

Sedgwick County, Kansas, Code of Ordinances >> - SEDGWICK COUNTY, KANSAS CODE >> Chapter 5 - ANIMALS >> ARTICLE VIII. - INHERENTLY DANGEROUS ANIMALS >>

ARTICLE VIII. - INHERENTLY DANGEROUS ANIMALS*

Editor's note—

Res. No. 35-00, § 3, adopted March 8, 1999, repealed Art. VIII and enacted a new article as set out herein. The former Art. VIII, §§ 5-226—5-238, pertained to similar subject matter and derived from Ord. No. 22-1996, § 1, adopted Jan. 24, 1996 and Res. No. 79-1996, adopted April 10, 1996.

Sec. 5-226. - Prohibition of inherently dangerous animals.

Sec. 5-227. - Exceptions to prohibition.

Sec. 5-228. - Inherently dangerous animal license requirements.

Sec. 5-229. - Violations and enforcement.

Sec. 5-230. - Sale or transfer of inherently dangerous animals.

Sec. 5-231. - Sale or transfer of approved location.

Sec. 5-232. - Nontransferability of license.

Sec. 5-233. - Abandonment of use of approved location.

Sec. 5-234. - Agreements.

| Sec. 5-226. - Prohibition of inherently dangerous animals.

It shall be unlawful for any person to own, harbor or permit at large any inherently dangerous animal in the unincorporated area of the county.

(Res. No. 35-00, § 3, 3-8-99)

| Sec. 5-227. - Exceptions to prohibition.

The following shall be exempt from the prohibition of harboring inherently dangerous animals in the county:

- (1) The Sedgwick County Zoo.
- (2) The Kansas Wildlife Exhibit.
- (3) Any facility accredited by the Association of Zoos and Aquariums (AZA).
- (4) Licensed or accredited medical institutions.
- (5) Accredited educational institutions.
- (6) Veterinary clinics in possession of inherently dangerous animals for treatment or rehabilitation purposes.
- (7) Traveling circuses.
- (8) Persons temporarily transporting inherently dangerous animals through the county provided that the transit time shall not be more than three (3) days.
- (9) License holder harboring one (1) or more inherently dangerous animals at an approved location.

(Res. No. 35-00, § 3, 3-8-99)

| Sec. 5-228. - Inherently dangerous animal license requirements.

Any person wishing to harbor one (1) or more inherently dangerous animals at an approved location in the unincorporated area of the county shall abide by the following provisions:

- (1) *Application procedure.*
 - a. *Completion of application form and submittal of documents; filing.*
 1. Any person wishing to obtain an inherently dangerous animal license to harbor one (1) or more inherently dangerous animals in the county shall annually file a written application and accompanying documents for consideration and review by the director.
 - i. License application forms are available in the county clerk's office and in the county animal control office.
 - ii. Completed license applications and accompanying documents shall be filed with the county clerk's office.
 - iii. Renewal license applications shall be filed with the county clerk's office no later than May 1 of any given year, regardless of the issue date of the license being renewed, and shall be subject to all requirements contained herein.
 2. The information and documents required to be submitted for consideration by the director shall include, but not be limited to, the following:

