

ANIMAL CONTROL

1.0 **ANIMAL CONTROL REGULATIONS:** There is hereby adopted a code of regulations, to be known as the Greene County Animal Control Regulations, which may be referred to as “The Animal Control Regulations.” The regulations are organized into chapters, sections, subsections and parts thereof under a suitable system of codification adopted, approved and from time to time revised by or under the direction of the County Commission of Greene County, Missouri.

2.0 **PURPOSE:** These regulations are enacted for the purpose of regulating the ownership and possession of dogs in the unincorporated areas of Greene County comprising the Urban Animal Control Area surrounding the City of Springfield in order to protect and promote the public health and safety.

2.1 **Maintenance of Regulations** – The original and any supplements of these animal control regulations shall be prepared and printed whenever authorized or directed by the Greene County Clerk. The regulations shall be maintained and available for distribution to the public in the office of the County Clerk pursuant to Section 192.300, RSMo. For example, but not by way of limitation, the County Clerk or designated person may publish these regulations in printed form and in electronic media, organize the regulations and provide appropriate headings, titles, sections and subsections of the regulations; prepare tables of contents, indexes, appendices, covers and other publication features in original electronic or printed form and in supplement, make necessary changes to accommodate new material or change existing sections or numbers and make other non substantial

changes necessary to preserve the original meaning of these regulations and any supplements thereto.

3.0 **AUTHORITY**: These regulations are enacted under authority vested in the County Commission of Greene County, Missouri, by section 192.300 RSMo, and sections 322.090-322.130 RSMo.

4.0 **DEFINITIONS**: As used in these regulations, unless the context clearly indicates otherwise, the following words and terms shall have the following meanings:

4.1 **Animal Control Officer** – Any individual employed, hired by contract for services, or appointed to enforce the animal control regulations established by order of the Greene County Commission.

4.2 **Health Director** – Health Director of the Springfield-Greene County Health Department.

4.3 **Health Official** – An employee of the Springfield-Greene County Health Department or any other person so appointed by the Health Director to administer or enforce the provisions of this chapter.

4.4 **Dog** – Means one or more male or female dogs (Genus Canis)

4.5 **Kennel** – Means the house, store, yard, enclosure or space where four (4) or more dogs over the age of six (6) months are harbored or kept.

4.6 **Nuisance Dog** – A dog of any breed, or mixed breed, which repeatedly demonstrates threatening behavior by growling, baring teeth, chasing or lunging, towards an individual or individuals, bicyclists, motor vehicles, or

domesticated animals or livestock or attacks domesticated animals or livestock.

4.7 **Owner** – The person having the right of property or custody of an animal; or who keeps or harbors an animal; or who has an animal in his or her care or possession; or who knowingly permits an animal to remain in, or about any premises occupied by or under the control of that person.

4.8 **Own or Possess** – A property interest in an animal, actual or claimed, or the exercise of dominion or control over an animal, or the intent to exercise dominion or control over an animal with the present ability to do so.

4.9 **Person** – Any natural person, business entity of any type, corporation, trust, association of any type, or any agent, officer or employee of any of the foregoing.

4.10 **Urban Animal Control Area** – Those geographic areas located in Greene County, Missouri which are unincorporated and surround the City of Springfield as described by the Greene County Commission in the appendix to these regulations.

4.11 **Vicious Dog** – A dog of any breed, or mixed breed, which without provocation or command demonstrates a pattern of unequivocal viciousness, bites or injures a human being or exhibits a pattern of behavior of biting or attacking or attempting to bite or attack human beings at any location or inappropriately attacks domesticated animals or livestock off the owner's or possessor's property. No dog shall be defined or considered vicious if the dog is working for a law enforcement agency or any law enforcement officer in the performance of law enforcement work, or is protecting its owner or

possessor's person or premises from someone committing a crime. No dog shall be defined or considered vicious solely because of its breed.

4.12 Vicious and Nuisance Dog Advisory Board – An advisory board consisting of persons appointed by the Greene County Commission which evaluates evidence concerning dogs which are claimed to be vicious or a nuisance dog as defined in these regulations and makes a recommendation on their classification and disposition to the Health Director. The board shall consist of three (3) members appointed by the Greene County Commission. Each member shall serve for a term of three (3) years without compensation. The board shall convene at the request of the Health Director to review any appeal concerning a claim that a dog is vicious or nuisance dog. There shall be a quorum of two board members to hold an appeals hearing.

