

ORDINANCE NUMBER 498

**AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CITY OF WESTMORELAND; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.**

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

**SECTION 1:** Dogs at large prohibited. It shall be unlawful for the owner, keeper, or harbinger of any dog to permit or allow such dog to run at large within the City of Westmoreland at any time, whether tagged or not tagged. The owner, keeper, or harbinger of any dog shall keep such dog securely confined on the premises of such owner, keeper, or harbinger. Any dog securely restrained within a vehicle or by a leash or chain held or controlled by some person when off the premises of the owner, keeper, or harbinger shall not be deemed to be running at large within the meaning of this Ordinance.

**SECTION 2:** Definition of harbinger. 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 3:** Penalties. Any person violating the provisions of this Ordinance shall be deemed guilty of a class C misdemeanor, and may be sentenced to pay a fine of not more than five hundred dollars (\$500.00) or sentenced to a jail term of not more than one (1) month, or both. Upon a second or subsequent conviction of a violation of this Ordinance, which second or subsequent violation involves the same dog as the first conviction for a violation of this Ordinance, the Court may Order the removal of such dog from the City of Westmoreland.

**SECTION 4:** Nothing herein shall be deemed to repeal the provisions of Ordinance Number 433 of the City of Westmoreland, or any ordinances authorizing the civil abatement of nuisances, and nothing in this Ordinance shall be deemed to require resort to any civil abatement procedures prior to or in conjunction with prosecution under the provisions of this Ordinance.

**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 14<sup>th</sup> day of August, 2008.



Attest:  
*Vicki B. [Signature]*  
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City Clerk

*Mark [Signature]*  
\_\_\_\_\_  
Mayor

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