

AN ORDINANCE REQUIRING A RESTRAINING OF DOGS AND PROHIBITING ANY DOGS FROM RUNNING AT LARGE IN THE CITY OF WAVERLY, LAFAYETTE COUNTY, MISSOURI AND, FURTHER PROVIDING FOR A PENALTY FOR ANY PERSON TO PERMIT A DOG TO RUN AT LARGE WITHING THE CORPORATE LIMITS OF THE CITY OF WAVERLY, MISSOURI AND, PROVIDING FOR A PENALTY FOR ANY VIOLATIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WAVERLY, MISSOURI, AS FOLLOWS:

Section 1. That the purposes of this Ordinance the following words and phrases shall have the meaning respectfully prescribed to them by this section:

(dog) for the purpose of this Ordinance licensing of the dog, vaccination of the dog, purchase of city dog license of the dog, a dog of either sex over the age of four months.

(owner) any person owning, keeping, or harbouring a dog.

(restraint) a dog is under restraint if it is under the immediate and effective control of a responsible person.

Section 2. The owner or keeper of any dog shall keep his dog under restraint at all times and shall not permit such dog to be at large, off the premises or property of the owner, unless under the control of a competent person within the corporate limits of the City of Waverly, Missouri.

(a) "Under restraint" is defined as controlled by a leash, at "heel" beside a competent person and obedient to that person's commands on or within a vehicle being driven or parked, or within the property limits of the owner or keeper of said dog.

(b) "At large" is defined as off the property of it's owner or keeper and not under control of a competent person.

(c) Any owner who permits his dogs or dogs, while tied or penned to fight, howl, bark, yelp for a period of time so that such fighting, howling, barking, or yelping shall annoy or disturb any neighbor or neighborhood shall be deemed to be guilty of disturbing the peace of another and, upon conviction, shall be punished as hereinafter provided.

(d) The owner of any dog who fails to keep his dog under restraint shall be held liable for all damages caused by said dog.

(e) When any dog is found running at large and cannot be safely taken up and impounded, then any police officer is hereby authorized to use such force as may be necessary to capture said dog, including the actual killing of such dog to be done only as a last resort after all reasonable precautions are taken.

(f) Any dog found at large may be picked up by a police officer, humane or any city official and impounded at a veterinarian's facility and should owner not claim said dog within 3 days shall then be destroyed in a humane way after reasonable efforts to notify the owner are made.

(g) Whenever a dog is at large, known to be owned, harbored, kept or fed, at a certain residence or by a certain family, then the head of such residence or family, or any adult living there is hereby declared to be the owner of said dog and shall be charged with a violation of this section even though the dog is not captured, and the officer may, upon request, search the premises where he believes the dog is kept to attempt to verify that said dog is being kept by such person or owner.

Section 3. It shall be unlawful for any person within the City Limits of the City of Waverly, Missouri, to own, keep, possess, harbor, and control or to permit to remain on his premises any dog over the age of six (6) months which has not been vaccinated against rabies in accordance with the terms set forth in this Chapter.

Section 4. Vaccination against rabies shall be performed by a duly licensed veterinarian.

Section 5. A City of Waverly, Missouri Dog License shall be issued by the City Clerk when the following requirements have been met:

1. Presentation of a certificate showing the name and address of the owner; sex of the dog, description of the dog, and date of vaccination against rabies. The date of vaccination must be within six (6) months of date of application.
2. Payment of the City License for each dog in the amount of \$5.00 per dog.

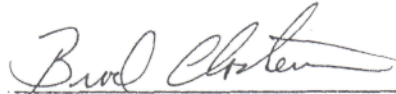
Section 6. All dog licenses, shall be required to be purchased annually and shall be due and payable of the first day of July of each year and shall become delinquent on the first day of August.

Section 7. The owner of the dog shall insure the City License tags issued by the City to be securely fastened to the collar, said collar to worn continuously around the dog's neck.

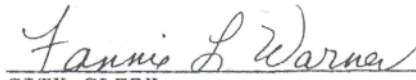
Section 8. It shall be unlawful for any person to remove a City License tag from a dog without written consent of the owner of said animal or animals.

Section 9. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall, on conviction of violating this Ordinance, be punished by a fine of not less than \$25.00 nor more than \$500.00 together with the costs incurred therein, to include but not limited to, the boarding, redemption, and destruction of said dog.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WAVERLY, MISSOURI, THIS 14<sup>th</sup> DAY OF MAY, 1996.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

SECTION 8: Dangerous Dogs

Any dog that manifests a cross, dangerous, ferocious or vicious disposition or disposition to bite must be confined behind a fence of sufficient heights so that the dog cannot jump or climb over same or be secured by a chain which will not allow it to come nearer than six (6) feet to any public walk, roadway, alley or property line of another person; and, further, the owner of said dog shall cause to have posted on the premises conspicuously visible to the public a sign of not less than two (2) inches high reading "Bad Dog Here" or "Beware of Bad Dog".