Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. B 80-26

AN ORDINANCE

amending Chapter 5 of the City Code relating to animals and fowl; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 5 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 5-1. Definitions.

The following words and terms, as used in this chapter, shall be deemed to have the following meanings:

Dangerous exotic animal includes the following exotic animals:

(1) Lions, tigers, leopards, ocelots, jaguars, cheetahs, margays, mountain lions, Canada lynx, bobcats, jaguarundis, bears, hyenas, wolves and coyotes.

(2) Deadly, dangerous or venomous reptiles and venomous arthropods.

(3) All nonhuman primates.

(4) Any other exotic animal declared by the director to be dangerous.

Dangerous or aggressive animal advisors shall mean up to five (5) individuals appointed by the city council for the purpose of evaluating evidence and providing advice to the director on the classification and disposition of animals which have been declared to be dangerous or aggressive as defined herein. The advisors shall be residents of the City of Columbia and may not be employees of either the city nor have any city code violations under this chapter. At least one (1) advisor shall be a licensed veterinarian and all other advisors shall have a working knowledge of domesticated animals and be sympathetic to the community interest of safety and appropriate animal regulation, as determined by the city council. The veterinarian advisor(s) shall reside in Boone County and the remaining

advisors shall be residents of the City of Columbia. Advisors may not be employees of the city nor have any city code violations under this chapter. Each advisor shall serve for a term of three (3) years without compensation. The advisors shall attend, at the request of the director, hearings to review any appeal concerning a declaration that an animal is dangerous or aggressive. There shall be no minimum number of advisors required to be present to hold an appeal hearing; however, an advisor who is absent from three (3) consecutive scheduled hearings will automatically forfeit such appointment.

Department means the department of public health and human services except where the context clearly indicates otherwise.

Director means the director of public health and human services.

Domesticated animals are those animals which have reproduced while in captivity in the U.S. for at least two hundred (200) generations (with the burden of such proof resting entirely on the owner). A particular animal shall not be regarded as domesticated unless both parents are domesticated animals.

Exotic animal includes the following:

(1) Any mammal not generally accustomed to live in or near human populations.

(2) Any mammal not considered to be a member of the class generally referred to as domesticated animals.

(3) Venomous reptiles and venomous arthropods.

(4) All nonhuman primates.

(5) All animals listed on the endangered species list as designated by the U.S. Department of Interior in the Endangered Species Act of 1969.

(6) All animals protected from hunting and capture by federal and state law.

(7) All predatory birds.

Feral cat means any cat of any breed that is or becomes undomesticated, untamed, wild or is not a pet.

Feral cat colony means any number of five (5) or more feral cats being cared for at a single location.

Health official means an employee of the Public Health and Human Services Department or any other person so appointed by the director to administer or enforce the provisions of this chapter.

Livestock shall include cattle, horses, mules, goats, sheep, hogs, ducks, geese, turkeys, lamas, emu, ostriches, camels or any other domestic beast or fowl but shall not include chickens.

Person shall include natural persons and business entities, their agents, officers, and anyone having an ownership interest therein.

Rabies Compendium shall mean the most current edition of a document by that name published by the National Association of State Public Health Veterinarians, which serves as the standard for rabies vaccine, treatment and policy.

Tethering means the use of a line, rope, or chain by which an animal is fastened so as to restrict its range of movement.

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Sec. 5-3. Disposition of animals biting or attacking persons.