5 **ANIMAL CARE**: Any person who owns or possesses an animal subject to these regulations shall abide by the following requirements:

5.1 Confinement and Control of Dogs in Urban Animal Control Area: It shall be unlawful for any dog to be unconfined or unrestrained within the Urban Animal Control Area, or for any person who owns or possesses a dog to permit such dog to be within the Urban Animal Control Area unconfined or unrestrained, unless such dog is on real estate owned or lawfully possessed by such owner or possessor, or such dog is on real estate owned or lawfully possessed by another person who has expressly consented to the presence of such dog, or such dog is in a motor vehicle being driven or parked upon a public road, or such dog is engaged with its owner or possessor and working as a stock dog, or such dog is engaged with its owner or possessor in hunting or training, or such dog is under the immediate control of its owner or possessor by means of a leash. The provisions of this section are not

intended, nor shall be construed, to abrogate or modify any other provisions of law pertaining to trespass or the rights and privileges pertaining to the ownership or possession of real or personal property.

5.2 Nuisance Dog and Vicious Dog Prohibition – It shall be unlawful for any person to own or possess a dog in the Urban Animal Control Area of Greene County which demonstrates the following behavior without a permit issued by the Health Director for such dog:

5.2.1 A dog of any breed, or mixed breed, which repeatedly demonstrates threatening behavior by growling, baring teeth, chasing or lunging towards an individual or individuals, bicyclist, motor vehicles, or domesticated animals or livestock, attacks domesticated animals or livestock, or attacks domesticated animals or livestock.

5.2.2 A dog of any breed, or mixed breed, which without provocation or command demonstrates a pattern of unequivocal viciousness, bites or injures a human being or exhibits a pattern of behavior of biting or attacking or attempting to bite or attack human beings at any location or inappropriately attacks domesticated animals or livestock off the owner's or possessors property.

5.3 Exceptions to prohibitions on dogs to bite or attack This subsection shall not apply to the use of dogs by law enforcement agencies, or dogs in defense training involving a consenting person properly prepared as an attack target, or dogs lawfully defending persons or property from someone committing a crime.

5.3.1 For the purposes of this subsection, a person is conducting himself or herself peacefully and lawfully upon the private property of an owner of the dog when he or she is on such property in the

performance of any duty imposed on such person by federal, state or local law or the postal regulations of the United States, or when he or she is on such property upon invitation, either expressed or implied.

6 **DUTY OF ANIMAL OWNERS** – It shall be the duty of every person who owns or possesses any dog to take all reasonable and necessary steps and precautions to protect other people, property, and animals from injuries or damages which might result from their dog’s behavior, regardless of whether such behavior is motivated by mischievousness, playfulness or ferocity. In the event that the owner or possessor of any dog is a minor, the parent(s) or guardian(s) of such minor shall be responsible for insuring compliance with the provisions of these regulations.

7 **PROCEDURE OR CLASSIFICATION OF VICIOUS AND NUISANCE DOGS** The following procedure shall be applicable in determining whether a dog is vicious or a nuisance.

7.1 **Complaint and Investigation** – A complaint may be presented to an animal control officer, a health official, or any law enforcement officer. A complaint shall be investigated by a health official or animal control officer or other person designated by the Health Director to determine if there is probable cause to believe that a dog is vicious or a nuisance dog as defined by these regulations. Complaints shall be investigated when a citizen reports the dog has acted in a manner which may reasonably cause it to be classified as a vicious or nuisance dog as defined in these regulations; or the complaint is based upon a dog bite report filed with a law enforcement officer, animal control officer, or a health official; or an animal control officer, health official, or law enforcement officer observes the dog acting in a manner which may reasonably cause it to be classified as a vicious or nuisance dog as defined in these regulations. The results of all investigations shall be submitted to the

Health Director for review and determination of whether a dog should be classified as a vicious or nuisance dog under these regulations.