- i. Name, mailing address, street address, daytime telephone number and evening telephone number of the owner of the inherently dangerous animals;
 - ii. Name, mailing address, street address, daytime telephone number and evening telephone number of the property owner of the approved location at which inherently dangerous animals are to be harbored;
 - iii. Common address and legal description of the approved location at which inherently dangerous animals are to be harbored;
 - iv. Name, daytime telephone number and evening telephone number of person or persons to be contacted in case of an emergency;
 - v. Certificate of insurance;
 - vi. License application fee in the amount of:
 - a) One hundred dollars (\$100.00) for those applicants possessing a valid USDA Animal Welfare license unless such applicant obtained a county license between December 1, 1999 and March 8, 2000 in which case the application fee for June 30, 2000 through May 31, 2001 shall be fifty dollars (\$50.00); or
 - b) One hundred dollars (\$100.00) per animal, with a maximum of three hundred dollars (\$300.00) for those applicants not possessing a valid USDA Animal Welfare license;
 - vii. Copy of escaped animal procedures;
 - viii. Copy of outline for training of personnel in the care and handling of inherently dangerous animals;
 - ix. Measured diagram of the property and all buildings, cages and enclosures located thereon which are used for housing one (1) or more inherently dangerous animals. Said diagram shall include the following:
 - a) The location of any and all weapons including tranquilizer guns which are intended for use in case an inherently dangerous animal is at large; and
 - b) The location of all telephones; and
 - c) The height of any fencing or barrier erected on or around the property which is intended to contain inherently dangerous animals or to prevent the public from accessing said animals; and
 - x. Copy of procedures for transporting one (1) or more inherently dangerous animals to and from an approved location. Such procedures shall be approved by the director prior to transport of any such animals.
Exception: It shall not be a requirement of this article for an applicant to submit transportation procedures for mammals weighing fifty (50) pounds or less and that are less than six (6) months of age.
 - xi. Other information and/or documents which the director deems necessary to assist in determining whether a license should be issued.
3. Incomplete application. Any application that is submitted with incomplete information and/or that is not accompanied by all required documents shall not be considered an application and shall therefore not be reviewed for determination of approval by the director. If such an incomplete application is mistakenly considered and approved, such application shall be voidable and/or may be revoked pursuant to the provisions of this article.
- b. *Initial inspection.* Following application, and prior to the determination of whether a license should be issued, the applicant shall submit to an initial inspection by the director of the approved location at which the applicant desires to harbor one (1) or more inherently dangerous animals. Such inspection shall be conducted to determine compliance with the provisions of the Code and shall be in addition to any inspection conducted pursuant to other provisions of this Code.
 - c. *Review and decision by director.* Upon receipt of a completed license application that has been filed with the county clerk's office, the director shall have thirty (30) calendar days in which to review said application and conduct inspections to determine compliance with the Code. On or before the thirtieth day following the filing of the completed license application, the director shall indicate in writing on the application form whether he approves or denies the license. The applicant shall be notified in writing by the county clerk's office whether its application has been granted or denied.
- 1. The director shall not approve the harboring of one (1) or more inherently dangerous animals at any location other than an approved location as defined herein by a person meeting all requirements of this article. Any license issued by the director to harbor one (1) or more inherently dangerous animals at a location other than an approved location and/or by a person meeting all requirements of this article shall be considered voidable and/or may be revoked pursuant to the provisions set forth herein.
- (2) *Standards for housing and care of inherently dangerous mammals.*
- a. *General requirements.*
 - 1. *Sanitation.* All animals and animal enclosures shall be kept in a clean and sanitary condition and so maintained as to limit objectionable odors. All enclosures shall be

cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable federal, state, county and local laws and regulations.