(a) Except as provided in subsections (b), (c) and (d), any dog or cat which bites, injures or attacks any person shall be immediately impounded for a period of ten (10) days. The animal shall be impounded in Boone County, Missouri by the animal's owner with a veterinarian of the owner's choice or with a veterinarian in another location approved by the director or the director's designee. It shall be unlawful for the animal's owner to refuse to so impound the animal. If the animal's owner does not impound the animal, the animal control officer is authorized to impound the animal in the city pound. If, within the period of ten (10) days, the animal does not develop or manifest rabies, it may be redeemed by the owner upon the payment of the boarding fee and impoundment fee provided for in section 5-5 if the animal is in the custody of the city, or the payment of usual and customary fees if the animal has been in the custody of a veterinarian of the owner's choice. If the animal is not redeemed at the end of the ten-day period, it shall be humanely disposed of, as provided for in this chapter. If the animal develops signs of rabies, the animal control officer shall have the animal examined by a licensed veterinarian. Any other warm-blooded animal that is suspected of having rabies or that bites, injures or attacks any person may, upon the order of the director, be impounded and humanely euthanized, and the brain or other structures may be submitted for rabies diagnosis subject to the provisions of article VII.

(b) Any trained dog maintained and utilized by a law enforcement agency ~~as~~ a police dog which has been vaccinated against rabies as required by this Code and which while under the control or direction of a law enforcement agency ~~the Columbia police~~ bites or attacks any person shall be examined, impounded or tested as the director deems appropriate.

(c) If any dog or cat that has been vaccinated against rabies as required by this chapter bites a veterinarian while the veterinarian is examining or treating the animal, the animal shall be examined, impounded and tested only to the extent the veterinarian deems appropriate.

(d) In lieu of the impoundment requirements of subsection (a), a dog or cat that bites, injures, or attacks any person may, at the discretion of an animal control officer, be impounded at its owner's place of residence, if all of the following requirements are met:

(1) The animal has been vaccinated against rabies, as required by this chapter;

(2) At the time of the incident, the ~~The~~ animal was either properly licensed by the city or the animal was current on its rabies vaccine and a license was obtained within three (3) business days thereafter ~~at the time of the incident~~;

(3) Neither the animal nor any other animal kept at the owner's residence has a history of running at large;

(4) The animal does not have a history of causing injury to any person or animal;

(5) The animal's owner authorizes animal control officers to monitor the animal's condition for ten (10) days;

(6) The animal's owner agrees to have the animal examined by a veterinarian or animal control officer on the tenth day of impoundment; and

(7) No one is being charged with a violation of section 5-57 involving the animal to be impounded.

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Sec. 5-5. Redemption; microchipping; neutering; payment of fees; disposition of unredeemed animals.

(a) The owner of any animal impounded ~~for running at large~~ that is not a dangerous exotic animal or a dangerous or aggressive animal may redeem the animal upon proof of ownership satisfactory to the animal control officer and upon paying a boarding fee of twenty dollars ($20.00) for each day or part of day the animal has been impounded and an impoundment fee of thirty-five dollars ($35.00) for each impoundment. If the animal is a domestic dog or cat that has not been implanted with a readable identifying microchip, the animal shall be implanted with an identifying microchip before being released. The owner shall pay a microchip implantation fee of fifteen dollars ($15.00) plus the cost of the microchip before the dog or cat is released. If the animal has previously been implanted with a microchip, the owner shall notify the department and any applicable national registry of any change in address or telephone number. Intact dogs and cats impounded for the third time shall be spayed or neutered before being released, with the following exceptions:

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(c) Subject to the provisions of article VII, at the end of five (5) days, except as otherwise herein provided, if an animal impounded ~~for running at large~~ that is not a dangerous exotic animal or a dangerous or aggressive animal has not been redeemed, the animal control officer may dispose of the animal in any one (1) of the following ways:

(1) Release of the animal to the local humane society or a local animal shelter at no charge.

(2) Humane euthanasia and disposal ~~destruction~~ of the animal in a manner approved by the director.

(3) Release of the animal to any responsible person eighteen (18) or older who expresses a desire for any given animal after payment of the prescribed impoundment fees and completion of the release procedures.

(4) Release of the animal to an accredited school, college or university within the state which has a recognized research program and whose methods of animal care and use are approved by the director, upon payment of outstanding fees.

