

## CHAPTER II. ANIMAL CONTROL AND REGULATION

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### ARTICLE 1. GENERAL PROVISIONS

2-101. DEFINITIONS. For the purposes of this chapter, the following words and phrases shall mean:

(a) Abandon - includes the leaving of an animal by its owner or other person responsible for its care or custody without making effective provisions for its proper care over a 48-hour-period.

(b) Animals - means all vertebrate and invertebrate animals such as but not limited to bovine cattle, horses and other equines, hogs, goats, dogs, cats, rabbits, sheep, chickens, ducks, geese, turkeys, pigeons, and other fowl or wild animals, reptiles, fish, bees or birds that have been tamed, domesticated or captivated.

(c) Animal Shelter - means the facility or facilities operated by the city or its authorized agents for the purpose of impounding or caring for animals under the authority of this chapter or state law.

(d) At-large - means to be outside of a fence or other enclosure which restrains the animals to a particular premise or not under the control, by leash or lead, of the owner or other authorized person capable of restraining the animal. Animals tethered to a stationary object within range of public thoroughfares are deemed to be at-large.

(e) Bite - means any actual or suspected abrasion, scratch, puncture, tear, bruise, or piercing of the skin, caused by any animal, which is actually or suspected of being contaminated or inoculated with the saliva from the animal, directly or indirectly, regardless of the health of the animal causing such bite.

(f) Cat - means any member of the species felis catus, regardless of sex.

(g) Dangerous or Vicious Animal - means any animal deemed to be dangerous or vicious per section 2-115.

(h) Dog - means any member of the species canis familiaris, regardless of sex.

(i) Fowl - means all animals that are included in the zoological class aves, which shall include, but not limited to, chickens, ducks, geese, turkeys, guineas and pigeons.

(j) Harbor - means any person who shall allow any animals to habitually remain or lodge or to be fed within his or her home, store, yard, enclosure or place of business or any other premises where he or she resides or controls.

(k) Humane Live Animal Trap - means any cage trap that upon activation encloses an animal without placing any physical restraint upon any part of the body of such animal.

(l) Humanely Euthanize - means the proper injection of a substance that quickly and painlessly terminates the life of an animal, or any other method approved by the American Veterinary Medical Association or the American Humane Society.

(m) Immediate Control - means the regulation and supervision by a competent person so that an animal is unable to run or get loose at will.

(n) Kenel - means any establishment, commercial or otherwise, maintained for breeding, rearing, grooming, boarding, or otherwise harboring in an enclosure in one location only, more than \_\_\_ dogs.

(o) Livestock - includes, but is not limited to cattle, horses, goats, sheep or other animals commonly regarded or used as farm or ranch animals.

(p) Neutered - means any male or female cat or dog that has been permanently rendered sterile.

(q) Own - means and includes own, keep, harbor, shelter, manage, possess, or have a part interest in any animal. If a minor owns any such animal subject to the provisions of this chapter, the head of the household of which such minor is a member shall be deemed to own such animal for the purposes of this chapter.

(r) Owner - means the one who owns, or his or her employee, agent, or other competent person into whose charge an animal has been placed by the actual owner as described in subsection (q) above.

(s) Vaccination - means an injection of a vaccine, approved by the State Board of Public Health and administered by a licensed veterinarian for the purpose of immunizing an animal against rabies.

(t) Veterinarian - means a doctor of veterinary medicine licensed by the State of Kansas.

(Code 2000)

2-102.

ANIMAL CONTROL OFFICER; DUTY TO IMPOUND; CITATION ALTERNATIVE. (a) There is hereby created the position of animal control officer for the city and such officer shall be charged with the enforcement of this chapter. Any person employed by the city as an animal control officer and commissioned by the city council of the city shall have such powers and authority as allowed by law in the enforcement of this chapter. All animal control officers shall be subject to the supervision and direction of the mayor of the city.

(b) Except as provided in subsection (c), it shall be the duty of the animal control officer to take up and impound all animals found in the city in violation of the provisions of this chapter.

(c) As an alternative to the provisions of subsection (b) of this section, any law enforcement officer or the animal control officer may issue a citation to the owner, harbinger or keeper of an animal in violation of this chapter, and the person receiving the citation shall, within 10 days, appear in the municipal court of the city to answer the charged violation of this chapter.

(Code 2000)

2-103.

SAME; CAPTURE/DESTRUCTION. When deemed necessary by law enforcement officers or the animal control officer for the health, safety and welfare of the residents of the city, such officers and/or their agents may:

(a) Place a humane trap on public or a requesting resident's property for the purpose of capturing any animal defined in this chapter as creating a nuisance in the city;

(b) Use any tranquilizer guns, humane traps, or other suitable devices to subdue and capture any animal that is deemed by the animal control officer, in his or her discretion, to be of a danger to itself or to the public health and safety.

(c) Use firearms or other suitable weapons to destroy any rabid animal, any vicious animal as defined in section 2-115, or any animal creating a nuisance as defined in section 2-111, where such animal is impossible or impractical to catch, capture or tranquilize.

(Code 2000)

2-104. SAME; RIGHT OF ENTRY; UNLAWFUL INTERFERENCE. (a) The animal control officer or any law enforcement officer shall have the right of entry upon any private unenclosed lots or lands for the purpose of collecting any animal whose presence thereupon is a violation of this chapter, to the extent allowed by law.

(b) It shall be unlawful for any person to interfere with the animal control officer in the exercise of his or her duties.

(Code 2000)

2-105. MUNICIPAL POUND ESTABLISHED. A municipal pound shall be established to carry out the provisions of this chapter. Such a pound may be operated by a contractor and all services required herein may be provided by a contractor. When so contracted, the pound shall have the following services and facilities as a minimum:

(a) Adequate pickup and impounding of all stray and ownerless dogs and cats and animals otherwise in violation of the provisions of this chapter.

(b) Group holding facilities for stray, ownerless and unvaccinated animals impounded for violation of the provisions of this chapter.

