

(First Published in the Clarion on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.)

THE CITY OF COLWICH, KANSAS

ORDINANCE NO. 712

AN ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER II, ANIMAL CONTROL ARTICLE 1 SECTION 2-103(b), SECTION 1-119(c), (f) AND SECTION 2-303(a)(5) IN CONNECTION WITH ANIMAL CONTROL WITHIN THE CITY OF COLWICH, SEDGWICK COUNTY, KANSAS.

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

Section 1. The modifications to Chapter II; Article 1 of the City Code of Ordinances is hereby adopted by the Governing Body of the City of Colwich, to wit Section 2-103(b).

(b) Any owner of any animal, other than cats, found running at large within the corporate city limits shall be cited for violation of this section. Knowledge or intention on the part of the owner shall not be elements of this offense. The animal control officer may seize, impound and cause to be destroyed any such animal, pursuant to the provisions of K.S.A. 47-1701~~1~~ *et seq.*, and amendments thereto. The animal control officer may cause any such impounded animal to be returned to its rightful owner upon ~~the~~ payment of *the* boarding fee for days spent in confinement at the shelter prior to return of the animal. Citations for dog running at large and all other violations of this code are separate matters from impound and boarding fees.

Section 2. The modifications to Chapter II Article 1 of the City Code of Ordinances is hereby adopted by the Governing Body of the City of Colwich, to wit Section 1-119(c), (f).

(c) No animal may be destroyed during the first seventy-two (72) consecutive hours *excluding weekends and official city holidays* of such impoundment unless a licensed veterinarian determines that the destruction is necessary by virtue of serious injury, illness, disease or suffering. The owner of any impounded animal may be charged impound and food fees established by this code together with any other costs associated with impound including, but not limited to, costs to the city for veterinary care, and all such fees and costs shall be paid to the city before an animal is released to the owner from impound.

(f) Any animal remaining impounded after seventy-two (72) consecutive hours *excluding weekends and official city holidays* of impoundment and which the owner thereof has failed to claim and make release arrangements, including the payment of all costs and fees provided for by this article, may be disposed of as determined by the animal shelter at and within its discretion. Any such disposal shall be accomplished in compliance with all applicable laws. Animals may be released to an animal shelter for adoption.

Disposal by euthanasia shall be accomplished in a humane manner. Any owner who fails to claim an impounded animal after it has been confined for seventy-two (72) consecutive hours *excluding weekends and official city holidays* shall not, by virtue of such failure, be released from liability for the payment of all fees and costs provided for by this article including, but not limited to, costs and fees arising from the disposal by euthanasia of such animal.

Section 3. The modifications to Chapter II Article 3 of the City Code of Ordinances is hereby adopted by the Governing Body of the City of Colwich, to wit Section 2-303(a)(5)

(5) Insurance. All owners, keepers or harborers of such dogs shall, no later than thirty (30) days following the determination by the court that a dog is vicious, provide proof to the city clerk of having current public liability insurance in a single incident amount of **\$500,000** for bodily injury to, or death of, any person or persons or for damage to the property of any person that may result from such owner's dogs. Such insurance policy shall provide that not policy cancellation shall be made and be effective unless ten (10) days written notice thereof is first provided to the city clerk.

Section 4. This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 17<sup>th</sup> day of September, 2018

Approved by the Mayor this 17<sup>th</sup> day of September, 2018.

/s/Terrence D. Spexarth

MAYOR, TERRENCE SPEXARTH

ATTEST:

/s/Diana K. Brooks

CITY CLERK, DIANA BROOKS

SEAL