ORDINANCE NO. 11

AN ORDINANCE REGULATING, LICENSING, REGISTERING AND KEEPING OF DOGS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS.

ARTICLE I

Section 1. Dogs: Licensing and Registration. That it shall be unlawful for any person, firm or corporation to keep any dog in the City of Basehor, Kansas, without having said dog registered as herein provided: The owner or keeper of any dog of the age of three (3) months or older shall register said dog with the City Clerk on or before the first day of June of each year, and for such registration, the City Clerk shall collect a fee of One Dollar ($1.00) for male or spayed female; Two Dollars ($2.00) for female. The name and address of theowner or keeper of a dog so registered and an accurate description of the dog shall be entered in a book kept for such purpose by said City Clerk and a certificate of registration and a metal or plastic tag or check bearing identical numbers shall be issued to said owner or keeper to be attached to a collar or other device and worn by said dog; Provided, however, that no dog shall be registered and no registration certificate or tag shall be issued as above provided except upon presentation to said City Clerk of a certificate of immunization that said dog has been immunized against rabies for the current year.

Amended by Ord #101

Amended by Ord #79

Section II. Rugging-at-large Without Tag Unlawfu; May be Killed or Impounded. That, whenever any dog shall be found within the city limits of Basehor, Kansas, without having a registration and immunization tag attached to a collar or other device being worn by said dog, such dog may be killed thereat by any police officer or other person authorized to do so, or such dog may be taken up by any of the aforesaid and held for three (3) days at a place designated by the City Clerk for that purpose. Any dog, so taken up and held, may be redeemed at any time during said three (3) day period, upon presentation to theofficer or person in charge of such place of detention a certificate of registration of such dog, and upon the payment of a sum of twenty-five cents ($1.25) ~~(25¢)~~ per day for each day or fraction of a day said dog has been detained. Any dog not redeemed as above provided shall be disposed of in a manner prescribed by the county health officer.

ONE DOLLAR AND

Section III. Penalty for Registering after June First. A penalty of Fifty Cents (50¢) per month shall be imposed and collected by the City Clerk in addition to the registration fee prescribed in Section hfofhthe Ordinance for failure, neglect or refusal to have any dog registered before June first of each year.

Section IV. Owner or Keeper Defined. Any person who shall allow any dog to habitually remain or to be lodged or fed within his house, store, yard, enclosure, or place shall be deemed and considered to be the owner or keeper of the same within the meaning of this article.

Section V. Female Dogs in Heat. No owner, keeper or person owning, keeping or harboring any female dog shall permit or suffer such dog to run at large within the City limits while she is in heat, whether she have the collar or check or tag on her or not, and every such dog found running at large within the City may be killed by any officer.

Section VI. Barking Dogs declared a Nuisance; Penalty for Keeping. The keeping or harboring of a dog or dogs which, by loud, frequent or habitual barking, howling or yelping disturb any person or neighborhood, is hereby declared to be a nuisance. Upon complaint of such a nuisance, being made in writing to the police department, an investigation thereof shall forthwith be made by the Chief of Police or some officer designated by him to do so, and, if such investigation disclosed the facts and circumstances complained of to be true, a notice, in writing, to abate such nuisance within five (5) days thereafter, shall be served by an officer of the police department upon the person so maintaining said nuisance. The maintaining of said nuisance after the expiration of said five (5) day period after serving of notice thereof shall be deemed to be a misdemeanor and shall be punishable by a fine not to exceed Twenty-five Dollars ($25.00) or imprisonment in jail for a term not to exceed thirty (30) days, or by both such fine and imprisonment.

Section VII. All Dogs Kept Muzzled or Confined; When. The Mayor is hereby authorized and it is hereby made his duty, whenever in his opinion the danger to the public safety from rabid dogs is made imminent, toissue his proclamation ordering the person owning, keeping or harboring any dogs to muzzle the same, or to confine the same, by good and sufficient means, to

the house, out-buildings or yard, wherein such person may reside for such a time as may be specified in such proclamation by the Mayor, and the person keeping or harboring any dog shall confine the same by good and sufficient means, within the house, yard, out-buildings of such owner or keeper, and have such dog or dogs properly and securely muzzled during the time specified in such proclamation, and all dogs found running at large within the city during the time so specified by the Mayor in his proclamation without being securely muzzled, may be killed by any officer.

Section VIII. Vicious Dogs Kept Secured and Muzzled. No person shall own, keep or harbor or allow to be in or upon any premises occupied by him or under his charge or control, any notoriously vicious or cross dog, or any dog that may manifest a disposition to bite passerbys without having the same properly secured and muzzled, and if upon the trial of any charge against any person for keeping any such dog contrary to the provisions of the section, it shall appear to the Police Judge that said dog is still living, asaid Judge shalllin addition to the punishment provided in this ordinance for the keeping of such dog as hereinprovided, order the Chief of Police or any police officer to forthwith cause such dog or dogs to be put to death, and for that purpose any police officer charged with such duty, shall have the right to enter upon any premises withinthe city.

Section IX. Penalty for Violation Section VIII. Any person found guilty of violating the provisions of Section VIII, of this Ordinance shall be fined in any sum not less than Ten Dollars ($10.00) nor more than One Hundred Dollars ($100.00).

Section X. Unlawful to Permit Dog to Destroy Property: Penalty: That if any dog or dogs shall destroy, damage, or injure any tree, plant, shrubbery, grass, lawn terrace or anything whatsoever in any public place, grounds, or parks, or upon the private premises of another, or if the owner or keeper of any dog shall allow or permit said dog to be a nuisance or annoyance to another in the ownership or occupancy of his private premises, the same shall be taken and regarded to be prima facie evidence of a trespass by the owner or keeper of said dog.

Section XI. "Dog" Defined. That the word "dog" as used herein shall include all of the canine species of the age of three (3) months or older.

Section XII. Removal of Collars or Tags. It shall be unlawful for any person to remove or cause to be removed the collar or city license tag from any licensed dog without the consent of the owner or harborer thereof.

Section XIII. Unlawful to Poison. It shall be unlawful for any person to wilfully and maliciously administer or cause to be administered, poison of any sort whatsoever to any dog, the property of another, with the intent to injure or destroy such dog, or to wilfully and maliciously place any poison or poisoned food where the same is accessible to any such dog.

SectionXIV. Penalties for Violation. Any person who shall violate any of the provisions of this article, or who shall interfere with any officer in the discharge of his duty under the same shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum, not less than Five Dollars ($5.00) nor more than One Hundred Dollars ($100.00).

Section XV. Validity. Should any section, clause or provision of this ordinance be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity as a whole or any part thereof, other than the parts so declared to be invalid.

Section XVI. This ordinance shall take effect and be in force from and after its publication in the Tonganoxie Mirror.

Passed by theCity Council this 7th day of June, 1966.

Approved by the Mayor this 7th day of June, 1966.

J. A. Meyers
Mayor

ATTEST:

John Klinkenberg
City Clerk