

(Summary First Published in the \_\_\_\_\_  
on the \_\_\_\_ day of \_\_\_\_\_, 2012.)

THE CITY OF CHENEY, KANSAS

ORDINANCE NO. 856

AN ORDINANCE ADDRESSING ANIMAL WASTE DISPOSAL WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS BY ADDING NEW SECTION 2-125 TO THE CODE OF THE CITY OF CHENEY, KANSAS.

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

Section 1. Adding Section 2-125 to the Code

The Code of the City of Cheney, Kansas is hereby amended by adding new Section 2-125 which reads as follows:

**"2-125 ANIMAL WASTE DISPOSAL.**

a. It is unlawful for a person having immediate control of an animal to permit the animal to defecate on public right-of-way, public property or private property of another, absent the property owner's consent, unless the person having immediate control of the animal immediately removes and properly disposes of the feces. Waste from animals used in any parade shall be removed immediately following the completion of such parade.

b. It is unlawful for a person having immediate control of an animal to walk the animal on public right-of-way, public property or private property of another without carrying at all times a suitable container or other suitable instrument for the removal and disposal of animal feces.

c. A disability assistance animal shall be exempt from the provisions of this section.

d. Any person eighteen years of age or older violating the provisions of this section shall be subject to a fine of not less than \$10.00 or more than \$50.00 for each occurrence.

e. Any police officer finding a minor under the age of eighteen years violating the provisions of this section shall warn the minor to desist from such violation and immediately return home and shall cause a written notice to be served upon the parent, guardian or person in charge of such minor, setting forth

the manner in which the provisions of this section have been violated. For the purposes of this section, notice shall be deemed properly served upon such parent, guardian or person in charge of a minor if a copy thereof is served upon him or her personally or if a copy thereof is sent by certified mail, return receipt requested, to his or her last known address.


f. Any parent, guardian or person having the care and custody of a minor who shall permit, or by insufficient control allows, such minor to violate the provisions of this section after receiving written notice that such minor has previously violated such provisions shall be subject to a fine of not less than \$10.00 or more than \$50.00 for each occurrence."

Section 2. Effective Date.

This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 18<sup>th</sup> day of October, 2012.

Approved by the Mayor this 18<sup>th</sup> day of October, 2012.

  
MAYOR, LINDA BALL

SEAL

ATTEST:

  
CITY CLERK, DANIELLE YOUNG