

ORDINANCE NO. 13
IMPOUNDING OF ANIMALS

Sec. 1. ANIMALS RUNNING AT LARGE A PUBLIC NUISANCE. - All horses, mules, cattle and sheep, goats, swine and other animals of like nature running at large within the City of Rolla are hereby declared to be a public nuisance.

Sec. 2. UNLAWFUL FOR ANIMALS TO RUN AT LARGE WHERE. - It shall be unlawful for horses, mules and cattle, sheep, goats or swine to run at large on the streets, avenues, alleys, parks or public grounds within the City of Rolla or to be tethered or staked out on the streets, parks or public grounds of the City of Rolla, or to be tethered or staked in such a manner as to go upon a street, sidewalk or cross-walk or public ground within the City of Rolla, and each and every animal of either kind may be impounded in the public pound of the city if found running at large, or tethered or staked, contrary to the provisions of this chapter.

Sec. 3. ANIMALS TO BE IMPOUNDED, WHEN, DUTY OF CITY MARSHAL, POUNDMASTERS DUTY. - Any of the aforesaid animals found running at large or tethered or staked out contrary to the provisions of this ordinance, shall be liable to be taken or driven to the city pound by any person, and it shall be the duty of the Poundmaster to receive and impound any such animal so driven or taken to said pound; and it shall be the duty of the City Marshal or any police officer of the City of Rolla to take any of the aforesaid animals so found running at large, or tethered or staked contrary to the provisions of this ordinance and either impound the same or deliver the same to the Poundmaster. When the Poundmaster shall have received or impounded such animal as aforesaid, it shall be his duty either to keep the same safely until the owner or some person for the owner shall come and pay the Poundmaster or the City Marshal, the fees, charges and fine herein provided for or until such animal or animals shall be sold according to law and the provisions of this ordinance.

The Poundmaster shall feed and properly care for such animal so impounded and for such services shall receive the fees hereinafter provided.

The Poundmaster shall have a lien on all such animals so impounded for the full amount of the charges and expenses and keeping of the same and shall be entitled to the possession of the same until such charges and expenses are paid; if the same are not paid and the said animals removed within four days after they are impounded, the Poundmaster shall give notice, by publishing the same in the official newspaper of said city that said animals, describing them, are impounded, and that unless the same are taken away, and all costs, feed and charges paid, he will sell the same at public vendue to pay such costs, fees and charges.

Such notice shall be published and the sale conducted in the same manner as prescribed by statute for the sale of personal property

on foreclosure by statute for the sale of personal property on foreclosure of chattel mortgages by advertisement.

The Poundmaster shall receive 5 percent of the purchase money so received at such sale for each animal sold as his fees for conducting such sale. The fee for publishing such notice of sale shall be Three dollars. Such notice shall be published once at least six days before the day of the sale; and all sales shall be for cash. All money so received by the Poundmaster for the sale of such animals shall be paid to the City Treasurer at once. The fees and charges for impounding any such animal or animals and for the care, keeping and sale of same shall be paid out of the general fund of the city upon the presentation and allowance of the same by the City Council.

Sec. 4. The Poundmaster shall receive the sum of fifty cents for each and every animal so impounded by him; for feeding and caring for any such animal the sum of Twenty-five cents per day; for notifying owners of the animals, the sum of Fifty cents; for drawing notice of sale, Fifty cents; provided however that if any such animal shall be taken up and brought to the pound by any person other than the Poundmaster, such person shall receive the same fees as is provided herein for the impounding such animals by the Poundmaster. (Amended #132)

Sec. 5. UNLAWFUL TO BREAK OPEN POUND OR TAKE ANIMAL BEING TAKEN TO THE POUND. - Any person or persons who shall in any manner molest, injure or break open any city pound, or any pound belonging to or erected by the city, or who shall aid or assist, abet or advise any person or persons to molest, injure or break open any such pound, or any such person who shall let out or rescue, or aid, or assist or abet in letting out, the animal or animals which may be impounded in any such pound shall upon conviction, be fined in the sum of not less than five nor more than Fifty dollars for each and every offense. And any person or persons who shall aid or assist, abet or advise any person to take from any other person or persons, any animal or animals, being taken or driven to the pound, shall upon conviction thereof be liable to the fine provided by this section.

Sec. 6. POUNDMASTER TO BE APPOINTED, HOW, WHEN, BOND.- At the first regular session of the City Council after the biennial election for Mayor, the Mayor shall appoint and submit to the Council for their approval and confirmation or within a reasonable time thereafter, such appointment of a City Poundmaster, who shall give a bond in the sum of Two Hundred and Fifty dollars for the faithful performance of his duty.

Sec. 7. DUTY OF CITY COUNCIL TO DESIGNATE CITY POUND. - It shall be the duty of the City Council in each year upon the appointing and designating of a City Poundmaster by the Mayor, to designate a pound, within the city limits of Rolla, for the impounding of animals herein provided.

The City Marshal or other person, impounding such animal, shall

within a reasonable time thereafter, notify the owner or agent of the owner of such animal if the same is known to him, that such animal has been impounded.