7.2 Vicious or Nuisance Dog Declaration – When the Health Director determines after review of investigation reports submitted that there is probable cause to believe that a dog is vicious or a nuisance, then the Health Director may issue a declaration that a specific dog is classified as a vicious or nuisance dog. The declaration shall be in writing and shall contain a description of the dog, the name and address of the owner or possessor of the dog (if known), the whereabouts of the dog (if it is not in the custody of the owner), the facts upon which the vicious or nuisance dog declaration is based, the availability of an appeal and hearing in case the owner or possessor objects to the declaration and that a request for a hearing must be made within five (5) business days of service of the declaration upon the owner or possessor, the restrictions placed on the animal as a result of the vicious or nuisance dog declaration, and the penalties for violation of the restrictions, including the possibility of destruction of the animal and imposition of fine or imprisonment. The vicious dog declaration shall be in writing and shall be personally served on the owner or possessor of the dog, or if the owner or possessor cannot be served personally, then served by regular mail to the last known address of the owner or possessor, or if the owner or possessor cannot be located, then service can be made by publication in a newspaper of general circulation in the closest city or town having such a newspaper where the dog was observed or seized.

7.3 Appeals of Vicious or Nuisance Dog Declarations – Any owner or possessor of a dog declared a vicious or nuisance dog may appeal that determination by filing a written request with the Health Director to review and set aside that declaration within five (5) business days of being served with

notice of the declaration. The Health Director shall schedule an informal hearing with the owner or possessor of a dog subject to such declaration within fifteen (15) business days of receipt of such request for review. The hearing shall be conducted before the Health Director or his or her appointed representative, available members of the Vicious and Nuisance Dog Advisory Board, and shall include upon request the voluntary attendance of the dog owner or possessor and/or his or her representative, an animal control officer having personal knowledge of the dog, the complainants and/or their representative, and any other interested parties or witnesses. At such hearing the Health Director, or appointed representative, shall receive all relevant evidence presented by the complainant, the dog's owner/possessor, as well as the health official or animal control officer or law enforcement officer involved, and the recommendation of the Vicious and Nuisance Dog Advisory Board. The Health Director, or his appointed representative, shall decide at the conclusion of the hearing whether to affirm or set aside the declaration. Any final determination by the Health Director that a dog is a vicious dog or nuisance dog as defined in these regulations or any such declaration to which no timely request for review is made shall create a conclusive presumption that the dog determined to be a vicious dog or nuisance dog is in fact and in law a vicious dog or nuisance dog as defined in these regulations for purposes of any legal proceedings after such final determination applicable to such dog, or owner or possessor thereof. However, a finding that a dog is a vicious dog or nuisance dog pursuant to the provisions of these regulations shall not be a condition precedent to institution of any civil, quasi-criminal or criminal proceeding under these regulations, or any other provision of law. In any legal proceeding where a final determination has not been made pursuant to these regulations, the question of whether or not a dog is vicious or a nuisance shall be a factual issue to be determined as a part of such proceeding. Any final decision of the Health Director shall be in writing stating

the facts upon which it is based, and whether under these regulations such dog is in fact a vicious dog or nuisance dog. Any further appeals thereafter shall be as provided by law, pursuant to Chapter 536, Revised Statutes of Missouri.

7.4 Vicious Dog and Nuisance Dog Management and Control – No person shall own or possess a vicious dog or nuisance dog except in accordance with the following requirements:

7.5 Vicious and Nuisance Dog Permits – No person shall own or possess a vicious dog or nuisance dog without an annual permit issued by the Health Director. Any person owning or possessing a vicious dog or nuisance dog shall obtain and maintain a permit authorizing the possession and ownership of such dog within ten (10) business days of the Health Department declaring such dog to be vicious or a nuisance. Any appeal of the Health Director's declaration of a dog to be vicious or nuisance shall not affect the requirement for an annual permit or requirements for management and control of vicious dogs and nuisance dogs established by these regulations, but in the event that the declaration of the Health Director is set aside by a final decision of a court of competent jurisdiction, then such permit shall be void and any permit fees paid to the Health Department for such permit shall be refunded. The Health Director shall furnish permit application forms containing such information as deemed reasonable by the Health Director. A permit applicant shall pay user fees as are established by order of the County Commission as are reasonably necessary for administration and enforcement of these regulations for the management and control of vicious dogs. Permits issued for vicious dogs shall expire one year from date of issuance unless renewed; all such permits shall be renewed annually unless the vicious dog or nuisance dog which is the subject of the permit is dead or the ownership and

possession of such dog has been permanently transferred outside of geographic jurisdiction of these regulations.

