

CITY OF VALLEY CENTER

FINAL AGENDA

MARCH 28, 2013

THE CITY COUNCIL SHALL HOLD ITS REGULAR MEETINGS IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN, BEGINNING AT 7:00 P.M.

April 2, 2013

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA** p 3
6. **CLERK'S AGENDA** p 4
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 - March 19, 2013 Regular Council Meeting p 5
 - B. Appropriation Ordinance p 10
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9. **APPOINTMENTS** p 16
10. **COMMITTEES, COMMISSIONS** p 16
11. **OLD BUSINESS** p 17
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 - A. Resolution 612-13; Supporting the Sedgwick County Hazard Mitigation Plan Update p 43
13. **CONSENT AGENDA** p 44
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15. **GOVERNING BODY REPORTS** p 45
16. **ADJOURN**

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice.

At anytime during the regular City Council meeting, the City Council may meet in executive session for consultation concerning several matters (real estate, litigation, non-elected personnel and security).

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City Clerk in a timely manner, at cityclerk@valleycenter-ks.gov or by phone at (316)755-7310.

For additional information on any item on the agenda, please visit www.valleycenter-ks.gov or call (316) 755-7310.

APPROVAL OF AGENDA

RECOMMENDED ACTION:

Staff recommends motion to approve the agenda as presented / amended.

CLERK'S AGENDA

A. MINUTES:

Attached are the Minutes from the March 19, 2013 Regular City Council Meeting as prepared by the Assistant City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the Minutes of the March 19, 2013 Regular Council Meeting Minutes as presented / amended.

REGULAR COUNCIL MEETING
MARCH 19, 2013
CITY HALL
121 S. MERIDIAN

Mayor McNown called the meeting to order at 7:00 p.m. with the following members present: Judith Leftoff, Lou Cicirello, Terry Ishman, Harrison Gerling, Marci Maschino, Lionel Jackson, Kate Jackson, and Al Hobson.

Members Absent: None

Staff Present: Joel Pile, City Administrator
Kristine Polian, City Clerk
Jose Santiago, Assistant City Clerk
Mark Hephner, Chief of Police
Lonnie Tormey, Fire Chief
Warren Utecht, Community Development Director
Richard Dunn, City Superintendent
Neal Owings, Parks and Public Buildings Superintendent
Barry Arbuckle, City Attorney

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Cicirello moved, seconded by L. Jackson, to approve the Agenda as presented. Vote yea: Unanimous. Motion carried.

CLERK'S AGENDA

A. MINUTES – MARCH 05, 2013 REGULAR CITY COUNCIL MEETING

K. Jackson moved, seconded by Cicirello, to approve the Minutes of the March 05, 2013 Regular Council Meeting as presented. Vote yea: Unanimous. Motion carried.

B. APPROPRIATION ORDINANCE – 03/19/2013

Cicirello moved, seconded by L. Jackson, to approve the March 19, 2013 Appropriation Ordinance as presented. Vote yea: Unanimous. Motion carried.

TREASURER'S REPORT, FEBRUARY 2013

L. Jackson moved, seconded by K. Jackson, to receive and file the February 2013 Treasurer's Report. Vote yea: Unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS

A. CERTIFICATE OF APPRECIATION FROM VALLEY CENTER POLICE DEPARTMENT TO VALERIE PICKETT

Police Chief Hephner recognized Ms. Valerie Pickett, Wichita resident, for assisting at an injury accident on 12-20-2012.

PUBLIC FORUM - None

APPOINTMENTS – None

COMMITTEES, COMMISSIONS – None

OLD BUSINESS

A. ORDINANCE 1256-13; REZONE PETITION Z 2013-01 (UNRUH/NEWTON), 2nd READING

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Valley Center, Kansas

- Ordinance 1256-13

Cicirello moved, seconded by K. Jackson, to adopt Ordinance 1256-13, Rezoning Petition Z 2013-01, Changing the zoning classifications or districts of certain lands located in the City of Valley Center, Kansas, for 2nd reading. Vote yea: Unanimous. Motion carried.

B. ORDINANCE 1257-13; REZONE PETITION Z 2013-02 (CASEY'S GENERAL STORE), 2nd READING

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Valley Center, Kansas

- Ordinance 1257-13

Utecht explained there was one condition resolved before passing the plan to the Planning Commission: How would the trucks get in and out of Casey's site. Casey's engineer had a diagram and has explained on March 18th meeting how they feel they could move the trucks through the parking lot hard-surfaced area of the gas station without going on to Butler Street.

Cicirello asked if there were solutions about the lighting going beyond the property line. Utecht stated all lighting fixtures are coming down off the canopy, but would not go any farther than the property line.

Question from the Public: Would both drive ways come out of Meridian? Utecht stated one will come out of Meridian and the other one out of Butler.

Leftoff clarified public's question to Pile: If Casey's were not building there, would the Butler Street paving project still be made as previously requested by residents and denied? Pile did not know the answer; City Engineer Kelsey will have the answer to it.

Cicirello moved, seconded by L. Jackson, to adopt Ordinance 1257-13, Rezoning Petition Z 2013-02, Changing the zoning classification or districts of certain lands located in the City of Valley Center, Kansas, for 2nd reading. Vote yea: Unanimous. Motion carried.

C. ORDINANCE 1258-13; SNOW or ICE REMOVAL FROM PUBLIC SIDEWALKS, 2nd READING

An Ordinance compelling the owners or occupants of property immediately adjacent to a public sidewalk on public Right-of-Way to remove snow or ice from public sidewalks and providing penalties for violating this ordinance; and repealing all other ordinances or parts thereof in conflict herewith.

- Ordinance 1258-13

OLD BUSINESS (CONTINUED)

Leftoff heard from people that cannot shovel their sidewalks; people cannot afford to pay \$20.00 fine. City Attorney Arbuckle stated the court will have the authority to forgive any fines if citizen cannot pay or put the citizen on probation. Would the fine be added to the utility bill? Pile stated it would not.

Leftoff asked if we could add the word “**may**” on page # 47 in the statement under **11.15.050 Penalties** to read as follows “...**may** be assessed a fine of Twenty Dollars (\$20.00) for each day the violation occurs...”

Leftoff moved, seconded by Gerling to have the word “**may**” be added. Vote Yea: Leftoff, Ishman, Gerling, L. Jackson, and Al Hobson. Opposed: Cicirello, Maschino, and K. Jackson. Motion carried.

Ishman stated he is not opposed to shoveling snow or promoting it. But, it is very challenging for disabled residents.

Hobson expressed his concern about residents that have been singled out, who do not have a place to put the snow, except on the street. Also, has a concern that it is not equitable to make people shovel sidewalks abutting their property when not everyone’s property abuts sidewalks in the City.

Cicirello stated he would like the audience to participate with their opinions. Cicirello also stated there are residents with no place to put the snow. Cicirello would like to see the ordinance wording changed to “within 48 hours” instead of “within 36 hours” to shovel sidewalks.

Maschino asked Pile what condition is considered before declaring a snow emergency. Pile stated it would depend on the Chief of Police’s or City Superintendent Dunn’s advice about how much snow we are receiving currently, how many hazardous accidents it may cause, or how much snow we will receive within a few hours. Maschino thought the deadline to clear sidewalks of 48 hours is too long.

Ishman does not think it is an emergency situation to wait for sidewalks to be shoveled when traffic is what we are dealing with on the streets during a snowstorm emergency; still we are mandating that people shovel their sidewalks.

Cicirello moved, seconded by Leftoff, Ordinance to change the time limit from 36 hours to 48 hours; and Ordinance only be declared active during official snowstorm emergency status. Vote Yea: Leftoff, Cicirello, Gerling. Abstained: Al Hobson. Opposed: Ishman, Maschino, L. Jackson, and K. Jackson. Motion defeated.

Ron Thompson, Valley Center resident, expressed his concerns about the ordinance, stating he feels enforcement of the ordinance will not be fair to some residents, given some have far more sidewalk area to shovel than others. And, he would rather see any dollars spent on this issue go to environmental development or drainage.

William Arick asked if Ordinances were published in the newspaper. Polian stated all ordinances are published in the newspaper.

Ordinance 1258-13 died for lack of motion.

NEW BUSINESS

A. ORDINANCE 1259-13; AMENDING TITLE 6, “ANIMALS” OF THE VALLEY CENTER MUNICIPAL CODE, 1ST READING

An Ordinance amending Title 6 of the Valley Center, Kansas, Municipal Code “Animals”; and repealing all other ordinances or parts thereof in conflict herewith.

