

**ORDINANCE NUMBER 506**

**AN ORDINANCE PROHIBITING THE KEEPING, OWNING, OR HARBORING OF DANGEROUS DOGS; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.**

Be it ordained by the Governing Body of the City of Westmoreland, Kansas.

**SECTION 1:** Definition of harborer. Any person who shall allow any dog to habitually remain or to lodge or be fed within his or her home, store, yard, or enclosure or place of business or any other premises in which he or she resides or controls shall be considered as harboring such dog within the meaning of this Ordinance.

**SECTION 2:** Definition of dangerous dog: The term "dangerous dog" shall mean and shall include any of the following:

- (a) Any dog which has attacked a human being or domesticated animal.
- (b) Any dog, which, while at large, exhibits aggression or combativeness toward a person or another domestic animal in an apparent attack, whether or not said person or animal is actually attacked, bitten, or otherwise physically injured.
- (c) Any dog used primarily to guard public or private property.

**SECTION 3:** It shall be unlawful for any person to own, keep, or harbor within the City of Westmoreland, Kansas, any dangerous dog, or any dog which has been known to bite, chase, or run after, any person or animal within the City, unless such person shall keep such dog muzzled with a good or sufficient muzzle, or securely fastened and tied so that it cannot reach any person or animal to do him, her, or it damage or harm, or shall keep the dog in an enclosure securely fenced so that the dog cannot escape therefrom and posting a sign warning the public of the dangerous dog. It shall further be unlawful for the owner, keeper, or harbinger of such dangerous dog to permit such dog to run at large within the City.

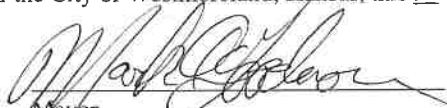
**SECTION 4:** Penalties. Any person violating the provisions of this Ordinance shall be deemed guilty of a class B misdemeanor, and may be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00), or sentenced to a jail term of not more than six months, or both. Upon conviction of a violation of this Ordinance, in addition to any other penalties that may be imposed upon such conviction, the Court may Order the removal of such dog from the City of Westmoreland. Further, upon a conviction of a violation of this Ordinance, where such dog has bitten any person, the Court may order the euthanization of such dog.

**SECTION 5:** Effect. This Ordinance shall take effect and be in full force from and after its passage and publication in the official city newspaper.

Passed and adopted by the City Council of the City of Westmoreland, Kansas, this 9<sup>th</sup> day of October, 2008.



\_\_\_\_\_  
City Clerk

  
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Mayor

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