

Chapter 205

ANIMAL REGULATIONS

Section 205.010. Definitions. [Ord. No. 984 §2, 10-4-2001]

As used in this Chapter, the following terms mean:

ANIMAL CONTROL OFFICER — Any person appointed by the Mayor with the consent and approval of the Board of Aldermen of the City to enforce provisions relating to the regulations, licensing and control of animals within the City and set forth herein, including the power to issue tickets for violations of said ordinances.

ANIMAL SHELTER — Any premises designated by the City for the purpose of impounding and caring for animals held under authority of this Chapter.

ANIMALS — Any living creature, domestic or wild.

AT LARGE — Any animal off the premises of the owner and not under the control of the owner or a member of the owner's immediate family, either by leash or otherwise.

CIRCUS — A non-resident variety show that features animal acts.

INJURY CAUSED BY AN ANIMAL — Any bite, abrasion, laceration or scratch caused by an animal sufficient to break the skin.

KENNEL — Any person, partnership or corporation engaged in business of breeding, buying, selling or boarding dogs or cats or engaged in the training of dogs.

OWNER — Any person, partnership or corporation owning, keeping or harboring animals.

PERSON — An individual, partnership, company or corporation.

PET SHOP — Any person, partnership or corporation engaged in business of breeding, buying, selling or boarding animals of any species.

RESTRAINT — An animal shall be deemed to be under restraint if on the premises of its owner or if accompanied by a responsible person and under that person's control.

RUNNING AT LARGE — Allowing a dog or cat to be off the private premises of the owner or keeper, or his/her agent or servant, and not on a leash or confined to the arms, motor vehicle, trailer or other conveyance of the owner or keeper, his/her agent or servant.

THEATRICAL EXHIBIT — Any exhibition or act featuring performing animals.

VETERINARY HOSPITAL — Any establishment maintained and operated by a licensed veterinarian for boarding of animals or the diagnosis and treatment of diseases and injuries of animals.

VICIOUS DOG — Any of the following dogs:

1. Any dog, whether or not running at large and whether or not unrestrained, that without provocation has bitten any person not a trespasser causing serious physical injury to that person.
2. Any unrestrained dog, whether or not running at large, that without provocation has attempted to bite any person not a trespasser which would cause serious physical injury to that person.
3. Any unrestrained dog, whether or not running at large, that without provocation has placed any person not a trespasser in apprehension of immediate serious physical injury.
4. Any dog that has killed another dog, cat or other domestic animal without provocation.

ZOOLOGICAL GARDEN — Any park or zoo operated by a person or private corporation.

Section 205.020. Permit Required. [Ord. No. 984 §3, 10-4-2001]

- A. No person shall, without first obtaining a written permit from the City, own, keep, harbor or have custody of any dog over three (3) months of age.
- B. The Collector shall cause a notice of the necessity of paying such licensing fee to be printed in the Mound City News by the fifteenth (15th) day of June each year.
- C. The name, address and Social Security number of the owner or keeper of the dog registered, an accurate description of the dog and the tag number issued to that dog shall be entered in a book kept by the City Collector.
- D. The City shall promulgate regulations governing the issuance of permits. The City may amend such regulations from time to time as it deems desirable for the public health and welfare.

Section 205.030. Requirements For Obtaining A Permit. [Ord. No. 984 §4, 10-4-2001]

- A. In order to obtain a permit, the applicant must:
 1. Show that he/she is prepared to comply with the regulations for obtaining a permit promulgated by the City;
 2. Present to the City Collector a certificate of immunization issued and signed by a licensed and registered veterinarian stating that said dog has been immunized against rabies for the current year.

3. Present a statement signed by a licensed and registered veterinarian stating that the female dog has been spayed and the date said animal was spayed if the applicant is applying for a permit for a spayed dog.
4. Pay the applicable license fee to the City Collector, as follows:
 - a. For each male or spayed female dog, one dollar and fifty cents (\$1.50);
 - b. For each unspayed female dog, five dollar (\$5.00);
 - c. No fee shall be required of any humane society, veterinary hospital or municipal animal control facility.