NEW BUSINESS (CONTINUED)

➤ Ordinance 1259-13

Maschino moved, seconded by Cicirello, to adopt Ordinance 1259-13, amending Title 6 of the Valley Center, Kansas, Municipal Code "Animals"; and repealing all other ordinances or parts thereof in conflict herewith, for 1st reading. Vote Yea: Leftoff, Cicirello, Ishman, Maschino, and L. Jackson. Opposed: Gerling, K. Jackson, and Hobson. Motion carried.

CONSENT AGENDA

Cicirello moved, seconded by Hobson, to approve the Consent Agenda as presented. Vote Yea: Unanimous. Motion carried.

STAFF REPORTSCITY CLERK POLIAN

Polian stated the field audit will begin April 2nd, and as a requirement of this audit, a conflict of interest questionnaire has been distributed with a self-addressed envelope; it would be appreciated if the questionnaire could be filled out by the Governing Body.

COMMUNITY DEVELOPMENT DIRECTOR UTECHT

Utecht stated the water billing of April will have an educational insert called "Common Questions. Yard Regulations & Accessory Structures." The insert will assist residents with information they need about City licenses, permits, and regulations. Utecht stated Planning Commission's last meeting held on February did not pass the bicycle Master Plan. Also, Utecht provided information about the Wetland Park project. Utecht provided an analogy of the Wetland Park. Utecht ended by stating Wetland Park will be good for all people; it would be an educational park.

Hobson asked what would keep people from straying off the designated path. Utecht stated there could be signs warning people to stay on the path. Utecht feels this is an amenity that the City should take advantage of from an economic development stand point.

CITY ADMINISTRATOR PILE

Pile updated Council on drainage improvement project: 1) Environmental review is in process: 2) Jayhawk Pipeline is currently removing inactive pipe from the 69-acre property off Ford Street at their cost. Also, stated bridge construction is on schedule.

GOVERNING BODY REPORTSMAYOR MCNOWN

McNown stated SCAC meeting is Saturday, April 13th at the City of Valley Center City Hall – City Council Chamber at 8:30 AM. McNown also said Mayor Donald K. DeHaven in Sedgwick is in really poor health. They are asking for a card shower. The urgency is they would like it done on March 22nd. McNown will explain more after meeting to those interested.

GOVERNING BODY REPORTS (CONTINUED)

COUNCILMEMBER HOBSON

Hobson stated he received more calls thanking the Staff of Public Works for a great snow removal process.

Maschino moved, seconded by Hobson, to adjourn the meeting. Vote yea: Unanimous. Motion carried.

Meeting adjourned at 8:14 PM

Jose A. Santiago, Assistant City Clerk

CLERK'S AGENDA**B. APPROPRIATION ORDINANCE:**

Below is the proposed Appropriation Ordinance for April 2, 2013 as prepared by City Staff.

[April 2, 2013 Appropriation](#)

Total \$ 191,517.03

RECOMMENDED ACTION:

Staff recommends motion to approve the April 2, 2013 Appropriation Ordinance as presented / amended.

VENDOR SET: 02 City of Valley Center

BANK: * ALL BANKS

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0243	WESTAR ENERGY, INC.							
	C-CHECK WESTAR ENERGY, INC.	VOIDED	V 3/22/2013			043592		15,707.23CR

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	1 VOID DEBITS	0.00		
	VOID CREDITS	15,707.23CR	15,707.23CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 02 BANK: * TOTALS:	1	0.00	0.00	0.00
BANK: * TOTALS:	1	0.00	0.00	0.00

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0006	AT&T							
I-PO# 12-4133 915.77	02/25-03/24/2013 SERVICES	R	3/15/2013	915.77		043573		915.77
0009	VERIZON WIRELESS SERVICES, LLC							
I-9700397626	VERIZON WIRELESS FEB '13	R	3/15/2013	560.14		043574		560.14
0077	KANSAS OFFICE OF THE TREASURER							
I-FEB 2013 FEES	FEB 2013 FEES	R	3/15/2013	1,786.83		043575		1,786.83
0133	MAYER SPECIALTY SERVICES							
I-2013090	SHERIDAN & FORD STATIONS	R	3/15/2013	700.00		043576		700.00
0153	THE ARK VALLEY NEWS							
I-FEB'13 ACCT06-1124	FEB'13 LEGALS PUBLICATION	R	3/15/2013	233.60		043577		233.60
0179	INTERLINGUAL SERVICE							
I-SANTIAGO-FLORES-MO	SANTIAGO FLORES MORENO	R	3/15/2013	45.00		043578		45.00
0183	KANSAS ONE-CALL SYSTEM, INC							
I-3020482	FEB'13 REGULAR LOCATEFEES	R	3/15/2013	58.80		043579		58.80
0198	P S I							
I-1302043-IN	FEB'13 NETWORK SRVCS	R	3/15/2013	1,552.50		043580		1,552.50
0285	KDHE							
I-DROGERS CERT#12490	DROGERS RENEWAL 12490	R	3/15/2013	20.00		043581		
I-T FIKE CERT#7095	RENEWAL T FIKE CERT# 7095	R	3/15/2013	20.00		043581		40.00
0371	M & M REPAIR							
I-45365	STICKS TO HOLD ERTS	R	3/15/2013	60.00		043582		60.00
0382	LEEKERS FAMILY FOODS							
I-005052010-4	RESTITUTIONS	R	3/15/2013	48.03		043583		48.03
0415	KANSAS ROPE COMPANY							
I-739449	ST SUPPLIES ROPES	R	3/15/2013	74.00		043584		74.00
0457	SOUTH CENTRAL KANSAS COURT SER							
I-VC 12-311	CASE # VC 12-311	R	3/15/2013	600.00		043585		600.00
0486	MIDWEST SINGLE SOURCE							
I-677850-0	ACCT 11460 BONDS	R	3/15/2013	270.00		043586		270.00

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0494	WATCH GUARD							
I-STDINV0020462	NEW CAR EQUIPMENT	R	3/15/2013	4,638.00		043587		4,638.00
0532	FAITH MAUGHN							
I-05052010-4	FILL IN FOR ABSENT JUDGE	R	3/15/2013	150.00		043588		150.00
0080	KDHE-BUREAU OF WATER							
I-C20 1740-01	2007 SEWER LOAN P & I	R	3/15/2013	104,323.57		043589		104,323.57
0228	SEDGWICK COUNTY ASSOCIATION OF							
I-2013-19	2013 MEMBERSHIP-MCNOVN	R	3/22/2013	100.00		043590		100.00
0239	A T & T KANSAS							
I-316-755-2075-040 9	VALLEY CREEK PUMP STATION	R	3/22/2013	54.84		043591		
I-316-755-3504-922 7	DES SUBSTATION	R	3/22/2013	58.84		043591		
I-316-755-7303-720 9	MAR9'13 THRU APR8'13 SRVC	R	3/22/2013	1,673.23		043591		1,786.91
0243	WESTAR ENERGY, INC.							
I-FEB 2013 SRVCS	SRVC 2/4/13 - 3/5/13	V	3/22/2013	15,707.23		043592		15,707.23
0243	WESTAR ENERGY, INC.							
M-CHECK	WESTAR ENERGY, INC. VOIDED	V	3/22/2013			043592		15,707.23
0270	INTRUST CARD CENTER							
I-FEB '13INTRUSTCARD	FEBRUARY 2013 TRANSACTION	R	3/22/2013	23,896.18		043593		23,896.18
0511	COVENTRY HEALTH CARE, INC.							
C-MARCH'13 CREDIT	MARCH'13 INV CREDIT AMT	R	3/22/2013	714.19CR		043594		
I-46388894	APRIL 2013 PREMIUM	R	3/22/2013	46,029.82		043594		45,315.63
0530	GALLAGHER BENEFIT SERVICES, IN							
I-MARCH '13 SRVCS	MAR'13 FSA&COBRA ADMINFEE	R	3/22/2013	175.50		043595		175.50
0085	LAURIE B WILLIAMS							
I-BJE201303205123	CASE # 09-14039	R	3/22/2013	55.00		043596		
I-GJB201303205123	CASE # 11-13654	R	3/22/2013	172.00		043596		227.00
0210	SECURITY BENEFIT							
I-SCB201303205123	DEFERRED COMPENSATION	R	3/22/2013	63.00		043597		63.00
0313	VANTAGEPOINT TRANS AGENTS							
I-ICM201303205123	RETIREMENT 457 DEFERRED COMP	R	3/22/2013	65.00		043598		65.00