2. *Shift cage.* Each primary enclosure shall have access to a shift cage to permit safe feeding, cleaning, cage repair or other separations.
 3. *Locks.* All enclosures shall be locked with a key or combination lock when inherently dangerous mammals are within the enclosure.
 4. *Secondary latch.* All enclosures shall have a secondary latch.
 5. *Doors.* All enclosures shall have double doors between the animal and possible escape, one (1) being a primary access door and the second being a safety door. Doors shall swing into the enclosure rather than out.
 6. *Enclosure perimeters.* In addition to enclosure requirements and vertical barrier requirements set forth herein, all perimeters shall have either a concrete footing or horizontal protective matting around the entire enclosure to prevent escape through digging.
 7. *Telephones.* At least one (1) land-line telephone and one (1) cellular telephone shall be in working condition and located at the approved location twenty-four (24) hours per day for use in case of an escape or other emergency.
 8. *Electrical power back-up.* Every approved location that utilizes electrical power on any perimeter fencing, secondary barrier or enclosure shall maintain in working condition a back-up system, such as a gas-powered generator, which shall be used in case of electrical power failure or malfunction.
 9. *Shelter.* All inherently dangerous mammals shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall, in addition to the required shelter, have access to shade.
 10. *Water.* Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; Such devices or containers shall be cleaned and disinfected daily.
 11. *Food.* All inherently dangerous mammals shall have access to food which shall maintain the animal's proper weight, nutrition, and health.
 12. *Medical attention.* Proper medical attention shall be provided when and as necessary to maintain the inherently dangerous mammals in a healthy condition.
 13. *Transportation.* At no time shall an inherently dangerous mammal be transported to or from the approved location indicated on the license application except in a manner conforming with the procedures which are required to be submitted to, and approved by, the director, as set forth in subsection (1)a.2.x. herein;
Exception: A mammal weighing not more than fifty (50) pounds and that is less than six (6) months of age may be transported to or from the approved location without submittal and/or approval by the director of the transportation procedures.
 14. *Animal restricted to approved location.* At no time shall an inherently dangerous mammal be located other than at the approved location indicated on the license application, except during transportation as described herein.
Exception: A mammal weighing not more than fifty (50) pounds and that is less than six (6) months of age shall not be restricted to the approved location so long as such mammal is in an appropriate enclosure or controlled by an appropriate restraint.
 15. *Restraint.* Every inherently dangerous mammal shall be contained in an appropriate enclosure or controlled by an appropriate restraint at all times both at and away from the approved location. No inherently dangerous mammal shall be allowed to roam freely outside of an enclosure, regardless of the existence of fencing or a secondary barrier.
- b. *Additional requirements for Canidae and hybrids thereof.*
1. *Enclosure dimensions.* A single small canid, or hybrid thereof, weighing less than thirty-five (35) pounds shall have an enclosure measuring at least eight (8) feet by twelve (12) feet. It shall be either a minimum of eight (8) feet high with a covered top or a minimum of fourteen (14) feet high with either an inward-facing overhang of barbed wire of not less than eighteen (18) inches at an angle of forty-five (45) degrees or have a one hundred ten (110) volt electric wire to prevent the animals from escaping. For each additional small canid (or hybrid thereof), the floor space of the enclosure shall be increased by fifty (50) percent. A single large canid, or hybrid thereof, weighing thirty-five (35) pounds or more shall have an enclosure measuring at least ten (10) feet by fifteen (15) feet. For each additional large canid, or hybrid thereof, the floor space of the enclosure shall be increased by fifty (50) percent.
 2. *Enclosure materials.* Enclosures for canids and hybrids thereof shall be constructed of not less than eleven (11) gauge chain link or its equivalent for mammals of an adult weight less than thirty-five (35) pounds and nine (9) gauge chain link or its equivalent for animals of an adult weight of thirty-five (35) pounds or more.
- c. *Additional requirements for Felidae and hybrids thereof.*