Section 205.040. Duration of Permit. [Ord. No. 984 §5, 10-4-2001]

A permit, if not revoked, shall be valid until the first (1st) day of July following the date of issuance. A new permit shall be obtained by the first (1st) day of July of each year as required by Sections 205.020 and 205.030.

Section 205.050. Revocation of Permit. [Ord. No. 984 §6, 10-4-2001]

The City may revoke any permit if the person holding the permit refuses or fails to comply with this Chapter, the regulations of any State or local law governing cruelty to animals or the keeping of animals. Upon the revocation of any permit by the City, the City may order that within ten (10) days thereafter the owner or person who held the permit shall humanely dispose of such animal owned, kept or harbored by that person and no part of the permit fee shall be refunded. It shall be a condition of the issuance of any permit to any owner of dogs kept for commercial purposes that the City shall be permitted to inspect all animals and premises where animals are kept at any time and the City shall, if permission for such inspection is refused, revoke the permit of the refusing owner.

Section 205.060. Receipts and Tags. [Ord. No. 984 §7, 10-4-2001]

- A. Upon issuing a permit to keep any dog, the Collector shall execute a receipt in duplicate. He/she shall deliver the original receipt to the person who pays the fee, retaining the duplicate. The Collector shall also issue to the owner a durable tag (the shape of which shall be different for each license year) stamped with an identifying number and with the year of issuance. Tags should be designed so that they may conveniently be fastened to the collar or harness of the dog.
- B. In case any dog tag is lost, a duplicate may be issued by the Collector upon presentation of a receipt showing the payment of the license fee for each current year. A charge of one dollar (\$1.00) shall be made for each such duplicate tag.
- C. Dog tags are not transferable and no refunds shall be made for any reason on any dog or cat license fee including, but not limited to, leaving Mound City or death of the dog or cat before the expiration of the license period.

- D. It is unlawful to counterfeit or attempt to counterfeit tags provided for in this Section or to take from any dog tag legally placed upon it by its owner with the intent to place it upon another dog or to place it upon another dog.
- E. The owner shall cause said tags to be affixed by a permanent metal fastening to the collar of the dog so licensed in a manner such that the tag may be easily seen by the officers of the City of Mound City. The owner shall see that the tag is constantly worn by such dog. The City shall maintain a record of identifying numbers and shall make this record available to the public.
- F. Any dog found running at large upon the streets of this City without such tag shall be deemed not to have the license fee paid upon them.

Section 205.070. Knowingly Releasing An Animal.

- A. A person commits the offense of knowingly releasing an animal if that person, acting without the consent of the owner or custodian of an animal, intentionally releases any animal that is lawfully confined for the purpose of companionship or protection of persons or property or for recreation, exhibition or educational purposes.
- B. As used in this Section, "*animal*" means every living creature, domesticated or wild, but not including *Homo sapiens*.
- C. The provisions of this Section shall not apply to a public servant acting in the course of such servant's official duties.

Section 205.080. Impoundment. [Ord. No. 984 §9, 10-4-2001; Ord. No. 1138 §1, 7-9-2009]

- A. Unrestrained or unlicensed dogs may be taken by a Police Officer or other appropriate City Officer and impounded in an animal shelter which is designated as the City pound and there be confined in a humane manner.
- B. If the dog is licensed, the City shall as soon as reasonably possible upon impoundment notify the owner by telephone or mail of the impoundment of the dog and inform them of the requirements for regaining custody of the dog. The City shall post notice in some conspicuous place if the dog is unlicensed.
- C. Animals impounded under this Chapter shall be kept at least five (5) business days unless reclaimed by their owners or their owner executes a release allowing the animal to become property of the City prior to the end of such time period. At the end of the five (5) business days, the animal shall immediately become the property of the City at which time the City may either put the animal up for adoption or have it humanely euthanized. If the owner executes a release and surrenders the animal to the City then the animal shall be kept at least twenty-four (24) hours and then either put up for adoption or humanely euthanized.

