

CODE OF ORDINANCES
COUNTY OF ADAIR, STATE OF MISSOURI
Enacted 20th day of September, 2011

Ordinance No. 2011-1

- I.** Definitions- As used in this ordinance, the following terms shall have the meanings indicated:
- (1) **“Adequate provocation,** “ taunting, tormenting or abusing the animal attack or attempt to attack the animal or the owner of the animal; attack or attempt to attack the young of the animal.
 - (2) **“Animal,”** every living vertebrate except a human being.
 - (3) **“Owner,”** in addition to its ordinary meaning, any person who keeps or has under their control an animal or professes to be owning, keeping, or maintaining control of an animal.
 - (4) **“Pet,”** any domesticated animal, which animal is not a vicious animal.
 - (5) **“Vicious Animal,”** any animal which bites, attacks, or otherwise injures any human being or pet without adequate provocation; or any animal which because of temperament, condition or training has a known propensity, ~~tendency, or disposition to bite, attack or otherwise injure any human being,~~ other animal or pet without adequate provocation; or any animal which constitutes a threat of serious physical injury to human beings or pets as a result of one (1) or more attacks to an human being or pet without adequate provocation, of such severity that the attack resulted in serious physical injury.
 - (6) **“Serious Physical Injury”**, as used in this Ordinance, shall mean physical injury that creates a substantial risk of death or that causes serious injury that create a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.
- II.** **Requirements for keeping a vicious animal-** It shall be unlawful for any person to keep or have under their control within Adair County any vicious animal, with the knowledge that the animal is vicious, unless the following requirements are met:
- (1) Except as provided below, all vicious animals shall be confined in such a manner that prohibits such animal to exit the building or structure through the animal’s own volition;
 - (2) Any vicious animal will not be allowed to exit confinement unless it is muzzled by a muzzling device sufficient to prevent such animal from biting or attacking human beings, pets, or other animals, and either:
 - (a) Confined to a securely enclosed and locked pen or kennel with sides and secure top attached to the sides, or

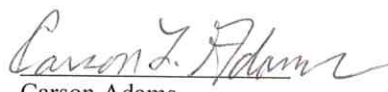
- (b) Securely restrained with a leash or lead no more than four (4) feet in length, with the owner, and agent or a member of owner's immediate family, who is at least twelve (12) years of age or older, in physical control of such leash or lead.
- (3) All owners, keepers or harborers of vicious animals must display in a prominent location of the premises a sign readable by the public containing the phrase "**Beware of vicious animal.**"
- (4) The owner of any animal which is a vicious animal as defined in this ordinance, shall in addition to complying with the foregoing provisions, comply with the following:
 - (a) The owner of any animal which bites, attacks, or otherwise injures any human being or pet without adequate provocation must, within seven (7) days of the date of such incident, provide proof to the Adair County Clerk of public liability insurance in a single incident amount of ten thousand dollars (\$10,000), and an aggregate amount of twenty thousand dollars (\$20,000) for bodily injury or death of any human being resulting from the ownership, keeping or having control of such animal.
 - (b) Such insurance policy shall provide that no cancellation of the policy will be made unless thirty (30) days written notice is first given to the County Clerk.

III. Incurred Costs – The animal owner will be financially responsible for all costs and remittances related to the following:

- (1) Animal acquisition, security, and delivery costs to an animal shelter will be payable to the County of Adair.
- (2) Incarceration and vaccination expenses at an animal shelter will be payable to the animal shelter.

IV. Penalty for violations of this ordinance- The range of punishment for a knowing or reckless violation of this ordinance is incarceration in the Adair County Detention Center for up to six (6) months and/or up to a five hundred dollar (\$500) fine or any combination of the above.


Stanley Pickens
Presiding Commissioner


Carson Adams
1st District Commissioner


Mark Thompson
2nd District Commissioner