

ORDINANCE NO. 1767

AN ORDINANCE AMENDING THE CODE OF THE CITY OF HERINGTON, KANSAS, TO AMEND AND REPLACE, IN THEIR ENTIRETY, CHAPTER 2, ARTICLE 2, SECTION 2-208 AND SECTION 2-209 THEREOF; REPEALING THE EXISTING CHAPTER 2, ARTICLE 2, SECTION 2-210 THEREOF FOR NUMBERING ACCURACY, ALL REGARDING DOG AND CAT REGULATION, SPECIFICALLY DEALING WITH PROHIBITED ANIMALS WITHIN THE CITY LIMITS AND PROSCRIBING PENALTIES FOR VIOLATION; 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 2, Article 2, Section 2-208 of the Code of the City of Herington, Kansas, is hereby amended and replaced in its entirety as follows:

2-208. PROHIBITED ANIMALS. It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the City of Herington, Kansas:

- (a) Any warm-blooded, carnivorous or omnivorous, wild or exotic animal (including, but not limited to nonhuman primates, raccoons, skunks, foxes and wild and exotic cats, but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes).
- (b) Any animal having poisonous bites.

SECTION 2. That Chapter 2, Article 2, Section 2-209 of the Code of the City of Herington, Kansas, is hereby amended and replaced in its entirety eliminating fully the existing content thereof and replacing the same with the penalty section formerly contained in Chapter 2, Article 2, Section 2-210 as follows:

2-209. PENALTY. Any person violating or permitting the violation of any provision of Chapter 2, Article 2 for which express penalties have not been outlined and proscribed in the specific section herein shall, upon conviction in Herington Municipal Court, be fined a sum of not less than two hundred dollars (\$200.00) and not more than one thousand dollars (\$1,000.00). In addition to the fine imposed the court may sentence the defendant to imprisonment in the county jail for a period not to exceed thirty (30) days. Each day that a violation of this ordinance continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates any section of Chapter 2, Article 2 of the Herington City Code shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this and applicable related code sections of the Herington City Code.

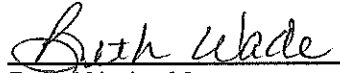
SECTION 3. That Chapter 2, Article 2, Section 2-210 of the Code of the City of Herington, Kansas, is hereby repealed in its entirety eliminating fully the existing content thereof with all penalties outlined therein now contained in the amended Chapter 2, Article 2, Section 2-209 and Chapter 2, Article 2, Section 2-210 will now be eliminated as a numbered section in Chapter 2, Article 2 of the Herington City Code.

SECTION 4. Other ordinance or portions thereof in conflict herewith, are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its summary publication in the official City newspaper.

PASSED AND ADOPTED by the Governing Body of the City of Herington, Kansas, this 16th day of December, 2014.

Signed by the Mayor this 16th day of December, 2014.


Beth Wade, Mayor

ATTEST:


Debra Wendt, City Clerk

(SEAL)