7.6 Vicious Dog and Nuisance Dog Confinement – All vicious dogs shall be securely confined within a building or in a securely enclosed and locked kennel; all nuisance dogs shall be confined on the owner's or possessor's property within a fence or other barrier of sufficient height to prevent the animal from leaving the property. All vicious and nuisance dogs shall be so confined immediately upon receipt of the Health Director's declaration that the dog is vicious or a nuisance regardless of any appeal there from unless the Health Director extends the time for compliance for good cause. Any dog declared to be vicious or a nuisance shall be confined and controlled as required under these regulations regardless of appeal and any animal control officer shall have the right to enter upon and inspect the building or kennel or other permissible barrier in which a vicious dog or nuisance dog is confined at all times; the refusal of any owner or possessor of a vicious dog or nuisance dog to permit an animal control officer to inspect a building or kennel in which such dog is confined for compliance with these regulations shall be a violation of law and grounds for impoundment of such dog. In addition, any dog declared to be vicious or a nuisance which is not confined and controlled as required by these regulations shall be captured and impounded by an animal control officer until the owner or possessor of such dog has complied with the requirements of these regulations and such dog has been redeemed or such dog has been disposed of as otherwise provided in these regulations.

7.7 Standards for Vicious Dog Kennels – A kennel used for keeping a vicious dog must have secure sides of sufficient height and a secure top attached to the sides to prevent escape. Such kennel must have a secure bottom or floor attached to the sides of the kennel, or the sides of the kennel must be

embedded in the ground no less than two (2) feet. The kennel must be locked with a key or combination lock when such animals are within the structure. Any such kennel must comply with all applicable zoning and building regulations. The Health Director or his representative may permit alternative pen construction, if the other construction is determined to be equivalent or superior in safety to the above requirements.

7.8 Building Confinement of Vicious Dogs – When confined within a building, no vicious dog may be kept on a porch, patio or in any part of building that would allow the dog to leave such building on its own volition. No such dog may be kept in a building when windows are open or when screen windows or screen doors are the only obstacle preventing the dog from leaving the building.

7.9 Control of Vicious and Nuisance Dogs – No person shall permit a vicious dog to go outside its kennel or building unless the dog is muzzled and secured on a leash no longer than four (4) feet in length within a minimum tensile strength of 300 pounds and a person has physical control of the leash. The muzzle shall be constructed in such a manner that it will prevent the dog from biting any person or animal but also will not cause injury to the dog or interfere with its vision or respiration. No person shall permit a nuisance dog to go outside of its fenced yard or yard barrier unless the dog is secured on a leash no longer than six (6) feet in length with a minimum tensile strength of 300 pounds and a person has physical control of the leash. Such dogs shall not be leashed to inanimate objects such as trees, posts, or buildings. All vicious dogs and nuisance dogs shall be implanted with a microchip at the cost of the owner or possessor as required by the Health Director within seven (7) days of being initially declared a vicious dog or nuisance dog by the Health Director or seven (7) days after hearing thereon if timely request for

hearing has been made, whichever occurs later; no additional appeal of a vicious dog or nuisance dog declaration shall be grounds for delay in implanting a microchip in such dogs except the Health Director may extend the time for implanting a microchip for good cause.

7.10 Vicious Dog and Nuisance Dog Signage – Signs shall be conspicuously posted upon kennels of vicious dogs and all buildings used to confine vicious dogs and made plainly visible from all sides in letters of at least four (4) inches high stating the following: *“Beware of Vicious Dog.”* Signs shall be conspicuously posted upon fences or other barriers of nuisance dogs in letters at least four (4) inches high stating the following: *“Beware of Dog.”*

7.11 Removal from the List of Vicious and Nuisance Dogs – The owner or possessor of a dog that has been declared vicious or a nuisance may petition the Health Director for a hearing to reconsider the vicious or nuisance dog declaration after twelve (12) months from the initial declaration, but no more than once per calendar year. If sufficient reason is determined to warrant reconsideration, a hearing will be called to include the Health Director, the dog’s owner and/or representative, the complainant(s) and/or representatives, and available members of the Vicious and Nuisance Dog Advisory Board. After hearing, the Health Director may declare the dog which is the subject of the hearing to no longer be vicious or nuisance; a vicious dog may only be declassified to a nuisance dog and nuisance dog may be declared exempt from permitting; alternatively, the Health Director may deny declassification of the vicious dog to a nuisance dog or deny exemption of a nuisance dog from the permitting requirement. Any further appeal of the Health Director’s decision shall be as provided by law.

