

**Ordinance No. 1527**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF ANDOVER  
CHAPTER 2, ARTICLE 1, ANIMALS GENERAL, SECTION 102 AND  
108, ARTICLE 3, DOGS GENERAL, SECTION 310, AND ARTICLE 4,  
ANIMALS AT LARGE, SECTIONS 401, 402, 403, 404, 405, 406 AND 408  
TO READ AS FOLLOWS:**

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, BUTLER COUNTY, KANSAS:

**SECTION 1.** The following sections of the Code of the City of Andover are hereby amended to read as follows:

**2-102. Running at Large**

It shall be unlawful for the owner or any other person having charge of any said animal or animals to permit the same to run at large or stray within the city. For the purposes of this chapter the term running at large shall mean any animal within the city not confined to a vehicle or automobile or to the lead of its master or owner, or kept on the premises of its master or owner shall be considered running at large.

**2-108. Dangerous or Diseased Animal.**

A law enforcement officer or any other person designated by the Mayor, is hereby empowered to take an animal into custody that is infected with a contagious disease, has bitten someone, or in the officer's opinion poses a risk to the community's health and safety. It shall be the duty of the law enforcement officer to impound such animal and notify the owner in writing of such impoundment and not to release such animal until the owner thereof has furnished a letter from a licensed veterinarian to the effect that such animal is not infected with a contagious disease or a threat to the community. In the event that such animal is found to be incurably infected or remains a threat to the community, then in that event three (3) days' notice of such shall be furnished to the owner, if known and thereafter the animal shall be destroyed.

**2-310. Penalty.**

Any person violating any of the provisions of this article for which another penalty is not specifically provided shall, upon conviction thereof, be assessed or levied a fine of \$25.00.

**ARTICLE 4. DOGS AT LARGE**

**2-401. Dogs at large: defined and prohibited.**

confined to a vehicle or automobile or to the lead of its master or owner, or kept on the premises of its master or owner shall be considered, for the purpose of this chapter to be running at large.

#### **2-402. Impounding.**

It shall be the duty of every City law enforcement officer or any animal control officer or pound master employed by the City to apprehend any dog found running at large in violation of Section 2-401 of this article and to:

- (a) Impound such dog in a place provided by the City, and/or;
- (b) If the owner, keeper or harbinger of the dog can be determined, a warning or citation may be issued in lieu of such impoundment.

#### **2-403. Impounding notice.**

When any dog is impounded pursuant to Section 2-402 hereof the City law enforcement officer, or some other person who may be designated by the Mayor, shall cause notice to be given by mail or by telephone to the owner of said dog if the same can be ascertained and at the time of such impoundment a description of all dogs; whose owner cannot be ascertained, shall be publicly posted by the Police Department for the information of any person interested in such dog so impounded, provided, however, that failure to ascertain the ownership or to notify the owner of any such dogs shall not constitute a violation of any of the procedures with respect to the disposal of any unclaimed dogs.

#### **2-404. Redeeming impounded dogs.**

(a) In the event that the owner of any dog impounded under the aforesaid Section 2-402, shall appear at the Police Department, or at any other place that may be designated by the Mayor, within seventy-two (72) hours after said dog shall be impounded, the owner shall be entitled to redeem such dog upon the payment of the sum of Forty Five Dollars (\$45.00) and the cost of the care and maintenance of said dog (which cost is hereby determined to be ten dollars (\$10.00) per day for each day or portion of a day of impoundment) and a ten dollar fee if the dog has not been vaccinated or inoculated with a recognized anti-rabies vaccine.

#### **2-405. Disposal of unclaimed dogs.**

After the expiration of the seventy-two (72) hours provided in the above Section 2-404, a law enforcement officer or any other person designated by the Mayor, is hereby empowered to dispose of any unclaimed dogs, by destruction, or by delivery to a licensed veterinarian facility or humane society recognized by the laws of the State of Kansas.

#### **2-406. (Omit)**

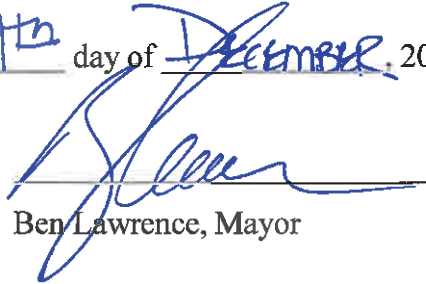
#### **2-408. Penalty.**

Any person who owns, harbors, or keeps a dog or dogs which are allowed to run at large in violation of Section 2-401 of this article shall upon conviction thereof, be assessed or levied a fine of \$50.00.

**SECTION 2.** The fines and fees as set forth herein may be modified from time to time by simple Resolution, which Resolution(s) shall at all times be on file in City Hall and available for inspection.

**SECTION 3.** That this ordinance shall take effect and be in force from and after its publication once in the official newspaper.

PASSED AND APPROVED ON THIS 11<sup>th</sup> day of December, 2012

  
Ben Lawrence, Mayor



  
Susan C. Renner, City Clerk

I hereby certify that the foregoing is the original ordinance; that said ordinance was passed on the 11<sup>th</sup> day of December, 2012; that the record of the final vote on its passage is found on page 8 of the minutes from December 11, 2012; that it was published in the Augusta Daily Gazette on the 16<sup>th</sup> day of December, 2012.

City Clerk 