

ORDINANCE NO. 1778

AN ORDINANCE PROHIBITING THE KEEPING OF UNDOMESTICATED ANIMALS, LIVESTOCK AND FOWL WITHIN THE CITY LIMITS OF THE CITY OF BURLINGAME, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME, KANSAS:

**Section 1: Animal Activities Prohibited.** It shall be unlawful for any person or the owner, lessee, occupant or person in charge of any premises in the city to possess and maintain any animal, reptile, livestock or fowl within the city or permit to be maintained any stable, shed, pen, kennel, or other place where such animals are kept.

**Section 2: Exceptions.** The following activities are excluded from this Ordinance:

- (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 and cats which are regulated by Ordinance 1635.
- (c) The maintaining of non-poisonous and non-vicious animals and fowl which are commonly kept as household pets, such as hamsters, rabbits, parakeets, and comparable animals, when kept as household pets, and not for breeding, commercial or retail sale, in a safe and sanitary manner.
- (d) The transporting of animals through the city by ordinary and customary means;
- (e) The possession of any animal, livestock or fowl on the effective date of this ordinance. Such animals may temporarily be absent from the property of the owner for a period not to exceed 6 months. The number and type of animals or fowl exempted under this provision shall not be changed in type nor exceed the original number of animals or fowl as of the effective date of this ordinance.

**Section 3: Definitions.** For purposes of this ordinance, the following is a list of definitions:

- (a) The term "livestock" is to include but not limited to the following: cattle, horses, mules, donkeys, sheep, swine and goats.
- (b) The term "fowl" is to include but not limited to, the following: poultry, ducks, geese, gamebirds, and pigeons.

All other terms contained in this ordinance are to be given their usual definition.

**Section 4: Penalty.** Any person convicted of a violation of this ordinance shall be fined in an amount not to exceed \$50.00 and each day the condition exists shall be considered a separate violation.

**Section 5: Date of Effect.** This ordinance shall take effect and be in force from and after its passage by the Governing Body approval by the Mayor and publication in the official City newspaper.

**PASSED** by the Council over the Mayor's veto this 18th day of November, 1996.