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0372	U S DEPT OF EDUCATION							
I-JED201303205123	ACCT # 1002461211	R	3/22/2013	175.37		043599		175.37
0421	FAMILY SUPPORT PAYMENT CENTER							
I-JHC201303205123	CASE # 11LWAD00059	R	3/22/2013	67.00		043600		67.00
0032	AFLAC							
I-AF 201303055101	SUPPLEMENTAL INSURANCE	R	3/22/2013	66.41		043601		
I-AF 201303205123	SUPPLEMENTAL INSURANCE	R	3/22/2013	66.41		043601		
I-AFC201303055101	SUPPLEMENTAL INSURANCE	R	3/22/2013	33.06		043601		
I-AFC201303205123	SUPPLEMENTAL INSURANCE	R	3/22/2013	33.06		043601		
I-AFD201303055101	SUPPLEMENTAL INSURANCE	R	3/22/2013	121.22		043601		
I-AFD201303205123	SUPPLEMENTAL INSURANCE	R	3/22/2013	121.23		043601		
I-AFO201303055101	SUPPLEMENTAL INSURANCE	R	3/22/2013	12.35		043601		
I-AFO201303205123	SUPPLEMENTAL INSURANCE	R	3/22/2013	12.35		043601		466.09
0445	DELTA DENTAL OF KANSAS, INC.							
I-DD 201303055101	DENTAL INSURANCE	R	3/22/2013	1,722.55		043602		
I-DD 201303205123	DENTAL INSURANCE	R	3/22/2013	1,400.56		043602		3,123.11

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	29	207,224.26	0.00	191,517.03
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	15,707.23	15,707.23	0.00

TOTAL ERRORS: 0

VENDOR SET: 02	BANK: APBK	TOTALS:	29	191,517.03	0.00	191,517.03
BANK: APBK	TOTALS:		29	191,517.03	0.00	191,517.03
REPORT TOTALS:			30	191,517.03	0.00	191,517.03

SELECTION CRITERIA

VENDOR SET: * - All
 VENDOR: ALL
 BANK CODES: All
 FUNDS: All

CHECK SELECTION

CHECK RANGE: 043573 THRU 043602
 DATE RANGE: 0/00/0000 THRU 99/99/9999
 CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
 INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
 PRINT G/L: NO
 UNPOSTED ONLY: NO
 EXCLUDE UNPOSTED: NO
 MANUAL ONLY: NO
 STUB COMMENTS: NO
 REPORT FOOTER: NO
 CHECK STATUS: NO
 PRINT STATUS: * - All

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

APPOINTMENTS

COMMITTEES, COMMISSIONS

NO ITEMS FOR COUNCIL REVIEW:

OLD BUSINESS**A. ORDINANCE 1259-13, AMENDING VALLEY CENTER
MUNICIPAL CODE, TITLE 6 “ANIMALS”, 2nd READING:**

An Ordinance of The Valley Center City Council amending Title 6 of the Valley Center, Kansas, Municipal Code “Animals”; and repealing all other Ordinances or parts thereof in conflict herewith.

- Ordinance 1259-13
- Exhibit A – [Updated Version](#)

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1259-13, amending Title 6 of the Valley Center, Kansas, Municipal Code “Animals”; and repealing all other ordinances or parts thereof in conflict herewith, for 2nd reading.

ORDINANCE NO. 1259-13

AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL AMENDING TITLE 6 OF THE VALLEY CENTER, KANSAS, MUNICIPAL CODE “ANIMALS”; AND REPEALING ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED, by the Governing Body of Valley Center, Kansas:

Section 1. The Valley Center Municipal Code, Title 6, “Animals” is hereby amended to read as follows:

(EXHIBIT A)

Section 2. Severability. Those sections, paragraphs, and provisions of Title 6 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Section 1 of this Ordinance.

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Section 3. Applicability and Effective Date. All portions of former ordinances in conflict herewith are hereby repealed or superseded. This ordinance shall be in full force and effect from and after its passage and after publication according to law.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this ____ day of _____ 2013.

First Reading: March 19, 2013

Second Reading: _____

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

TITLE 6 “ANIMAL CONTROL REGULATIONS ” is hereby deleted in its entirety. The new content is hereby adopted to read as follows...

Title 6 ANIMAL CONTROL REGULATIONS

CHAPTERS:

6.04	DEFINITIONS	3
6.06	VACCINATION OF DOGS, CATS, AND FERRETS	6
6.08	LICENSING: DOGS, FOWL, AND LIVESTOCK	8
6.10	CRUELTY TO ANIMALS	11
6.16	ANIMALS RUNNING AT LARGE	13
6.20	SICK OR INJURED UNATTENDED ANIMALS	14
6.21	DOMESTIC/EXOTIC ANIMALS	15
6.22	DANGEROUS/VICIOUS ANIMALS	19
6.24	VIOLATIONS AND PENALTIES	22

CHAPTER 6.06 VACCINATIONS OF DOGS, CATS, AND FERRETS

Sections:

6.06.01	Vaccinations Required	6
6.06.02	Vaccinations Procedure	6
6.06.03	Exemptions	7
6.06.04	Violations	7

CHAPTER 6.08 LICENSING: DOG, FOWL, LIVESTOCK

Sections:

6.08.01	Dog Licensing	8
6.08.02	Dog License Tag	8
6.08.03	Dog License Exceptions	9
6.08.04	Dog License Violations	9
6.08.05	Livestock Licensing	9
6.08.06	Domestic Animal/Fowl Licensing	9
6.08.07	Kennel Licenses	9
6.08.08	Kennel Licenses Violation	10

CHAPTER 6.10 CRUELTY TO ANIMALS

Sections:

6.10.01	Cruelty to animals	11
6.10.02	Non-applicability	11
6.10.03	Custody of animal	11

**CHAPTER 6.16
ANIMALS RUNNING AT LARGE**

Sections:

6.16.01	Dogs running at large	13
6.16.02	Livestock running at large.....	13
6.16.03	Fowl running at large	13

**CHAPTER 6.21
DOMESTIC/EXOTIC ANIMALS**

Sections:

6.21.01	Livestock License	15
6.21.02	Domestic Animal/Fowl Licenses.....	15
6.21.03	Animal Regulations for A-1 and RR-1 Zoning	16
6.21.04	Animal Regulations for Residential Zoning Districts	17
6.21.05	Minimum standards for animals	17
6.21.06	Nuisance prohibited.....	18
6.21.07	Confinement of dogs in heat.....	18
6.21.08	Found Animals	18

**CHAPTER 6.22
DANGEROUS/VICIOUS ANIMALS**

Sections:

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**CHAPTER 6.24
VIOLATIONS AND PENALTIES**

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CHAPTER 6.04 DEFINITIONS

Abandon Animal means any animal in any place without proper provisions for its care, including abandoning an animal after its impoundment without reclaiming it or signing a surrender agreement.

Animal means any vertebrate or invertebrate organism of the kingdom Animalia, such as, but not limited to, dogs, cats, cattle, horses and other equines, buffalos, hogs, pot-bellied pigs, goats, rabbits, sheep, chickens, ducks, geese, turkeys, pigeons and other fowl or wild animals, reptiles, fish, bees or birds that have been tamed, domesticated or captivated, except man.

Animal control officer means the Enforcement Officer of the City of Valley Center and/or that person's designee, or any other person or agency designated by the City of Valley Center to enforce the provisions of this chapter.

Applicant means a person at least eighteen (18) years of age who has filed a completed application that has not yet been acted upon by the Enforcement Officer.

At large means the act of an animal which constitutes:

- A. Being off the property of the owner; and/or
- B. Not being effectively physically restrained on a chain or leash or not being kept in a suitable fence or by another means of physical restraint from which the animal can escape.

Attack means violent or aggressive physical contact or attempted violent or aggressive physical contact with a person or domestic animal or violent or aggressive behavior that confines the movement of a person.

Bison A bovine mammal of western North America, having large forequarters, a shaggy mane, and a massive head with short curved horns; a buffalo

Bite means any penetration of the skin by teeth.

Cat means any member of the Felis Catus Family, male or female, regardless of the age.

Commercial Kennel means any kennel, lawfully located on a premises one acre or more and meets all zoning regulations for such use and where no more than ten dogs, registered with a nationally recognized registration organization, over the age of six months are owned, kept, or harbored for the purpose of breeding purebred or pedigreed dogs, provided, however, this definition shall not apply to zoos or to animal hospitals operated by veterinarians duly licensed under the laws of the State of Kansas.

Confined Animal means an animal that is on a leash, rope or chain which is securely fastened or picketed in a manner which is sufficient to keep the animal on the premises where picketed.

