

ORDINANCE NO. 1795

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO REPEAL AND REPLACE CHAPTER II, ARTICLE 1, SECTION 2-109 RELATING TO ANIMAL CONTROL AND SPECIFICALLY ANIMAL CONFINES; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HERINGTON, KANSAS.

SECTION 1. That Chapter II, Article 1, Section 2-109 of the Code of the City of Herington, Kansas, is hereby amended and replaced in its entirety to read as follows:

2-109 ANIMAL CONFINES. Animal confines shall be maintained in accordance with the following:

(a) It shall unlawful for any person to keep or maintain any animal in any yard, property, structure, lot or area that is uninhabited by a person or persons in which a domicile may or may not be present.

(b) It shall be unlawful for any person to keep or maintain any animal in any yard, structure or area that is not clean, dry and sanitary, free from debris and offensive odors that annoy any neighbor, and devoid of rodents and vermin.

(c) Excrement shall be removed daily from any pen or yard area where animals are kept, and if stored on the premises by any animal owner, shall be stored in adequate containers with fly-tight lids.

(d) All animal pens and yards shall be so located that adequate drainage is obtained, normal drying occurs, and standing water is not present.

(e) All animals classified as **Livestock** pursuant to Chapter II, Article 1, Section 2-101 as well as swine, may only be housed and confined within the city limits in an area of no less than two (2) acres per animal so housed and confined.

(f) All premises on which animals are kept shall be subject to inspection by the Chief of Police. If the Chief of Police determines from such inspection that the premises are not being maintained in a clean and sanitary manner, he or she shall notify the owner of the animals in writing to correct the sanitation deficiencies within twenty-four (24) hours after notice is served on the owner. Any animal kept under any condition which could endanger the public or animal health or create a health nuisance may be impounded. Animals shall be released after fees are paid and cause for impoundment has been corrected.

SECTION 2. Other ordinances or portions thereof, not expressly identified herein, which are in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the City of Herington, Kansas.

7th **PASSED AND APPROVED** by the Governing Body of the City of Herington, Kansas this day of November, 2017.

APPROVED AND SIGNED by the Mayor this 7th day of November, 2017.

Kat Souza
Kat Souza, Mayor

ATTEST:

Brenda Wildman
Brenda Wildman, City Clerk