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Sec. 5-6. Animal abuse; unlawful impoundment; unlawful confinement; tethering.

(a) Animal abuse. It shall be unlawful for any person to:

(1) Cruelly overwork any domestic animal;

(2) Cruelly work any domestic animal that is unfit for labor;

(3) Abandon any domestic animal to die;

(4) Beat, ill-treat, torment or cause injury or unnecessary pain to any animal; or

(5) Carry or cause to be carried any animal in or on any vehicle in a cruel or inhumane manner.

(b) *Animal neglect*. It shall be unlawful for any person with custody or control of an animal to fail to provide adequate care for the animal. As used in this section, "adequate care" shall mean the normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal.

(~~b~~ c) *Unlawful impoundment.* It shall be unlawful for any person to impound or confine any animal or cause any animal to be impounded or confined without supplying the following:

(1) A structurally sound, properly ventilated, sanitary, dry and weatherproof shelter suitable for the species, age and condition of the animal. The shelter must be free of litter and hazardous substances and objects and must have access to shade from direct sunlight and must allow regress from exposure to inclement weather conditions;

(2) Wholesome food suitable for the species which is provided at suitable intervals in a sanitary manner in quantities sufficient to maintain good health in the animal considering its age and condition;

(3) Constant access or access at suitable intervals to a supply of clean, potable, unfrozen water, provided in a sanitary manner and in sufficient amounts for the animal to maintain good health.~~; and~~

~~(4) Normal and prudent attention to the needs of the animal, including all necessary immunizations, sufficient exercise and rest to maintain good health and the provision to each sick or injured animal of the necessary veterinary care or humane death.~~

(~~c~~ d) *Unlawful confinement in vehicle.* It shall be unlawful for any person to confine any animal or cause any animal to be confined in a vehicle under weather conditions that endanger the health of the animal.

(~~d~~ e) Tethering. It shall be unlawful to tether any animal except under the following restrictions:

(1) No animal may be tethered as the primary method of restraining an animal to any property. No animal may be tethered for a period longer than thirty (30) minutes unless it has also been provided with adequate food, water and shelter suitable for the species, age and condition of the animal;

(2) No animal may be tethered unless supervised by a competent person physically present on the property;

(3) The tether must be of a type and weight that allows for the free movement of the animal and shall be no less than three (3) times the animal's length or ten (10) feet, whichever is greater, free from any entanglements, and contain a swivel at both ends. At no time may any logging chain, tow chain or similar device be utilized as a tether;

(4) Animals must be tethered by a non-choke type collar or body harness constructed of either nylon or leather and no less than one (1) inch in width, unless the collar is a rolled leather collar;

(5) No dog under six (6) months in age may be tethered;

(6) Multiple animals must be tethered separately and in such a way that they may not become entangled with one another; ~~and~~

(7) When tethered, an animal's maximum reach must be no closer than ten (10) feet from any sidewalk or property line; and~~.~~

(8) No animals may be tethered out during any inclement weather warning or advisory issued by the National Weather Service without providing adequate care as defined in subsection (b) of this section.

(~~e~~ f) *Defenses.* Nothing in this section shall be construed to prevent persons from taking whatever action is necessary to defend themselves, other individuals or animals when endangered by an animal attack. Nothing in this section shall be construed to prevent any person from performing any act permitted by section 578.007 RSMo or by any other Missouri or federal law.

(~~f~~ g) *Removal of animals; impoundment.* Each animal control officer may remove an animal from a private owner and place it in the custody of the department when the health or safety of the animal is in immediate danger or when the animal shows evidence of neglect or abuse. The department may retain custody of such animal until the threat to the health or safety of the animal has been removed. Except for exigent circumstances, if the owner of an animal that is neglected, abused or in danger does not consent to removal of the animal or if the owner of the property on which the animal is located does not consent to entry onto the property, the animal control officer shall enter the property and remove the animal only pursuant to a warrant issued by a judge. Any expense incurred in the impoundment of an animal under this section becomes a lien on the animal impounded and must be discharged before the animal is released from the custody of the director. Fees for dogs, cats and other small animals shall be consistent with section 5-5 of this article. In the case of large animals, private livestock haulers, stables, and other services may be used. The actual cost to or incurred by ~~of~~ the city for these services shall be charged in lieu of the costs set forth in section 5-5. An impounded animal may be humanely euthanized if a licensed veterinarian determines that the animal is diseased or disabled beyond recovery.

(~~g~~ h) *Disposal of unredeemed animals.* Subject to the provisions of article VII, when the impounded animal is not claimed by its owner and all impoundment costs satisfied within five (5) days from the date of impoundment, the animal may be sold or transferred to a person capable of providing care consistent with this section. The proceeds of the sale shall be applied to discharge the lien. If no purchaser is found, the animal may be disposed of in a manner consistent with section 5-5 of this article.

(~~h~~ i) Interfering with enforcing authority. It shall be unlawful for any person to interfere with the director or the director's authorized representative in the performance of the duties set forth in this section.

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Sec. 5-9. Dangerous exotic animals.

(a) No person shall keep, harbor, own or knowingly allow to be in or upon the person's premises any dangerous exotic animal. The provisions of this section shall not apply to a properly maintained and licensed zoological park, circus, scientific or educational institution, research laboratory or veterinary hospital.

(b) Any animal that is determined by an animal control officer to be a dangerous exotic animal shall be immediately impounded. Except for exigent circumstances, if the owner of the dangerous exotic animal does not consent to removal of the animal or if the owner of the property on which the animal is located does not consent to entry onto the property, the animal control officer shall enter the property and remove the animal only pursuant to a warrant issued by a judge. The dangerous exotic animal shall remain impounded until:

(1) The director determines that the animal is not an exotic dangerous animal; or

(2) The owner satisfies an animal control officer that the animal will be kept in a lawful manner; or

(3) The owner relinquishes ownership of the animal and the animal is either humanely euthanized and disposed of ~~destroyed~~ or placed with a person who shall keep the animal in a lawful manner; or

(4) A person charged with a violation of this section has been found not guilty and the judge orders the animal released; or

(5) A court determines that the animal is not a dangerous exotic animal.

(c) The owner of the dangerous exotic animal shall pay the boarding fee and impoundment fee provided for in section 5-5 plus any additional cost incurred by the city in feeding and caring for the animal. The owner shall be billed periodically by the city for such fees and expenses. If the owner fails to pay such a bill within ten (10) days after it was mailed, ownership of the animal shall be deemed relinquished and, after the procedures of this section have been followed, the animal may either be humanely euthanized and disposed of ~~destroyed~~ or placed with a person who shall keep the animal in a lawful manner. Bills for fees and costs under this section shall notify the animal owner that if the bill is not paid within ten (10) days, the animal will be humanely euthanized and disposed of ~~destroyed~~ or placed with some person who shall keep the animal in a lawful manner. The bill shall also state that the animal owner may meet with the director or the director's designee to dispute whether the animal is a dangerous exotic animal or the amount of the bill before the animal is humanely euthanized and disposed of ~~destroyed~~ or placed with another person. If the animal owner wishes to meet, the owner must request a meeting in writing. The request must be delivered to the director at the address given for this purpose

on the bill. The request must be delivered before the deadline for disposition of the animal indicated on the bill.

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Sec. 5-11. Sale of reptiles.

~~(a)~~ It shall be unlawful for any person to sell a reptile to any person under the age of eighteen (18) unless the purchaser is accompanied by a parent or legal guardian of the purchaser.

~~(b) It shall be unlawful for any pet store owner or employee to sell a reptile unless the seller gives the purchaser written information provided by the director describing the human health and safety risks associated with reptile ownership. The seller shall require the purchaser to sign a statement acknowledging receipt of such information. The seller shall retain the statement for at least one (1) year from the date of sale.~~

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Sec. 5-15. Same—Director may delegate certain powers.