Dangerous animal means any animal on the prohibited list in Chapter 6.22 or determined by the Valley Center Court as being any of the following:

- A. Any animal which when unprovoked, in a vicious or terrorizing manner, approaches any person upon the streets, sidewalks or any public grounds or places in apparent attitude of aggressiveness or attack;
- B. Any animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or other domestic animals;

- C. Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property;
- D. Any animal owned or harbored for the purpose of fighting or any animal trained for fighting.

Dog means any member of the Canis Familiaris, male or female, regardless of age.

Dog License Tag means a metallic tag approved by the city for animal identification.

Domestic Animal means any of various animals that normally and customarily live on private property and depend on humans to willingly provide them with food and shelter. Such animals include, but are not limited to cats, dogs, bovines, horses, swine, fowl, sheep, and goats.

Enclosure means any structure used or designed for use to restrict any animal to a limited amount of space, such as a room, pen, cage, compartment or hutch.

Equine means a horse, pony, mule, jenny, donkey or hinny.

Fowl means all animals that are included in the zoological class Aves.

Habitual Violator means any person who is alleged to have committed a fourth or subsequent violation of any provision of this chapter if such violation has occurred within twelve (12) months of the first violation.

Harbor means to keep, to maintain, to have in one's possession, to have under one's control or to allow any animal to habitually remain or lodge or to be fed or to be given shelter or refuge within a person's home, store, yard, enclosure, outbuilding, abandoned vehicle or building, place of business, property or any other premises which a person owns, has possession or control of or on which the person resides.

Hobby Kennel means any kennel where more than four and less than ten animals are owned, harbored or kept for organized shows, breeding for exhibition, or for the enjoyment of the household; provided, however, this definition shall not apply to the Humane Society, animal shelter, animal research facilities, zoos, or to animal hospitals operated by veterinarians duly licensed under the laws of the State of Kansas, and all other regulations in this chapter are complied with.

Impoundment means animal placed in the animal shelter.

Livestock means any domesticated mammal intentionally reared in an agricultural setting for the purposes of profit or subsistence, whether for food, fiber, dairy, draft, breeding, sport purposes, or other product or labor. As such, livestock includes but is not limited to animals such as cattle, horses, sheep, hogs, pot-bellied pigs, lamas and fur-bearing animals,

Microchip means a small electronic devise inserted beneath the skin, between the shoulder blades of an animal, which can be scanned for identification purposes.

Owner means the person owning, keeping, possessing or harboring any animal; or harboring any animal; or any person who feeds or shelters any stray animal for seventy two (72) or more consecutive hours without reporting such animal to the Code Enforcement Officer or who professes ownership of such animal.

Person means an individual, organization, partnership or corporation.

Pick up means to put into physical custody and impound an animal at a City approved shelter or veterinary clinic/hospital.

Premises means any parcel of land and any structure thereon in which any animal regulated by this code is housed and/or confined.

Running at Large means any animal that is not confined within a shelter as defined herein or under the control of a person either by leash, cord, rope or chain.

Trespass means entering or remaining without consent upon property owned by others.

Vaccination certificate means a written document issued and signed by a veterinarian which attests to the rabies vaccination of a particularly described dog, cat, or ferret, and which contains the number of the metallic vaccination tag issued to such dog, cat, or ferret.

Veterinarian means a doctor of veterinary medicine currently licensed by the State of Kansas.

Veterinarian's confirmation means a written statement, issued and signed by a veterinarian, which attests that rabies vaccination of a particularly described dog or cat would be injurious to the animal because of its age or health.

Wild animal means a living mammal or marsupial which is normally found in the wild, and is not considered a domestic animal.

**CHAPTER 6.06
VACCINATIONS OF DOGS, CATS, AND FERRETS**

Sections:

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6.06.03 Exemptions 7
6.06.04 Violations 7

6.06.01 Rabies Vaccinations required.

The owner/harbored of any dog, cat or ferret aged five (5) months or older harbored in the City of Valley Center shall have such dog, cat or ferret vaccinated against rabies subject to the exemption contained in Section 6.06.

A. Time period. Rabies Vaccinations shall be obtained as set forth below:

- 1 Dogs. The first inoculation of a dog over five months old shall be for a period of one (1) year. Prior to the expiration of the first inoculation, the harbored/owner shall have the option of renewing the vaccination for a period of one (1) year (12 months) or three (3) years (36 months). The harbored/owner shall obtain a veterinarian's written certification annually or for the three (3) year period proving that the dog has been properly vaccinated and a new vaccination tag shall be assigned to each dog.
- 2 Cats. The first inoculation of a cat over five (5) months old shall be for a period of one (1) year. Each subsequent inoculation shall be obtained annually. The harbored/owner shall obtain a veterinarian's written certification annually proving the cat has been properly vaccinated.
- 3 Ferrets. The first inoculation of a ferret over five (5) months old shall be for a period of one (1) year. Each subsequent inoculation shall be obtained annually. The harbored/owner shall obtain a veterinarian's written certification annually that the ferret has been properly vaccinated.

B. Mandatory Requirements of owner/harbored. Each owner/harbored shall:

- 1 Have such dog's metallic vaccination tag secured to its collar, which shall be worn at all times by such animal, except when a veterinarian's confirmation has been issued for such animal;
- 2 Have in the harbored/owner's possession the vaccination certificate or veterinarian's confirmation at all times;
- 3 Show the vaccination certificate or veterinarian's confirmation immediately upon the request of Community Development, or the Code Enforcement Officer, Police Officer, or other authorized person.

6.06.02 Vaccinations Procedure. The following procedure shall apply to all vaccinations:

- A. Inoculation must be performed by a person licensed to practice veterinary medicine in the State of Kansas.
- B. Inoculation must be with a prophylactic vaccine approved by the United States Department of Agriculture and listed in the current National Association of State and Public Health Veterinarian's Compendium of Rabies Control.
- C. Unless a licensed veterinarian certifies to Community Development or the Code Enforcement Officer that such vaccination would be injurious to such dog, cat or ferret due to its age or health, all dogs, cats or ferrets must be vaccinated on the schedule set forth in sec..... 6.06.01.
- D. The veterinarian administering the rabies vaccination shall issue a metallic tag for the particular animal vaccinated, on which tag shall be distinctly marked the veterinarian's name or veterinary clinic name, address and tag identification number.

The date of vaccination shall also be marked thereon. The veterinarian shall also issue a vaccination certificate or confirmation to the harborer/owner.

6.06.03 Exemptions. Exemptions from vaccination requirements shall be as follows:

- A. All animals used in medical research or to develop disease-free animals.
- B. All animals for which there is a written statement that the rabies vaccination would be injurious to the animal because of its age or health. A veterinarian's confirmation shall not excuse or invalidate the requirement that all dogs be licensed as prescribed in Chapter 6.08.

6.06.04 Violations.

- A. *Failure to obtain dog, cat or ferret rabies vaccination; failure to possess rabies vaccination certificate or veterinarian's confirmation.* It shall be a violation of this chapter for any harborer/owner of any dog, cat or ferret aged five (5) months or older to fail to obtain rabies vaccination of such animal each year or for the optional three years (for dogs only), as determined by the rabies vaccination administered and type of animal, or to fail to possess a current rabies vaccination certificate or veterinarian's confirmation for such dog, cat or ferret. Failure to obtain a rabies vaccination or to possess a rabies vaccination certificate or veterinarian's certificate is a class C violation.
- B. *Failure to show dog, cat or ferret rabies vaccination certificate or veterinarian's confirmation.* It shall be a violation of this chapter for any harborer/owner of any dog, cat or ferret aged five (5) months or more to fail to show a current rabies vaccination certificate, or veterinarian's confirmation as described in subsection 6.06.03(b), to any Animal Control Officer, Code Enforcement Officer, Police Officer or other authorized person upon request. Failure to show the rabies vaccination certificate or veterinarian's confirmation is a class C violation.
- C. *Failure to have metallic rabies vaccination tag on dog collar.* It shall be a violation of this chapter for any harborer/owner of any dog aged five (5) months or older to fail to have a current metallic rabies vaccination tag secured to the animal's collar, except when a veterinarian's confirmation has been issued. Failure to have a metallic rabies vaccination tag on the animal's collar is a class C violation.
- D. *Misappropriate dog's metallic rabies vaccination tag.* It shall be a violation of this chapter for any harborer/owner of any dog aged five (5) months or older to display or allow to be displayed a metallic rabies vaccination tag on the collar of any dog other than the dog for whom it was issued. Misappropriate dog's metallic rabies vaccination tag is a class C violation.
- E. *Failure to have collar on dog.* All dogs five (5) months of age or older are required to wear a collar/harness at all times. It shall be a violation of this chapter for a harborer/owner of any dog aged five (5) months or older to fail to maintain a collar on the dog at all times. Failure to have a collar on a dog is a class C violation.

