

AN ORDINANCE AMENDING CHAPTER 14 ANIMALS OF THE CODE OF THE CITY OF FULTON, MISSOURI AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION ONE: That Chapter 14 Animals of the Code of the City of Fulton, Missouri be amended as follows:

**Sec. 14-1. - Definitions.**

**ADD:**

*Electronic Pet Containment System* means an in-ground or wireless electronic system designed to keep a pet or other domestic animal within a set of predefined boundaries without the use of a physical barrier. This definition specifically excludes electric fences used for livestock.

**DELETE:**

*Harbored* means fed or sheltered for seven consecutive days.

**ADD:**

*Harbored* means fed or sheltered for three consecutive days.

**DELETE:**

*Owner* means any person owning, keeping or harboring one or more animals. If the owner is a minor, the term shall include the parent or legal guardian of such minor.

**ADD:**

*Owner* means any person owning, in care or control of, possessing, harboring, keeping or sheltering any animal. If the owner is a minor, the term shall include the parent or legal guardian of such minor.

**Sec. 14-3. – Penalties.**

**DELETE SUBSECTION (a) AS FOLLOWS:**

(a) Any person violating this chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 and not more than \$500.00 and all costs associated with impoundment as follows:

1. First offense, not less than \$25.00 and not more than \$500.00.
2. Second offense, in a 12-month period, not less than \$75.00 and not more than \$500.00.

3. Third offense, in a 12-month period, not less than \$100.00 and not more than \$500.00.
4. Fourth offense and thereafter, in a 12-month period, not less than \$150.00 and not more than \$500.00.

(b) If a violation continues, each day's violation shall be deemed a separate violation.

**ADD NEW SUBSECTION (a) AS FOLLOWS:**

(a) Any person violating this chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 and not more than \$1,000.00 and all costs associated with impoundment as follows:

1. First offense, not less than \$25.00 and not more than \$1,000.00
2. Second offense, in a 12-month period, not less than \$75.00 and not more than \$1,000.00.
3. Third offense, in a 12-month period, not less than \$100.00 and not more than \$1,000.00.
4. Fourth offense and thereafter, in a 12-month period, not less than \$150.00 and not more than \$1,000.00

(b) Violations accumulate per owner, not per animal.

(c) If a violation continues, each day's violation shall be deemed a separate violation.

**Sec. 14-66. – Restraint.**

**ADD NEW SUBSECTIONS (c) and (d) AS FOLLOWS AND RE-NUMBER FOLLOWING SUBSECTIONS AS REQUIRED:**

(c) An operable electronic pet containment system shall be considered a fence in compliance with this chapter provided it is effective in restraining the intended animal. Any area contained with an electronic pet containment system must be placed a minimum of three (3) feet back from any city easement and must be marked with at least two (2) signs, at least eight (8) inches by twelve (12) inches in size. The signs must be visible from the street and shall be placed on all corners of any property line facing a public thoroughfare.

(d) An electronic pet containment system will not be considered a sufficient form of containment for a dog deemed dangerous by an animal control officer or a police officer.

**ARTICLE I. – IN GENERAL**

**ADD NEW SECTION 14-22. LIVESTOCK AND FOWL. AS FOLLOWS AND RE-NUMBER FOLLOWING SECTIONS AS REQUIRED:**

**Sec. 14-22. – Limitations on Livestock and Fowl.**

(a) The following per acre limits apply to the keeping of livestock or fowl in any combination of species:

1. One (1) adult horse, mule, donkey, or other animal of like kind or cow per acre,
2. Three (3) adult goats, sheep, llamas, alpacas, ostriches, or emus per acre; and
3. Ten (10) adult rabbits, chickens, turkeys, pheasants, quail, geese, or ducks per acre.

(b) It shall be unlawful for any person to keep more livestock or fowl on any premises than as set out in subsection (a).

SECTION TWO: That all existing ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION THREE: That this ordinance shall be in full force and effect after its passage by the Council and approval by the Mayor.

READ THREE TIMES AND PASSED THIS 20TH DAY OF DECEMBER, 2011.

s/LeRoy D. Benton  
LeRoy D. Benton  
President of the Council

APPROVED THIS 20TH DAY OF DECEMBER 2011.

s/LeRoy D. Benton  
LeRoy D. Benton  
Mayor

ATTEST:

s/Carolyn L. Laswell  
Carolyn L. Laswell, CMC/MRCC  
City Clerk