

ten (10) day period has expired, the dog may be sold or destroyed by the City Marshal.

SECTION 9. Impounding, redemption and disposition of dogs running at large in violation of this Ordinance. The City Council shall appoint some suitable person to enforce the provisions of this Ordinance by taking up, impounding, selling or destroying any dog running at large in violation of the terms of this Ordinance. Such dog may be taken up and impounded without the necessity of filing a complaint and shall be disposed of as follows:

(a) The City Clerk shall notify the owner of any licensed dog impounded, by mailing to such owner, within 24 hours of impounding, at the address shown on the records of the City Clerk relative to the licensing of dogs, notice of the impounding of the dog.

(b) Any impounded dog shall be confined, in a place to be designated by the City Council, for a period of five (5) days. Such dog shall be provided with sufficient food and water.

(c) Any licensed dog may be reclaimed by its owner upon the payment to the City Clerk of a fee of \$5.00 to cover the costs of impounding, boarding and feeding the dog.

(d) Any unlicensed dog may be reclaimed by its owner upon payment to the City Clerk of a fee of \$10.00 to cover the costs of impounding, boarding and feeding the dog, together with the fee required by this Ordinance for the issuance of a license. The owner of such dog shall then have the dog vaccinated as provided in this Ordinance, and upon presentation to the City Clerk of a certificate of vaccination, the City Clerk shall issue a license to the owner of the dog.

(e) All dogs not claimed within the period above provided may be sold or destroyed.

SECTION 10. Any person convicted of a violation of any provision of this Ordinance shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, be fined not less than \$5.00 nor more than \$50.00 and the court costs, and shall be committed to the city or county jail until such fine and costs are paid.

SECTION 11. All other Ordinances and parts of Ordinances in consistence with or in conflict with terms and provisions hereof, be and the same are hereby repealed.

SECTION 12. This Ordinance shall take effect and be in force from and after its publication once in the official City paper.

PASSED AND APPROVED by the Governing Body this 3rd day of December, 1973.

Maya M. Higer
Approved by the Mayor

ATTEST:

Rose C. Fralk
City Clerk

(SEAL)



ORDINANCE NO. 73-5

AN ORDINANCE PROVIDING FOR THE REGULATION, CONTROL AND LICENSING OF DOGS WITHIN THE CITY LIMITS OF ANDALE, KANSAS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF:

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDALE, KANSAS:

SECTION 1. Definitions.

(a) HARBORING. Any person who shall allow any dog to habitually remain or to lodge or to be fed within his home, store, yard, enclosure or place of business, or any other premises in which he resides or controls, shall be considered as keeping and harboring such animal within the meaning of this Ordinance.

(b) RUNNING AT LARGE. A dog shall be deemed to be running at large when off or away from the premises of the owner, possessor or harborer thereof and not under the control of such owner, possessor, or harborer, or his agent or servant or a member of his immediate family, either by leash, cord or chain.

SECTION 2. Dogs Running at Large. It shall be unlawful for any person or persons owning, possessing or harboring any dog to permit the same to run at large within the corporate limits of the City of Andale, Kansas.

SECTION 3. Registration of Dogs.

(1) Every person owning, keeping or harboring a dog within the corporate limits of the City shall cause such dog to be registered and licensed according to the regulations prescribed in this section.

(2) In order to secure and obtain the registration and license of a dog, as required herein, the owner, keeper or harborer of such dog shall make application to the City Clerk of the City therefor. The name and description of such dog sought to be registered and licensed shall be entered and kept in a record by the City Clerk.

(3) Any false statement in an application for a license shall render null and void the license issued for such dog and shall subject such dog to being impounded in accordance with the rules and regulations hereinafter set out in this Ordinance. Any person who knowingly makes a false statement in any application shall be deemed guilty of a misdemeanor.

(4) At the time of making application under the provisions of this section, and before any dog license is issued, the applicant shall exhibit to the City Clerk a certificate of a duly licensed veterinarian certifying that he has, within ninety (90) days immediately prior to the making of such application, vaccinated such dog against rabies with an approved vaccine.

(5) All dogs vaccinated in accordance with the provisions of this section shall wear a metallic or plastic tag which shall be issued by the veterinarian by whom such vaccination was performed and which shall bear thereon an impression or writing showing the date of such vaccination.

(6) Upon compliance with the regulations and requirements of this section, the City Clerk shall register and issue a license for each dog for which application has been made upon the payment by the applicant of a license fee of Five Dollars (\$5.00) for each dog so registered, regardless of the sex of such dog.

(7) Upon registering and licensing of a dog, the City Clerk shall issue a metallic or plastic registration and license tag for the particular dog so registered and licensed, on which tag shall be distinctly marked the number of the license and the year for which it is applicable.

(8) The metallic or plastic license tag issued under the provisions of this section shall at all times be attached to and worn by the particular dog so registered and licensed by a suitable metallic or leather collar. No person shall place upon any dog any registration license tag other than the one issued for the particular dog in accordance with its registration as above provided in this section.

(9) In case of loss of the registration and license tag required by this section, the City Clerk shall, upon proof of the duplicate receipt of registration and payment of Twenty-five Cents (25 cents) issue a duplicate tag for the dog so registered and licensed.

(10) All licenses issued under the provisions of this section shall expire on January 31 of each year.

SECTION 4. Dogs which have bitten persons or animals. Any person owning, harboring or keeping any dog, which has bitten any person or animal, shall immediately surrender such dog to the City Marshal or a police officer of the City. Such dog shall be impounded, at the cost of its owner, in such place as shall be designated by the City Council, until the tenth day after the biting of such person or animal. During this period it shall be determined by a licensed veterinarian whether or not the dog is suffering from any disease.

SECTION 5. Same - Impounding in kennel operated by licensed veterinarian. Any owner of a dog that has bitten a person or other animal may, upon securing written permission from the City Marshal, impound the dog for a period of ten days after the biting of such person or animal in a kennel operated by a veterinarian licensed by the State of Kansas.

SECTION 6. Same - Diseased dogs to be destroyed. If it shall be determined that such dog confined under the provisions of the two preceding sections is diseased and by reason of such disease is dangerous to persons or other animals, the City Marshal or owner shall thereupon immediately destroy such dog.

SECTION 7. Same - Redemption of undiseased dogs after notice; fees. If it shall be determined that any such dog impounded in a pound designated by the City Council under the provisions of Section 4 of this Ordinance, is not diseased, then the City Clerk shall notify by mail the person who is the owner of such dog at the address from which the dog was taken or surrendered, or at the address set forth in the records of the City Clerk in connection with the issuance of a license tag for such dog. The City Marshal shall, upon demand, release such dog to the owner or person rightfully entitled thereto upon the payment by such person of the costs of impounding, keeping, care and examination of such dog.

SECTION 8. Same - Failure of owner to redeem: Sale or destruction of dog. If the owner, keeper or harbinger of such dog, impounded under the provisions of Section 4 hereof, fails to demand from the City Marshal the release of such dog, and pay such charges as described in the preceding section within three (3) days after the