**CHAPTER 6.08
LICENSING: DOG, FOWL, LIVESTOCK**

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6.08.01 Dog Licensing

- A. The owner or harborer of a dog over (5) five months old, within the city limits of Valley Center, is required to purchase a dog license. All dogs must be vaccinated for rabies by a licensed veterinarian at least every three years. However, a new rabies vaccination tag must be assigned to the dog by the veterinarian each year and a rabies vaccination certificate must be presented with license application.
- B. It shall be the responsibility of the owner or harborer of a dog to pay the license fee to the city clerk or designated agent when the dog becomes five months old; or upon acquiring ownership or possession of any dog; or upon establishment of residence in the city. Thereafter, a like license fee shall be paid annually on the anniversary date of the payment of the initial license fee, or on the first business day following the anniversary date, if the same falls on a Saturday, Sunday or legal holiday. The license fees detailed in the current fee policy may be reduced if the following conditions are applicable:
 - 1. The owner or harborer of any dog which has been spayed or neutered shall receive a credit on the license fee levied hereinabove. Proof of spay or neutering shall be sufficient if provided in the form of a certificate of a licensed veterinarian.
 - 2. The owner or harborer of any dog who keeps the dog confined within a secured fenced enclosure shall receive a credit on the license fee levied hereinabove. Proof of a securely fenced enclosure shall be sufficient in the form of the owner's or harborer's written and sworn affidavit.
 - 3. The owner or harborer of any dog who has a microchip implantation for permanent identification of the dog shall receive a credit on the license fee levied hereinabove. Proof of microchip shall be sufficient if provided in the form of a certificate from a licensed veterinarian including manufacturer and identification number.

6.08.02 Dog License tag

- A. *License tag visibility.* The owner or harborer shall cause the metallic license tag to be affixed to the collar of the dog upon which the license fee is paid, in such a manner that the license tag can be easily seen by the officers of the city, and the owner or harborer shall see that the license tag is constantly worn by the dog.
- B. *License tags are nontransferable.* Dog license tags shall not be transferable, and no refund shall be made.
- C. *Issuance of duplicate licenser tag-fee.* In case a dog license tag is lost, a duplicate may be issued by the city clerk upon presentation of a receipt showing the payment of the fee the current year. A charge shall be made for the duplicate license tag.

6.08.03 Dog License Exceptions

- A. A dog brought into the city limits for the purpose of participating in any dog show, or the owners of dogs being kept for sale in kennels, pet shops, or State licensed foster homes will not be required to purchase a license. Owners of kennels and pet shops will be required to license each dog owned by them which is not being kept for sale.
- B. Any owner of a dog that is in or has been retired from the U.S. Armed Forces, a service dog which is documented to have been individually trained to provide assistance to an individual with a disability, a licensed search and rescue dog or a dog owned and used by a governmental entity for law enforcement or public safety purposes shall not be required to pay the licenses fee, but a license is still required.

6.08.04 Dog License Violation

- A. It shall be a violation of this chapter for any harbinger/owner of any dog aged five (5) months or older to fail to have a current dog license. Failure to obtain a Valley Center dog license is a violation of this chapter and is a class C violation.

6.08.05 Livestock License: See Domestic/Exotic Animals Section 6.21.01

6.08.06 Domestic Animal/Fowl License: See Domestic/Exotic Animals Section 6.21.02

6.08.07 Kennel licenses

- A. No person or persons in one household shall own or harbor more than four dogs and cats more than six months in age in any combination without a kennel license. Owner/Harborers of dogs of six months of age or older, or more than one litter of pups, or more than a total of four dogs and cats more than six months of age in any combination, or engage in the commercial business, or hobby, or breeding, buying, selling, trading, training or boarding dogs shall obtain a kennel license from the city clerk. All dogs, cats, or ferrets being boarded must have current rabies vaccination verification on site.
- B. All kennel licenses must be renewed and premises inspected by a qualified inspector designated by the Director of Community Development or the Code Enforcement Officer on an annual basis. Said inspector will have the right of entry as described in this section.
- C. No kennel license shall be issued until an inspection certificate has been issued by the Director of Community Development or the Code Enforcement Officer and is in compliance with applicable laws of the city and state of Kansas Pet Animal Act and a certificate by the zoning administrator or his designate has been issued certifying that the applicant for the kennel license is not violating zoning laws of the city.
- D. If the city clerk has not received any protest against the kennel, the city clerk may issue a renewal of an existing license at the same location without any report from the zoning administrator or his/her designate.
- E. If the Director of Community Development , the Code Enforcement Officer, law enforcement officer, or designate inspector finds the holder of any kennel license is violating any zoning law, or any other law of the state of Kansas or the city, or is maintaining the facility in a manner detrimental to the health of animal, safety or peace of mind of any person residing in the immediate vicinity, he or she will report such fact to the Director of Community Development, said license shall not be renewed except after a meeting with the Director of Community Development .
- F. The Director of Community Development, the Code Enforcement Officer, or any law enforcement officer shall have the right to inspect any premises licensed under this section and no one shall prevent the entry onto private property for the purpose of this inspection. The acceptance of a license shall conclusively be deemed to be the consent of the licensee to the right of entry and inspection of the licensed or permitted premises by the Director of Community Development or his/her authorized, or trained representatives at reasonable

times with the owner or owner's representative present. Refusal of such entry and inspection shall be grounds for suspension or revocation of the license. Notice need not be given to any person prior to inspection.

- G. The Director of Community Development or Code Enforcement Officer may suspend or revoke a kennel license if it finds any of the following:
 - 1. The kennel is maintained in violation of any applicable law of the State of Kansas or the City of Valley Center;
 - 2. The kennel is maintained so as to constitute public nuisance.
- H. There shall be an annual license fee for both Hobby Kennels and Commercial (Boarding/Breeding/Training) Kennels. License fees are detailed in the current fee policy.
- I. This section shall not apply to and shall not be construed to require a kennel license for a licensed veterinarian to operate an animal hospital.
- J. When there is a change of ownership, the new owner must apply for a license in his/her own name. The facility must pass an inspection before the license is issued.

6.08.08 Kennel License Violation

- A. Should the person, corporation, partnership or association fail to obtain the required kennel license, or violate any other requirements of this chapter, the city may file a complaint in the Municipal Court of the city against such person, corporation, and partnership association. Failure to obtain the required kennel license, or violate any other requirements of this chapter is a class C violation.
- B. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

**CHAPTER 6.10
CRUELTY TO ANIMALS**

Sections:

6.10.01 Cruelty to animals 11
6.10.02 Non-applicability 11
6.10.03 Custody of animal 11

6.10.01 Cruelty to animals

Cruelty to animals is defined as the following:

- A. Intentionally killing, injuring, maiming, torturing or mutilating any animal;
- B. Abandoning or leaving any animal in any place without making provisions for its proper care;
- C. Having physical custody of any animal and failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal; or intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment.

6.10.02 Non-applicability

The provisions of this section shall not apply to:

- A. Normal or accepted veterinary practices;
- B. bona fide experiments carried on by commonly recognized research facilities;
- C. Killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated;
- D. Rodeo practices accepted by the Professional Rodeo Cowboys' Association (PRCA);
- E. The humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such society, shelter or pound;
- F. With respect to farm animals, normal or accepted practices of animal husbandry;
- G. The killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property;
- H. An animal control officer trained by a licensed veterinarian in the use of a Tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;
- I. Laying an equine down for medical or identification purposes.

6.10.03 Custody of animal

- A. The Director of Community Development , the Code Enforcement Officer, public health officer, law enforcement officer, licensed veterinarian, animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals, as defined in K.S.A. 21-4310 and amendments thereto. Such officer, agent or veterinarian may inspect, care for, or treat such animal or place such animal in the care of incorporated licensed veterinarian for treatment, boarding or other care or, if an officer of such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing. If the animal is placed in the care of an animal shelter, the animal shelter shall notify the owner or custodian, if known or reasonably ascertainable.

- B. If the owner or custodian is charged with a violation of K.S.A. 21-4310, and amendments thereto, the City of Valley Center may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 21 days after the owner or custodian is notified or, if the owner or custodian is not known or reasonably ascertainable after 21 days once the animal is taken into custody.
- C. The owner or custodian of the animal can file a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The City of Valley Center where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal.
- D. The owner or custodian of an animal placed for adoption or killed pursuant to subsection (A) shall not be entitled to recover damages for the placement or killing of such animal unless the owner proves that such placement or killing was unwarranted.
- E. Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (A), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, as defined in K.S.A. 21-4310 and amendments thereto, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.
- F. Upon the filing of a sworn complaint by any public health officer, law enforcement officer, licensed veterinarian or officer, animal shelter or other appropriate facility alleging the commission of cruelty to animals, as defined in K.S.A. 21-4310 and amendments thereto, the City of Valley Center shall determine the validity of the complaint and shall forthwith file charges for the crime if the complaint appears to be valid.
- G. If a person is adjudicated guilty of the crime of cruelty to animals, as defined in K.S.A. 21-4310 and amendments thereto, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated licensed veterinarian for sale or other disposition.

**CHAPTER 6.16
ANIMALS RUNNING AT LARGE**

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6.16.02 Livestock running at large..... 11
6.16.03 Fowl running at large 12

6.16.01 Dogs running at large

- A. It is unlawful for the owner or harborer of any dog to permit such dog, within the city limits, to run at large upon any of the city streets, alleys or public grounds of the city, or to run or trespass upon the private grounds of other citizens or residents of the city.
- B. Any dog found running at large within the city limits may be picked up and/or impounded by authorized city officials including the Code Enforcement Officer or Police officers. If impounded dog has a metallic license tag or other form of owner identification attached thereto, the owner shall be notified.
- C. In order to redeem an impounded dog, the owner and harborer shall pay the impound fees to the City of Valley Center and any Veterinarian boarding fees incurred. See current Fee Policy.
- D. In the event that the dog is not redeemed within a minimum of three full business days of custody, not including the day the animal arrives, the dog may be adopted, placed in a foster home, shelter transfer or euthanized in a manner determined by the Director of Community Development or Code Enforcement Officer.
- E. Failure to contain a dog from running at large is a class C violation.

6.16.02 Livestock running at large

- A. It is unlawful for the owner or harborer of any livestock to permit such livestock, within the city limits, to run at large, or to run or trespass upon the private grounds of other citizens or residents of the city.
- B. Any livestock found running at large within the city limits may be picked up and/or impounded by authorized city officials including the Code Enforcement Officer or Police officers.
- C. In order to redeem impounded livestock, the owner and harborer shall pay the impound and boarding fees detailed in the current fee policy, to the city of Valley Center and any Veterinarian boarding fees incurred. See current Fee Policy.
- D. In the event that the livestock is not redeemed within a minimum of ten business days of custody, as required in KSA 47-22, the animal will be relocated to a more permanent location in a manner determined by the Director of Community Development or Code Enforcement Officer.
- E. Failure to contain livestock from running at large is a class C violation.

6.08.03 Fowl running at large

- A. It is unlawful for the owner or harborer of any fowl to permit such fowl, within the city limits, to run at large, or to run or trespass upon the private grounds of other citizens or residents of the city.
- B. Any fowl found running at large within the city limits may be picked up and/or impounded by authorized city officials including the Code Enforcement Officer or Police officers.
- C. In order to redeem impounded fowl, the owner and harborer shall pay the impound fees to the city of Valley Center and any Veterinarian boarding fees incurred. See current Fee Policy.
- D. In the event that the fowl is not redeemed within a minimum of three full business days of custody, not including the day the animal arrives, the fowl shall be adopted, placed in a

foster home, shelter transfer or euthanized in a manner determined by the Director of Community Development or Code Enforcement Officer.

- E. Failure to contain fowl from running at large is a class C violation.

CHAPTER 6.20 SICK OR INJURED UNATTENDED ANIMALS

6.20.01 Medical treatment-Time period Disposal- Reimbursement

- A. Whenever there is found within the city limits of Valley Center, Kansas, a sick or injured dog, cat or other domestic animal and the owner-harbinger cannot be readily identified or located, said animal shall be taken to the agency/contractor designated by the city and given only emergency medical care and treatment to stabilize the animal and minimize its suffering for a period of a minimum of three full business days of custody, not including the day the animal arrives.
- B. If animal has a metallic license tag or other form of owner identification attached thereto, the owner shall be notified.
- C. In order to redeem an animal, the owner and harbinger shall reimbursement all of the above costs to the City of Valley Center and any Veterinarian boarding fees incurred. See current Fee Policy.
- D. In the event that the animal is not redeemed within a minimum of three full business days of custody, not including the day the animal arrives, the animal may be adopted, placed in a foster home, shelter transfer or euthanized in a manner determined by the Director of Community Development or Code Enforcement Officer.

**CHAPTER 6.21
DOMESTIC/EXOTIC ANIMALS**

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6.21.01: Livestock License: required-fee-inspection of premises-renewal

No person shall maintain or harbor any bovine cattle, horses, hogs, pot-bellied pigs, sheep or goats within the city without first obtaining a license from the city clerk. Said license shall be issued by the city clerk upon the following conditions only:

- A. That application be made in writing upon a form prescribed and provided by the city clerk;
- B. That a nonrefundable license application fee as detailed in the current fee policy must be paid at the time the application is submitted;
- C. Such license shall be conditioned upon the keeper of such animals maintaining his facilities to the standards set forth in this chapter and must comply with all zoning requirements. Premises must be inspected by a qualified inspector designated by the Director of Community Development or the Code Enforcement Officer on an annual basis. Said inspector will have the right of entry as described in 6.08.07 (F).
- D. No license shall be effective for a period in excess of twelve months. All persons granted licenses shall be required to apply for renewal of the same at least thirty days prior to the expiration thereof. The renewal of a license shall be subject to the same conditions and inspection requirements as an initial application. A renewal fee detailed in the current fee policy shall be paid at the time of application for renewal.
- E. It shall be a violation of this chapter for any owner/harbinger to fail to have a current livestock license. Failure to obtain a Valley Center livestock license is a class C violation.

6.21.02 Domestic Animal/ Fowl Licenses:

Any person desiring to keep within the city any rabbits, chickens, ducks, geese, turkeys or other fowl shall file a written application with the city clerk affirmatively showing that the applicant has facilities for the proper keeping of such animals in quarters meeting the standards set by the Community Development Director or Code Enforcement Officer.

- A. Said facilities shall be no closer than 30' (thirty-feet) from the exterior limits of any dwelling resided in by anyone other than the applicant and shall be completely fenced in.
- B. Each such license, unless sooner revoked, shall be valid and effective for not more than twelve months from the date of issuance thereof.
- C. Such license shall be conditioned upon the keeper of such animals maintaining his facilities to the standards set forth in this chapter. Such animals shall be confined in an enclosure sufficient to prohibit their running at large and the enclosure shall be maintained in a clean and sanitary condition at all times. An improved insecticide shall be used as often as deemed necessary by the Director of Community Development or the Code Enforcement Officer. A shelter or area of sufficient size described in Sections: 6.21.03 and 6.21.04, conducive to good sanitary practices and adequate drainage for the shelter area or areas, shall be provided and litter and droppings shall be collected and disposed of in the manner designated by the Director of Community Development or the Code Enforcement Officer.

E. It shall be a violation of this chapter for any owner/harbinger to fail to have a current animal/fowl license. Failure to obtain a Valley Center animal/fowl license is a class C violation.

6.21.03 Animal Regulations for A-1 and RR-1 Zoning

Maintaining larger domestic animals, including but not limited to bovine cattle, horses, hogs, sheep and goats in accordance with each of the following standards, shall be deemed to not be nuisance, provided, the property where said animals will be allowed are zoned either Agricultural or Suburban Residential and meet the following standards:

- A. For sheep and goats, at least ten thousand (10,000) square feet of fenced open space per sheep or goat provided the animal shelter or enclosure is beyond three-hundred (300) feet (including street right-of-way) of any residential dwelling on adjoining premises.
- B. For hogs or pot-bellied pigs at least ten thousand (10,000) square feet of fenced open space per hog provided the animal shelter or enclosure is beyond (500) feet (including street right-of-way) of any residential dwelling.
- C. Chickens, Rabbits, Ducks, or pigeon: One (1) animal per two thousand (2,000) square feet of lot area.
- D. Sheep, goats, turkeys, or geese at a ratio of five (5) total animals per acre.
- E. For bovine cattle and horses, the following area standards apply, provided the animal shelter or enclosure is beyond three-hundred (300) feet (including street right-of-way) of any dwelling on an adjoining premises:

# Horses or Cattle	Acreage amount required
1	2.0 acres
2	3.5 acres
3	5.0 acres
4	6.5 acres
5 or more	8.0 acres (plus 1 acre per each additional animal)

F. Owners of animals in the City must construct and maintain fences, based on dimension and materials listed below to prevent domestic animals from breaking out or causing hazard to persons or property.

Type of Animal	Type of fence required	Number of Strands	Wiring spacing above ground (inches)
Bison	5-strand barbed wire fence	5	Range of 11 to 52
Horses	Highly visible material with posts every 12ft. No barbed wire allowed	3	11-18 / 23-30 / 34-44
Cattle	High tensile wire-electrically charged	2	26-36
Swine	Barbed wire close to the ground with other two strands of high tensile wire electrically charged	3	8-16-28
Sheep	High Tensile wire-electrically charged	7	6-11-16-22-30-38-48
Chickens	Standard chicken wire	--	Ground to 36

Note: Acreage regulations for horses or cattle and fencing requirements will not apply to property owners who owned animals if annexed to the City between January 1, 1996 and December 31, 2008, unless:

- The owner no longer has the same animals when the annexation occurred.
 - No animals have occupied the annexed property for more than one year.
 - Animals have broken out of their fenced field more than three times in three months.
 - The Code Enforcement Officer, on a complaint basis, can observe visible injuries to a horse caused by a barbed wire fence enclosure.
- G. A continual water source that is well maintained, with sufficient amounts (depending upon the animal), must be provided within any fenced enclosure. Adequate watering requires a supply of clean, fresh, potable water, supplied in a sanitary manner and in adequate amounts at intervals suitable for animal species and either continuously accessible to each animal or supplied to maintain the health and well-being of such animals;
- H. Cleaning the domestic animal shelters at least once each week or as often as necessary to prevent or control odors and fly breeding; provided, however, that this shall not apply to grazing areas;
- I. Disposing of collected fecal material and other solid organic waste at a sanitary landfill, fertilizer processing plant, or by proper disposal on land used for agriculture purposes;
- J. Storing grain or protein food in tightly covered, rodent-proof, metal containers or rodent proof bins;
- K. Maintaining the premises free of rodent harborage;
- L. Using anti-coagulant rodenticides for the control of rodents and organo-phosphorus insecticides for the control of flies or providing other effective chemical means for the control of rodents and flies;
- M. Using soil sterilants and herbicides or other effective means for the control of weeds and grass around structures and buildings;
- N. Storing refuse in proper containers or in a manner approved by Community Development or the Code Enforcement Officer, and disposing of such refuse at least once each week;
- O. Storing solid waste accumulated from the cleaning of domestic animal shelters in metal containers with tight-fitting metal lids and disposing of such solid waste at least once each week;
- P. Providing proper drainage so that there is no accumulation of rainfall or liquid waste;
- Q. Stables, coops, pens and other structures or enclosures for the housing of animals shall comply with all zoning requirements of the city of Valley Center Zoning Code. (Ord. 712.4, 1987.)(Ord. No. 1219, 1.10-2-10)

6.21.04 Animal Regulations for Residential Zoning Districts

Chickens (no roosters), rabbits, pigeons, or ducks in residential zoning districts cannot be kept inside of a home or garage, but must be outdoors on a lot or combination of lots under one ownership having a minimum of six-thousand five-hundred (6,500) sq. ft., provided the property owner is able to meet the following criteria:

- A. A structure that houses one or more animals shall be set back from the property lines consistent with setback standards for an accessory structure;
- B. One or more animals are kept within a fenced area at least five (5) feet from the property line(s), or the fence may be on the property line(s) with the use of solid fencing on a neighboring lot;
- C. Animals kept on the site shall not exceed one (1) per two-thousand (2,000) square feet of lot area.

6.21.05 Minimum standards for animals

- A. The animal(s) shall be kept in such a manner that meets all of the following minimum standards so that a nuisance is not created that would impact adjacent property owners:
- B. In a residential zoning district, the limit is four (4) household pets. Offspring of domestic animals or household pets residing in the home shall be allowed until they have reach (5) five months of age. At that time, the maximum number of animals shall not be exceeded. Any home having more than four (4) household pets will be required to apply for a kennel license that will be required to be renewed annually.

6.21.06 Nuisance prohibited

No person shall create or cause or maintain such a nuisance within the city. Domestic animals which are maintained within the city so as to cause discomfort to occupants of other premises by reasons of offensive odors, insects or infestations, rodents, noise, are declared to be a nuisance.

- A. The animals will not make disturbing noises, i.e. continued and repeated or untimely howling, barking, whining, or similar utterances causing unreasonable annoyances, disturbance, or discomfort to neighbors where animals are kept or harbored, or otherwise be unreasonable offensive or dangerous to the public health, safety or welfare, by virtue of their behavior, number, type, or manner of keeping.
- B. It shall be the duty of any person harboring or keeping such animal or animals to abate the condition, and if he or she fails to do so, the city may abate it by picking up and/or impounding the animal at the expense of the owner.
- C. Failure to abate the nuisance condition is a class C violation.

6.21.07 Confinement of dogs in heat

- A. Any unsprayed female dog in the state of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure, and the area of the enclosure shall be so constructed that no other dog or dogs may have access to the confined animal except for purposes of planned breeding;
- B. Any animal that is in the state of estrus (heat) and is not properly confined, or any such animal that is creating a neighborhood nuisance, shall be removed to a boarding kennel, or to a veterinary hospital;
- C. All expenses incurred as a result of the confinement shall be paid by the owner. The owner of animals removed to the animal shelter shall be charged at the rate established from time to time by the animal shelter for routine confinement. (Ord. 780.6, 1991.)
- D. Failure to confine a dog in heat is a class C violation

6.21.08 Found Animals

No person shall hold or retain possession of any animal without the owner's knowledge or consent for more than twenty-four (24) hours without first reporting the possession of said animal to Code Enforcement Officer or Community Development by the first available day of business and making a reasonable attempt to find and /or notify the animal's owner. Such person must continue to make a reasonable attempt to find and/or notify the animal's owner until either the owner is found or the person relinquishes control of the animal to Code Enforcement Officer, which may adopt the animal back to the finding person. This section does not apply to animals known to have been abandoned.

**CHAPTER 6.22
DANGEROUS/VICIOUS ANIMALS**

Sections:

6.22.01 Dangerous/Vicious animals prohibited..... 19
6.22.02 Impoundment of *dangerous/vicious* animals 20
6.22.03 *Dangerous/Vicious Animal Complaint* 20

6.22.01 Dangerous/Vicious animals prohibited

- A. It shall be unlawful for any person to own, keep, maintain or have in his possession or under his control within the city limits any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.
- B. Dangerous/Vicious Animal shall include:
 - 1. Any animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
 - 2. Any animal which attacks a human being or domestic animal without provocation on more than one occasion;
 - 3. Any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting;
 - 4. Any animal which is urged by its owner or harborer to attack, or whose owner or harborer threatens to provoke such animal to attack any law enforcement officer while such officers is engaged in the performance of official duty.
- C. It shall be unlawful for any person to own, keep, maintain or have in his possession or under his control within the city limits any of the following animals:
 - 1. All poisonous animals including rear-fang snakes;
 - 2. Apes: Chimpanzees, gibbons, gorillas, orangutans, and siamangs;
 - 3. Baboons;
 - 4. Badgers;
 - 5. Bears;
 - 6. Bobcats;
 - 7. Cheetahs;
 - 8. Constrictor snakes, six feet in length or more;
 - 9. Coyotes;
 - 10. Crocodilians, 30 inches in length or more;
 - 11. Deer, which includes white-tailed deer, elk, antelope & moose;
 - 12. Domestic dogs hybridized with wild canines such as wolves and coyotes;
 - 13. Elephants;
 - 14. Emus;
 - 15. Game cocks and other fighting birds;
 - 16. Hippopotami;
 - 17. Hyenas;
 - 18. Jaguars;
 - 19. Leopards;
 - 20. Lions;
 - 21. Lynxes;
 - 22. Monkeys;
 - 23. Ostriches;
 - 24. Peacocks;
 - 25. Pumas, also known as cougars, mountain lions and panthers;
 - 26. Raccoons;
 - 27. Rhinoceroses;

- 28. Skunks;
 - 29. Tigers;
 - 30. Wolves.
- D. Subsections A. and B. shall not apply to bona fide pet shops, zoos, circuses, carnivals, educational institutions, or medical institutions, if:
- 1. Their location conforms to the provisions of the zoning ordinance of the city;
 - 2. All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors;
 - 3. Animals are maintained in quarters so constructed as to prevent their escape.