(a) In order to remove or disperse congregations or flocks of birds constituting a nuisance as defined by ordinance, the director may delegate the implementation of a dispersal plan to any responsible person or persons ~~citizen or citizens~~ in the affected neighborhood by permit specifying the name of the permittee, date of issuance, date of expiration and details of the plan so delegated.

(b) This section shall not be construed to empower the director to authorize any person ~~private citizen~~ to discharge any firearm or to use any device which launches a projectile of any type.

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Sec. 5-28. Appointment of deputy license administrators for collection of animal license tax.

Each licensed veterinarian engaged in such practice within the city shall, upon application to the business license administrator, be appointed by the business license administrator as a deputy business license administrator for the sole purpose of collecting the animal license tax and issuing a receipt of purchase ~~certificate~~ and metallic tag, to be supplied by the business license administrator, evidencing payment of such tax. The deputies may charge a fee for providing this service. Such deputies shall be accountable to the business license administrator for such metallic tags ~~and certificates received~~, and all license taxes collected. It shall be a misdemeanor for any deputy business license administrator to fail to pay over to the business license administrator the license tax herein provided to be paid to such business license administrator. In addition to penalties provided

by law for misdemeanor, the business license administrator may revoke such deputy's appointment and remove the deputy business license administrator from office.

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Sec. 5-57. Dangerous or aggressive animals.

(a) No person shall own, keep, harbor or allow to be in or upon the person's premises any dangerous or aggressive animal unless it is confined in accordance with the provisions of this section. An animal is dangerous or aggressive:

(1) If it bites or otherwise injures any person or domestic animal or pet, or

(2) If it habitually snaps at, growls or otherwise manifests a disposition to bite, attack or injure any person or domestic animal or pet, or

(3) If it causes any person to have a reasonable fear of immediate serious physical injury.

Any trained dog maintained and utilized by a law enforcement agency ~~the Columbia Police Department~~ as a police dog shall not be considered a dangerous or aggressive animal so long as it is maintained and utilized by a law enforcement agency ~~the Columbia Police Department~~ as a police dog.

(b) A complaint alleging that an animal is dangerous or aggressive may be presented to any law enforcement officer or law enforcement department having jurisdiction, or to an animal control officer or to a health official. The complaint shall be investigated by a health official or animal control officer or other person designated by the director to determine if there is probable cause to believe that an animal is dangerous or aggressive as defined in paragraph (a) above. Complaints shall be investigated only when submitted by a person who is willing to testify that the animal has acted in a manner which may reasonably cause it to be classified as a dangerous or aggressive animal as defined in paragraph (a) above, or the complaint is based upon an animal 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 animal to act in a manner which may reasonably cause it to be classified as a dangerous or aggressive animal as defined in paragraph (a) above. The results of all investigations shall be submitted to the Health Director for review and determination of whether an animal should be classified as a dangerous or aggressive under these regulations.

(c) When the director determines after review of investigation reports submitted that there is probable cause to believe that an animal is dangerous or aggressive, then the director may issue a declaration that a specific animal is classified as a dangerous or aggressive animal. The declaration shall be in writing and shall contain a description of the animal, the name and address of the owner or possessor of the animal (if known), the whereabouts of the animal (if it is not in the custody of the owner), the facts upon which the

dangerous or aggressive 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 dangerous or aggressive animal declaration, and the penalties for violation of the restrictions, including the possibility of humane euthanasia and disposal of the animal and imposition of fine or imprisonment. The dangerous or aggressive animal declaration shall be in writing and shall be personally served on the owner or possessor of the animal. If the owner or possessor cannot be served personally, then animal control will post notice on the property and provide service by regular mail to the last known address of the owner or possessor. Notice shall be deemed served five (5) days after regular mail sent. If the owner or possessor cannot be located, then service can be made by publication in a newspaper of general circulation.

