

ORDINANCE NO. 980203

AN ORDINANCE, PERTAINING TO PUBLIC HEALTH, SAFETY, AND WELFARE OF LIVESTOCK AND PROPERTY, AND ESTABLISHING A POLICY FOR LIVESTOCK RUNNING LOOSE WITHIN THE CORPORATE LIMITS OF THE CITY OF WOOD HEIGHTS, MISSOURI, AND PRESCRIBING PENALTIES TO BE ASSESSED.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF WOOD HEIGHTS, RAY COUNTY, MISSOURI, AS FOLLOWS:

SECTION I.

IT SHALL BE UNLAWFUL FOR ANY OWNER OF LIVESTOCK TO ALLOW SAID LIVESTOCK TO WANDER, STROLL UPON PUBLIC GROUNDS, PUBLIC PLACES, OR VACANT LOTS.

SECTION II.

IT SHALL BE UNLAWFUL FOR THE PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK TO PERMIT SUCH LIVESTOCK TO VIOLATE THE PROVISIONS OF SUBSECTION (I) OF THIS SECTION. EACH VIOLATION OF THE PROVISIONS OF THIS SUBSECTION SHALL CONSTITUTE A SEPARATE OFFENSE.

SECTION III.

ANY POLICE OFFICER FINDING OWNER OR THE PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK VIOLATING THE PROVISIONS OF SUBSECTION (I) OF THIS SECTION SHALL WARN THE OWNER OR THE PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK TO DESIST IMMEDIATELY FROM SUCH VIOLATION AND HAVE THE RESPONSIBLE PARTY TAKE THE LIVESTOCK HOME TO THEIR OWNER OR THE PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK. IF SUCH OWNER OR PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK CANNOT BE LOCATED, THE POLICE OFFICER SHALL RETAIN CUSTODY OR TAKE THE LIVESTOCK TO AN APPROPRIATE LOCATION UNTIL THE OWNER OR PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK CAN BE NOTIFIED, WITH ALL COSTS INCURRED, BEING THE RESPONSIBILITY OF THE OWNER OR PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK. THE OFFICER SHALL ALSO REPORT THE VIOLATION TO HIS/HER SUPERIOR OFFICER, WHO SHALL CAUSE A WRITTEN NOTICE TO BE SERVED ON THE OWNER OR PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK, SETTING FORTH THE MANNER IN WHICH THIS SECTION HAS BEEN VIOLATED.

SECTION IV.

ANY OWNER OR THE PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK VIOLATING THE PROVISIONS OF SUBSECTION (I) OF THIS SECTION THREE OR MORE TIMES IN A ONE YEAR PERIOD FOLLOWING THE FIRST VIOLATION, AFTER RECEIVING WRITTEN NOTICE OF THE FIRST TWO VIOLATIONS, SHALL UPON CONVICTION BE DEEMED GUILTY OF A MISDEMEANOR.

SECTION V.

ANY OWNER OR PERSON HAVING THE CARE AND CUSTODY OF LIVESTOCK FOUND NOT VIOLATING THE PROVISIONS OF SUBSECTION (I) OF THIS SECTION FOR A PERIOD OF ONE YEAR, FOLLOWING A CONVICTION OF SUBSECTION (IV) IN A PRIOR YEAR, MAY BEGIN THE PROCESS OF SUBSECTION (IV) ANEW.

SECTION VI.

ALL EXISTING ORDINANCES OR PARTS OF ORDINANCES IN HERewith ARE HEREBY REPEALED ON THE EFFECTIVE DATE HEREOF.

SECTION VII.

THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER ITS DATE OF PASSAGE.

READ TWO TIMES AND PASSED THIS 3rd DAY OF, FEB, 1998.

MAYOR

Melvin Carmichael Jr.

Lisa Vassar

ATTEST

SEAL