7.12 Transfer of Ownership or Possession of a Vicious or Nuisance Dog –

If a dog which has been declared vicious or a nuisance is sold, given away, or the possession of such dog is otherwise transferred, the previous possessor/owner shall notify the new possessor/owner in writing of the dog's classification as a vicious dog or nuisance dog and required compliance with these regulations. The previous possessor/owner shall also notify the Health Director in writing if the dog is sold or otherwise transferred within three (3) business days of the transfer of the dog. The notification shall include the name and address of the new owner/possessor.

7.13 Destruction of Vicious Dogs – Unless stayed upon order of a circuit or associate circuit judge, a vicious dog shall be ordered humanely destroyed by order of the Health Director if the Health Director finds after hearing that a dog is vicious as the term is defined in these regulations by presumption or otherwise and that one of the following factors are applicable:

- The owner or possessor of such vicious dog has previously pled guilty to or been found guilty of any offense pertaining to such dog which involves failing to adequately confine or control such dog, or
- The owner or possessor has factually failed to comply with the provisions of these regulations pertaining to the confinement and control of vicious dogs on one or more occasions after such dog has been determined to be a vicious dog and the owner or possessor was served with notice thereof, or

- The vicious propensities of the vicious dog are such that such dog presents an imminent threat to the public health and safety, or
- The vicious dog has seriously injured or killed a human being.

A hearing under this section shall be conducted within thirty (30) days of impoundment of the vicious dog provided notice of impoundment is provided to the owner or possessor of such dog. The hearing shall be conducted before the Health Director or his or her appointed representative, available members of the Vicious and Nuisance Dog Advisory Board, and shall include upon request the voluntary attendance of the dog owner or possessor and/or his or her representative, an animal control officer having personal knowledge of the dog, the complainants and/or their representative, and any other interested parties or witnesses. At such hearing the Health Director, or appointed representative, shall receive all relevant evidence presented by the complainant, the dog's owner/possessor, as well as the health official or animal control officer or law enforcement officer involved, and the recommendation of the Vicious and Nuisance Dog Advisory Board. The Health Director, or his appointed representative, shall decide at the conclusion of the hearing whether a vicious dog is to be humanely destroyed because one or more of the factors listed above have occurred. An order to destroy the vicious dog pursuant to this section shall be made in writing and contain findings of fact supporting the order based upon the evidence presented at such hearing; if a circuit judge or

associate circuit judge issues a stay of an order for destruction of a vicious dog, the owner or possessor of such dog shall deposit with the Health Director a sum of money sufficient to pay the expense of impounding and maintaining such dog pending judicial review of the order as reasonably determined by the Health Director and failure to deposit such sum within ten (10) days of being given notice thereof shall be grounds for the court to dissolve a stay of the Health Director's order of destruction. In addition, the Health Director may alternatively seek an order of destruction provided for in this section by independent civil equitable proceeding or may request such order as relief as a part of any quasi-criminal or criminal proceeding applicable to a vicious dog or owner or possessor thereof. Regardless of the disposition of a vicious dog under this section the owner or possessor of a vicious dog shall be liable for the expenses of impoundment, boarding and/or destruction as authorized by this chapter if the dog is in fact determined to be a vicious dog.

- 7.14 **Capture of Dogs Running At Large** – Any person capturing or causing to be captured any dog running at large shall make a report to the Animal Control Officer within six hours of the time of the capture. The report shall include a description of the animal and the place where the same may be taken up and impounded.

8.0 **ADMINISTRATION AND ENFORCEMENT OF ANIMAL CONTROL**

REGULATIONS: The provisions of these Regulations shall be administered as follows:

- 8.1 **Health Director and Officials, Appointment and Duties** The provisions of these Regulations shall be administered by the Springfield/Greene County

Health Department Director. The Health Director is authorized to appoint or delegate such other animal control officers officials and assistants authorized by these Regulations for the purposes of assisting the Health Director in administering or enforcing the provisions of these Regulations.