(d) Any owner or possessor of an animal declared as dangerous or aggressive may appeal that determination by filing a written request with the director to review and set aside that declaration within five (5) business days of being served with notice of the declaration. The director shall schedule an informal hearing with the owner or possessor of an animal subject to such declaration within twenty (20) business days of receipt of such request for review. The hearing shall be conducted before the director or their appointed representative and available dangerous or aggressive animal advisors, and shall include upon request the voluntary attendance of the animal owner or possessor and/or their representative, the animal control supervisor, an animal control officer having personal knowledge of the animal, the complainants and/or their representative, and any other interested parties or witnesses. At such hearing the director or their appointed representative shall receive all relevant evidence presented by the complainant, the animal's owner/possessor, the animal control supervisor, as well as the health official or animal control officer or law enforcement officer involved, and the recommendation of the dangerous or aggressive animal advisors present. The director or their appointed representative shall decide at the conclusion of the hearing whether to affirm or set aside the declaration. Any final determination by the director that an animal is dangerous or aggressive as defined in paragraph (a) above or any such declaration to which no timely request for review is made shall create a conclusive presumption that the animal determined to be dangerous or aggressive is in fact and in law a dangerous or aggressive animal as defined in paragraph (a) above for purposes of any legal proceedings after such final determination applicable to such animal, or owner or possessor thereof. However, a finding that an animal is dangerous or aggressive 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 an animal is dangerous or aggressive shall be a factual issue to be determined as a part of such proceeding. Any final decision of the director shall be in writing stating the facts upon which it is based, and whether under these regulations such animal is in fact a dangerous or aggressive animal. Any further appeals thereafter shall be as provided by law. The owner or possessor of an animal that has been declared dangerous or aggressive may petition the director for a hearing to reconsider 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 and the director may affirm or set aside the prior determination.

(~~b~~ e) Dangerous or aggressive animals shall be securely confined indoors or in a securely enclosed and locked kennel or cage. The kennel or cage shall be of a size appropriate to the size of the animal kept therein and shall provide adequate ventilation, shade from the sun and protection from the elements. In the event of a dispute over the appropriate size, the guidelines of the United States Department of Agriculture shall apply. The kennel or cage must have secure sides and a secure top attached to the sides. Such kennel or cage must have a secure bottom or floor attached to the sides or the sides must be embedded in the ground. The kennel or cage must be locked with a key or combination lock when such animals are within the structure. Any such kennel or cage must be located at least ten (10) feet from any property line and must comply with all zoning and building regulations of the city. Kennels for dangerous or aggressive dogs must be at least six (6) feet in height and, unless a secure bottom or floor is attached to the sides, the sides must be embedded in the ground no less than two (2) feet.

(~~c~~ f) When confined indoors, no dangerous or aggressive animal may be kept on a porch, patio or in any part of a house, building or structure that would allow the animal to exit such building on its own volition. No such animal may be kept in a house, building or structure when the windows are open. No dangerous or aggressive dog may be kept in a house, building or structure when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

(~~d~~ g) No person shall permit a dangerous or aggressive animal to go outside its kennel, cage or secure structure unless that person has the animal securely leashed on a leash no longer than four (4) feet in length and that person has physical control of the leash. Such animals shall not be leashed to inanimate objects such as trees, posts, buildings, etc. Additionally, all such animals on a leash outside the animal's kennel, cage or secure structure must be muzzled using a basket muzzle made from rigid material and ~~by a muzzling device~~ sufficient to prevent the animal from biting persons or other animals.

(~~e~~ h) A sign or signs shall be conspicuously posted upon the premises and kennel or cage of any dangerous or aggressive animal with letters at least two (2) inches high containing a warning to beware of the dangerous or aggressive animal.