1. *Enclosure dimensions and materials for very large pantherids.* Very large pantherids, including lions (*P. leo*), tigers (*P. tigris*), and any hybrids thereof shall be maintained in barred or heavily wired cages. A cage for a single animal shall measure at least twenty-four (24) feet by twelve (12) feet. It shall be either a minimum of eight (8) feet high with a covered top or a minimum of fourteen (14) feet high with either an inward-facing overhang of not less than eighteen (18) inches at an angle of forty-five (45) degrees or have a one hundred ten (110) volt electric wire to prevent the animals from escaping. Floor space of a cage shall be increased by fifty (50) percent for each additional animal.
 2. *Enclosure dimensions for other large felids.* Large felids, including jaguars (*P. onca*), leopards or panthers (*P. pardus*), pumas, cougars or mountain lions (*P. concolor*), snow leopards (*P. uncia*), clouded leopards (*Neofelis nebulosa*), and may subspecies or hybrids thereof shall be maintained in cages with minimum cage dimensions for a single large felid of twenty (20) feet by ten (10) feet by eight (8) feet high with a covered top. Floor space of a cage shall be increased by fifty (50) percent for each additional animal.
 3. *Enclosure dimensions for smaller felids.* A small felid, having an adult body weight of more than fifteen (15) pounds but less than forty-four (44) pounds, including any hybrids but excluding the domestic cat (*Felis catus*) shall be maintained in cages with minimum cage dimensions for a single small felid of seven (7) feet by ten (10) feet by eight (8) feet high with a covered top. Floor space shall be increased by fifty (50) percent for each additional animal.
 4. *Enclosure materials.* Enclosures for very large and large felids shall be constructed of bars of not less than nine (9) gauge chain link fencing or its equivalent. Enclosures for smaller felids shall be constructed of bars of not less than eleven (11) gauge chain link fencing or its equivalent.
 - d. *Additional requirements for Ursidae and hybrids thereof.*
 1. *Enclosure dimensions.* All enclosures for a solitary adult bear or hybrid thereof shall measure at least twenty-four (24) feet by twelve (12) feet with a ten-foot high covered top. Floor space of a cage shall be increased by fifty (50) percent for each additional animal.
 2. *Enclosure material* shall be constructed of welded bars or not less than nine-gauge chain link appropriately secured, or its equivalent.
- (3) *Standards for housing and care of inherently dangerous reptiles.*
- a. *General requirements.*
 1. *Sanitation.* All animals and animal enclosures shall be kept in a clean and sanitary condition and so maintained as to limit objectionable odors. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable federal, state, county and local laws and regulations.
 2. *Locks.* All enclosures shall be locked with a key or combination lock when inherently dangerous reptiles are within the enclosure.
 3. *Secondary latch.* All enclosures shall have a secondary latch.
 4. *Doors.* Doors shall swing into the enclosure rather than out.
 5. *Shelter.* All inherently dangerous reptiles shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall, in addition to the required shelter, have access to shade.
 6. *Security of enclosures.* Enclosures shall be secure and escape-proof.
 7. *Telephones.* At least one (1) land-line telephone and one (1) cellular telephone shall be in working condition and located at the approved location twenty-four (24) hours per day for use in case of an escape or other emergency.
 8. *Electrical power back-up.* Every approved location that utilizes electrical power on any perimeter fencing, secondary barrier or enclosure shall maintain in working condition a back-up system, such as a gas-powered generator, which shall be used in case of electrical power failure or malfunction.
 9. *Climate.* Species appropriate temperature, lighting, and shelter shall be provided at all times.
 10. *Food and water.* Inherently dangerous reptiles shall be fed and watered at a rate at which proper weight, nutrition, and health are maintained. Watering devices or containers shall be cleaned and disinfected daily.
 11. *Medical attention.* Proper medical attention shall be provided when and as necessary to maintain the inherently dangerous reptiles in a healthy condition.
 12. *Transportation.* At no time shall an inherently dangerous reptile be transported to or from the approved location indicated on the license application except in a manner conforming with the procedures which are required to be submitted to, and approved by, the director, as set forth in subsection (1)a.2.x. herein.
 - 13.

Animal restricted to approved location. At no time shall an inherently dangerous reptile be located other than at the approved location indicated on the license application, except during transportation as described herein.

