

(Published in the CLYDE REPUBLICAN on August 13, 2009)

ORDINANCE NO. 686

AN ORDINANCE PERTAINING TO AND REGULATING DOGS; REQUIRING REGISTRATION AND RABIES VACCINATION; IMPOSING FEES FOR TAGS AND IMPOUNDMENT OF ANIMALS FOUND RUNNING AT LARGE; PROVIDING FOR THE DISPOSITION OF UNCLAIMED DOGS AND REPEALING ORDINANCE NO. 528 AND 556.

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

SECTION 1. REGISTRATION AND VACCINATION REQUIRED; FEE

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

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

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

(d) The city clerk shall collect an annual registration fee of \$1.00 for each spayed female dog and each male dog, and \$3.00 for each unsprayed female dog. Every owner or harbinger of dog or dogs who fails to register the same prior to the 1st day of April of each year shall pay in addition to the registration fee herein provided a penalty fee for of an additional \$1.00 for each late registration. The registration year shall be from January 1st through December 31st of each year. The fee shall be payable before April 1st of each year without penalty.

SECTION 2. DOG TAGS

It shall be the duty of the city clerk or designated agent, upon a showing of current rabies immunization and receipt of the registration fee hereinbefore required, to deliver to the owner or keeper of the dog a certificate in writing, showing payment of registration fee, tag number issued, description of dog registered under the tag number and registration year. It shall be the duty of the owner or keeper to attach the tag to the collar worn by the dog. If tag is lost, the owner may request a duplicate tag for the remainder of the registration period. The fee for a duplicate tag shall be \$1.00. It shall be unlawful for any person to take off or remove the city tag from any dog or remove the strap or collar on which the same is fastened. It shall be unlawful for any person to place on any dog a tag issued for any other dog or to use a counterfeit tag or imitation thereof.

SECTION 3. RUNNING AT LARGE; FINE

(a) It shall be unlawful for the owner or harbinger of any dog to permit such dog to run at large within the city at any time;

(b) Any dog running at large within the city shall be impounded as set out in Section 4;

(c) Each owner or harbinger of any dog found running at large will be given one warning. If after the warning, the animal is found running at large, the owner or harbinger will be assessed with the pick-up charge of \$25.00 per dog, all boarding charges and registration fees and will be charged in Municipal Court for violation of Section 3 of this ordinance.

(d) The owner of any dog impounded for running at large shall, for the first offense, pay a fine of \$25.00 plus the board bill and pick-up charge. For a second offense within a one year period, the owner or harbinger shall pay a fine of \$50.00 plus the board bill and pick-up charge. For the third and all subsequent offenses within a one year period, the owner or harbinger shall pay a fine of \$75.00 plus the board bill and pick-up charge. The charge for each time the dog is picked up shall be \$25.00 per dog.

SECTION 4. IMPOUNDMENT; REDEMPTION.

(a) Any dog found in violation of the provisions of this ordinance shall be subject to impoundment by the city.

(b) No dog impounded shall be disposed of until after expiration of a minimum of three full business days of custody during which the public has clear access to inspect and recover the dog during usual business hours. If possible, the owner or harbinger of any dog impounded will be contacted if said person is known or reasonably ascertainable. If within three full business days, the owner or harbinger does not appear to claim the dog, the dog may be sold or euthanized

(c) If at any time before the sale or destruction of any dog impounded under the provisions of this article, the owner of an impounded dog does appear to claim the animal, it shall be turned over to the person claiming it upon payment to the city of all impoundment fee, boarding fees, pick-up charges and registration fees. No dog impounded will be released without a current rabies vaccination.

(d) Impoundment hereunder shall not preclude any court from imposing and executing any fine which might otherwise be levied under this article for violation of any of the provisions thereof.

(e) The redemption of any dog impounded for a violation of any provision shall be prima facie evidence of the violation of such provision by the person redeeming the dog.

SECTION 5. DISPOSITION OF UNCLAIMED DOGS.

If any dog is not redeemed by its owner or harbinger within the time allowed for redemption as specified in Section 4 thereof, any authorized veterinarian or authorized pound personnel may destroy such dog in an humane way or sell the same for the costs of boarding and pick-up charges plus any registration fee due for the current year.

SECTION 6. FINES; EXCEPTION

Any person, whether owner or harbinger, violating the provisions of this ordinance shall upon conviction thereof, be fined in an amount not to exceed One Hundred Dollars (\$100.00) or by imprisonment for not more than ten (10) days, or by both such fine and imprisonment

except for Section 3 of this ordinance which set forth the fines for allowing dogs to run at large violations.

SECTION 7. REPEAL

Ordinances numbered 528 and 556 are repealed.

SECTION 8. EFFECTIVE DATE.

This ordinance shall take effect and be in force from and after its publication in THE CLYDE REPUBLICAN.

Passed by the City Council this 5th day of August, 2009

Signed by the Mayor this 5th day of August, 2009.

Terry S. Koch, Mayor

ATTEST:

Gayla A. Rogers, City Clerk