

ORDINANCE G-1253

AN ORDINANCE AMENDING SECTION 215.040, ENTITLED "CONTROL OR PROTECTION" OF CHAPTER 215, ENTITLED "ANIMALS," OF TITLE II, ENTITLED "OFFENSES" OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS, TO DEFINE PARAMETERS OF PITBULL OWNERSHIP

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

SECTION 1: Section 215.040 – "Control or Protection" of the Code of Ordinances of the City of Junction City, Kansas is hereby amended to read as follows:

SECTION 215.040 – "CONTROL OR PROTECTION"

- A. The owner of any animal shall be in violation of this Chapter and subject to the penalties prescribed herein if any such animal damages property not belonging to the owner.
- B. It is unlawful for any person to:
 - 1. Keep or harbor any fowl within the corporate limits of the City. Emus in the City of Junction City at the time of enactment of the ordinance from which this Chapter is derived shall be deemed "grandfathered" during the remainder of the life of such animals, and such animals shall not be replaced when dead.
 - 2. Break or train any horse or other animal on or within the reach of any street, sidewalk or other public place within the corporate limits of the City, except as authorized and/or under the direction of the City's Recreation Department.
 - 3. Picket any horse, cow or other animal within reach of any street, sidewalk or other public place within the corporate limits of the City.
 - 4. Intentionally kill any squirrel, skunk or any bird within the corporate limits of the City, provided that it shall be permissible for the Chief of Police or Animal Control Officer, through instruction from the Health Officer, to kill

squirrels, skunks or birds that have become so numerous as to cause destruction or nuisance to property or in the event of disease occurring among such squirrels, skunks or birds that may be considered contagious to human beings.

5. Interfere with or molest a dog used by the Police Department of the City in the performance of the functions or duties of such Department.
6. Keep or harbor any animal which by loud, frequent or habitual barking, howling, yelping or other noise or action tends reasonably to disturb any person or neighborhood within the corporate limits of the City.
7. Keep or harbor a dangerous or vicious dog within the corporate limits of the City. An animal is considered dangerous or vicious as defined in Section 215.045.
8. No person shall own or harbor any dog for the purpose of dog fighting or train, torment, badger, bait or use any dog for the purpose of dog fighting or for the purpose of causing or encouraging the dog to engage in unprovoked attacks upon human beings or domestic animals.
9. Allow unsprayed female dogs to be away from confinement or premises of the owner, except on a lead and under control of an adult person, when such dogs are in season.
10. Keep or harbor a dog, cat, or ferret over five (5) months of age within the corporate limits of the City without such animal having a current vaccination against rabies performed by a veterinarian and securing an annual license. Rabies vaccination is hereby considered current for twelve (12) months for killed tissue vaccination and three (3) years for a live virus vaccination; provided that vaccination may not be required if the owner of such animal will exhibit to the License Collector a statement from a veterinarian certifying that such vaccination would be injurious to such animal due to the condition of its health. Any person owning a dog, cat or ferret within the City limits shall cause said animal to wear a collar or harness at all times, when off the premises of said owner, to which shall be attached a current tag reflecting that the animal is vaccinated against rabies.
11. Sell or offer for sale, barter, give away or use as an advertising device or promotional display living baby chicks, rabbits, ducklings or other fowl under two (2) months of age, unless being sold by a business at a

permanent location and there is a prominent sign at the point of sale indicating that chickens, ducks or other fowl may not be kept within the limits of the City of Junction City.

12. Sell or offer for sale or barter puppies or kittens unless being sold by a business at a permanent location or unless being sold or bartered from the home of the owner of the dame which had the litter from which came the puppies or kittens. Nothing in this Section shall be construed so as to prevent the JCGC Animal Shelter or any other licensed animal shelter from selling puppies or kittens in accordance with such entities' adopted policies.
13. Allow animal waste to accumulate to the extent that it becomes a health hazard to any animal, any person or the public. Any accumulation of animal waste, when not immediately removed or discarded in a sanitary manner, is considered to be a potential health hazard, i.e., feces accumulation in homes, confined yards, pens, hutches, etc. "*Immediate*" in this instance is defined as waste accumulation of not more than one (1) days' duration.
14. Allow dog waste deposited upon the streets or public areas of Junction City or the private property of persons, not the owner of the dog, to remain upon said street or property without being removed by the owner of the dog as soon as the owner becomes or is made aware of the waste.
15. Allow any odors to emanate from any animal kept or harbored on the premises or to allow any odors to emanate from any feces or urine on the premises, any of which odors reasonably tend to offend any person.
16. Except as authorized in Section 405.010 of this Code, to keep, harbor, breed or slaughter any hogs, pigs, donkeys, mules, goats, sheep, burros, cattle or horses within the corporate limits of the City; provided that nothing herein shall prevent the bringing of such animals to any stockyard, auction, community sale, stock pavilion, slaughterhouse or packing house for the purpose of sale, shipment, show or commercial slaughter or packing; provided further that such animals are kept, harbored or fed in accordance with the regulations promulgated by the Office of Livestock Commissioner of the State of Kansas as set forth in Chapter 47, Article 10 of Kansas Statutes Annotated and amendments