14. *Restraint.* Every inherently dangerous reptile shall be contained in an appropriate enclosure or controlled by an appropriate restraint at all times both at and away from the approved location. No inherently dangerous reptile shall be allowed to roam freely outside of an enclosure, regardless of the existence of fencing or a secondary barrier.
- b. *Additional requirements for venomous snakes and large constricting snakes.*
 1. *Enclosure dimensions.* One (1) or two (2) venomous snakes or large constricting snakes shall have an enclosure with a perimeter measuring one and one-half (1½) times the length of the longest confined snake. For each additional snake, the floor area of the enclosure shall be increased by twenty-five (25) percent.
 2. *Enclosure materials.* Enclosures shall be fronted with a minimum of three-sixteenths (3/16) inch thick plexiglass or tempered glass. Ventilation openings shall be covered with one-sixteenth (1/16) inch mesh. Enclosures shall be structurally sound and may be constructed of waterproof plywood at least one-quarter (¼) inch thick, concrete plastered over wire, sheet metal, fiberglass, or a minimum of one-quarter (¼) inch thick molded plastic.
 - i. Ventilation openings on enclosures containing venomous snakes shall be covered with double walls of one-sixteenth (1/16) inch mesh sufficient to prevent penetration of fangs to outside of the enclosure.
- c. *Additional requirements for gila monsters and beaded lizards.*
 1. *Enclosure requirements.* One (1) or two (2) lizards shall have an enclosure with a minimum enclosure length of one and one-half (1½) times the length of the longest confined lizard and a minimum enclosure width of four (4) times the width of the largest confined lizard. Enclosures shall have adequate ventilation, fresh water, and access to sunlight or full spectrum fluorescent lighting with appropriate shade also available. For each additional lizard, the floor area of the enclosure shall be increased one hundred (100) percent.
- d. *Additional requirements for crocodilians.*
 1. *Enclosure requirements.* The floors of outdoor enclosures shall be of concrete or masonry construction. Walls shall be a minimum height of four (4) feet and constructed of wire mesh no smaller than eleven and one-half (11.5) gauge. The enclosure shall be completely roofed by mesh wire. Crocodilians shall have access to shade and heated indoor facilities during cold weather.
 2. *Enclosure dimensions.* For one (1) crocodilian, minimum enclosure size must permit moving and turning both on land and in a pool. For additional crocodilians, the combined area covered by their bodies shall not exceed fifty (50) percent of enclosure area.
 3. *Pool.* Each enclosure shall include a pool of sufficient depth to permit entire body submersion by the crocodilian(s) located therein and must be readily accessible to caretakers either by securing ramps into and out of the water or by building a sunken pool with a sloped interior.
 - i. Pools shall be full of water at all times. The water shall be continuously filtered or replaced on a weekly basis.
 4. *Shift cages.* Enclosures for crocodilians greater than five (5) feet in length must have shift facilities to permit safe cleaning, cage repair, or other separations. Shift cages shall measure at least eight (8) feet by five (5) feet.
 5. *Lighting.* Indoor facilities shall be equipped with full spectrum fluorescent lighting and heat lamps for basking.
- (4) *Fencing requirements.* Each license holder shall be responsible for erecting and maintaining at least one (1) of the following types of fencing at the approved location at which the license holder harbors or intends to harbor one (1) or more inherently dangerous animals:
 - a. *Perimeter fencing.* A license holder who chooses to erect and maintain perimeter fencing shall erect and maintain such fencing in a manner which reasonably prevents access to the approved location by the general public and further aids in containing any escaped animal. Perimeter fencing shall be inspected by the director for compliance with the following requirements:
 1. Perimeter fencing shall completely enclose the entire approved location;
 2. Perimeter fencing shall be a minimum of eight (8) feet tall with an outward-facing overhang of barbed wire of not less than eighteen (18) inches at an angle of forty-five (45) degrees;
 3. The area near the perimeter fencing shall be kept clear so that an inherently dangerous animal cannot be elevated, making it easier for such animal to escape by jumping over the perimeter fencing;
 4. Gates providing access to the approved location which is surrounded by the perimeter fencing shall be closed at all times.

Exception: Gates may be opened for purposes of ingress and egress to the approved location but shall be closed immediately following such ingress and egress.