(~~f~~ i) Any dangerous or aggressive animal that is not confined in accordance with this section may be impounded by an animal control officer. Except for exigent circumstances, if the owner of a dangerous or aggressive animal does not consent to removal of the animal or if the owner of the property on which the animal is located does not consent to entry onto the property, the animal control officer shall enter the property and remove the animal only pursuant to a warrant issued by a judge. The dangerous or aggressive animal shall remain impounded until:

(1) The owner satisfies an animal control officer that the animal will be confined in accordance with this section; or

(2) The owner relinquishes ownership of the animal and the animal is either humanely euthanized and disposed of ~~destroyed~~ or placed with a person who will keep the animal in a lawful manner; or

(3) A person charged with a violation of this section has been found not guilty and the judge orders the animal released; or

(4) A court determines that the animal is not a dangerous or aggressive animal or that the animal has been confined in accordance with the requirements of this chapter.

(~~g~~ j) The owner of the dangerous or aggressive animal shall pay the boarding fee and impoundment fee provided for in section 5-5 plus any additional cost incurred by the city in feeding and caring for the animal. The owner shall be billed periodically by the city for such fees and expenses. If the owner fails to pay such a bill within ten (10) days after it was mailed, ownership of the animal shall be deemed relinquished and, after the procedures of this section have been followed, the animal may either be humanely euthanized and disposed of ~~destroyed~~ or placed with a person who shall keep the animal in a lawful manner. Bills for fees and costs under this section shall notify the animal owner that if the bill is not paid within ten (10) days, the animal will be humanely euthanized and disposed of ~~destroyed~~ or placed with some person who shall keep the animal in a lawful manner. The bill shall also state that the animal owner may meet with the director or the director's designee to dispute ~~whether the animal is a dangerous or aggressive animal or~~ the amount of the bill before the animal is humanely euthanized and disposed of ~~destroyed~~ or placed with another person. If the animal owner wishes to meet, the owner must request a meeting in writing. The request must be delivered to the director at the address given for this purpose on the bill. The request must be delivered before the deadline for disposition of the animal indicated on the bill.

(~~h~~ k) All dangerous or aggressive animals shall be photographed and implanted with an identifying microchip at the owner's expense in accordance with rules established by the director. All dangerous or aggressive animals shall be spayed or neutered at the owner's expense.

(~~i~~ l) No person shall own, keep or harbor any dangerous or aggressive animal without a current annual dangerous or aggressive animal registration issued by the department of health. The annual fee for a dangerous or aggressive animal registration shall be three hundred dollars ($300.00). A prorated portion of the fee shall be refunded if the dangerous or aggressive animal dies or has been permanently moved outside the city limits.

(~~j~~ m) Upon conviction of any person of a violation of this section, the municipal judge may, in addition to the usual judgment upon conviction, order the animal control officer to forthwith take up and humanely euthanize and dispose of ~~put to death~~ such dangerous or aggressive animal.

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Sec. 5-59. Tags, collar or harness required on dogs.

(a) No owner or keeper of any dog over the age of four (4) ~~three (3)~~ months shall allow or permit such dog to be in any place in the city at any time without a collar or harness having attached thereto the license tag required by sections 5-62 and 5-64; nor shall any resident or owner or keeper of any dog permit or allow such animal to wear any tag other than the identical tag issued by the business license administrator or the business license administrator's deputy for such animal. It shall be the duty of the police to report to the business license administrator, the business license administrator's deputy, or the animal control officer, the owner or keeper of any dog permitting such dog to be in any place in the city at any time without a collar or harness having attached thereto the tag as herein provided. Dogs not displaying the aforesaid tag shall be taken up and impounded by the animal control officer.

(b) No person shall remove or cause to be removed, the collar, harness or tag mentioned in paragraph (a) above, from any dog without the consent of the owner or keeper thereof.

Sec. 5-61. Vaccination of domestic dogs and cats—Required.

