

(First Published in the Columbus News Report \_\_\_\_\_, 2018

ORDINANCE NO. 1418

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLUMBUS, KANSAS, AMENDING AND/OR REPEALING SECTIONS 102(c), 115, 118(b), 201(d), AND 201(e) AND ESTABLISHING SECTION 208(d) OF CITY CODE CHAPTER II, ANIMAL CONTROL AND REGULATIONS.

WHEREAS, regulations concerning Animal Control and Regulations require updated provisions pertaining to fees and time lines for compliance and enforcement.

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

**SECTION 1:** That Sections 2-102(c) of Code 1999 shall be repealed.

**SECTION 2:** That Code 1999 and Sections 2-115 and 2-118 shall be amended.

**SECTION 3: New Section 2-115: DEATH OF ANIMALS.**

(a) All dead animals shall be disposed of by the owner or keepers within 24 hours of the animal's death by burial, incineration in a facility approved by the animal control officer, by rendering or by other lawful means approved by the animal control officer. No dead animal shall be dumped on any public or private property.

(b) **A fee of \$15.00 shall be paid for dead animals brought in for incineration by private citizens.**

**SECTION 4: New Section 2-118: IMPOUNDMENT; FEE; NOTICE; RECORD.**

(a) The animal control officer or law enforcement officer shall impound any animal or fowl found at large in the city or constituting a nuisance or otherwise in violation of this chapter in a suitable pound or enclosure provided or contracted for by the city. The impounding officer shall make diligent inquiry as to the owner of the animal and shall notify the owner thereof of such impoundment as soon as reasonably possible.

(b) The city shall be entitled to receive from such owner an impoundment fee of **\$15.00** plus the actual cost of feeding and maintaining the animal while impounded.

(c) In case the identity of the owner of the impounded animal or fowl cannot be ascertained, the animal control officer or police officer shall, upon taking any such animal into custody and impounding the same, make a record thereof, with a description of the animal and the date and place taken into custody and the place of impounding, and shall thereupon immediately post a public notice stating that

the animal, describing the same with the date and place of taking, has been taken up, and that unless the charges of impounding the same, together with any license fees due and unpaid, are paid within three business days from the date of the notice, that the animal will be disposed of as provided in this code.

(d) The animal control officer shall each month submit a report to the administrator showing the number of animals impounded and disposed of, and the fees collected pursuant to this article, and shall pay those fees to the city clerk for credit to the general operating fund.

**SECTION 5:** That Section 2-201(d) shall be repealed and Ordinance 1066, Code 2005 and Section 2-201(e) shall be replaced with Section 2-201(d).

**SECTION 6: New Section 2-201. REGISTRATION AND VACCINATION REQUIRED; FEE.**

(a) Every owner of any dog or cat over six months of age shall annually register with the Municipal Clerk his or her name and address with the name, sex and description of each dog or cat owned and kept within the city. It shall be unlawful for the owner of any newly acquired dog or cat or any dog or cat brought into the city to fail to register such animal within 30 days from acquisition or bringing the dog or cat into the city. It shall be unlawful for the owner of any previously registered dog or cat to fail to maintain current registration of such dog or cat.

(b) Upon registration the owner shall present a current completed certificate of immunization against rabies. No registration shall follow without evidence of this document, and it shall be unlawful for the owner of any dog or cat over six months of age to fail to maintain effective rabies immunization of such dog or cat.

(c) The owner or harbinger of any dog or cat shall, at the time of registering such dog or cat, present to the Municipal Clerk a certificate from an accredited veterinarian showing that a male dog or cat has been neutered or a female dog or cat has been spayed, if the dog or cat has been neutered or spayed.

**(d) The registrations and renewals shall run concurrent with the annual vaccination schedule determined by the veterinarian providing services to the cat or dog.**

Registration fees shall not be prorated during the course of the licensing year. Every owner or harbinger of a dog or cat who shall fail to register the same each year shall be subject to citation and resulting fines and court costs.

**SECTION 7:** That Code 2014 shall be amended and new Section 2-208(d) shall be established.

**SECTION 8: New Section 2-208. DISPOSITION OF UNCLAIMED DOGS.**

(a) If any dog is not redeemed by its owner or harbinger within the time allowed for redemption as specified in section 2-207 thereof, the animal control officer, any

authorized law enforcement officer, any authorized veterinarian or any duly authorized pound personnel may destroy such dog or sell the same for the costs of impoundment and keeping plus any registration fee due for the current year.

(b) No dog may be transferred to the permanent custody of a prospective owner unless:

(1) Such dog has been surgically spayed or neutered before the physical transfer of the dog occurs; or

(2) The prospective owner signs an agreement to have the dog spayed or neutered and deposits with the city not less than the lowest nor more than the highest cost of spaying or neutering in the community as determined by the city. Any funds deposited pursuant to such an agreement shall be refunded to such person upon presentation of a written statement signed by a licensed veterinarian that the dog has been spayed or neutered. If such person does not reclaim the deposit within six months after receiving custody of the dog, the city shall keep the deposit and may reclaim the unspayed or unneutered dog.

(c) Nothing in this section shall be construed to require sterilization of a dog which is being held by the city and which may be claimed by its rightful owner within the holding period established in section 2-207.

**(d) Any owner who voluntarily surrenders his or her dog or cat to the city, and relinquishes all rights thereto, shall pay a \$50.00 fee.**

**SECTION 9:** All ordinances, resolutions or policies or parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

**SECTION 10:** This ordinance shall take effect and be in force from and after passage and publication in the official City newspaper.

PASSED and APPROVED by the Governing body this 19th day of MARCH, 2018.

  
\_\_\_\_\_  
Grant Spieth, Mayor

ATTEST:

  
\_\_\_\_\_  
Cherri Chancellor, City Clerk