- b. *Secondary barrier.* A license holder who chooses to erect and maintain a secondary barrier shall erect and maintain such secondary barrier in a manner which reasonably prevents access to the enclosures containing inherently dangerous animals by the general public and further aids in containing any escaped animal. Secondary barriers shall be inspected by the director for compliance with the following requirements:
 - 1. A secondary barrier shall completely surround any and all enclosures that house inherently dangerous animals;
 - 2. A secondary barrier shall be a minimum of eight (8) feet tall with an outward-facing overhang of barbed wire of not less than eighteen (18) inches at an angle of forty-five (45) degrees;
 - 3. The area between an enclosure housing one (1) or more inherently dangerous animals and the secondary barrier shall be kept clear so that an inherently dangerous animal cannot be elevated, making it easier for such animal to escape by jumping over the secondary barrier;
 - 4. Gates providing access to the area surrounded by the secondary barrier shall be closed at all times.
Exception: Gates may be opened for purposes of ingress and egress to the area surrounded by the secondary barrier but shall be closed immediately following such ingress and egress.
- (5) *On-site staffing.* Any license holder harboring one (1) or more inherently dangerous animals at an approved location shall be present or shall ensure that trained personnel is present at said approved location twenty-four (24) hours per day, seven (7) days per week.
- (6) *Escaped animal procedure.* Any license holder harboring one (1) or more inherently dangerous animals at an approved location shall establish escaped animal procedures subject to the following requirements:
 - a. The license holder shall submit a copy of said escaped animal procedures for approval to the director at the time of application. The license holder shall, throughout the term of the license, provide to the director a copy of any revisions made to such procedures within forty-eight (48) hours of such revisions being made.
 - b. All personnel shall regularly receive training in such procedures.
 - c. Escaped animal procedures shall include a requirement to call 911 within five (5) minutes of an escape.
 - d. The location of telephone numbers of persons to contact in case of an escape shall be part of the escaped animal procedure.
- (7) *Training.* Any person harboring one (1) or more inherently dangerous animals at an approved location shall train all personnel who interact with, come into contact with or who are present at the approved location where inherently dangerous animals are harbored, subject to the following requirements:
 - a. An outline of training topics shall be submitted to the director at the time of application and at the time of any revision of said training. The director shall make a determination regarding the sufficiency of such training.
 - b. Topics of such training shall include, but not be limited to, the following:
 - 1. Safe handling and proper care of inherently dangerous animals;
 - 2. Escape procedures;
 - 3. Location and proper use of any and all weapons, including tranquilizer guns, which are intended for use in case of the escape of an inherently dangerous animal;
 - 4. The requirements of the Code relating to inherently dangerous animals.
 - c. A record of personnel training shall be maintained by the license holder at the approved location and shall be subject to the following requirements:
 - 1. All records of training shall be maintained for not less than two (2) years from the date of training.
 - 2. All records of training shall immediately be made available for inspection and review at the request of the director.
 - 3. All records of training shall include signatures of personnel indicating completion of training.
- (8) *Addition or removal of animals at approved location.* Any person harboring or wishing to harbor one (1) or more inherently dangerous animals shall provide written notification in person or by facsimile to the director within twelve (12) hours of the addition or removal of an inherently dangerous animal at an approved location. Written proof of insurance coverage for an additional animal or animals shall be provided in person or by facsimile to the director within twenty-four (24) hours of such animal being harbored at the approved location.
- (9) *Insurance requirements.* Certificate of insurance indicating proof of liability insurance in the minimum amount of one million dollars (\$1,000,000.00), covering any acts of the inherently dangerous animal(s) owned or harbored by the applicant while on or off of the approved location. Said certificate of insurance shall contain a clause granting a minimum of thirty (30) calendar days prior notice to the county in care of the county counselor's office and the county clerk's office before any material change or cancellation of insurance is effective.
- (10)

Inspections. Any person harboring one (1) or more inherently dangerous animals shall submit to inspections of the approved location at which said animal or animals are being harbored. Such inspections, which shall be for the purpose of determining compliance with the provisions of this article, shall be conducted by the director at his discretion.

(Res. No. 35-00, § 3, 3-8-99)

Sec. 5-229. - Violations and enforcement.