No person shall own, keep, harbor or permit to be or remain on or about such person's premises any domesticated dog or cat which, if over four (4) ~~three (3)~~ months of age, has not been vaccinated by a licensed veterinarian with a vaccine approved and listed in the current rabies compendium which will, in the opinion of the director, be effective during the full term of ~~for which~~ such license ~~is issued~~.

Sec. 5-62. Same—Evidence prior to license issuance.

Prior to issuing a license receipt ~~tax certificate~~ and license tag, the deputy business license administrator shall require the owner to present satisfactory evidence that the animal has been vaccinated for rabies and that such vaccination, if any, will be effective during the full term for which such animal license is issued. If the owner cannot present such satisfactory evidence of such vaccination, the deputy shall, before issuing a license receipt ~~certificate~~, cause the animal to be vaccinated for rabies at the expense of the owner with a type of vaccine approved by the director. In evidence of such vaccination, the deputy shall issue to the owner an appropriate certificate of such vaccination bearing the date of vaccination, vaccination certificate number, and the name and address of the veterinarian.

Sec. 5-63. Licensing of domestic dogs and cats—Required.

No person shall own, keep, harbor or permit to be or remain on or about such person's premises any dog or cat over four (4) ~~three (3)~~ months of age which has not been licensed.

Sec. 5-64. Same—Tags and receipts ~~certificates~~.

The business license administrator shall provide each deputy with a sufficient number of metallic tags of convenient size and shape, having cast thereon in sunken letters the number of the license and the year of issue, and take receipt therefor. The deputy shall furnish to all animal owners who pay the animal license fee or who show proof of working dog certification one of such tags and a receipt as proof ~~certificate~~ of purchase ~~license, the license number of the tag to correspond with that on the certificate. The license certificate shall consist of an original and two (2) duplicate originals.~~ The receipt ~~certificate~~ shall contain the number of license, date of issuance, the name and address of the owner, and a description of the licensed animal. ~~It shall bear the facsimile signature of the business license administrator, and shall be countersigned by the business license administrator's deputy. The deputy shall deliver the original of such license certificate to the animal control officer and one duplicate original to the business license administrator.~~

Sec. 5-65. Same—License fee levied.

(a) There is hereby levied for each domestic cat or dog between the ages of four (4) ~~three (3)~~ months and twelve (12) months, and for each neutered domestic cat or dog of any age kept, harbored or owned within the city a license fee of five dollars ($5.00) for any period of time not to exceed one (1) year; and ten dollars ($10.00) for any period greater than one (1) year, but not exceeding two (2) years; and fifteen dollars ($15.00) for any period greater than two (2) years but not exceeding three (3) years. "Neutered" shall include both male and female animals irreversibly rendered incapable of reproduction by surgical or chemical procedure when such is verified in writing by the animal owner.

(b) There is hereby levied for each intact domestic cat or dog over the age of twelve (12) months kept, harbored or owned within the city a license fee of fifteen dollars ($15.00) for any period of time not to exceed one (1) year; and thirty dollars ($30.00) for any period greater than one (1) year, but not exceeding two (2) years; and forty-five dollars ($45.00) for any period greater than two (2) years but not exceeding three (3) years. "Intact" shall include all dogs or cats not certified in writing by the owner to have been irreversibly chemically or surgically rendered incapable of reproduction.

(c) The licensing fees of this section shall not apply to any certified working dog trained to assist handicapped individuals.

(d) The licensing fees of this section shall not apply to any trained dog maintained and utilized by a law enforcement agency ~~the Columbia Police Department~~ so long as it is maintained and utilized as a police dog.

. . .

Sec. 5-121. Applicability.

The provisions of this article apply whenever a person is entitled to a hearing to contest an action taken by the department or the director and whenever the department knows the identity of an impounded animal's owner and the department intends to humanely euthanize and dispose of the animal or release the animal to someone other than the animal's owner or the owner's agent.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2026.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____

City Counselor