COUNCIL BILL NO. 2025-453 ORDINANCE NO.

AN ORDINANCE amending Chapter 18, Animals, Article I, Sec. 18-5(c) *Animal neglect and abandonment — Penalties*.

WHEREAS, the City Code requires additional and specific language in order to comport with minimum standards set forth by the Code of State Regulations rules under the Department of Agriculture Division 30—Animal Health Chapter 9—Animal Care Facilities; and

WHEREAS, it is in the best interest of the City of Joplin to set forth certain minimum standards of care for animals.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Chapter 18, Animals, Article I, Sec. 18-5 (c) Animal abuse and neglect, is amended as follows:

"Sec. 18-5. – Animal Abuse and Neglect.

(c) *Animal neglect and abandonment—Penalties.*

(1) A person is guilty of animal neglect when he has custody or ownership or both of an animal and fails to provide adequate care or adequate control, which results in substantial harm to the animal to include:

a. A structurally sound, properly ventilated, sanitary, dry and weatherproof shelter suitable for the species, age and condition of the animal, which is free of litter or hazardous substances and objects and which provides access to shade from direct sunlight and regress from exposure to inclement weather conditions. The shelter shall have at a minimum a floor, walls with an opening provided with a windbreak and rain break at the entrance suitable for the size of the animal and a roof. The shelter should be large enough to allow each animal to sit, stand, lie in a normal manner, and turn about freely. Unacceptable shelter includes but is not limited to barrels, crates, cardboard boxes and tarpaulins;

b. In addition to the shelter structure, one (1) or more areas of shade large enough to contain all the animals at once and protect them from the direct rays of the sun throughout the course of the day.

c. Adequate care and proper shelter for sick, infirmed, aged or animals six (6) months or younger.

d. Clean, dry bedding material if the ambient temperature is below fifty degrees Fahrenheit (50° F) or ten degrees Celsius (10° C). Additional clean, dry bedding to a depth that is considered nestable is required when the temperature is thirty-five degrees Fahrenheit (35° F) or one and seven-tenths degrees Celsius (1.7° C) or lower.

e. Outdoor housing facilities must have adequate drainage to prevent standing water.

f. Wholesome foodstuffs suitable for the species which is provided at suitable intervals for the species in a sanitary manner and in quantities sufficient to maintain good health in the animal considering its age and condition;

g. 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 species to maintain good health in the animal; and

h. Normal and prudent attention to the needs of the animal, including all required immunizations, sufficient exercise and rest, and grooming to maintain good health and the provision to each sick or injured animal of the adequate veterinary care or humane death.

(2) A person is guilty of abandonment when he has knowingly abandoned an animal in any place without making provisions for its adequate care.

(3) Animal neglect and abandonment is punishable pursuant to section 1-5. All fines and penalties for a first conviction of animal neglect or abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived.

(4) In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect or abandonment to pay all reasonable costs and expenses necessary for:

a. The care and maintenance of neglected or abandoned animals within the person's custody or ownership;

b. The disposal of any dead or diseased animals within the person's custody or ownership;

c. The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and

d. The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals.

Section 2. That this Ordinance shall be in full force and effect from and after its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____day of _____ 2025, by a vote of _____.

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Keenan T. Cortez, Sr., Mayor

ATTEST:

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Holly Nagy, City Clerk

APPROVED AS TO FORM:

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Peter C. Edwards, City Attorney