(c) Individual isolation facilities for sick, biting, rabid and suspected rabid animals.

(d) Facilities for the humane destruction of animals.

(Code 2000)

2-106. BREAKING POUND. (a) It shall be unlawful for any unauthorized person to open, unlock, break open or attempt to break open the pound, or to take or let out any animal placed therein, or take or attempt to take from an authorized officer of this city any animal taken up by him or her under the provisions of this chapter, or in any manner interfere with or hinder any authorized officer or employee of this city in catching, taking up, or impounding any animal.

(b) It shall be unlawful for any person or persons, other than those duly authorized, to care for, feed, attempt to feed, or interfere in any way with the care of impounded animals.

(Code 2000)

2-107. RESERVED.

2-108. RESERVED.

2-109. KEEPING ANIMALS. It shall be unlawful for the owner, lessee, occupant or person in charge of any premises in the city to possess and maintain any animal or fowl, or permit to be maintained thereon any stable, shed, pen or other place where horses, mules, cattle, sheep, goats or swine, or undomesticated animals are kept. (Ord. 567; Code 2016)

- 2-110.           EXCEPTIONS. The prohibition of 2-109 shall not apply to the following:
- (a) the maintaining of a stockyard or sales barn for the loading, unloading, temporary detention and sale of such livestock, if the location of such stockyard or sales barn does not otherwise violate the zoning ordinances of the city;
  - (b) The maintaining of dogs which are regulated by Article 2 of this chapter.
  - (c) The maintaining of non-poisonous and non-vicious animals and fowl which are commonly kept as household pets, such as cats, hamsters, rabbits, parakeets and comparable animals, when kept as household pets and in a safe and sanitary manner.
  - (d) The transporting of animals through the city by ordinary and customary means;
  - (e) Any animals used for or in connection with a rodeo, petting zoo, circus or similar activity for not to exceed 7 days in duration;
  - (f) The maintaining of chickens as regulated by Article 5 of this chapter.
  - (g) The maintaining of 2 cattle, 4 swine, 4 goats, or 4 sheep, as long as the animals are quartered on one contiguous and singular property of five acres or more in area, all within the city limits, and fenced or otherwise enclosed to prevent any animals from leaving the premises. The number of such shall not exceed a combined total of 6. No large domestic animals shall be fed or maintained in any pen, enclosure or building in the city located within 100 feet of any residence, business, or other structure intended for human habitation on a permanent or temporary basis. Any harboring, maintaining or keeping of animals under this ordinance shall be in strict accordance with Section 2-113 of the city code. Violations of this code section or Section 2-113 shall be a misdemeanor. Violators will be given notice and 10 days to comply. The penalty shall begin on the 11th day and will be a \$10-\$50 fine assessed each day the violation continues. (Ord. 567; Code 2016)

- 2-111.           SAME; REGISTRATION PERMIT. (a) It shall be unlawful for any person, corporation, partnership, limited liability company or other entity to own, keep, harbor, shelter, manage, or possess an animal that is subject to the provision and regulations of 2-110(g), without first making application to the city council. The governing body will have up to 30 days to approve such application pending any objections from City of Eskridge residents.
- (b) Every owner of an animal that is subject to this article, shall register with the city clerk on forms furnished by the city the information hereinafter required, and pay the stated fee. The owner shall furnish the following information:
    - (1) the name, address and telephone number of the owner, all employees, agents, or other persons into whose charge an animal has or will be placed within the City of Eskridge, Kansas, by or on behalf of the owner;
    - (2) the street address of the location where animals subject to this article will be kept;
    - (3) the legal description of the lot or parcel on which the animal or animals will be located;
    - (4) the dimensions of the enclosed area where such animals will be kept.
  - (c) An approved permit may be revoked at any time due to non-compliance with city ordinances or complaints to the city council.
  - (d) Keeping, maintaining or harboring animals without a proper registration is a public offense with a minimum fine of \$50. (Ord. 567; Code 2016)

- 2-112. ANIMAL TRAPS. It shall be unlawful for any person to use, place, set out, or deploy any animal trap aboveground, which makes use of a spring gun, spring jaws, clamping devices, cutting or stabbing mechanism or any other devices that will damage or severely injure any animal when caught or trapped by the device or trap; except that nothing herein contained shall prohibit the use of animal traps that are so designed to trap and hold animals without injuring the animals.  
(Code 2000)
- 2-113. NUISANCE; ANIMAL ACTIVITIES PROHIBITED. It shall be unlawful for the owner of any animal to keep or maintain such animal in the city so as to constitute a nuisance. For the purpose of this section, nuisance is defined as any animal which:
- (a) Molests or interferes with persons in the public right-of-way;
  - (b) Attacks or injures persons, or other domestic animals;
  - (c) Damages public or private property other than that of its owner or harbinger by its activities or with its excrement;
  - (d) Scatters refuse that is bagged or otherwise contained;
  - (e) Causes any condition which threatens or endangers the health or well-being of persons or other animals.
- If a summons is issued charging violation of this provision, a subpoena shall also be issued to the complainant to testify to the nuisance under oath.  
(Code 2000)
- 2-114. NOISY ANIMALS. The keeping or harboring of any animal which by loud, frequent and habitual barking, howling, yelping, mewing, roaring or screeching shall disturb the peace of any neighborhood is hereby prohibited. It shall be the duty of any person harboring or keeping such loud or noisy animal or animals to abate the condition, and if he or she fails to do so, the city may abate it by taking up, impounding and/or disposing of the animal at the expense of the owner.  
(Code 2000)
- 2-115. ANIMAL CONFINES; SHELTERS. (a) It shall be unlawful for any person to keep or maintain any animal in any yard, structure or area that is not clean, dry and sanitary, free from debris and offensive odors that annoy any neighbor, and devoid of rodents and vermin.
- (b) Excrement shall be removed at least once each week from any animal shelter, pen or yard area where animals are kept, or more often if necessary to prevent or control odors, fly breeding, or rodent infestation. If excrement is stored on the premises by any animal owner, it shall be stored in adequate containers with fly-tight lids, and all such stored or accumulated wastes shall be disposed of at least once each week.
  - (c) All animal shelters, pens and yards shall be so located that adequate drainage is obtained, normal drying occurs, and standing water is not present.
  - (d) All animal shelters and board fences confining animals shall be maintained in good repair, and all animal shelters and board fences confining animals subject to residential and commercial classification shall be protected from deterioration by painting or comparable treatment.
  - (e) Barbed wire fences and electrically charged fences shall not be permitted for animal confines except on properties for which an agricultural

classification permit is held or where the barbed wire fence or electrically charged fence is protected by an exterior fence.

