

ORDINANCE NO. 495

AN ORDINANCE RELATING TO VICIOUS DOGS WITHIN THE CITY OF WATHENA, KANSAS; AND REPEALING AND 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, KANSAS:

SECTION 1. VICIOUS DOG. (a) Any vicious dog within the City of Wathena, Kansas, shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in this Ordinance.

(b) No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all vicious dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

SECTION 2. DEFINITION. When used in this Ordinance vicious dog means:

- (a) Any dog which, when unprovoked, in a vicious or terrorizing manner approaches any person in an apparent attitude of attack upon the street, sidewalks or any public grounds or places;
- (b) Any dog with a known propensity, tendency or disposition to unprovoked attack to cause injury or to otherwise endanger the safety of human beings or domestic animals;
- (c) Any dog which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property;
- (d) Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting;
- (e) Any dog which endangers or threatens to endanger the safety of the residents of the neighborhood; or,
- (f) Any dog which has previously bitten a human being.

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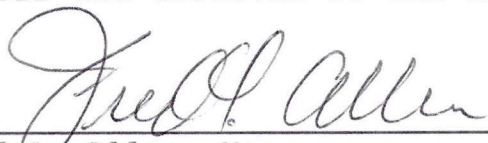
SECTION 3. PENALTIES. (a) Every person convicted of a violation of this Ordinance shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

(b) In addition to (a) above, any person convicted a second time of a violation of this Ordinance shall, if ordered by the Court, be subject to the further penalty of having such Vicious Dog ordered destroyed.

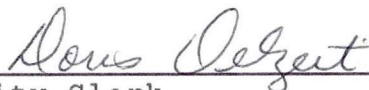
SECTION 4. REPEALER. All ordinances and parts of ordinances of the City of Wathena, Kansas, in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the Wathena Times, the Official City Newspaper.

PASSED by the Council and APPROVED BY THE Mayor on the 19th day of August, 1997.

  
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Fred L. Allen, Mayor

ATTEST:

  
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City Clerk

(CITY SEAL)