

(Summary Publish in the Leavenworth Times on February 28, 2020)

ORDINANCE NO. 8123

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS; CHAPTER 8, ANIMALS; SECTION 8-63. PROVIDING SUBSTITUTE PROVISIONS AND REPEALING THE SECTION AMENDED.

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

Section 1. That the Code of Ordinance of the City of Leavenworth, Kansas, Chapter 8 Animals, Section 8-63, is hereby deleted in its entirety and amended to read as follows:

CHAPTER 8. ANIMALS

Sec. 8-63. Human exposure to zoonotic diseases by animals.

- (a) Any animal bite which requires medical treatment of a human shall be reported within 24 hours to the animal control supervisor by the treating physician or hospital caring for the patient.
- (b) Any injury to a person by an animal that exposes the person to the possibility of rabies or other reported zoonotic disease (referred to in this section as an "incident") shall be immediately reported to the animal control supervisor by the victim, the animal owner, keeper or harbinger, and any other person or official having knowledge of the incident.
- (c) It is the duty of every owner or keeper of an animal, upon receiving notice or having knowledge of the involvement of his animal in a human exposure to the possibility of rabies or other zoonotic disease by biting or scratching, to immediately place such animal in a duly licensed veterinary medical facility, the address of which must be furnished to the animal control supervisor at once, or in the city animal pound or licensed kennel approved by the animal control supervisor, where such animal shall be located and confined for observation for not less than ten consecutive days from the day of the incident. The day of the incident will not be counted in the ten-day quarantine.
- (d) It is unlawful for the owner, keeper or person harboring the animal involved in an incident to release it from custody or to hide or conceal such animal or to take or allow such animal to be taken beyond the limits of the city, unless authorized by the animal control supervisor, until an observation period stipulated by the animal control supervisor for the particular species of animal is over or such period is ruled unnecessary by the animal control supervisor.
- (e) It is the duty of the owner or keeper of an animal upon receiving notice of an incident to immediately place the animal involved in a duly licensed veterinary facility, the name and address of which must be furnished to the animal control supervisor at once, or in the municipal animal shelter, where such animal shall be isolated and confined for observation. The owner or keeper of an animal involved in a biting incident is liable for the cost of confinement and observation.

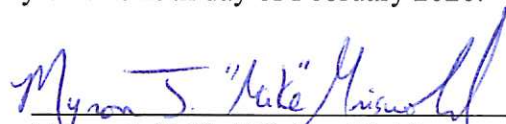
- (f) The animal control supervisor or his designee may authorize confinement other than as described in this section as he finds appropriate, provided such animal will be controlled and observed in accordance with a signed agreement. This subsection shall apply only if the animal has been vaccinated for rabies within the past 12 months or 36 months, dependent upon the type of vaccination, and is duly licensed by the city if required by this chapter.
- (g) The death or any suspicious change in health or behavior of any animal undergoing observation for rabies or other zoonotic disease shall be reported immediately by the observing authority to the animal control supervisor.
- (h) If a proper period of observation is determined or undeterminable for the species of animal involved in an incident, the municipal court may order whatever laboratory examination of the animal or of the animal's tissues is required by prudent medical practice for the protection of the victim, and no liability for damages shall arise from any injury to or the death of the animal occasioned by such laboratory examination.
- (i) When an animal involved in an incident is outside the city, the animal control supervisor shall forward information concerning the incident to the appropriate authority of the jurisdiction of residence of the owner, keeper or harbinger, or appropriate state health department for disease prevention.
- (j) If there is no known owner, keeper or harbinger of any animal involved in a bite case, state statutes and regulations regarding communicable disease control, K.A.R. 28-1-13, shall be controlling.

Section 2. REPEAL. Chapter 8, Animals, Section 8-63, Human exposure to zoonotic diseases by animals, of the Code of Ordinances of the City of Leavenworth, Kansas, in existence as of and prior to the adoption of this ordinance, are hereby repealed.

Section 3: EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body on this 25th day of February 2020.




Myron J. "Mike" Griswold, Mayor


Carla K. Williamson, CMC, City Clerk