8.2 Animal Shelter – The Greene County Commission, with the advice of the Health Director, shall provide an animal shelter or shelters for the reception and humane care of impounded animals or may contract for this purpose with any governmental entity, not for profit corporation or association or licensed kennel upon such terms and conditions as are mutually deemed appropriate.

8.3 Interference with Health Officials and Animal Control Officers Prohibited – No person shall knowingly interfere with the Health Director, and animal control officers, or any person appointed by the Health Director under the provisions of these Regulations in the performance of his or her official duties as prescribed by these Regulations or as provided by state law.

8.4 Inspections - Persons requiring permits under this these regulations shall be obligated to authorize Health Department officials charged with enforcement of these regulations to conduct inspections as reasonably necessary to determine compliance with the regulations applicable to such permits. Aside from inspections conducted to determine compliance with permits issued under these regulations, the Health Director, Health Department officials, and Animal Control Officers, are hereby authorized to enter private property for the purpose of conducting inspections for the sole purpose of determining compliance with these regulations so long as such inspections are conducted outside of homes, sheds, outbuildings, or other enclosures or structures, and are otherwise outside areas which an ordinary and reasonable person would believe the owner or occupant intended to be an area of privacy shielded from

public view. Such inspections shall be conducted during normal business hours except in cases of emergency or other exigent circumstances and such inspections shall be conducted in a manner which does not infringe upon ordinary, reasonable expectations of privacy. If the Health Director or an Animal Control Officer is denied access to the premises, where such access was sought for the purposes set forth in these Regulations, the County Counselor or Assistant County Counselor may apply to a Circuit or Associate Circuit Judge of the 31st Judicial Circuit for a search warrant authorizing access to the premises for search or inspection of such premises to determine the existence of violations of these Regulations. Upon probable cause being shown, a Judge may issue a search warrant for the purposes requested, directed to the Greene County Sheriff or members of the Greene County Sheriff's Department. If a search warrant is issued by a Judge, the Sheriff's Department will serve the search warrant and assist the Health Director and/or any Animal Control Officer in the search or inspection of the premises and, when requested by an Animal Control Officer, the impoundment of any animal found to be in violation of these regulations.

8.5 Refusal to Deliver Animals to Animal Control Officers Prohibited – No person shall refuse to deliver an animal to an animal control officer when requested to do so under impoundment provisions of these regulations.

8.6 Obstructing Animal Control Officer - It shall be unlawful for any person to willfully obstruct the Health Director, Animal Control Officer or his or her assistants in the lawful discharge of their duties as required by these Regulations.

9.0 PENALTIES AND REMEDIES: Any person who violates any requirement or provision of these regulations shall be deemed guilty of a misdemeanor and shall be

punished as provided in section 192.300, RSMo., including but not limited to imposition of civil fines up to \$1,000 for violations of these regulations and/or incarceration in the County Jail for up to 180 days. In the case of a conviction by a court of competent jurisdiction for a violation of these regulations, the Court may fine the owner or possessor of a vicious or nuisance dog the following:

9.1 First Offense, Two Hundred Fifty Dollars (\$250.00) fine;

9.2 Second Offense: Three Hundred Fifty Dollars (\$350.00) fine. The Court may also consider destruction of the dog;

9.3 Third Offense: Five Hundred Dollars (\$500.00) fine. In addition to said fines, the Judge may sentence the owner to jail for a time not to exceed 180 days.

9.4 Upon a third conviction under these regulations, in addition to fines or jail sentence, the Judge shall order the destruction or disposition of the subject dog. If the owner of the subject dog shall refuse, the Judge may find the owner in contempt of court and enter any orders pursuant to such finding

9.5 Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared herein to be unlawful, whether individually or in connection with one or more other persons or as principal, agent or accessory, shall be guilty of such unlawful act, and every person who falsely, fraudulently, forcibly or willfully induced, causes, coerces, requires, permits or directs another to violate any provision hereof shall likewise be guilty.

9.6 Every day any violation of any section of these regulations shall continue shall constitute a separate offense unless otherwise specifically provided herein.

9.7 The penal remedy provided herein shall not be exclusive and the Health Director or any health official may seek and obtain in their own name or in the name of the County any other judicial relief provided for in equity or at law, including but not limited to declaratory and injunctive relief as may be appropriate under the circumstances.

