

ORDINANCE NO. 84-2

*Repealed
10-6-87
Ord. # 87-13*

AN ORDINANCE RELATING TO DOGS AND CATS, PROVIDING FOR THEIR REGISTRATION & FEES, INOCULATIONS, RUNNING AT LARGE, IMPOUNDMENT AND RELEASE, AND THE CHARGES THEREFOR, ATTACKS BY AND NUISANCE CREATED BY DOGS AND CATS AND CHARGES THEREFOR, AND REPEALING ORDINANCE NO. 989, NO.82-2, NO.82-3, NO. 83-11, AND ARTICLE 2, SECTIONS 2-201 THROUGH 2-214 OF CHAPTER II OF THE REVISED ORDINANCES OF THE CITY OF GALENA, KANSAS, IN THEIR ENTIRETY AND ANY OTHER ORDINANCES IN CONFLICT HEREWITH.

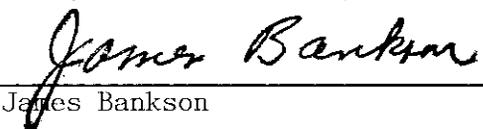
BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA:

- SECTION 1: It shall be unlawful for any person to own, keep or harbor in the City of Galena, any dog(s) or cat(s), male or female, over three months old unless the same shall have been inoculated for rabies and registered with the City Clerk of said city as hereinafter provided as being fully inoculated for rabies.
- SECTION 2: The owner, keeper or harbinger of any dog(s) or cat(s) shall cause the same to be inoculated against rabies by a licensed veterinarian at the cost and expense of the person or persons having the same done, and shall be furnished with a certificate showing that said dog(s) or cat(s) have been fully inoculated against rabies and containing a full and accurate description of said dog(s) or cat(s) with the date of inoculation and the name and street number of the residence of the owner thereof and have a metal tag or plate bearing a number corresponding to the certificate of inoculation.
- SECTION 3: Upon presentation of the aforementioned inoculation certificate, the City Clerk shall charge and collect from the person causing each dog or cat to be registered at the time of such registration, the sum of One Dollar (\$1.00) for each dog or cat so registered as herein required, which fee shall include the charge made for the tag to be worn by said dog or cat and furnished to the owner by said clerk at the time of such registration. All sums so collected shall be credited to the general revenue fund of the city to meet the expense of furnishing necessary supplies and the cost and expense of administering this ordinance.
- SECTION 4: All inoculations and registrations required herein shall be performed annually and a new certificate and tag shall be obtained for each. The City Clerk shall enter in a book provided therefor the number of each certificate and tag number and the description of each dog so registered, with the date thereof, and the name and residence of the person so registering the same, upon being paid the registration fee aforementioned.
- SECTION 5: It shall be unlawful for any person to place on any dog or cat a tag issued for any other dog or cat, or to make or use any false, forged or counterfeited tag or imitation thereof.
- SECTION 6: It shall be unlawful for any person, firm or corporation to own, harbor or keep any dog(s) or cat(s) on the public streets or alleys of the City of Galena, Kansas, or to permit any such animal to, at any time, run at large on or upon any premises other than the premises of the owner, harbinger or keeper of such dog(s) or cat(s). The use of traps or tranquilizers are hereby authorized to be used if stock marshal or police officer is unable to catch and restrain dog(s) or cat(s).
- SECTION 7: It is hereby made the duty of the stock marshal and each police officer of the City of Galena, Kansas, to take into custody any and all dog(s) and cat(s), found running at large within the corporate limits of said City, and place said dog(s) or cat(s) in the City Pound.
- SECTION 8: That any dog or cat taken up and impounded under the provisions of this ordinance, may at any time after the taking up on the same, be redeemed by the owner or keeper thereof by the payment of a \$5.00 pickup service charge and by the payment of \$5.00 per day for each day or fraction thereof that said dog or cat has been impounded;

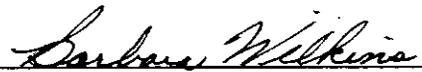
- SECTION 8: provided, that before such redemption of any such dog or cat, the owner or keeper shall produce satisfactory evidence of compliance with the provisions of the ordinance of this City relating to the inoculation of dogs and cats for rabies and the payment of dog or cat registration fee; and, provided further, that in the alternative, the redeemer of any such impounded dog or cat shall, upon the payment of the pickup service charge and daily maintenance fee as hereinbefore provided, and upon the posting of a cash bond of Twenty-five (\$25.00), have the right to recover the possession of such dog or cat; and upon submitting satisfactory evidence that the owner or keeper redeeming the dog or cat has complied with provisions of the ordinances of this city relating to the inoculation of dogs and cats for rabies and the payment of dog or cat registration fee, said cash bond shall be returned to the person posting the same; however, in the event the redeemer of any such impounded dog or cat shall fail to submit satisfactory evidence of inoculation and payment of dog or cat registration fee within five (5) days, exclusive of Saturdays, Sundays and legal holidays, of the date such bond was posted, then such bond shall be forfeited and shall become the property of the City of Galena, Kansas, and shall be deposited to the general fund of said city, and said dog or cat disposed of as set forth in Section Ten below.
- SECTION 9: All payments of service charges, maintenance fees and bonds shall be made to the City Clerk at the City Hall in the City of Galena, Kansas.
- SECTION 10: Impounded dogs or cats not redeemed within three (3) days, exclusive of Saturdays, Sundays and legal holidays, from the date of impoundment, shall be put to sleep by a veterinarian.
- SECTION 11: If any dog or cat shall bite, attack or chase any person in said city, other than upon the premises of the owner or keeper of such dog or cat, it shall be the duty of the person bitten, attacked or chased to make a complaint thereof to the Police department, who shall cause the owner of such dog or cat, if such owner can be ascertained, to appear in Municipal Court. And if, upon the trial of such matter, the court finds such dog or cat to be vicious, the court shall declare the dog or cat a nuisance, and it shall be removed from within the City limits forthwith.
- SECTION 12: Any person who shall be the owner or harbinger of any dog(s) or cat(s) which shall be found to be or create a nuisance or disturb the peace or destroy property of another shall be deemed guilty of a misdemeanor and shall be fined in a sum not exceeding fifty dollars (\$50.00).
- SECTION 13: This ordinance repeals Ordinance No. 989, No. 82-2, No. 82-3, No. 83-11, and Article 2, Sections 2-201 through 2-214 of Chapter II of the revised ordinances of the City of Galena, Kansas, in their entirety and any other ordinances that might be in conflict herewith.
- SECTION 14: Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined in any sum of not less than \$25.00 or more than \$100.00.
- SECTION 15: This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city paper, The Galena Sentinel-Times.

Passed by the Council this 3rd day of April, 1984.

APPROVED BY THE MAYOR:


James Bankson

ATTEST:


Barbara Wilkins, City Clerk

(SEAL)