

**ORDINANCE NO. 308**

**AN ORDINANCE AMENDING ORDINANCE NO. 259 IN ITS ENTIRETY TO READ IN FULL AS FOLLOWS, PROVIDING FOR CERTAIN GENERAL REGULATION OF DOGS, CATS, AND DOMESTIC ANIMALS AND THE VACCINATION, REGISTRATION, FEES AND PENALTIES FOR VIOLATION OF THESE REGULATIONS WITHIN THE CITY OF BENTLEY, KANSAS, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BENTLEY, KANSAS.**

**SECTION 1. *DOGS, CATS, AND DOMESTIC ANIMALS REGISTRATION; VACCINATION; TAX.***

(a) Every owner or harborer of a dog, cat, or domestic animal who shall be required to register an animal pursuant to this Article shall be a resident of the City of Bentley, Kansas.

**SECTION 2. *VISITING DOGS, CATS, AND DOMESTIC ANIMALS.***

1. The provisions of this article with respect to registration shall not apply to any dog, cat, or domestic animal owned by any person visiting or temporarily remaining in the City for less than thirty (30) days. However, such dog, cat, or domestic animal shall be kept under restraint by the owner thereof at all times.

**SECTION 3. *RUNNING AT LARGE.***

1. It shall be unlawful for the owner or harborer of any dog or cat or domestic animal to permit such animal to run at large within the City at any time;
2. Any dog or cat or domestic animal running at large within the City may be impounded as set out in Section 5; or Sedgwick County Code, as adopted.
3. The owner or harborer of any dog, cat, or domestic animal impounded by the City for running at large without the tag as required by Section 5 shall, for the first offense, pay a fine of Twenty-Five Dollars (\$25.00) plus the board bill; for the second offense a fine of Fifty Dollars (\$50.00) plus the board bill; for the third and subsequent offense a fine of One Hundred Dollars (\$100.00) the board bill.
4. For the first offense of an animal running at large with a tag

as required by Section 5, the owner or harborer claiming any animal, shall in addition to presenting a license receipt, pay the cost of the board bill and a Twenty Dollar (\$20.00) fee. For a second offense, the owner or harborer shall pay a fee of Forty Dollars (\$40.00) plus the board bill. For a third and all subsequent offenses, the owner or harborer shall pay a fee of One Hundred (\$100.00) plus the cost of any boarding of the animal.

5. The owner, not the animal, shall be considered in the offense as the responsible party. The owner is responsible for all animals under their control and the number of offenses incurred is against the owner and not the animal or animals in party to the offense.

#### **SECTION 4. *IMPOUNDMENT.***

1. Any dog, cat, or domestic animal in violation of the provisions of this article shall be subject to impoundment by the City. A record of all dogs, cats, or domestic animal impounded shall be kept by the City containing the following information: breed, color, sex, weight, height, identifying marks, registration number (if any) and date of impoundment.

2. Any animal impounded may not be released without current vaccinations documented.

3. Impoundment hereunder shall not preclude any court from imposing and executing any fine which might otherwise be levied under this article for violation of any of the provisions thereof; nor shall impoundment be a defense in any prosecution.

#### **SECTION 5. *PENALTY.***

Any person violating or permitting the violation of any provision of this ordinance shall upon conviction in Municipal Court be fined a sum not less than two Hundred dollars (\$200.00) and not more than One Thousand dollars (\$1,000.00) plus the imposition of any applicable court costs. 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 this ordinance shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this ordinance.

#### **SECTION 6. *REPEAL OF CONFLICTS.***

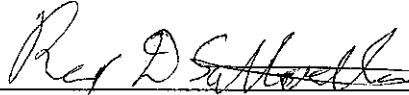
Other ordinances or portions thereof in conflict herewith, are hereby repealed. However, any section of an existing ordinance not in conflict herewith, including but not limited to the ongoing adoption of Chapter 5 of the Sedgwick County Code relating to Animals is not repealed and remains in full force and effect.

**SECTION 7. EFFECTIVE DATE.**

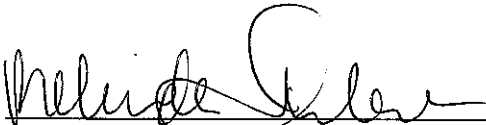
This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

**PASSED AND ADOPTED** by the Governing Body of the City of Bentley, Kansas, this 11 day of February, 2021.

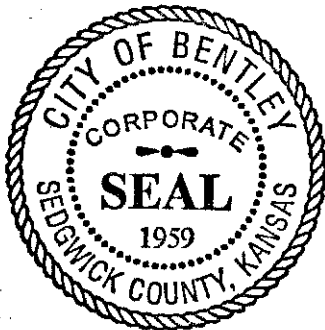
Signed by the Mayor this 11 day of February, 2021.

  
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Rex Satterthwaite, Mayor

ATTEST:

  
\_\_\_\_\_  
Belinda Nelson, City Clerk

(SEAL)



# BENTLEY PUBLIC NOTICE

Published in Harvey County Now February 25, 2021

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## SECTION 7. EFFECTIVE DATE.

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

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF BENTLEY, KANSAS, THIS 11 DAY OF FEBRUARY, 2021.

Signed by the Mayor this 16 day of February, 2021.

Rex Satterthwaite, Mayor  
ATTEST: Belinda Nelson, City Clerk  
(SEAL)