

A BILL TO CREATE AN ORDINANCE ENTITLED:

“AN ORDINANCE TO AMEND CENTRALIA CITY CODE SECTION 4-5, SECTION 4-20, SECTION 4-29, SECTION 4-35, SECTION 4-36 AND SECTION 4-40 CONCERNING THE FEES CHARGED FOR IMPOUNDMENT AND CONFINEMENT (BOARDING) OF ANIMALS CONFINED AT THE CENTRALIA CITY POUND, AND TO MAKE TECHNICAL REVISIONS .”

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CENTRALIA, MISSOURI, as follows:

SECTION 1. Section 4-5 of the Centralia City Code shall be changed, altered and amended to read as follows:

Section 4-5. IMPOUNDMENT—REDEMPTION OF ANIMALS OTHER THAN DOGS OR CATS

All impounded animals, other than dogs or cats, may be redeemed from the City Pound by the owner within five (5) days after impounding upon satisfactory proof of ownership and by payment to the City Clerk of an impoundment fee of twenty dollars (\$20.00), plus fifteen dollars (\$15.00) for each day or part thereof that the impounded animal is confined in the City Pound, for the cost of care and feeding such animal.

SECTION 2. Section 4-20 of the Centralia City Code shall be changed, altered and amended to read as follows:

Section 4-20. REDEMPTION OF IMPOUNDED DOGS AND CATS

Any dog or cat may be redeemed from the City Pound by the owner within five (5) days after impounding by the payment to the City Clerk of the dog license fee or cat license fee for the current year, if such dog or cat is unlicensed but vaccinated and payment to the City Clerk of an impoundment fee of twenty dollars (\$20.00), plus fifteen dollars (\$15.00) for each day or part thereof that the dog or cat is confined in the City Pound, for the cost of care and feeding such animal.

SECTION 3. Subsection (A) of Section 4-29 of the Centralia City Code shall be changed, altered and amended to read as follows:

A. Except as provided below in Subsection (B) any dog or cat which bites, injures or attacks any person or any domestic animal, including a dog or cat, shall be taken up and impounded by the Code Enforcement Officer or any Police Officer of the City for a period of ten (10) days, the expense thereof to be paid by the person possessing, owning or otherwise having under that person’s control such dog or cat. If at the end of ten (10) days the dog or cat does not develop or manifest rabies, it may be redeemed by the owner upon payment of the impoundment fee of twenty dollars (\$20.00) and a boarding fee of fifteen dollars (\$15.00) per day or part thereof that the dog or cat is confined in the City Pound. If the dog or cat is not licensed, the provisions of Section 4-20 and Section 4-21 also shall be met before the dog or cat may be released. If such dog or cat is not redeemed within three (3) days after the expiration of the ten (10) day period, it shall be disposed of as provided in this Article. If a dog or cat does develop rabies during the ten (10) days, it shall be immediately and humanely put to death by the Code Enforcement Officer, any Police Officer of the City or a licensed veterinarian.

SECTION 4. Section 4-35 of the Centralia City Code shall be changed, altered and amended to read as follows:

A. Notwithstanding the provisions of Section 4-29 concerning the procedure when a dog or cat bites, injures or attacks any person or any domestic animal, the following procedure shall be followed immediately after the dog bite or dog attack incident if the incident is being considered by a Police Officer, the Code Enforcement Officer or the City Administrator as one where the dog could be designated as a dangerous dog: The dog shall be taken up and impounded at the City Pound by the Code Enforcement Officer or any Police Officer of the City until ten (10) days have elapsed or the dog has been designated as a “dangerous dog”, whichever first occurs. If the dog has not been designated a dangerous dog with that time period and the dog has not developed or manifested rabies, then the dog may be redeemed by the dog owner (the person possessing, owning or otherwise having the dog under such person’s control) upon payment of the impoundment fee of twenty dollars (\$20.00) and a boarding fee of fifteen dollars (\$15.00) per day or part thereof that the dog is confined in the City Pound for the cost of care and feeding of such dog. If such dog is not redeemed within three (3) days after the expiration of the ten (10) days, it shall be disposed of as provided in Article II of Chapter 4. If the dog has not been designated a dangerous dog within that time period but the dog does develop rabies within ten (10) days, the dog shall be immediately and humanely put to death by the Code Enforcement Officer, any Police Officer of the City or a licensed veterinarian. If the dog has been designated a dangerous dog within the ten (10) day time period but the dog has not developed rabies within ten (10) days, then the dangerous dog shall continue to be held in the City Pound until the

earlier of the following:

