

AN ORDINANCE GOVERNING THE REGULATION OF FARM AND WILD ANIMALS
WITHIN THE CITY LIMITS OF THE CITY OF SELIGMAN, MISSOURI, DEFINING
CRUELTY TO ANIMALS WITHIN THE CITY LIMITS OF THE CITY OF SELIGMAN,
MISSOURI AND PROVIDING FOR PENALTIES FOR VIOLATION

Whereas, the Aldermen of the City of Seligman, Missouri desire to enact an Ordinance regulating animals and defining cruelty to animals within the city limits of the City of Seligman and providing for a penalty for its violation.

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

SECTION ONE: This ordinance replaces and supersedes any and all ordinances which contradict the provisions set forth herein.

SECTION TWO: No person shall raise or keep within the City of Seligman any farm animals including but not limited to roosters, cattle, sheep, goats and swine of any size, shape or breed. Nor shall any person raise or keep within the City of Seligman any canine which is the offspring of the mating of a domestic canine with a wolf, coyote or any other non-domestic animal.

SECTION THREE: No person shall raise or keep ducks, geese, turkeys, guineas, peafowl or rabbits within the City of Seligman.

SECTION FOUR: No person shall own, keep or harbor within the City of Seligman, any of the following animals: all species of bears, leopards, lions, all types of lynxes, all types of panthers, including but not limited to cougars, pumas, jaguars, ocelots, cheetahs, margays, mountain lions, bobcats, hyenas, tigers, all venomous snakes, alligators, crocodiles, caymans, chimpanzees, gorillas, orangutans, any constrictor snake of over eight feet in length, foxes, wolves, coyotes and any other non-domestic animal.

SECTION FIVE: No person shall raise or keep more than six chickens within the City of Seligman. The chickens must be kept within a stable, stall, shed, coop or other building which contains enclosed sides and a waterproof roof.

SECTION SIX: Whenever any stable, stall, shed, coop or other building in which any chicken or any other animal is kept, in which manure or liquid discharges of such animal shall collect or accumulate, is not kept in a cleanly and wholesome condition, so that no offensive smell is allowed to escape therefrom, it shall be deemed a nuisance.

SECTION SEVEN: The raising of such animals set forth in Sections Two, Three and Four or in excess of the number set forth in Section Five are hereby declared to be a public nuisance. Notwithstanding the foregoing, the specified animals may be raised or kept within a school or for educational purposes authorized by the Seligman School District and approved in writing by the Board of Aldermen.

SECTION EIGHT: Any animals currently located within the City of Seligman and prohibited

herein, at the time of the passage of this Ordinance shall not be replaced when they die. If the animals are replaced, the replacement animals are being kept or raised in violation of this Ordinance. Any animals currently located within the City of Seligman and prohibited herein, at the time of the passage of this Ordinance shall not be removed from the City of Seligman and subsequently returned. If the animals are removed and returned, they are being kept or raised in violation of this Ordinance.

SECTION NINE: Upon a finding by the Municipal Court Judge that animals are being raised or kept within the city limits of the City of Seligman in violation of this Ordinance, the Judge shall order the animals to be removed within a specific number of days set forth by the Judge as reasonable in the circumstances.

SECTION TEN: If the person raising or keeping the animals in violation of this Ordinance does not remove the animals as ordered by the Municipal Court Judge set forth herein, the Chief of Police may capture, board and dispose of any animal being raised or kept in violation of the Court's Order. The cost of capture, boarding and disposal of any animal according to this Ordinance shall be documented by the Chief of Police and submitted to the City Attorney. If criminally prosecuted, the costs shall be recovered as recoupment against the Defendant upon plea or being found guilty of any section of this Ordinance.

If not criminally prosecuted, the costs shall be a debt legally owed to the City by the person raising or keeping the animal and shall be collected by all legal means available.

SECTION ELEVEN: It shall be an Ordinance violation for any person to: negligently fail to provide adequate care to, or adequate care of, an animal; Intentionally or purposely kill an animal in any manner not allowed by state statutes; Intentionally, purposely or recklessly cause injury, suffering or pain to any animals; Abandon any animal in any place without making provisions for its adequate care; Overwork or overload an animal, or drive or work an animal unfit to work; having ownership or custody of an animal, willfully fail to provide adequate care for, or adequate control of, an animal; and the parent or guardian of a minor child is responsible for the adequate care and control of any animal kept, owned by, in the control of, or harbored by the minor child. All persons who violate any part of this provision may be ticketed for "Cruelty to Animal(s)" and prosecuted in Municipal Court.

SECTION TWELVE: If any provision of this ordinance is held invalid, such invalidity shall not affect any other provision, or the application thereof, which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION THIRTEEN: Any person who violates the provisions of this ordinance, shall, upon conviction, be subject to a fine of not less than \$50.00 nor more than \$500.00, or by imprisonment of up to ninety days or by both fines and imprisonment.

SECTION FOURTEEN: This ordinance shall be in full force and effect from and after its passage and approval.

SECTION FIFTEEN: Said approval being effective the ____ day of _____, 2017.

Mayor

PASSED AND ADOPTED by the following vote:

Mayor of Seligman

ATTEST

City Clerk

BE IT REMEMBERED that the above Ordinance was adopted upon its second reading by the following votes:

ALDERMAN _____ VOTES _____

ALDERMAN _____ VOTES _____

ALDERMAN _____ VOTES _____

ALDERMAN _____ VOTES _____