

ORDINANCE NO. 1055

KENNEL OPERATIONS IN THE CITY OF STAFFORD

AN ORDINANCE FOR THE CITY OF STAFFORD, KANSAS TO RECOGNIZE AND REGULATE THE BUSINESS OF RAISING DOGS.

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

SECTION 1. That groups of Registered Dogs kept for breeding, raising and selling to be considered Commercial Dog Kennels.

SECTION 2. That the following Annual Fees be set for operating a Kennel within the City Limits of Stafford.

4 to 7 Dogs - \$100.00

8 to 10 Dogs - \$150.00

11 to 15 Dogs - \$175.00

Over 15 Dogs - \$200.00

SECTION 3. That persons conducting such business be required to comply with all state laws of Kansas and all regulation of the American Kennel Club Governing same, before applying for a City of Stafford Kennel Permit.

SECTION 4. Permit Procedures:

That all licenses for dog kennels shall be obtained on or before the first day of June of each year, and licenses shall be issued by the Governing body of the City of Stafford upon presentation of records showing compliance with the state of Kansas regulations, AKC regulations, certificate of Immunization that said dogs have been immunized against Rabies for the current year.

- a) An application must be completed and submitted to the City on a form approved by the City. Such application shall contain: the name and address of kennel owner, the physical address(s) of the kennel(s), the contact person at such physical address and contact number, and a brief description of the operation of the kennel(s) to include the proposed number of dogs, waste disposal system and the physical size of the actual kennel(s).
- b) Proof must be provided that the facility will be licensed with the state of Kansas. The Facility must meet all applicable state requirements relative to kennels.
- c) Upon the receipt of the application, the City Clerk will notify all property owners located in the area of the proposed facility for the purpose of filing an objection to the Governing body about the proposed facility. Said property owners shall then have thirty (30) days in which to file an objection to the proposed facility.

- d) Upon expiration of the thirty (30) day period, the City Clerk shall present the application and all objections to the Governing body at the next regularly scheduled meeting for the purpose of reviewing the application and allowing any interested persons to be heard on the proposed facility.
- e) The Governing body shall then have sixty (60) days to either issue the permit or deny the same.
- f) Kennel operators will have to submit an application each year to the Governing body and follow the procedures stated above to be reissued a license to operate in the City of Stafford.
- g) The Governing body has the option of denying any application for just cause if that proposed facility will create a health, environment, or odor problem in the neighboring area, and decrease the value of the surrounding property.

SECTION 5. Health and Safety Requirements:

- a) All animal feces must be properly disposed of by a sanitary elimination of waste, that does not pose a threat to the natural environment or cause a health environment problem in the surrounding area/neighboring houses.
- b) All actual animal housing facilities must be at least thirty (30) feet from any and all property lines.
- c) The kennel shall comply with all state and federal law, with respect to the operation of their facility on the proper disposal of waste, up keep of grounds, and odor elimination procedures.
- d) City official and officials from any other Government agency shall have access to the kennel property for the purpose of inspections and review at any time to assure that facilities are not in violation of the license, ordinance or state regulations, without notice to the owner.

SECTION 6. Application Fees and Renewal Fees:

- a) The application must be accompanied by a \$200.00 application fee per facility.
- b) Any kennel must reapply each year for licensing within the City of Stafford, and meet State regulations as outline in procedures above.

SECTION 7. Grounds for Revocation or Denial:

- a) A police officer, with the approval of the Governing body of the City of Stafford, may revoke any license issued by the City if kennels violate any part of the licensing requirements or Ordinances.
- b) Permit/License will be revoked if any or all the following violations occur at a facility, kennels, pens, housing, runways, enclosures or other structures for the keeping of such animals is not or will not be maintained in a clean and sanitary condition or is not kept free of offensive odors at all times, or that keeping such animals in unsanitary are or

conditions become detrimental to the surrounding property or persons residing in the area.

- c) The revocation or denial shall be in writing, dated and mailed by certified mail to the address indicated on the application.
- d) Said kennel owner, shall have the right to appeal to the Governing body of the City. The appeal must be in writing with the City Clerk no later than fifteen (15) days after the date of denial or revocation. The City Clerk will set a date for hearing of the appeal, notice which shall be given to the applicant not less than five (5) days before the hearing date. The Governing body will render its decision on the appeal within sixty (60) days of the filing of appeal.

SECTION 8. Persons not complying with the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than \$200.00 dollars and/or 30 days in jail nor more than \$500.00 dollars and/or 90 days in jail, or subject to both the fine amount and jail time.

This Ordinance is hereby approved by the City Council on the 22nd of April, 2019 and shall take effect after its publication in the official city paper.

Julie Lyon, Mayor

Jami Downing, City Administrator