1. The dog owner requests an informal hearing before the Hearing Board to determine if the dog should be designated a dangerous dog and the Hearing Board on the hearing date sets aside the designation;
2. The dog owner either provides proof to the City that the dog owner has the liability insurance required by Section 4-34 or deposits with the City the seven hundred fifty dollar (\$750.00) escrow required by Section 4-34; or
3. Thirty (30) days have elapsed since the dog has been designated a dangerous dog without the owner providing proof to the City of liability insurance required by Section 4-34 or providing the seven hundred fifty dollar (\$750.00) escrow required by Section 4-34. The dog shall be released to the dog owner upon payment of the impoundment fee of twenty dollars (\$20.00) and the boarding fee of fifteen dollars (\$15.00) per day if the Hearing Board sets aside the dangerous dog designation or upon the owner providing the City proof of the required liability insurance or providing the seven hundred fifty dollar (\$750.00) escrow required by Section 4-34. If the thirty (30) days elapses since the dog was designated a dangerous dog without the owner providing proof of the liability insurance required above or depositing with the City the seven hundred fifty dollar (\$750.00) escrow required above, the dog shall be immediately and humanely put to death by the Code Enforcement Officer, any Police Officer of the City or a licensed veterinarian. The Code Enforcement Officer, Chief of Police or City Administrator shall have the authority to have a dog designated as a dangerous dog held at the Central Missouri Humane Society instead of the City Pound at the City's cost, with the dog owner being charged the City's impoundment fee and boarding fee for each day the dog is held by the Central Missouri Humane Society, which is expected to be not more than thirty (30) days.

B. Notwithstanding the provisions of Section 4-29 concerning the procedure when a dog or cat bites, injures or attacks any person or any domestic animal, the following procedure shall be followed when a dog in the past designated a dangerous dog bites, injures or attacks any person or domestic animal: The designated dog shall be taken up and impounded at the City Pound by the Code Enforcement Officer or any Police Officer of the City for a period of ten (10) days, the expense thereof to be paid by the person possessing, owning or otherwise having under such person's control. If at the end of ten (10) days the dangerous dog does not develop or manifest rabies, it may be redeemed by the owner upon payment of the impoundment fee of twenty dollars (\$20.00) and the boarding fee of fifteen dollars (\$15.00) per day or part thereof that the dog is confined in the City Pound, for the cost of care and feeding of such dog. If such dog is not redeemed within three (3) days after the expiration of the ten (10) day period, it shall be immediately and humanely put to death by the Code Enforcement Officer, any Police Officer of the City or a licensed veterinarian.

SECTION 5. Subsection (B) of Section 4-36 of the Centralia City Code shall be changed, altered and amended to read as follows:

B. In addition, if the person failing to comply with a provision of this Article continues not to be in compliance as of the Municipal Court date where the person pleads guilty or is found guilty, the Municipal Court may order the dangerous dog seized immediately by the Police Department and impounded in the City Pound for a period of thirty (30) days or the time necessary for the owner to show compliance with the provisions of this Article, whichever is shorter. If the owner has failed to show compliance with the provisions of this Article within the thirty (30) day period, then the dog shall be humanely destroyed unless the owner requests that the owner be allowed to remove the dog from the City and does permanently remove the dog from the City. If the owner shows compliance with the provisions of this Article within the thirty (30) day period, the owner may redeem the dangerous dog from the City Pound upon payment of the impoundment fee of twenty dollars (\$20.00) and the boarding fee of fifteen dollars (\$15.00) per day or part thereof that the dog is confined in the City Pound, for the cost of care and feeding of such dog.

SECTION 6. Subsection (B) of Section 4-40 of the Centralia City Code shall be changed, altered and amended to read as follows:

B. In addition, if the person failing to comply with a provision of this Article continues not to be in compliance as of the Municipal Court date where the person pleads guilty or is found guilty, the Municipal Court may order the dog seized immediately by the Police Department and impounded in the City Pound for a period of thirty (30) days or the time necessary for the owner to show compliance with the provisions of this Article, whichever is shorter. If the owner has failed to show compliance with the provisions of this Article within the thirty (30) day period, then the dog shall be humanely destroyed unless the owner requests that the owner be allowed to remove the dog from the City and does permanently remove the dog from the City. If the owner shows compliance with the provisions of this Article within the thirty (30) day period, the owner may redeem the dog from the City Pound upon payment of the impoundment fee of twenty dollars (\$20.00) and the boarding fee of fifteen dollars (\$15.00) per day or part thereof that the dog is confined in the City Pound for the cost of care and

feeding of such dog.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall take effect and be in full force and effect from and after the date of its passage and approval.

PASSED this 15th day of July, 2013.

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Mayor *Tom A. Ho*

ATTEST:

*North Bennett*  
\_\_\_\_\_  
City Clerk

This ordinance approved by the Mayor this 15th day of July, 2013.

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Mayor *Tom A. Ho*

ATTEST:

*North Bennett*  
\_\_\_\_\_  
City Clerk

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