Section 205.090. Redemption. [Ord. No. 984 §10, 10-4-2001]

- A. No owner or person shall be allowed to redeem an animal from the pound unless said person:
 - 1. Pays a standard fee per day of confinement and impoundment fee established by the Board of Aldermen;
 - 2. Presents a valid license when the impounded animal is a dog;
 - 3. Presents written proof that the animal has received a rabies vaccination if the impounded animal is a dog over six (6) months old.
- B. The owner may also be proceeded against for violation of this Chapter and his/her permit may be revoked.

Section 205.100. Establishment of Animal Shelter. [Ord. No. 984 §11, 10-4-2001]

The City shall make arrangements for animals to be impounded where any animal is taken up for being in violation of this Chapter. Said animal shall be delivered, kept and fed in a humane manner until lawfully reclaimed by its owner or otherwise disposed of under the provisions of this Chapter.

Section 205.110. Running At Large. [Ord. No. 984 §12, 10-4-2001]

- A. No dog, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running at large in violation of this provision, it shall be taken up and impounded and shall not be released, except after satisfaction of the requirements set forth in Sections 205.080 — 205.090 of this Chapter and meeting any other requirements set forth within this Chapter and any subsequent amendments thereto.
- B. In addition to, or in lieu of, impounding a dog found at large, the Police Officer or Animal Control Officer may issue to the known owner of such animal a notice of ordinance violation of this Chapter.
- C. If, however, any dangerous, fierce or vicious animal so found at large cannot be safely taken up and impounded, such animal may be slain by any Police Officer.

Section 205.120. Female Dogs. [Ord. No. 984 §13, 10-4-2001]

Every female dog in heat shall be confined in a building or secure enclosure in such manner that such female dog cannot come into contact with another animal except for planned breeding.

Section 205.130. Cats. [Ord. No. 984 §14, 10-4-2001]

All cats within the City limits shall be immunized against rabies for the current year with the owner of said cat keeping in his/her possession a signed statement by a licensed or registered veterinarian evidencing said immunization.

Section 205.140. Nuisance. [Ord. No. 984 §15, 10-4-2001]

- A. No person shall own, keep or harbor upon his/her premises any animal that by loud or frequent or habitual barking, yelping or howling or by threat of attacking or biting causes fear or annoyance to the neighborhood or to persons passing upon the streets or sidewalks, molests passerby, chases vehicles, habitually attacks other domestic animals, trespasses upon school grounds or trespasses upon private property in such manner as to damage property. Such animals shall be deemed a nuisance.
- B. In addition to other penalties prescribed by this Chapter, if upon violation and conviction of the provisions of this Section relating to vicious animals it shall appear to the judge of the Municipal Court that it is necessary for the public safety and welfare that the animal concerned be removed from the City limits or euthanized, the judge shall so order and the Animal Control Officer or Chief of Police shall see that the order of the court is carried out.

Section 205.150. Animal Abuse.¹

- A. A person is guilty of animal abuse if 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 which results in substantial harm to the animal.

Section 205.160. Animal Neglect or Abandonment.

- A. A person is guilty of animal neglect if he/she has custody or ownership or both of an animal and fails to provide adequate care.
- B. A person is guilty of animal abandonment if he/she has knowingly abandoned an animal in any place without making provisions for its adequate care.
- C. Animal neglect or animal abandonment are ordinance violations. For a first offense of either violation, a term of imprisonment not to exceed fifteen (15) days, or a fine not to exceed five hundred dollars (\$500.00), or both such fine and imprisonment may be imposed. For a second or subsequent violation of either offense, a term of imprisonment not to exceed ninety (90) days, or a fine not to exceed five hundred dollars (\$500.00), or both such fine and imprisonment may be imposed. All fines and penalties for a first conviction of animal neglect or animal abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived. This Section

¹. Note — Under certain circumstances this offense can be a felony under state law.

shall not apply to the provisions of Section 578.007 or Sections 272.010 to 272.370, RSMo.

- D. In addition to any other penalty imposed by this Section, the court may order a person found guilty of animal neglect or animal abandonment to pay all reasonable costs and expenses necessary for:
1. The care and maintenance of neglected or abandoned animals within the person's custody or ownership;
 2. The disposal of any dead or diseased animals within the person's custody or ownership;
 3. The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and
 4. The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals.

Section 205.165. Animal Trespass.