(f) All premises on which animals are kept shall be subject to inspection by the animal control officer, duly authorized law enforcement officer, or public health official. If the officer or official determines from such inspection that the premises are not being maintained in a clean and sanitary manner, he or she shall notify the owner of the animals in writing to correct the sanitation deficiencies within 24 hours after notice is served on the owner. Any animal kept under any condition which could endanger the public or animal health or create a health nuisance may be impounded. Animals shall be released after fees are paid and cause for impoundment has been corrected.

(Code 2000)

2-115A.

SAME; STOCKYARDS; COMMERCIAL HOLDING PENS. Animal shelters owned or operated as a stockyard or commercial holding pen shall be adequately maintained and cleaned as often as is necessary, as determined by the health officer, to control fly breeding or to control other conditions adversely affecting the public health including the following:

(a) Collected fecal material and other solid organic waste shall be disposed of at a sanitary landfill, fertilizer processing plant, or by proper dispersal on land used for agricultural purposes.

(b) Grain or protein feed shall be stored in tightly covered rodent- proof metal containers or rodent-proof bins.

(c) Premises subject to the terms of this section shall be maintained free of rodent harborage and in accordance with sections 8-601:608 of this code.

(d) Wherever reasonable, use shall be made of anti-coagulant rodenticides for the control of rodents and organo-phosphorus insecticides for the control of flies or any other effective chemical means for the control of rodents and flies.

(e) Wherever reasonable, use shall be made of soil sterilants and herbicides or other effective means for the control of weeds and grass around structures and buildings.

(f) Enclosures including fences where animals such as horses, cows, sheep and goats are maintained shall be constructed in a manner, using dimension lumber materials, or other effective means to prevent such animals from breaking out or causing hazard to persons or property.

(g) The solid wastes accumulated from the cleaning of animal shelters and holding pens maintained by persons subject to a residential classification permit as herein provided shall be stored in metal containers, with tight- fitting metal lids, and all such stored or accumulated wastes shall be disposed of at least once each week.

(h) Holding lots, pens and floors of sheds and buildings where animals are held and which are maintained by persons subject to a commercial, industrial or agricultural classification permit according to the terms of this chapter shall be surfaced with concrete or asphaltic materials and that the drainage system of such surfaced areas shall include proper retaining walls and traps to control the waste from draining into watercourses and such drainage system shall be subject to the approval of the health officer. The health officer shall waive this standard for domestic animal holding operations where such animal holding is longer than 24 hours for any domestic animal involved or where dirt lots are more appropriate to the proper care of cattle, horses or sheep.

(i) Solid wastes accumulated from the cleaning of animal shelters and holding pens maintained by persons subject to a commercial, industrial or agricultural permit according to the terms of this chapter shall be stored on concrete slabs or other facilities, such as dirt lots on which is stockpiled manure with an exposed perimeter as approved by the health officer; provided that all solid waste shall be properly disposed of at least once each week or as may be approved by the health officer.  
(Code 2000)

2-116. DEATH OF ANIMALS. All dead animals shall be disposed of by the owner or keepers within 24 hours of the animal's death, by burial, incineration in a facility approved by the animal control officer, by rendering or by other lawful means approved by the animal control officer. No dead animal shall be dumped on any public or private property. (Code 2000)

2-117. VICIOUS ANIMALS. (a) Prohibited: It shall be unlawful for any person to keep, possess or harbor a vicious animal within the city. Impoundment of animals whose owners have been cited for violation of this section shall be at the discretion of the animal control officer. If the animal presents a clear and present danger to the public health or safety, it shall be the duty of the animal control officer or his or her agent to impound such animal.

(b) Defined: For purposes of this chapter a vicious animal shall include:

(1) Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or

(2) Any animal which attacks a human being or domestic animal without provocation;

(3) Any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting;

(4) Any animal which is urged by its owner or harborer to attack, or whose owner or harborer threatens to provoke such animal to attack, any law enforcement officer while such officer is engaged in the performance of official duty.

(c) Complaint: Whenever a sworn complaint is filed in the municipal court against the owner of an animal alleging that such animal is vicious and in violation of this section, the municipal judge shall hold a hearing to determine whether or not the animal is vicious within the meaning of this section and thereby in violation of this section. The owner of the animal shall be notified in writing of the time and place of the hearing at least one week prior to the hearing. In making a determination, the municipal judge shall consider the following:

(1) The seriousness of the attack or bite;

(2) Past history of attacks or bites;

(3) Likelihood of attacks or bites in the future;

(4) The condition and circumstances under which the animal is kept or confined;

(5) Other factors which may reasonably relate to the determination of whether or not the animal is vicious.

The municipal judge shall order the impoundment, the muzzling in accordance with subsection (d) and/or the confinement of the animal accused of being in violation of this section in a manner and location that will insure that it is no threat to persons or other animals pending the outcome of the hearing. If such

impoundment, muzzling or otherwise safe confinement is not possible or if prior court orders to restrain such animal have gone unheeded, the municipal judge may order the animal immediately destroyed.

(d) Vicious Dogs to be Muzzled: It shall be the duty of every owner, keeper or harbinger of any dog in the city, which dog is vicious or has been known to bite, chase, or run after any person or animal in the streets, alleys, or any public place in the city, to keep the same muzzled with a good and sufficient wire or leather muzzle, securely fastened so as to wholly prevent such dog from biting any animal or person until such time as a determination has been made by the court as to whether the dog is vicious or not. Any person owning, keeping or harboring any dog within the city limits contrary to this section shall be guilty of a violation of this code.

