

**AN ORDINANCE AMENDING SECTION 5-1, ARTICLE I, CHAPTER 5, OF THE CUBA CITY CODE MODIFYING DEFINITION FOR ADEQUATE CARE FOR ANIMALS AND FOWL**

**Be it ordained, by the Board of Aldermen of the City of Cuba, Missouri, as follows:**

**Section 1:** Section 5-1, Article I, Chapter 5 of the Cuba City Code shall be amended to modify the definition of "Adequate Care" to read as follows:

**ADEQUATE CARE** – Normal and prudent attention to the needs of an animal including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal as further described below:

**FEED** - means food which is of sufficient quantity and nutritive value to maintain each animal in good health; is accessible to each animal; is prepared so as to permit ease of consumption for the age, species, condition, size and type of each animal; is provided in a clean and sanitary manner; is placed so as to minimize contamination by excrement and pests; and is provided at suitable intervals for species, age, and condition of the animal, but at least once daily, except as prescribed by a veterinarian.

**WATER** - means clean, fresh, and potable water of a drinkable temperature which is provided in a suitable manner, in sufficient volume, and at suitable intervals, appropriate for the weather and temperature, to maintain normal hydration for the age, species, condition, size, and type of each animal. Except as prescribed by a veterinarian animals must have access to water at all times. Water must be provided in clean and durable receptacles which are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests.

**SHELTER** means shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, (a dog house will not be considered shade in and of itself), the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and, for dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the dog or cat to stand up and turn around and lie down in a normal manner. Shelter must be maintained in a sanitary manner. Once the temperature drops below 32 degrees F, it shall be unlawful to house an animal outside and not provide a shelter that protects the animal from distress.

Under this Chapter, shelters with wire, grid, or slat floors that permit the animal's feet to pass through the openings, sag under the animal's weight, or otherwise do not protect the animal's feet or toes from injury are not adequate shelter. Materials not suitable for shelters include, but are not limited to:

- (1) Metal or plastic drums;
- (2) Plastic dog houses or crates not insulated in some way that protects the animals from distress;
- (3) Abandoned or parked vehicles;
- (4) Uncovered porches or decks;

- (5) Lean-tos; or
- (6) Any other structure that fails to provide sufficient protection from the elements.

**Section 2:** This Ordinance shall be effective from and after the date of its passage and approval.

**READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF CUBA, MISSOURI, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
CODY LEATHERS, MAYOR  
Attest:

\_\_\_\_\_  
LAINIE GARBO, CITY CLERK

(City Seal)

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
CODY LEATHERS, MAYOR  
Attest:

\_\_\_\_\_  
LAINIE GARBO, CITY CLERK

(City Seal)

Approved as to the form.  
WILLIAMS, ROBINSON, RIGLER & BUSCHJOST, P.C.

By: \_\_\_\_\_  
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Rolla, Missouri 65402  
(573) 341-2266

ATTORNEYS FOR THE CITY OF CUBA, MISSOURI

Alderman	Vote on First Reading On _____, 2022	Vote on Second Reading On _____, 2022
Kevin Copling		
Sam Black		
Dave Honea		
Warren Graddy		
Curtis Holt		
Jeff Bouse		