including domestic animals and a pot-bellied pig, are kept as pets within any one parcel of property unless the owner *or guardian* obtains a noncommercial kennel permit. (Ord. 62853 § 7, 1993.)

Section 28. The St. Louis ANIMALS Code is hereby amended by

amending Section 10.20.090, to read as follows:

10.20.090 Unauthorized use of horses.

Any person who shall, in this City, unhitch any animal or drive or ride off with any horse or other animals, without the consent of the owner/guardian thereof, shall be guilty of a misdemeanor. (1948 C. Ch. 6 § 5: 1960 C. § 516.010.)

Section 29. The St. Louis ANIMALS Code is hereby amended by

amending Section 10.24.050, to read as follows:

10.24.050 Disposal of impounded animal—Payment of costs.

A. Any animal impounded under the provisions of this chapter may be disposed of by the Health Commissioner to the custody of an institution deemed to possess the skill, experience, training and facilities to keep such animal in subjection, which will humanely keep such animal, and that agrees to comply with all the provisions of this law and any other federal, state or local law or regulation applicable to the keeping of these animals. In no case, however, shall any animal be released under this section for any scientific research.

B. The cost of capture, boarding and disposal of any animal prohibited by this chapter shall be certified by the Health Commissioner to the Comptroller, who shall verify accuracy of the bill. Such expense shall be a debt legally owed the City of St. Louis by the owner *or guardian* of the prohibited animal and due and payable upon presentment to the owner *or guardian* of the bill by the Comptroller. The City Counselor is hereby authorized to take all necessary actions to pursue the payment of this debt. (Ord. 58662 § 5, 1982.)

Section 30. Effective Date.

This ordinance shall take effect and be in full force from and after its passage and publication.

Section 31. Severability.

If a court of competent jurisdiction adjudges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

-end-