thereto. Animals intended for slaughter outside the City limits may not be harbored in the City except as authorized by this Subparagraph.

17. Keep or maintain, sell or offer for sale, barter or give away exotic animals within the corporate limits of the City; provided this Section shall not apply to: tropical or other fishes; birds; except those prohibited by Federal or State law: Small rodents such as gerbils, rats, mice, hamsters, guinea pigs, chinchillas, mink, nutria and similar fur-bearing mammals; non-poisonous amphibians and reptiles, not including monitor lizards, alligators, caiman and crocodiles; provided further, that this Section does not apply to educational or zoological institutions. The provisions of this Subparagraph shall not apply to dogs and cats.
 18. REPEALED.
 19. Keep or harbor on a chain, rope or other type of leash any dog in such manner as to allow the animal to have access to any public sidewalk or public alley or utility right-of-way or any utility meter.
 20. Keep or harbor on a chain, rope or other type of leash any dog in such a manner as to interfere with a person's access to the front door of a residence.
 21. Keep, harbor, own or in any way possess within the City limits of the City of Junction City, Kansas, any coyote, wolverine or wolf or any breed of dog which is in any part mixture of dog and coyote, or dog and wolverine, or dog and wolf or any dog hybridized with wild canines
 22. Keep, harbor, own or in any way possess within the City limits of the City of Junction City, Kansas, any cat hybridized with wild felines.
 23. Keep, harbor, own or in any way possess with the City Limits of the City of Junction City venomous snakes or lizards.
 24. Possess more than three (3) rabbits per residence.
- C. Animals excluded from applicable prohibitions under Subsection (B) are:
1. Domesticated birds as defined.
 2. Non-venomous snakes less than eight (8) feet in length, except that such snakes shall be required to be maintained on the owner's premises or property.
 3. Non-venomous lizards.

4. Turtles, except for species protected by state or federal law.
 5. Amphibians.
 6. Fish.
 7. Invertebrates.
 8. Any animal in the ownership of a veterinary clinic operated by a licensed veterinarian, any animal in the ownership of a person designated and licensed as an animal rehabilitator by the Kansas Wildlife and Parks Department, any animal in the ownership of a person temporarily transporting such animal through the City, and any animal in the ownership of a bona fide medical institution or accredited educational institution.
 9. Any animal exhibited for sale, show, or other temporary purpose at the Geary County Fairgrounds.
 10. Any animal temporarily owned, kept or harbored by a facility or individual person licensed by the Kansas Animal Health Department or by the City for the purpose of impounding, sheltering, or caring for animals, including licensed animal shelters, kennels, and foster homes.
- D. Grandfather Clause. Animals at a residence in the City of Junction City as of December 3, 2013 in violation of the limits set forth in Sections 215.040(B)(24) and (25) shall be deemed "grandfathered" during the remainder of the life of such animals, and shall not be replaced when dead if such replacement would result in such limits being exceeded. Any person who possesses animals in excess of such limits shall, within sixty (60) days of the effective date of the ordinance from which this Chapter is derived, register all such animals with the Junction City Police Department under procedures as set forth by the Chief of Police on forms provided by the Police Department and shall include acceptable photographs provided by the possessor of said animals for identification.

SECTION 2. All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall be effective upon publication as required by law.

Passed and adopted by the Governing Body of the City of Junction City, Kansas
this 18th day of February, 2020.

CITY OF JUNCTION CITY, KANSAS

Jeff Underhill
Mayor

ATTEST:

Tammy Melton, City Clerk