- A. A person is guilty of animal trespass if a person having ownership or custody of an animal knowingly fails to provide adequate control for a period equal to or exceeding twelve (12) hours.
- B. For a first conviction of animal trespass, each offense shall be punishable by a fine not to exceed two hundred dollars (\$200.00). The second and all subsequent convictions shall be punishable by imprisonment or a fine not to exceed five hundred dollars (\$500.00), or both such fine and imprisonment. All fines for a first conviction of animal trespass may be waived by the court, provided that the person found guilty of animal trespass shows that adequate, permanent remedies for trespass have been made. Reasonable costs incurred for the care and maintenance of trespassing animals may not be waived. This Section shall not apply to the provisions of Section 578.007 or Sections 272.010 to 272.370, RSMo.

Section 205.170. Animal Waste Prohibited On Public and Private Property — Exception.

Any person in physical possession and control of any animal shall remove excreta or other solid waste deposited by the animal in any public or private area not designated to receive such wastes including, but not limited to, streets, sidewalks, parking lots, public parks or recreation areas and private property. The provisions of this Section shall not apply to a guide dog accompanying any blind person.

Section 205.180. Animals — Keeping Prohibited. [Ord. No. 1096 §§1 — 2, 8-9-2007]

- A. It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of Mound City, Missouri:
1. Any warm-blooded, carnivorous or omnivorous, wild or exotic animal (including, but not limited to, non-human primates, raccoons, skunks, foxes

and wild and exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes). This Section shall not be construed to apply to a zoological garden, theatrical exhibit or circus as defined in Section 205.010 of this Chapter, except that no theatrical exhibit or act shall be held in which animals are encouraged to perform through the use of chemical, electrical or mechanical devices.

2. Any animal having poisonous bites.
3. Any pit bull dog; provided that pit bull dogs registered with the City of the date of enactment of this Section (August 9, 2007) may be kept within the City subject to the standards and requirements set forth in Section 205.180(B). "*Pit bull dog*" is defined to mean:
 - a. The bull terrier breed of dog;
 - b. The Staffordshire bull terrier breed of dog;
 - c. The American pit bull terrier breed of dog;
 - d. The American Staffordshire terrier breed of dog;
 - e. Dogs of mixed breed or of other breeds than above listed which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers;
 - f. Any dog that has the appearance and characteristics of being predominantly of the breeds of bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier; any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers; or a combination of any of those breeds.
4. Any Rottweiler dog; provided that Rottweiler dogs registered with the City on the date of enactment of this Section (August 9, 2007) may be kept within the City subject to the standards and requirements set forth in Section 205.180(B). "*Rottweiler dog*" is defined to mean the following:
 - a. The Rottweiler breed of dog;
 - b. Dogs of mixed or crossed breeds of which one (1) or more of the mixed breeds or crossed breeds include the Rottweiler breed of dog;
 - c. Any dog that has the appearance and characteristics of being predominately of the breed of Rottweiler dog; any other breed and any other dog commonly known as or referred to as a Rottweiler; or a combination of any of the above.
5. Any dog which is the product of crossbreeding of a dog with a wolf, coyote, fox or any other warm-blooded, carnivorous or omnivorous, wild or exotic animal, such animals to be defined as "*wolf dogs*". "*Wolf dogs*" shall also be defined to mean any dog that has the appearance and characteristics of being predominately of an animal other than a dog and any animal commonly known as a "wolf dog".