10.0 **USER FEES** – The County Commission may by order from time to time establish or ratify the establishment or imposition of reasonable fees recommended by the Health Director or determined by the Health Director to be reasonably necessary in order to pay for any costs incurred in carrying out the administration and enforcement of these regulations in the Urban Animal Control Area of incorporated areas of Greene County, Missouri. Fees shall be collected and deposited using the same procedures as for those collected within the city limits of Springfield. The Health Department shall annually report the types and amounts of fees collected within the unincorporated area of the County. All fees generated under the provisions of these regulations shall be used to support the animal control activities in the Urban Animal Control Area of the unincorporated areas of Greene County for which they were generated.

11.0 **ANIMAL IMPOUNDMENT**: Animals subject to the provisions of this regulation or state law may be impounded in accordance with the following regulations:

11.1 **Impoundment, General** – Any animal owned, possessed or otherwise found to be in violation of these regulations or other provision of state law may be impounded and placed in the animal shelter by an animal control officer, a health official or other person authorized by law to impound animals.

11.2 **Protective Impoundment** - If the owner or person in control of an animal is arrested, is deceased or is otherwise incapacitated, the animal may be

taken into protective custody and impounded if no responsible party can be found to take control of the animal.

11.3 Dog Impoundment for Observation – Any dog which bites or otherwise injures any human being shall be impounded for observation.

11.4 Impoundment of Suspected Rabies Carrier – Any warm-blooded animal which is reasonably suspected to be infected with rabies in the opinion of an animal control officer or health official may be seized, impounded, and upon direction of the Health Director, may be humanely euthanized and submitted for rabies diagnosis in accordance with the procedures and requirements set forth in the current edition of the Missouri Compendium of Animal Rabies Prevention and Control.

11.5 Redemption and Disposal of Impounded Animals – Unless otherwise specified in these regulations, any animal impounded pursuant to the provisions of these regulations may be redeemed by its owner or possessor at the animal shelter during normal business hours or as authorized by the supervisor of that facility provided the owner or possessor thereof proves to the satisfaction of the supervisor of the facility or a health official or animal control officer that he/she is the owner of the animal or has written authority from the owner to redeem the animal, has complied with the provisions of this chapter, and pays any fees, costs of boarding and veterinary fees incurred for the period of any impoundment as established by the Health Director. The supervisor of the facility or Health Official shall make a reasonable effort to identify and notify the owners or possessors of the impoundment of their animals and of the redemption and disposal procedures prescribed herein. Any animal which is not redeemed within five (5) days after impoundment under these regulations, or such other time period not to

exceed thirty (30) days, shall be disposed of as follows at the discretion of the Health Director:

11.5.1 Release of the animal to a licensed / approved animal rescue organization at no charge.

11.5.2 Humane euthanasia provided the owner or possessor cannot be notified of impoundment after reasonable effort to notify the owner or possessor, or, the owner or possessor thereof fails to redeem such animal within the redemption period after notification thereof. No owner or possessor shall be relieved of liability for payment of an impoundment or boarding charge incurred as may be prescribed by law by virtue of an animal being euthanized as provided herein.

11.6 Removal of Animals from Animal Control Officers or Shelters

Prohibited – No person shall remove an animal from the custody of an animal control officer or animal shelter by force, deceit or otherwise, when such animal has been impounded by such officer under the provisions of this regulation or state law unless such person has first obtained the express consent from such officer for removal.

12.0 **JURISDICTION**: The regulations contained in this chapter shall be applicable only to the Urban Animal Control Area in the unincorporated areas of Greene County, Missouri, as defined by the Greene County Commission in the appendix attached to these regulations.

13.0 **INTERPRETATION AND SEVERABILITY**: The regulations enacted in these regulations are intended to be supplementary to other provisions or remedies authorized or prescribed by law or rule or regulation enacted thereunder. The invalidity of any particular regulations enacted herein shall not affect the validity of any other provision and all regulations hereunder shall be construed and harmoniously as

possible with each other and other applicable provisions of law. These regulations also shall be liberally and harmoniously construed to the fullest extent permitted by law to effectuate the broad remedial purposes for which they are intended.

