

AN ORDINANCE amending Chapter 18, Animals, of the Joplin City Code by adding language to Sec. 18-5 Animal Abuse and Neglect, clarifying authority for addressing animals left in automobiles.

WHEREAS, the Joplin Health Department, Animal Control Program regularly receives complaints about animals left in automobiles during stressful temperature conditions, and

WHEREAS, animals left in automobiles without adequate ventilation during periods of heat or cold can result in physical damage or death of the animal.

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

Section 1. That Section 18-5. Animal Abuse and Neglect of Article I. General, of Chapter 18 Animals of the Joplin City Code be amended by adding a new section to read as follows:

“Sec. 18-5. Animal Abuse and Neglect.

...

(d) Animal Abuse-Penalties.

- (1) A person is guilty of animal abuse when a person:
  - a. Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from this ordinance without legal excuse or justification;
  - b. Purposely or intentionally causes injury or suffering to an animal without legal excuse or justification;
  - c. Has ownership or custody of an animal and knowingly fails to provide adequate care or adequate control;
  - d. Causes an animal to be carried, moved or kept in or upon any vehicle in a cruel or inhumane manner;
  - e. Teases or torments an animal in a fashion so as to make such animal mean or aggressive; or
  - f. **Confines an animal in a motor vehicle under conditions likely to cause suffering, injury, or death to the animal due to heat, cold, lack of adequate ventilation, or under other endangering conditions.**
    1. **In order to protect the health and safety of an animal, any law enforcement officer or animal control officer, who has probable cause to believe that an animal is confined in a motor vehicle under conditions stated above, may enter the motor**

**vehicle by any reasonable means under the circumstances, which may include the breaking of a window, after making a reasonable effort to locate the owner or other person responsible for the animal.**

- 2. A notice shall be placed on the vehicle, in a secure and conspicuous location on or within the motor vehicle, bearing the law enforcement/animal control officer's name and office, and the address of the location where the animal may be retrieved. The owner may retrieve the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment, and impoundment of the animal and only if otherwise allowed by this code.**
- 3. Nothing in this section shall be construed to apply to the transportation of horses, cattle, sheep, swine, poultry, or other livestock.**

(2) Animal abuse is punishable pursuant to [section 1-5](#).”

...

Section 2. This ordinance shall become effective from and after May 9, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this \_\_\_\_ day of \_\_\_\_\_, 2016.

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Michael L. Seibert, Mayor

ATTEST:

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Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

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Peter C. Edwards, City Attorney