6. Any vicious dog as defined in Section 205.010. "Pit bull dogs", "Rottweiler" "wolf dogs" and "vicious dogs" shall be collectively referred to in this Section as "dangerous dogs".
- B. *Keeping Of Dangerous Dogs.* The provisions of Section 205.180(A) are not applicable to owners, keepers or harborers of dangerous dogs registered with the City of Mound City on the effective date of this Section (August 9, 2007). The keeping, owning or harboring of any such dogs, however, shall be subject to the following standards:
1. *Leash and muzzle.* No person shall permit a dangerous dog to go outside his/her kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a dangerous dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
 2. *Confinement.* Dangerous dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be imbedded in the ground no less than two (2) feet. All structures which house dangerous dogs must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
 3. *Confinement indoors.* No dangerous dogs shall be kept indoors unless such dog is penned within an area as described in Section 205.180(B)(2).
 4. *Signs.* All owners, keepers or harborers of dangerous dogs within the City shall within ten (10) days of the effective date of this Section (August 9, 2007) display in a prominent place on their premises a sign easily readable by the public, using the words "beware of dog." In addition, a similar sign is required to be posted on the kennel or pen of such animal.
 5. *Insurance.* All owners, keepers or harborers of dangerous dogs must within ten (10) days of the effective date of this Section (August 9, 2007) provide proof to the Mound City Clerk of public liability insurance in single incident amount of five hundred thousand dollars (\$500,000.00) for bodily injury to or death of any person or persons or for damage to property owned by any persons that may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days' written notice is first given to the Mound City Clerk.

6. *Identification photographs.* All owners, keepers or harborers of dangerous dogs must within ten (10) days of the effective date of this Section (August 9, 2007) provide to the City Clerk two (2) color photographs of the animal clearly showing the color and approximate size of the animal.
 7. *Reporting requirements.* All owners, keepers or harborers of dangerous dogs must within ten (10) days of the incident report the following information in writing to the Mound City Clerk as required hereinafter:
 - a. The removal from the City or death of a dangerous dog;
 - b. The birth of offspring of a dangerous dog.
 8. *Sale or transfer of ownership prohibited.* No person shall sell, barter or in any other way dispose of a dangerous dog registered with the City of Mound City, unless such transfer is to a person or entity who does not reside within the City.
 9. *Animals born of dangerous dogs.* All offspring born of dangerous dogs registered with the City must be removed from the City within six (6) weeks of the birth of such animal.
 10. *Irrebuttable presumptions.* There shall be an irrebuttable presumption that any dog registered with the City as a dangerous dog or any of those breeds prohibited by Section 205.180(A) is, in fact, a dog subject to the requirements of the Section.
 11. *Failure to comply.* It shall be unlawful for the owner, keeper or harborers of a dangerous dog registered with the City of Mound City to fail to comply with the requirements and conditions set forth in this Section. Any dog found to be the subject of a violation of this Section shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal, resulting in the immediate removal of the animal from the City.
- C. *Violations And Penalties.* In addition to all other penalties available pursuant to the ordinances of Mound City, the following penalties may be imposed: Should the defendant refuse to remove the dog from the City, the Municipal Court Judge shall find the defendant owner in contempt of court and order the immediate confiscation and impoundment of the animal. Each day that a violation of this Section continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this Section shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this Section.

Section 205.190. Limitation On Number of Dogs or Cats Kept. ² [Ord. No. 1113 §§1 — 2, 5-8-2008]

². Editor's Note — Ord. no. 1096 §1, adopted August 9, 2007, repealed section 205.180 "wild animals" and section 205.190 "vicious dogs prohibited — exceptions" and §2 enacted new provisions which are set out as section 205.180 "animals —

No person or group of persons residing at the same address shall at any time keep, harbor or own, on any parcel of land within the City, more than three (3) dogs and three (3) cats over the age of six (6) months. This provision shall not apply to any lawfully operated commercial kennel or a kennel maintained in connection with a small animal hospital or the City pound. For purposes of this Section, in addition to any general penalty allowed the judge shall order the defendant to remove sufficient number of dogs or cats to bring into compliance with this Section.

Section 205.200. Bites By Animals. [Ord. No. 984 §18, 10-4-2001]

- A. It is unlawful for any person having knowledge that any person has been bitten by a dog or other animal to refuse to notify the Police promptly.
- B. Any animal that bites a person shall be quarantined for ten (10) days if ordered by the appropriate City Officer. During quarantine the animal shall be securely confined and kept from contact with any other animal. At the discretion of the appropriate City Officer, the quarantine may be on the premises of the owner. If the appropriate City Officer requires other confinement, the owner shall surrender the animal for quarantine period to an animal shelter or shall, at his/her own expense, place it in a veterinary hospital.

Section 205.210. Quarantine Order To Be Issued By Mayor — To Be Published and Posted.

