

ORDINANCE NO. 2153

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER II ANIMAL CONTROL AND REGULATION, ARTICLE I, SECTION 2-109, OF THE CODE OF THE CITY OF BURLINGAME, KANSAS.

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

SECTION 1:

The Code of the City of Burlingame, Kansas is hereby amended by adding a sub-section to Section 2-109 which reads as follows:

(f) The keeping and maintaining of not to exceed three (3) horses within an enclosed area of not less than 10 acres.

SECTION 2:

Section 2-109 of Article 1, General Provisions of Chapter II Animal Control of the Code of the City of Burlingame, Kansas is hereby amended to read as follows:

**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 within the city 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. This provision shall not apply to:

(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 in accordance with section 2-113 of this chapter;

(d) The transporting of animals through the city by ordinary and customary means;

(e) The possession of any animal, livestock or fowl may temporarily be absent from the property of the owner for a period not to exceed six 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.

(f) The keeping and maintaining of not to exceed three (3) horses within an enclosed area of not less than 10 acres.

**PASSED AND APPROVED** this 16 day of FEB, 2010.

ATTEST:

\_\_\_\_\_  
Raymond L. Hovestadt  
Mayor

\_\_\_\_\_  
Patti Gilbert  
City Clerk

AFFIDAVIT OF PUBLICATION — The Osage County Herald-Cronicle, Osage City,  
Kansas. STATE OF KANSAS, OSAGE COUNTY, ss.

(Published in *The Osage County  
Herald-Cronicle* Thursday, Feb.  
25, 2010.)

ORDINANCE NO. 2153

AN ORDINANCE AMENDING  
CERTAIN SECTIONS OF  
CHAPTER II ANIMAL CONTROL  
AND REGULATION, ARTICLE  
I, SECTION 2-109, OF THE

CODE OF THE CITY OF  
BURLINGAME, KANSAS.

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

SECTION 1:

The Code of the City of  
Burlingame, Kansas is  
hereby amended by adding  
a sub-section to Section 2-109  
which reads as follows:

(f) The keeping and maintaining  
of not to exceed three (3) horses  
within an enclosed area of not less  
than 10 acres.

SECTION 2:

Section 2-109 of Article 1,  
General Provisions of Chapter II  
Animal Control of the Code  
of the City of Burlingame, Kansas  
is hereby amended to read as  
follows:

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 within the city 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. This provision shall not apply  
to:

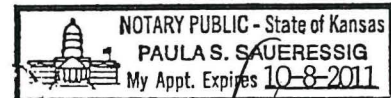
(a) The maintaining of a  
stockyard or sales barn for the  
loading, unloading, temporary  
detention and sale of such  
livestock, if the location of  
such stockyard or sales barn  
does not otherwise violate the  
zoning ordinances of the  
city;

Catherine R. Faimon  
of lawful age, being first duly sworn, deposeth and says  
that she is the publisher  
of the Osage County Herald-Cronicle, a biweekly  
newspaper published in the city of Osage City, County of  
Osage, State of Kansas, and of general circulation in said  
county, and that said newspaper has been continuously  
and uninterruptedly published in said county, at least 50  
times each year during the period of more than five years  
immediately prior to the first publication of the notice  
hereinafter mentioned, and has been duly admitted to the  
mails as Second Class matter in Osage County, Kansas,  
and that notice of which a true copy is hereto attached,  
was published in the regular and entire issue of the

Osage County Herald-Cronicle  
number of said paper for 1  
consecutive weeks; the first publication being made as  
aforesaid on 2-25-2010

and affiant further says she has personal knowledge of  
the statements have set forth and that they are true.

Catherine R. Faimon  
Subscribed and sworn to before me this  
2nd day of March 2010



Notary Public

Printers fees .....\$ 99.40  
Affidavit .....\$  
Total .....\$

AFFIDAVIT OF PUBLICATION — The Osage County Herald-Cronicle, Osage City, Kansas

Filed \_\_\_\_\_, 20\_\_\_\_

Examined and approved \_\_\_\_\_, 20\_\_\_\_

Recorded in \_\_\_\_\_

Judge - Clerk of the District Court

(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 in accordance with section  
2-113 of this chapter;

(d) The transporting of animals  
through the city by ordinary and  
customary means;

(e) The possession of any  
animal, livestock or fowl may  
temporarily be absent from the  
property of the owner for a period  
not to exceed six 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.

(f) The keeping and maintaining  
of not to exceed three (3) horses  
within an enclosed area of not less  
than 10 acres.

PASSED AND APPROVED this 16  
day of February, 2010.

/s/ Raymond L. Hovestadt  
Mayor

ATTEST:

/s/ Patti Gilbert  
City Clerk