(e) Immediate Destruction: Nothing in this chapter shall be construed to prevent the animal control officer or any law enforcement officer from taking whatever action is reasonably necessary to protect himself or herself or members of the public from injury or danger, including immediate destruction of any vicious animal without notice to the owner.

(f) Release of: If a complaint has been filed in the municipal court against the owner of an impounded animal for a charge under this section, the animal shall not be released except on the order of the municipal judge, who may also direct the owner to pay all impounding fees in addition to any penalties for violation of this chapter. The municipal judge may, upon making a finding that an animal is vicious or that it represents a clear and present danger to the citizens or to other animals in the community, order the animal to be destroyed in a humane manner by the animal shelter. Surrender of an animal by the owner thereof to the animal control officer does not relieve or render the owner immune from the decision of the court, nor to the fees and fines which may result from a violation of this section.

(Code 2016)

2-118. **RUNNING AT LARGE.** It shall be unlawful for any person to willfully allow any animal or fowl under his or her control to be or to run at large within the city. Any animal or fowl found at large shall be impounded as provided in section 2-119 or 2-202 (dogs). (Code 2016)

2-119. **IMPOUNDMENT; FEE; NOTICE; RECORD.** (a) The animal control officer or law enforcement officer shall impound any animal or fowl found at large in the city or constituting a nuisance or otherwise in violation of this chapter in a suitable pound or enclosure provided or contracted for by the city. The impounding officer shall make diligent inquiry as to the owner of the animal and shall notify the owner thereof of such impoundment as soon as reasonably possible.

(b) The city shall be entitled to receive from such owner an impoundment fee of \$50 plus the actual cost of feeding and maintaining the animal while impounded.

(c) In case the identity of the owner of the impounded animal or fowl cannot be ascertained, the animal control officer or police officer shall, upon taking any such animal into custody and impounding the same, make a record thereof, with a description of the animal and the date and place taken into custody and the place of impounding, and shall thereupon immediately post a public notice stating that the animal, describing the same with the date and place of taking, has been taken up, and that unless the charges of impounding the same, together with any license



fees due and unpaid, are paid within three business days from the date of the notice, that the animal will be disposed of as provided in this code.

(d) The animal control officer shall each month submit a report to the governing body showing the number of animals impounded and disposed of, and the fees collected pursuant to this article and shall pay those fees to the city clerk for credit to the general operating fund.

(Code 2000)

2-120. REDEMPTION OF IMPOUNDED ANIMALS. At any time before the sale or destruction of any animal impounded under the provisions of this article, except for animals impounded under sections 2-117 (vicious) and 2-121 (rabid), the owner thereof may redeem the animal by paying the animal control officer or any person in charge, the impounding fee and all costs incurred as a result of such impoundment. (Code 2000)

2-121. IMPOUNDMENT OF RABIES SUSPECTS. (a) Any law enforcement officer or local health officer may take up, upon private or public property, any animal which has bitten or scratched a person or other animal and impound the animal in the city pound, securely penned and separated from other animals, or in a veterinary hospital or animal care facility for a period of not more than 30 days during which time the local health officer shall determine whether or not such animal is suffering from a disease and, if not, the local health officer shall authorize the release of the animal upon payment by the owner of the boarding fee therefore. The health officer may authorize the keeping of any such animal on the owner's premises if the owner produces a rabies vaccination certificate showing that the animal has valid rabies vaccination protection. Impoundment costs shall be borne by the owner. If in the opinion of the local health officer symptoms develop justifying a microscopic examination, then the animal shall be killed and examination made by the state board of health.

(b) In lieu of the provisions of subsection (a), the owner of any such animal may, at his or her own expense, take such animal to any duly qualified and licensed veterinarian in the city for observation. Such veterinarian shall report his or her findings in writing to the local health officer. If in the opinion of such veterinarian a microscopic examination is justified, then the animal shall be turned over to the animal control officer or any law enforcement officer to be killed and examination made by the state board of health.

(c) Any animal desired for observation by the local health officer under this section shall be delivered to the animal control officer or any law enforcement officer upon demand and shall not be withheld, hidden or harbored. Any person violating this provision shall be guilty of a violation of this code. Upon refusal of any person to so deliver such animal, the municipal judge shall cause a warrant to be issued for the arrest of such person, which warrant shall also provide for the surrender of the animal and shall be lawful authority for the apprehending and forcible taking of such animal.

(Code 2000)

2-122. ANIMALS BITTEN BY RABID ANIMALS. Whenever a dog, cat or other animal is bitten by a rabid animal or an animal later proved to have been rabid, it shall be the duty of the owner of the animal that is bitten, to report that fact to the local health officer and/or the police department. It shall also be the duty of the

owner of the bitten animal to either destroy or have his or her bitten animal destroyed unless:

(a) The animal which was bitten had been vaccinated against rabies at least three weeks before being bitten and has a current vaccination; and

(b) If the bitten animal has a current vaccination, it shall be confined for 90 days; and

(c) The bitten animal shall be released from confinement only upon written order from the local health officer, who declares the animal to be free of rabies; and

(d) If the animal is found to have contracted rabies during confinement, it shall be properly disposed of.

(Code 2000)

2-123. VEHICULAR ACCIDENTS INVOLVING ANIMALS. Any person who as the operator of a motor vehicle strikes any animal shall stop at once and shall immediately report such injury or death to the owner of such animal, or in the event that the owner cannot be ascertained, and located, the operator shall at once report the accident to the animal control officer or any law enforcement officer.