Whenever rabies becomes prevalent in the City, the Mayor shall, according to the necessity of the case, issue a quarantine order, requiring every owner or person in charge of any dog or dogs within the limits of the City, to either kill or impound his/her dog or dogs or to have such dog or dogs immunized. Said order shall be published once in the paper officially publishing the business of the City; and in the absence of such paper, shall be posted as in case of sales of personal property. The Mayor is authorized by proclamation to terminate any such quarantine whenever, in his/her judgment, the necessity for it no longer exists.

Section 205.220. Animals With Rabies. [Ord. No. 984 §20, 10-4-2001]

Any animal suspected by an appropriate City Official to have rabies shall be quarantined and examined by a licensed veterinarian to determine whether or not it has rabies. If a veterinarian diagnoses rabies in an animal in quarantine, the animal shall be humanely killed and the head of such animal sent to a laboratory for pathological examination and confirmation of the diagnosis.

Section 205.230. Application To Non-Residents. [Ord. No. 984 §21, 10-4-2001]

The Sections of this Chapter requiring a permit shall not apply to non-residents of the City who are keeping only domestic pets, provided that animals of such owners shall not

keeping prohibited" and section 205.190 is reserved for the city's future use. Former sections 205.180 and 205.190 derived from ord. no. 984 §17, 10-4-2001. Subsequently, ord. no. 1113 §2, adopted May 8, 2008, enacted new provisions which are set out as section 205.190.

be kept in the City longer than thirty (30) days and that the animals are kept under restraint and the dog is vaccinated for rabies.

Section 205.240. Compensation of Animal Control Officer. [Ord. No. 984 §22, 10-4-2001]

The Animal Control Officer shall receive a fee for his/her services as established by a fee schedule set by the Board of Aldermen.

Section 205.250. Hindering The Enforcement of This Chapter. [Ord. No. 984 §23, 10-4-2001]

It is unlawful for any unauthorized person to break open the pound or to attempt to do so or to take or let out any animals therefrom or to take or attempt to take from any officer any animal taken up by him/her in compliance with this Chapter or in any manner to interfere with, hinder, molest or abuse such officer in the discharge of his/her duties under this Chapter.

Section 205.260. Keeping of Livestock. [Ord. No. 1112 §1, 4-10-2008]

- A. *Distance From Dwellings And Other Structures.* No person shall keep a cow, bull, mule, jack, horse, goat, sheep or any form of animal commonly known as livestock except hogs, swine or pigs (hereinafter, collectively referred to as "livestock") or chickens, ducks, geese, guinea hens or any form of bird commonly known as fowl (hereinafter, collectively known as "fowl") in an outdoor enclosure or pasture, the exterior boundary of which is within one hundred (100) feet of the dwelling house of another, a church, a school, a business or other such structure intended for human habitation on a permanent or temporary basis.
- A. No hogs, swine or pigs shall be kept within the City under any conditions.
- B. *Limitation On Number Kept.* No person shall keep any livestock in an outdoor enclosure or pasture unless such enclosure or pasture shall have an area of twenty-one thousand seven hundred eighty (21,780) square feet (one-half (½) acre) for each head of livestock located thereon; provided that this area requirement shall not apply to the keeping of suckling offspring of a cow or mare.
- C. *Confinement Of Livestock And Fowl Within City.* Every person owning land within the City upon which livestock or fowl are kept or permitted to be kept by the landowner or otherwise shall confine and restrict such livestock and fowl to such property.
- D. *Offensive Or Noxious Odors From Keeping Of Livestock Or Fowl.* No person shall keep or allow or permit to be kept on any premises occupied by him or under his charge or control any livestock or fowl in a pen or other enclosure under such conditions that cause an offensive or noxious smell or odor to arise therefrom, to the injury, annoyance or inconvenience of any inhabitant of the City.
- E. *Livestock Prohibited In Certain Structures.* It shall be unlawful to keep or maintain livestock in a building used for residential purposes.

F. *Unlawful Release Of Livestock Or Fowl.* It shall be unlawful for any person to release or permit or cause to be released from any enclosure any livestock or fowl.