

ORDINANCE NO. 341

AN ORDINANCE AMENDING ORDINANCE NO 208 AN ORDINANCE FOR THE REGULATING THE KEEPING OF WILD OR DANGEROUS ANIMALS WITHIN THE CITY OF WALTON, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WALTON, HARVEY COUNTY, KANSAS.

Section 3: LINE 3 shall be amended as follows:

Definitions: "Pit Bull" means:

1. Bull Terrier breed of Dog
2. Staffordshire bull terrier breed of dog
3. American pit bull terrier breed of dog
4. American Staffordshire terrier breed of dog
5. Dogs of mixed breed or of other breeds than above listed, which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terrier.
6. Any dog which has the appearance and characteristics of being predominantly of the breeds of bull terrier, Staffordshire bull terrier, American bull terrier, American Staffordshire terrier; any other breeds commonly known as pit bulls, pit bull dogs or pit bull terriers; or a combination of any of these breeds.

Restrictions on the ownership of Staffordshire Terriers and Mix Breeds Thereof

- A. All adult pit bulls within the City of Walton are required to have an identification microchip implanted in the dog traceable to the current owner and registered with the City of Walton. Such microchip information shall be included in the dog's annual license application with the City of Walton. The owner, keeper or harbinger shall pay all costs associated with the microchip procedure.
- B. It shall be unlawful for any person to own, keep or harbor more than two Pit Bulls.
- C. It shall be unlawful for more than two adult Pit Bulls, to be owned, kept, or harbored on the same premises or dwelling.
- D. Any person, who owns a Pit Bull, shall have sixty days (60) thereafter the final adoption of this ordinance, to microchip and surgically sterilize such animal. Sterilization of the Pit Bull shall not be required upon certification, presented to the City Clerk or his or her designee, by a licensed veterinarian that such sterilization would be injurious to such dog due to its health or age.
- E. The owner, keeper or harbinger of any Pit Bull dog shall provide documentation of the sterilization upon completion to the City Clerk or his or her designee.
- F. Any owner, keeper or harbinger failing to provide documentation of the sterilization procedure as required by this section shall be deemed guilty of a misdemeanor.

G. Any individual who fails to comply with the requirements of this section shall be guilty of a misdemeanor.

Section 3-100:

Keeping of Staffordshire Terriers and Mix Breeds Thereof

A. It is unlawful for an owner or keeper of a Pit Bull dog to permit the dog to be outside an approved or secure enclosure unless the dog is restrained by a substantial chain or leash and under physical restraint by a responsible person who is at least 18 years of age or older and possesses sufficient strength for physical control of the animal.

B. The same above requirements shall also be in effect for the purpose of transportation to and from a veterinarian for medical treatment.

a. In all such events, the Pit Bull dog shall be securely muzzled and restrained with a chain or leash not exceeding four feet in length, and shall be under the direct control and supervision of the owner or keeper of the Pit Bull dog.

b. The muzzle shall be made and used in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

C. Pit Bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided above.

a. All structures used to confine a Pit Bull dog must be locked with a key or combination type lock.

b. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than eighteen (18) inches.

c. All structures erected to house Pit Bull dogs must comply with all zoning and building regulations of the City of Walton.

d. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

D. The owner, keeper or harbored shall allow the access to the property where the Pit Bull dog is being harbored to facilitate inspections and insure compliance for the duration of the life of the animal.

E. It is unlawful for anyone having prior felony convictions defined in articles 34, 35, 36, and 43 of Chapter 21, and article 41 of Chapter 65 of the Kansas Statutes

Annotated to possess, harbor, own or reside on any premises with a Pit Bull dog.

F. It shall be unlawful for any person to:

- a. Harbor, keep or maintain a Pit Bull dog on property not owned by the person without the written consent of the land owner; or
- b. Sell, barter or give away to another person a Pit Bull dog; or
- c. Own, keep or harbor more than two Pit Bull dogs.

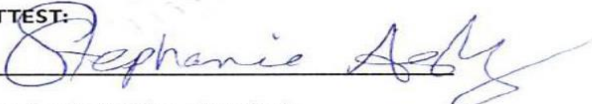
G. Should a Pit Bull dog be found running at large in violation of this section attack or inflict injury upon any person, the Judge of the Municipal Court shall, in addition to any other penalty included in ord. 208, order the dog destroyed. Provided, however, the Judge of the Municipal Court may, at his or her discretion, consider whether the attack or injury was sustained by a person who, at the time, was committing a criminal trespass or other tort upon the premises of the owner of the dog, or was tormenting, abusing, or assaulting the dog, or has, in the past, been observed or reported to have tormented, aroused, or assaulted the dog or was committing or attempting to commit a crime.

This ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Walton, Kansas

PASSED AND ADOPTED this 3rd day of June, 2019.



Barry Wentz, Mayor

ATTEST:


Stephanie Ashby, City Clerk