(Code 2000)

2-124. EMERGENCY; PROCLAMATION. The mayor is hereby authorized whenever in his or her opinion the danger to the public safety from rabid animals is made imminent to issue a proclamation ordering all persons owning any animal in the city to confine the animal in a good and sufficient enclosure from which the animal cannot escape, or fasten such animal by means of a chain on the premises where the owner may reside, for such time as may be specified in such proclamation. Any animal not confined during such time may be disposed of wherever found by any police officer, or the animal control officer of the city. The owner of such animal shall be prosecuted for such violation thereof. (Code 2000)

2-125. KENNEL LICENSES. (a) No person or household shall own or harbor more than 5 dogs of six months of age or older or more than one litter of pups, or more than 5 cats of more than six months of age or more than one litter of kittens, or more than a total of 5 dogs and cats more than six months of age in any combination, or engage in the commercial business of breeding, buying, selling, trading, training, or boarding cats or dogs or both cats and dogs, without having obtained a kennel license from the city clerk.

(b) Kennel licenses must be renewed annually. No kennel license shall be issued until an inspection certificate has been issued by the animal control officer certifying approval of the kennel and compliance with the applicable laws of the city and the State of Kansas, and a certificate by the zoning code enforcement officer has been issued certifying that the applicant for the kennel license is not violating zoning laws of the city. If the city clerk has not received any protest against the kennel, the city clerk may issue a renewal of an existing kennel license at the same location without any report from the animal control officer and zoning code enforcement officer. If the animal control officer or the zoning code enforcement officer finds that the holder of any kennel license is violating any zoning law, or any other law of the State of Kansas, or of the city, or is maintaining the facility in a manner detrimental to the health, safety or peace of mind of any person residing in the immediate vicinity, he or she shall report such fact to the city

clerk, and the license shall not be renewed except after a public hearing before the governing body.

(c) The animal control officer, the zoning enforcement officer, or any law enforcement officer shall have the right to inspect any premises licensed under this section at any reasonable time and nothing shall prevent the entry onto private property for the purpose of inspection. The application for a kennel shall constitute consent to such entry and inspection.

(d) The governing body may suspend or revoke a kennel license if, pursuant to a public hearing, it finds any of the following:

(1) The kennel is maintained in violation of any applicable law of the State of Kansas, or of the city.

(2) The kennel is maintained so as to be a public nuisance.

(3) The kennel is maintained so as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.

(e) The annual kennel license fee shall be \$500. Payment of such license fee is in addition to, and not in lieu of, the dog license fees otherwise required under this chapter.

(f) This section shall not apply to and will not be construed to require a kennel license for a licensed veterinarian to operate an animal hospital.

(Code 2000)

## ARTICLE 2. DOGS

2-201. DEFINITIONS. For the purpose of this article, the following definitions shall prevail.

(a) At large. - A dog shall be deemed to be at large when not contained in a motor vehicle, building or fence or when not restrained by means of a leash, rope, chain or cord.

(b) City. - City shall mean the city of Eskridge, Kansas.

(c) Dog. - Shall mean all members of the canis familiaris, male or female.

(d) Own. - Shall be deemed to mean and include, own, harbors, shelters, keeps, controls, manages, possesses or has part interest in any dog.

(e) Person. - Shall mean any individual, firm, association, partnership or corporation.

(f) Pit Bull Dog. - A pit bull dog is defined to mean: the bull terrier breed of dog, the Staffordshire bull terrier breed of dog, the American pit bull terrier breed of dog, or the American Staffordshire terrier breed of dog. In addition the definition includes dogs of mixed breed, of breeds other than those above listed which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers, and any dog of bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, any other breed commonly known as pit bulls, pit bulls dogs or pit bull terriers or a combination of any of these breeds.

(g) Restraint. - Means confined by building, fence, leash or any other appropriate means or if accompanied by a competent person and under the person's immediate control.

(h) Secure Enclosure. - Means any structure secure on four sides, top and bottom, equipped with a gate or door that has a lock that secures such gate or door from being opened by anyone other than the owner, harborer, keeper or possessor of dog. (Ord. 441; Code 2000)

2-202. REGISTRATION OF DOGS/DOGS AT LARGE. (a) No person shall have, keep or harbor a dog in the city, unless such person shall first comply with the following regulations: The owner, keeper or harborer of any dog in the city shall cause his or her name, with the name and description of the dog, to be registered with the city clerk of the city, said registration to be maintained by the city clerk for that purpose; and shall pay each year to the city clerk, the required fee. Before any such dog is registered, a registration fee of \$2 for each male dog or spayed female dog and \$5 for each female dog so registered, and shall keep upon the neck of each dog so registered a suitable metallic tag (to be furnished by the city), and the number and year of registry to be distinctly marked thereon. No dog may be registered until it has been properly inoculated against the disease of rabies. The city clerk shall keep a suitable book for the registry of dogs and upon the payment of the fee aforesaid and the exhibition of a certificate of a duly licensed Veterinary of Medicine showing such dog has been properly inoculated against the disease of rabies, the city clerk shall register such dog. Such inoculations must be done annually unless the certificate states the serum used is effective for a greater length of time.

(b) The time for registration of dogs in the city, as provided in subsection (a) of this article, shall be on or before July 1st of each year.

(c) That the owners, keepers or harborers of dogs in the city, are hereby prohibited from permitting such dogs to run at large or enter or trespass upon the property of others.

(d) The city marshal, or other person designated by the city council, shall be authorized to contract with and employ any humane shelter, veterinary clinic, or public animal shelter for the purpose of providing shelter and care for any impounded animals. The city marshal, or other person designated by the city council, shall be further authorized to contract with, employ or cooperate with any other law enforcement officer in connection with the apprehension and care of any such animals.