APPENDIX

Greene County, Missouri

The geographical areas within Greene County, Missouri described herein and shown on the attached map, labeled Exhibit 1, shall constitute the Urban Animal Control Area as used in the Greene County Commission's Animal Control Order and the regulations created thereby. All incorporated municipalities shall be excluded from this description unless expressly included by subsequent order of record issued by the Greene County Commission.

DESCRIPTION OF THE URBAN ANIMAL CONTROL AREA for the purpose of administering the Animal Control Order:

A PART OF TOWNSHIP 28 NORTH, RANGE 20 WEST, AND TOWNSHIP 29 NORTH, RANGE 20 WEST, AND TOWNSHIP 28 NORTH, RANGE 21 WEST, AND TOWNSHIP 29 NORTH, RANGE 21 WEST, AND TOWNSHIP 30 NORTH, RANGE 21 WEST, AND TOWNSHIP 30 NORTH, RANGE 22 WEST, AND TOWNSHIP 29 NORTH, RANGE 23 WEST, AND TOWNSHIP 28 NORTH, RANGE 23 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF TOWNSHIP 28 NORTH, RANGE 22 WEST, AND ALL OF TOWNSHIP 29 NORTH, RANGE 22 WEST, IN GREENE COUNTY, AND ALL OF THE WEST TWO THIRDS (2/3) OF TOWNSHIP 28 NORTH, RANGE 21 WEST, IN GREENE COUNTY, AND THE WEST TWO THIRDS (2/3) OF TOWNSHIP 29 NORTH, RANGE 21 WEST, ALSO ALL OF SECTIONS 23, 24, 25, 26, AND THAT PART OF SECTION 13, LYING SOUTH OF GREENE COUNTY FARM ROAD 174, AND THAT PART OF SECTION 14, LYING SOUTH OF SAID FARM ROAD 174 AND LYING WEST OF FARM ROAD 193, AND THAT PART OF SECTION 2, LYING WEST OF FARM ROAD 193, IN TOWNSHIP 28 NORTH, RANGE 21 WEST, ALSO ALL OF SECTIONS 19 AND 30 IN TOWNSHIP 28 NORTH, RANGE 20 WEST, ALSO ALL OF SECTION 1 AND 2, TOWNSHIP 29 NORTH, RANGE 21 WEST, LYING SOUTH OF FARM ROAD 104, AND ALL OF SECTIONS 11, 12, 14,

23, 26, 35, AND THE WEST HALF (1/2) OF SECTION 24, AND THAT PART OF SECTION 25 LYING WEST OF FARM ROAD 201 AND WEST OF FARM ROAD 199, IN TOWNSHIP 29 NORTH, RANGE 21 WEST, ALSO ALL OF SECTIONS 31 AND 32, AND THE NORTHWEST QUARTER OF SECTION 33, AND THE SOUTHWEST QUARTER AND THE NORTH HALF (1/2) OF THE SOUTHEAST QUARTER OF SECTION 28, AND ALL THAT PART OF SECTION 29, LYING SOUTH OF FARM ROAD 80, IN TOWNSHIP 30 NORTH, RANGE 21 WEST, ALSO ALL OF SECTIONS 26, 34, 35, AND 36 AND THE EAST HALF (1/2) OF SECTION 27 AND THE SOUTHWEST QUARTER OF SECTION 23, IN TOWNSHIP 30 NORTH, RANGE 22 WEST, ALSO ALL OF SECTION 1, 12, 13, 23, 24, 25, 26 AND 36, AND THE EAST HALF (1/2) OF SECTION 2, AND THE EAST HALF (1/2) OF SECTION 11, AND THE EAST HALF (1/2) OF SECTION 14, AND THE EAST HALF (1/2) OF SECTION 35, IN TOWNSHIP 29 NORTH, RANGE 23 WEST, ALSO ALL OF SECTION 1 AND THE NORTHEAST QUARTER OF SECTION 2, IN TOWNSHIP 28 NORTH, RANGE 23 WEST,

EXCEPT THAT PART OF THAT PREVIOUSLY DESCRIBED LYING WITHIN THE INCORPORATED LIMITS OF THE CITY OF SPRINGFIELD MISSOURI, BATTLEFIELD MISSOURI, REPUBLIC MISSOURI, AND STRAFFORD MISSOURI, ALL IN GREENE COUNTY, MISSOURI.

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