6.22.02 Impoundment of *dangerous/vicious* animals

- A. While awaiting trial, impoundment of those animals whose owners have been cited for violation of this chapter shall be at the discretion of the Director of Community Development or the Code Enforcement Officer.
- B. If the animal presents a clear and present danger to the public health or safety, it shall be the duty of the Director of Community Development or the Code Enforcement Officer, or his/her agent, to impound such animal.
- C. The animal shall not be released pending trial except on the order and pursuant to any conditions set by the municipal court judge who may also direct the owner to pay all impounding fees accrued to date.
- D. Nothing in this chapter shall be construed to prevent the Director of Community Development or the Code Enforcement Officer or his/her agent so delegated from taking whatever action is reasonably necessary to protect him/herself or others of the public from immediate injury or danger, including the immediate destruction of any vicious animal without notice to the owner. (Ord. 737.1 (part), 1988.)

6.22.03 *Dangerous/Vicious Animal Complaint*

- A. Whenever a complaint is filed in the municipal court against the owner of an animal alleging that such animal is a dangerous/vicious animal and the owner is in violation of this chapter, the municipal judge shall hold a hearing to determine whether or not the animal is vicious within the meaning of this chapter and thereby in violation of this chapter.
- B. The owner of the animal shall be notified in writing of the time and place of the hearing at least one week prior to the hearing. In making a determination of whether the animal is a vicious animal, the municipal judge shall consider the following:
 - 1. Any animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
 - 2. Any animal which attacks a human being or domestic animal without provocation on more than one occasion;
 - 3. Any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting;
 - 4. Any animal which is urged by its owner or harborer to attack, or whose owner or harborer threatens to provoke such animal to attack any law enforcement officer while such officers is engaged in the performance of official duty.
 - 5. The seriousness of any attack or bite;
 - 6. Past history of attacks or bites;
 - 7. Likelihood of attacks or bites in the future;
 - 8. The condition and circumstances under which the animal is kept or confined;
 - 9. Other factors which may reasonably relate to the determination of whether or not the animal is vicious.
- C. Upon a finding by the municipal judge that such animal is dangerous/vicious, the judge shall order microchip implantation for permanent identification of the dog (at the expense of the

owner/harbinger) and immediately impounded at the city facility to be held for a period of up to seven days, at the owner/harbinger's expense, to permit the owner thereof to arrange for a relocation of the animal out of the city limits of Valley Center, Kansas.

- D. Upon the making of such relocation arrangements that are acceptable to the municipal court judge, the judge shall authorize the release of the animal to be relocated outside of the Valley Center city limits.
- E. In the event no such relocation plan is consummated by the owner, the animal shall be destroyed in a humane manner, at the owner/harbinger's expense, by the enforcement officer or his/her agent.

**CHAPTER 6.24
VIOLATIONS AND PENALTIES**

Sections:

6.24.01 Violation-Abatement License Revocation..... 22
6.24.02 Classes of Violation: Confinements and Fines 22
6.24.03 Legal action 22
6.24.04 Separate Offense..... 23
6.24.05 Habitual Violator..... 23
6.24.06 Interfering with an officer 23

6.24.01 Violation-Civil Nuisance Abatement Procedure

Nothing contained in this chapter shall prevent the city from pursuing any civil nuisance abatement procedure against any person who may be in violation of this chapter.

6.24.02 Classes of Violation: Confinement and Fines

- A. For the purpose of sentencing, the following classes of violations and the punishment and the terms of confinement authorized for each class are established:
 - 1. Class A, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed one year;
 - 2. Class B, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed six months;
 - 3. Class C, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed one month;
 - 4. Unclassified violations, which shall include all offenses declared to be violations without specification as to class, the sentence for which shall be in accordance with the sentence specified in the section that defines the offense; if no penalty is provided in such law, the sentence shall be the same penalty as provided herein for a Class C violation.
- B. Upon conviction of a violation, a person may be punished by a fine instead of or in addition to confinement, as provided by this Chapter.
- C. A person convicted of a violation may, in addition to or instead of the confinement authorized by law, be sentenced to pay a fine which shall be fixed by the court as follows:
 - 1. Class A violation, a sum not exceeding \$2,500.
 - 2. Class B violation, a sum not exceeding \$1,000.
 - 3. Class C violation, a sum not exceeding \$500.
 - 4. Unclassified violation, any sum authorized by the section that defines the offense. If no penalty is provided in such law, the fine shall not exceed the fine provided herein for a Class C violation.
 - 5. As an alternative to any of the above fines, the fine imposed may be fixed at any greater sum not exceeding double the pecuniary gain derived from the crime by the offender. (K.S.A. Supp.21-6611)

6.24.03 Legal action

Whenever the Director of Community Development, or the Code Enforcement Officer, or law enforcement officer has probable cause to believe that a person is committing or has committed a violation of this chapter, the officer may serve upon such accused person a uniform complaint and notice to appear, or in the alternative may sign a complaint against the accused person and cause a notice to appear to be issued, the code for the enforcement of city codes.

6.24.04 Separate Offense

Each violation of this chapter shall constitute a separate offense and shall be punishable as a separate violation. Provided, however, that if any person is found guilty of a violation hereunder and it shall appear to the court that the violation complained of as prescribed in this chapter is continuing, then in addition to the penalty set forth, the court shall enter such order as it deems appropriate to cause the violation to be abated.

6.24.05 Habitual Violator

"Habitual violator" means any person who is alleged to have committed a fourth or subsequent violation of any provision of this chapter if such violation has occurred within twelve (12) months of the first violation. Such fourth or subsequent violation shall be a class B violation and shall be prosecuted in the same manner as any other violation offense in the state.

6.24.06 Interfering with an officer

- A. No person shall interfere with or hinder an animal control officer, Code Enforcement Officer, enforcement officer or law enforcement officer in the lawful discharge of that person's duties.
- B. It shall be a violation of this chapter for any person to interfere with or hinder an Animal Control officer, Code Enforcement Officer, enforcement officer or law enforcement officer in the lawful discharge of that person's duties.

NEW BUSINESS**A. RESOLUTION 612-13; SUPPORTING THE SEDGWICK COUNTY HAZARD MITIGATION PLAN UPDATE:**

A Resolution of the City of Valley Center, Kansas providing support and participation in the Sedgwick County, Kansas Mitigation Plan's Five Year Update.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Resolution 612-13, providing support and participation in the Sedgwick County, Kansas Mitigation Plan's five year update.

RESOLUTION NO. 612-13

A RESOLUTION OF THE CITY OF VALLEY CENTER, KANSAS PROVIDING SUPPORT AND PARTICIPATION IN THE SEDGWICK COUNTY, KANSAS MITIGATION PLAN’S FIVE YEAR UPDATE

WHEREAS, in 2009, the Sedgwick County Multi-Hazard Mitigation Plan was adopted by the County Board, with participation from the City of Valley Center; and

WHEREAS, Sedgwick County is in the process of conducting a five year update of that Plan, and is asking communities in the County to participate; and

WHEREAS, the City of Valley Center recognizes its susceptibility to hazards, the importance of mitigation planning, and pursuit of grant monies to mitigate local hazards; and

WHEREAS, the City of Valley Center recognizes the data collection guide, the hazard work sheet, and the mitigation action implementation worksheet must be submitted to the Kansas Division of Emergency Management by April 12, 2013, and the City’s representative will attend an update meeting scheduled for August 20, 2013; and

WHEREAS, the City will assist Sedgwick County to complete the Sedgwick County Mitigation Plan update by October, 2013.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS:

Section 1. The Mayor is hereby authorized to sign a resolution authorizing the Community Development Director to attend all mitigation planning meetings to assist in the update of the Sedgwick County Multi-Hazard Mitigation Plan in 2014 by collecting and submitting all relevant Valley Center data on hazards and multi-hazard mitigation forms in a timely manner to the Kansas Division of Emergency Management, and update the City Council of its progress.

ADOPTED AND APPROVED by the governing body of the City of Valley Center, Kansas, on April 2, 2013.

(SEAL)

Michael McNown, Mayor

ATTEST:

Kristine Polian, Clerk

CONSENT AGENDA

NONE

STAFF REPORTS

A. City Clerk Polian

B. Chief of Police Hephner

C. Fire Chief Tormey

D. Community Development Director Utecht

E. City Superintendent Dunn

F. Parks & Public Buildings Superintendent Owings

G. City Engineer Kelsey

H. City Attorney Arbuckle

I. City Administrator Pile

GOVERNING BODY REPORTS

A. Mayor McNown

B. Councilmember Leftoff

C. Councilmember Cicirello

D. Councilmember Ishman

E. Councilmember Gerling

F. Councilmember Maschino

G. Councilmember L. Jackson

H. Councilmember K. Jackson

I. Councilmember Hobson

ADJOURN