(e) It shall be and hereby is made the duty of the marshal of the city, or other person designated by the city council, to capture all dogs found running at large in the city in violation of subsections (a) and/or (c) of this article, and to impound the dogs. Any dog impounded as provided this section shall be kept in the dog pound for three days, or until claimed by its owner or harborer as hereinafter provided. Provided, if any dog so impounded is not claimed, registered and the required fees paid, as hereinafter provided, within three days after being impounded, such dog shall be destroyed, sold or otherwise disposed of by the city marshal or other person designated by the city council. Before possession of any such impounded dog shall be relinquished by the city, the owner or harborer of such dog shall sign a statement in writing verifying he or she is the owner or harborer thereof; register the dog with the city clerk, if not previously registered as provided in subsection (a) and pay to the city a fee of \$25, plus all veterinarian or authorized impoundment expenses. In case of sale of an impounded dog, the proceeds shall be paid into the general fund of the city to apply to the costs of the enforcement of this article. Such fees shall be in addition to any penalties assessed by the court under section 2-206.

(f) Subsequent to any dog or dogs being impounded, notice of pickup shall immediately be mailed by certified mail with return receipt requested by the city clerk to the owner or keeper of the dog or dogs as shown by the licensing records of the city. Failure to receive such notice by owner or unregistered dogs, or failure to receive such notice because of refusal to accept the mailed notice, shall not prevent the city or its authorized agency to carry out the provisions of this article. (Ord. 441; Code 2016)

2-203. **DISTURBING THE PEACE.** It shall be unlawful for any owner of any dog or dogs to carelessly, inattentively, willfully or maliciously permit such dog or dogs to disturb the peace and quiet of the neighborhood, or permit such dog or dogs to howl, bark or yelp so as to disturb the peace and quiet of the neighborhood. It shall be prima facie evidence that such dog or dogs were disturbing the peace if a complaint is made by the landowners or occupants of two or more of the premises adjacent to the property whereon such dog or dogs are located. (Ord. 441; Code 2016)

2-204. **MAINTENANCE REQUIREMENTS.** (a) Cleanliness. It is hereby declared to be a nuisance and unlawful for any person to maintain any dog or dogs in an area that is not at all times clean, dry and sanitary, and free from excessive debris, garbage, water and offensive odors.

(b) Storage of Excreta. Excreta from pens, if stored on the premises of a dog owner, shall be stored in adequate containers with a fly-tight lid.

(c) Drainage of Premises. All dog pens in yards shall be located that an adequate drainage is obtained and normal drying occurs and standing water is avoided.

(d) Care of Dogs. It shall be unlawful for the owner of any dog or dogs to neglect or refuse to supply such dog or dogs with necessary and adequate care, food, water, air, light, space, shelter or protection from the elements as necessary for health and well-being of such dog or dogs.

(e) Inspection by City. All premises on which dogs are kept shall be subject to inspection by the city or its representative. If the city determines from such inspection that the premises are not being maintained in a clean and sanitary manner it shall notify the owner or keeper of the dog or dogs in writing to correct the sanitation deficiency within 24 hours after notice is served. Any person failing to comply with the requirements of this article shall be guilty of a misdemeanor. (Ord. 441; Code 2000)

2-205. DOG NUMBER LIMITATIONS. It shall be unlawful for any owner to own, keep or harbor, more than four dogs within the city limits, except in the case of a kennel for which a valid special use permit has been granted. (Ord. 441; Code 2000)

2-206. PENALTIES. Any owner, keeper or harbinger or any dog or dogs found violating the provisions of sections 2-202:205 shall be guilty of a misdemeanor and upon conviction thereof in the municipal court in the City of Eskridge shall be punished by a fine of not less than \$25 and not more than \$100 for such offense. (Ord. 441; Code 2000)

### ARTICLE 3. VICIOUS DOGS

- 2-301. PROHIBITED. It is unlawful for any owner, harborer, keeper or possessor who keeps any dog within the city limits to allow the following, and the same are declared to be public nuisances and are prohibited.
- (a) To permit any dog to attack or bite any person or animal that is not upon the premises or the owner, harborer, keeper or possessor.
  - (b) To permit a dog to attack or bite any person or animal that is upon the premises of the residence of such owner, harborer, keeper or possessor. It shall be an affirmative defense to this subsection that the use of such dog to attack or bite any person was necessary to prevent or apprehend a person engaged in committing an act of violence, robbery, criminal trespass or theft upon such property. (Ord. 441; Code 2000)
- 2-302. EXCEPTIONS. The provisions of section 2-301(a) shall not apply to any law enforcement officer who uses or employs the dog while engaged in a law enforcement activity, nor to any owner, harborer, keeper or possessor of any dog which attacks or bites a person engaged in physically attacking or striking such owner, harborer, keeper or possessor. (Ord. 441; Code 2000)
- 2-303. KEEPING OF PIT BULL DOGS. In addition to the above provisions, the owners, keepers or harborers of pit bull dogs licensed and registered with the city can be kept within the city limits. The keeping of such dogs, however, shall be subject to the following standards:
- (a) Leash and Muzzle. No person shall permit a registered pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting any person or other animals.
  - (b) Confinement. All registered 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. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine registered pit bull dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have 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 two feet. All structures erected to house pit bull dogs must comply with all zoning and building regulations of the city. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
  - (c) Confinement Indoors. No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.
  - (d) Signs. All owners, keepers or harborers of the registered pit bull dogs within the city shall within 10 days 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 is required to be posted on the kennel or pen of such animal.

(e) Insurance. All owners, keepers or harborers of registered pit bull dogs must within 10 days provide proof to the city clerk of public liability insurance in a single incident amount of \$50,000.00 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. Such insurance policy shall provide that no cancellation of the policy will be made unless 10 days written notice is first given to the city clerk.

(f) Identification Photographs. All owners, keepers or harborers of registered pit bull dogs must within 10 days provide to the city clerk two color photographs of the registered animal clearly showing the color and approximate size of the animal.

(g) Reporting Requirements. All owners, keepers or harborers of registered pit bull dogs must within 10 days of any of the following incidents report the following information in writing to the city clerk as required hereinafter:

(1) The removal from the city or death of a registered pit bull dog;

(2) The birth of offspring of a registered pit bull dog;

(3) The new address of a registered pit bull dog owner should the owner move within the corporate city limits.

