

ORDINANCE NO. 945

AN ORINDANCE AMENDING CHAPTER 2 OF THE LANSING CITY CODE REGARDING ANIMAL CONTROL AND REGULATION IN REGARDS TO PIT BULL DOGS, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS.

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

Section 1. Omissions, Changes, Additions and Deletions to Chapter 2 of the Lansing City Code.

2-102 Definitions. Section C. Dangerous Animal, subsection 2, is hereby amended to read as follows:

2. Any dog or cat having a disposition or propensity to attack or bite any person or animal without provocation. For the purposes of this chapter, where the official records of the Chief Animal Control Officer indicate a dog or cat has aggressively bitten any person or persons, it shall be prima facie evidence that said dog or cat is a dangerous animal.

A. Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who at the time such injury or damage was sustained, was teasing, tormenting, abusing or assaulting the dog or was committing or attempting to commit a crime, or if the animal was protecting or defending a human being or property within the immediate vicinity of the animal from an unjustified attack or assault.

2-102 Definitions. Section C. Dangerous Animal, subsection 3, is hereby deleted.

2-402 Exceptions: Permit and Registration Requirements, subsection E, is hereby amended to read as follows:

- E) The keeping of a Dangerous Animal as defined in Section 2-102 (C)(2) herein or wolf-hybrids as defined in Section 2-102(C)(4) herein, provided that the following additional requirements are met for each such animal to be kept pursuant to this subsection:
- 1) Each animal shall at all times be securely confined in one of the following manners:
 - a) Indoors, inside a residence or structure equipped with windows and doors that prevent the animal from exiting the structure on its own volition; or
 - b) Outdoors, in a securely enclosed and locked pen or kennel having: secure sides, which are either anchored to a secure floor or embedded at least two (2) feet into the

ground; a secure top attached to the sides; and access controlled by a keyed or combination lock. Said structure must comply with all City building and zoning regulations and must be adequately lighted and ventilated and kept in a clean and sanitary condition; or

- c) Outdoors, outside its kennel or pen but securely restrained with 1) a muzzling device sufficient to prevent the animal from biting persons or other animals, and 2) a leash no longer than four (4) feet in length. Said leash must at all times be under the physical control of a person and shall not be attached to inanimate objects such as trees, posts, buildings, etc.
- 2) The owner, keeper or harbinger of an animal under this subsection shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign shall be posted on the kennel or pen of such animal.
 - 3) Each animal owned, kept or harbored pursuant to this subsection shall be registered with the City according to the requirements of Article 5 of this Chapter.
 - 4) The owner, keeper or harbinger of an animal under this subsection shall, within ten (10) business days of receiving approval from the City for ownership of such animal, provide proof to the Chief of Police of public liability insurance in a single incident amount of \$300,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. This shall require a special insurance rider. At the time of application for permit renewal, the owner, keeper or harbinger must show proof of insurance for the present registration period and proof that there was insurance coverage throughout the period of the prior registration year.

In the event said liability insurance is canceled, lapsed, or for any other reason becomes non-enforceable, said owner, keeper, or harbinger shall be in violation of the provisions of this ordinance and subject to the penalties provided herein.
 - 5) The owner, keeper or harbinger of an animal pursuant to this subsection shall, within ten (10) business days of receiving approval from the City for ownership of such animal, provide to the Chief of Police two color photographs of the registered animal clearly showing the color and approximate size of the animal.
 - 6) The owner, keeper or harbinger of an animal pursuant to this

subsection shall, within ten (10) days of the occurrence of any of the following events, report such event to the Chief of Police in writing:

- a) Death of the animal;
- b) Birth of offspring of the animal; or
- c) The new address of the animal owner should the owner move within the corporate City limits.

Any animal found to be the subject of a violation of any of the provisions of this subsection shall be subject to immediate seizure and impoundment and shall be delivered to a place of confinement, which may be with any organization which is authorized by law to accept, own, keep or harbor such animals. In addition, failure to comply will result in the revocation of the license for such animal and the permit providing for the keeping of such animal resulting in the immediate removal of the animal from the City, and may result in criminal penalties against the owner of such animal as provided for elsewhere in this Chapter.

Section 2. Severability. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

Section 3. This ordinance shall be effective on and after publication as provided by law.

Passed and approved by the Lansing City Council this 21st day of May, 2015.

Mayor Gene Kirby

ATTEST

Sarah Bodensteiner, City Clerk

Published:

Date: