

- (31) Skunks.
- (32) Tigers.
- (33) Wolves.

Section 3. ANIMALS ALLOWED

The prohibitions of this ordinance shall not apply to bona fide circuses, carnivals, educational institutions, or medical institutions, if:

- (1) Their location conforms to the provisions of the zoning ordinance of the city.
- (2) All animals and animal quarters are kept in a clean and sanitary condition and are so maintained as to eliminate objectionable odors.
- (3) Animals are maintained in quarters so constructed as to prevent their escape.

Section 4. DOGS RESTRICTED

It shall be unlawful for any person, firm or corporation to keep, maintain or have in his or her possession or under his or her control within the city more than three dogs.

Section 5. GRANDFATHER CLAUSE

(a) On the effective date of this ordinance, any person, firm or corporation who keeps, maintains or has in his or her possession or under his or her control any animal or animals in violation of this ordinance shall be allowed to keep, maintain or have in his or her possession or under his or her control said animal or animals. However, if the animal or animals in violation of this ordinance die or are permanently removed from the city then said animals may not be replaced or returned to the city.

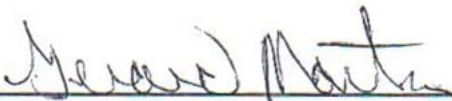
(b) In any prosecution under this ordinance, it shall be an affirmative defense that the animal or animals fall within the provisions of the grandfather clause of the ordinance. The defendant shall have the burden of proving that the animal or animals fall within the grandfather clause of this ordinance.

Section 6. PENALTY

A violation of this ordinance shall be punishable by a fine not to exceed \$500.00 and or a term of imprisonment not to exceed 30 days. In addition, the municipal judge shall have the authority to order any animal deemed in violation of this ordinance to be destroyed or removed from the city.

ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF ANDALE, KANSAS, on this 27 day of April, 2009.

CITY OF ANDALE

By 
Gerard Martin, Mayor

ATTEST:


Virginia Edwards
Andale City Clerk

ORDINANCE NO. 09-03

**AN ORDINANCE PROHIBITING CERTAIN ANIMALS WITHIN THE
CITY OF ANDALE, KANSAS**

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

Section 1. EXOTIC ANIMALS PROHIBITED

It shall be unlawful for any person, firm or corporation to keep, maintain or have in his or her possession or under his or her control within the city any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous animal or any other animal or reptile of wild, vicious or dangerous propensities.

Section 2. CERTAIN ANIMALS PROHIBITED

It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the city any of the following animals:

- (1) All poisonous animals.
- (2) Apes: Chimpanzees; gibbons; gorillas, orangutans; and siamangs.
- (3) Baboons.
- (4) Badgers.
- (5) Bears.
- (6) Bison.
- (7) Bobcats.
- (8) Cheetahs.
- (9) Chickens.
- (10) Crocodilians and Alligators, 30 inches in length or more.
- (11) Constrictor snakes, six feet in length or more.
- (12) Coyotes.
- (13) Cows.
- (14) Deer; includes all members of the deer family, for example, white-tailed deer, elk, antelope and moose.
- (15) Elephants.
- (16) Game cocks and other fighting birds.
- (17) Goats.
- (18) Hippopotami.
- (19) Horses.
- (20) Hyenas.
- (21) Jaguars.
- (22) Leopards.
- (23) Lions.
- (24) Lynxes.
- (25) Monkeys.
- (26) Ostriches.
- (27) Pumas; also known as cougars, mountain lions and panthers.
- (28) Raccoons.
- (29) Rhinoceroses.
- (30) Sheep.