(h) Sale or Transfer of Ownership Prohibited. Sale - No person shall sell, barter or in any other way dispose of a pit bull dog registered within the city to any person within the city unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such dog; provided that the registered owner of a pit bull dog may sell or otherwise dispose of a registered dog or the offspring of such dog to persons who do not reside within the city.

(i) Animals Born of Registered Dogs. All offspring born of pit bull dogs registered within the city must be removed from the city within six weeks of the birth of such animal.

(j) Irrebuttable Presumptions. There shall be an irrebuttable presumption that any dog registered within the city as a pit bull dog or any of those breeds prohibited by this article is in fact a dog subject to the requirements of this section.

(k) Failure to Comply. It shall be unlawful for the owner, keeper or harborer of a pit bull dog registered within the city to fail to comply with the requirements and conditions set forth in this article. Any dog found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal resulting in the immediate removal of the animal from the city.

(l) Pit Bull Dogs Prohibited. Pit bull dogs not licensed and registered as of September 21, 1998, are hereby prohibited within the corporate limits of the city. (Ord. 441; Code 2000)

2-304.

COMPLAINT AND NOTICE TO APPEAR. (a) Any person who witnesses or has other personal knowledge that an act made unlawful by the provisions of section 2-303 of this article has been committed in violation of such provisions may sign a complaint against the alleged violator.



(b) Any law enforcement officer, reserve police officer or animal control officer of the city is authorized to issue a uniform complaint and notice to appear to any person when such officer personally observes the violation of the provisions of this section or when information is received from any person who has personal knowledge that an act or acts which were made unlawful by the provisions of this article have occurred.

(c) Ex Parte Hearings and Court Orders. The municipal court judge may hold ex parte hearings to determine whether there are reasonable grounds to believe a dog may constitute a danger to any person if not impounded. After such hearing, if the court finds such reasonable grounds to exist, the court is empowered to enter orders either on its own motion or on the motion of the city attorney or, the city attorney's authorized representative, to seize and impound, or continue the impoundment of such dog until the completion of all legal proceedings held in the municipal court of the city to determine whether there has been a violation of this article. If a dog is ordered to be impounded pursuant to this subsection, the person who owns, harbors, keeps or possesses such dog shall be entitled to a hearing in the municipal court within 30 days of such order to review the propriety of such impoundment. Costs of such impoundment shall be assessed to the owner, harborer, keeper or possessor of such dog.  
(Ord. 441; Code 2000)

2-305. PENALTY. Upon a first violation of sections 2-301:304 of this article, a person shall be fined not less than \$100 and not more than \$400. The person convicted must pay at least \$100 before the person is granted suspension or reduction of the sentence. On a second or subsequent conviction of a violation of this section within seven years of the most recent conviction, a person shall be sentenced to not less than five days imprisonment nor more than 30 days imprisonment and shall be fined not less than \$350 nor more than \$499. The person convicted must serve at least five days imprisonment and pay at least \$350 before the person is granted suspension or reduction of sentence. In addition, upon a first conviction of a violation of this article, the court may order the registration of the subject dog revoked and the dog removed from the city, where the court deems appropriate. Should the defendant refuse to move the dog from the city, the municipal court judge shall find the defendant owner in contempt and order the immediate confiscation and impoundment of the animal. Each day that a violation of this article continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this article shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this article. (Ord. 441; Code 2000)

2-306. DESTRUCTION OF DOG. Upon initial conviction of a violation of sections 2-301:304, the judge of the municipal court of the city may order the owner, harborer, keeper or possessor of such vicious dog or pit bull dog to destroy such dog. Upon second or subsequent conviction, the judge shall order the owner, harborer, keeper or possessor to destroy the dog. (Ord. 441; Code 2000)

2-307. Upon conviction of a violation of sections 2-301:304, the judge of the municipal court shall order the owner, harborer, keeper or possessor of such vicious dog to confine such dog in a secure enclosure or building. If the vicious dog or pit bull is taken off the property by the owner, harborer, keeper or possessor, the judge shall order the dog to be under the direct physical control of

some person by use of chain, leash or similar device, and the dog shall be muzzled. Failure to comply with any such order shall be deemed a violation of this article and so will subject the owner, harbinger, keeper or possessor of such dog to the contempt powers of the court issuing such order. (Ord. 441; Code 2000)

#### ARTICLE 4. OTHER ANIMALS

2-401.

EXOTIC ANIMALS. (a) It shall be unlawful for any person, firm or corporation to keep, maintain or have in his or her possession or under his or her control within the city any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous animal or any other animal or reptile of wild, vicious or dangerous propensities.

(b) It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the city any of the following animals:

- (1) All poisonous animals including rear-fang snakes.
- (2) Apes: Chimpanzees; gibbons; gorillas, orangutans; and siamangs.
- (3) Baboons.
- (4) Badgers.
- (5) Bears.
- (6) Bison.
- (7) Bobcats.
- (8) Cheetahs.
- (9) Crocodilians, 30 inches in length or more.
- (10) Constrictor snakes, six feet in length or more.
- (11) Coyotes.
- (12) Deer; includes all members of the deer family, for example, white-tailed deer, elk, antelope and moose.
- (13) Elephants.
- (14) Game cocks and other fighting birds.
- (15) Hippopotami.
- (16) Hyenas.
- (17) Jaguars.
- (18) Leopards.
- (19) Lions.
- (20) Lynxes.
- (21) Monkeys.
- (22) Ostriches.
- (23) Pumas; also known as cougars, mountain lions and panthers.
- (24) Raccoons.
- (25) Rhinoceroses.
- (26) Skunks.
- (27) Tigers.
- (28) Wolves.

(c) The prohibitions of this section shall not apply to bona fide pet shops, zoos, circuses, carnivals, educational institutions, or medical institutions, if:

(1) Their location conforms to the provisions of the zoning ordinance of the city.

(2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.

(3) Animals are maintained in quarters so constructed as to prevent their escape.

(d) The municipal judge shall have the authority to order any animal deemed vicious confined, destroyed or removed from the city. (Code 2000)

## ARTICLE 5. KEEPING OF CHICKENS

- 2-501. PERMIT. Any person wishing to keep chickens within the City Limits of Eskridge shall file an application to do so with the Public Officer, pursuant to section 8-202 of this code.
- (a) Such application will then be reviewed by the Public Officer who will either grant or deny the permit.
    - (1) A permit shall allow the owner thereof to own no more than 8 chickens.
    - (2) Permits are non-transferable and shall not run with the land.
    - (3) Permits will be granted only for property whose primary use is for a single-family dwelling or a two-family dwelling.
- (Ord. 556; Code 2016)
- 2-502. GENDER OF CHICKENS. Only female chickens shall be allowed within the city, with no limitation on species. (Ord. 556; Code 2016)
- 2-503. HENHOUSE. Henhouses shall be provided for all chickens kept within the city and shall be designed to provide safe and healthy living conditions for the chickens while minimizing the adverse impacts to city residents.
- (a) All henhouses shall be well maintained.
  - (b) All henhouse structures shall be enclosed on all sides and have a roof and doors.
  - (c) All henhouse access doors must be able to be shut and locked at night.
  - (d) Windows and vents must be covered with predator-proof and bird-proofwire containing less than one (1) inch openings.
- (Ord. 556; Code 2016)
- 2-504. CHICKEN PENS. Enclosed chicken pens shall be provided for all chickens kept within the city. Such pens must be made of sturdy wire fencing, aviary netting or solid roofing. (Ord. 556; Code 2016)
- 2-505. SANITARY CONDITIONS. All henhouses and chicken pens shall be kept clean, dry, odor free and in a sanitary condition at all times. All henhouses and chicken pens shall also be constructed and repaired to prevent rats, mice or other rodents from being underneath or within such structures. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice or other rodents shall be protected so as to prevent rats, mice or other rodents from gaining access to or coming into contact with them. (Ord. 556; Code 2016)
- 2-506. MANURE. Provisions must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully-enclosed structure with a roof or lid over the entire structure. All manure not properly stored and not used for composting or fertilizing on the premises shall be removed. (Ord. 556; Code 2016)
- 2-507. LOCATION OF CHICKENS; SLAUGHTERING. Chickens must be kept within a henhouse or a chicken pen at all times. No chickens may be slaughtered within the limits of the city. (Ord. 556; Code 2016)

- 2-508. LOCATION OF HEN HOUSES AND CHICKEN PENS. No henhouse or chicken pen shall be located closer than 10 feet to any property line of any adjacent property. All henhouses and chicken pens must be located at least 25 feet from the nearest neighbor's residence. All henhouses and chicken pens shall be located in the backyard of the residence at issue. "Backyard," as used in this Section, shall mean that area of a lot that is located between the back of a house and the rear property line. (Ord. 556; Code 2016)
- 2-509. REVOCATION AND DENIAL OF PERMITS. A permit to keep chickens within the City may be denied or revoked by the public officer where there is a risk to public health or safety or for any violation or failure to comply with any provisions of this Article. Any denial or revocation shall be in writing and shall include notification of the right to appeal as set forth in this Article. (Ord. 556; Code 2016)
- 2-510. NOTICE: Any person, corporation, partnership or association found by the public officer to be in violation of any provision of this Article or any such person, corporation, partnership or association who has been denied a permit or had a permit revoked, shall be served a notice of such violation, denial or revocation. The notice shall be served on the owner or agent of the owner of the property at issue by restricted mail or by personal service, or if the property is unoccupied and the owner is a nonresident of the city, then by mailing the notice by restricted mail to the last known address of the owner. (Ord. 556; Code 2016)
- 2-511. SAME; CONTENTS. The notice shall state the condition(s) which is (are) in violation of the provisions of this Article. The notice shall also inform the person, corporation, partnership or association that:
- (a) He, she or they shall have 10 days from the date of serving the notice to abate the condition(s) in violation of the provisions of this Article; or
  - (b) He, she or they have 10 days from the date of serving the notice to request a hearing before the governing body as provided by section 2-514;
  - (c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by section 2-512 and/or abatement of the condition(s) by the city as provided by section 2-513.
- (Ord. 556; Code 2016)
- 2-512. FAILURE TO COMPLY; PENALTY. Should the person, corporation, partnership or association fail to comply with the notice to abate the conditions that are in violation of this Article or request a hearing, the public officer may file a complaint in the municipal court of the city against such person, corporation, partnership or association and upon conviction of any violation of provisions of this Article, such person, corporation, partnership or association, as appropriate, may be fined in an amount not to exceed \$100 or be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense. (Ord. 556; Code 2016)
- 2-513. ABATEMENT. In addition to, or as an alternative to prosecution as provided in Section 2-512, the public officer may seek to remedy violations of this article in the following manner. If a person to whom a notice has been sent

pursuant to section 2-510 has neither alleviated the conditions causing the alleged violation nor requested a hearing before the governing body within the time periods specified in section 2-511, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution. The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the violating conditions were located as provided in Section 2-515. A copy of the resolution shall be served upon the person in violation in one of the following ways:

- (a) Personal service upon the person in violation;
  - (b) Service by restricted mail, postage prepaid, return receipt requested; or
  - (c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.
- (Ord. 556; Code 2016)

2-514. HEARING. If a hearing is requested within the 10 day period as provided in section 2-511, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer before the governing body. The hearing shall be held by the governing body as soon as possible after filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the governing body shall record its determination of the matter by means of adopting a resolution and serving the resolution upon the person in the manner provided in section 2-513. (Ord. 556; Code 2016)

2-515. COSTS ASSESSED. If the city abates any conditions in violation of this Article, the cost of abatement shall be charged against the lot or parcel of ground on which the violating conditions were located. The city clerk shall, at the time of certifying other taxes to the county clerk, certify the costs as provided in this Section. The county clerk shall extend the same on the tax roll and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. (Ord. 556; Code 2016)