It shall be considered a violation of this Code for a person to fail to abide by the provisions of this article. Such violation shall cause such person to be subject to one (1) or more of the following enforcement provisions:

- (1) *Revocation of license.*
 - a. A license issued pursuant to this article may be revoked by the director after a hearing conducted by the director to determine whether the license holder is in violation of any provision or provisions of this article.
 - b. If a license is revoked, the owner of the animal(s) which is/are the subject of the license shall transfer ownership of the animal(s) by sale or gift to another person who is in compliance with this article, with the written approval of the director, and provided the other person has or can obtain a license required by this article. In the alternative and with the written approval of the director, the animal(s) can be permanently removed from the county.
 - c. Any license holder who is dissatisfied with a decision of the director made pursuant to this section may appeal such decision within ten (10) days to the board of county commissioners by filing written notice thereof with the county clerk, with copies of the appeal notice to be provided by the license holder to the director and to the county counselor. The appeal shall be taken upon the record to be provided by the animal control department and shall not be a hearing de novo. A quorum of the board of county commissioners shall constitute a sufficient board for the purpose of conducting the appeal hearing. A majority vote shall be controlling for purposes of upholding or reversing the decision of the director.
- (2) *Impoundment; disposition of impounded animals.*
 - a. Any inherently dangerous animal which is kept by any person in contravention of this article may be taken up and impounded by the director, an animal control officer, a code enforcement officer or a law enforcement officer for the protection and health of the animal and/or for the protection of the health, safety and welfare of the public. Cost of take-up, impoundment, and care of the animal will be charged to its owner and/or harbored regardless of whether the animal is claimed by or returned to said owner and/or harbored.
 - b. If an animal cannot be taken up safely or if proper and safe housing cannot be found for the animal, the director can immediately cause the animal to be destroyed.
 - c. The owner and/or harbored of the animal can reclaim the animal only if said owner and/or harbored is in compliance with this article and only after all fines and costs have been paid by the owner and/or harbored. Any other intended disposition of the animal requires the approval of the director.
 - d. If no owner or harbored can be located or will claim the animal within three (3) days after impoundment, the director may cause the sale, adoption, donation, or euthanization of the animal.
- (3) *Criminal proceedings.* Any person who violates any provision of this article may be prosecuted for such violation pursuant to the code for the enforcement of county codes and resolutions (K.S.A. 19-4701 et seq.) and chapter 8 of this Code. Any violation of this article shall be a class I violation with each day's violation constituting a separate offense.
- (4) *Other remedies.* The county shall have such other remedies as are and as may be from time to time provided by state or local law.
- (5) *Remedies cumulative.* The remedies provided herein shall be cumulative.

(Res. No. 35-00, § 3, 3-8-99)

Sec. 5-230. - Sale or transfer of inherently dangerous animals.

Any person who sells, gives, or in any way transfers possession or ownership of an inherently dangerous animal shall maintain records reflecting the name, address, and telephone number of the receiver of the animal; the state and county in which the receiver lives; and a complete and accurate description of the animal transferred to the receiver. If the receiver is a resident of this county, the records shall also reflect information sufficient to show the receiver possesses a current county license pursuant to this article and that said animal is to be harbored at an approved location. Such records shall be made available to the director for inspection upon request. Such records shall be maintained for a minimum of seven (7) years from the date of transfer.

(Res. No. 35-00, § 3, 3-8-99)

Sec. 5-231. - Sale or transfer of approved location.

Any person who sells, gives, devises, or in any way transfers ownership of an approved location shall give written notice to the director within ten (10) days of such transfer. If the transferee intends to harbor or allow to be harbored inherently dangerous animals at such approved location, such transferee shall be subject to all provisions of this article.

(Res. No. 35-00, § 3, 3-8-99)

Sec. 5-232. - Nontransferability of license.

No license issued pursuant to this article shall be transferable to any other person or to any other location. Should a license holder wish to relocate one (1) or more inherently dangerous animals to another approved location, said license holder shall file a new application for such location.

(Res. No. 35-00, § 3, 3-8-99)

Sec. 5-233. - Abandonment of use of approved location.

Should an approved location not be used for the harboring of inherently dangerous animals for sixty (60) or more consecutive days, said location shall no longer be considered an approved location for purposes of this article. No inherently dangerous animal shall be harbored at such location.

(Res. No. 35-00, § 3, 3-8-99)

Sec. 5-234. - Agreements.

The county may enter into agreements with any veterinarian, governmental agency, city, township, improvement district, corporation or individual it deems necessary to carry out the provisions of this article.

(Res. No. 35-00, § 3, 3-8-99)