

ORDINANCE NO. 469

AN ORDINANCE AMENDING ORDINANCE NO. 429 OF THE CITY OF WATHENA; CREATING A NEW SECTION 2a TO ORDINANCE NO. 429 ESTABLISHING A MAXIMUM NUMBER OF DOGS TO BE OWNED OR HARBORED AND REQUIRING THE ISSUANCE OF A KENNEL LICENSE TO OWN OR HARBOR ADDITIONAL DOGS; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF WATHENA IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA;

SECTION 1. ADDITION OF SECTION 2a TO ORDINANCE NO. 429 OF THE CITY OF WATHENA. Ordinance No. 429 Is hereby amended by adding a new Section 2a which reads as follows:

SECTION 2a. KENNEL LICENSES. (a) Notwithstanding the terms of this ordinance to the contrary, no person or household shall own or harbor more than three (3) dogs of six months of age or older or more than one litter of pups, or engage in the commercial business of breeding, buying, selling, trading, training, or boarding of dogs without having obtained a kennel license from the city clerk.

(b) Kennel licenses must be renewed annually. No kennel license shall be issued until an inspection certificate has been issued by the City Superintendent certifying approval of the kennel and compliance with the applicable laws of the city and State of Kansas, and a certificate by the City Clerk has been issued certifying that the applicant for the kennel license is not violating zoning laws of the city. If the City Superintendent finds that the holder of any kennel license is violating any zoning law, or any other law of the State of Kansas, or of the city, or is maintaining the facility in a manner detrimental to the health, safety or peace of mind of any person residing in the immediate vicinity, he or she shall report such fact to the city clerk, and the license shall not be renewed except after a public hearing before the governing body.

(c) The City Superintendent or any law enforcement officer shall have the right to inspect any premises licensed under this section at any reasonable time and nothing shall prevent the entry onto private property for the purpose of inspection. The application for a kennel shall constitute consent to such entry and inspection.

(d) The governing body may suspend or revoke a kennel license if, pursuant to a public hearing, it finds any of the following:

(1) The kennel is maintained in violation of any applicable law of the State of Kansas, or of the city.

(2) The kennel is maintained so as to be a public nuisance.

(3) The kennel is maintained so as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.

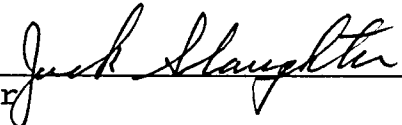
(e) The annual kennel license fee shall be \$25.00. Payment of such license fee is in addition to, and not in lieu of, the dog license fees otherwise required under this chapter.

(f) This section shall not apply to and will not be construed to require a kennel license for a licensed veterinarian to operate an animal hospital.

SECTION 2. REPEALER. All ordinances and parts of ordinances of the City of Wathena in conflict herewith are hereby repealed.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in The Wathena Times, official City newspaper.

PASSED by the Council and APPROVED by the Mayor on the 2nd day of August, 1994.



Mayor

ATTEST:

(City Seal)



City Clerk