

ORDINANCE NUMBER 756

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 1, SECTION 2-109 TO THE CITY CODE OF THE CITY OF LINCOLN CENTER, KANSAS, TO AMEND WHAT ANIMALS, FOWL, OR OTHER UNDOMESTICATED ANIMALS MAY BE OWNED OR POSSESSED WITHIN THE CITY OF LINCOLN CENTER, KANSAS AND TO FURTHER MODIFY THE PERMITTING APPLICATION AND RENEWAL REQUIREMENTS FOR THE KEEPING OF ANIMALS, FOWL, OR OTHER UNDOMESTICATED ANIMALS IN THE CITY OF LINCOLN CENTER, KANSAS.

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

SECTION 1. Section 2-109 of the City Code of the City of Lincoln Center, Kansas is hereby amended to read as follows:

2-109. KEEPING OF ANIMALS AND FOWL; PERMIT REQUIRED; PERMIT RENEWAL.

(a) Prohibited Owning and Maintaining Certain Animals and Fowl. It shall be unlawful for the owner, lessee, occupant, or person in charge of any premises in the city to own, possess, harbor, or keep any animal or fowl that exceeds the weight of twenty (20) pounds at the time of full maturity. It shall further be prohibited for the owner, lessee, occupant, or person in charge of any premises in the city to permit to be maintained thereon any stable, shed, pen, or other place where horses, mules, cattle, sheep, goats or swine, or undomesticated animals or fowl are kept. The provisions of this section shall not apply to maintaining a veterinary hospital or slaughterhouse for commercial or professional purposes, if the location of any such business does not otherwise violate the zoning ordinances of the city.

(b) Certain Animals and Fowl Allowed Subject to Prior Approval. Subject to the permit approval procedure, payment of the permit fee, and annual permit renewal set forth in subsections (c), (d), and (e) below, the owner, lessee, occupant, or person in charge of any premises in the city may possess and maintain any animal or fowl that weighs twenty (20) pounds or less at the time of full maturity, and such owner, lessee, occupant, or person in charge of any premises in the city may maintain any pen, shed, coup, or similar confinement to keep or maintain such animal or fowl, with such number not to exceed a total of twelve (12). The provisions of this section shall not apply to maintaining a veterinary hospital or slaughterhouse for commercial or professional purposes, if the location of any such business does not otherwise violate the zoning ordinances of the city.

(c) Permit Approval Procedure. Any person desiring to keep or maintain any animals or fowl within the city in accordance with subsection (b) above shall file an application with the city clerk for permission therefore and the city clerk shall thereupon deliver the application to the law enforcement personnel of the city who shall inspect the place that the animals or fowl are to be kept and who shall make recommendations to the city council as to the application at the next regular council meeting. If the council shall find that the keeping of the animals or fowl as set out in the application shall not be unsanitary or constitute a nuisance to adjoining or

neighborhood property owners or residences, the council shall issue a permit therefore and set forth therein the conditions under which animals or fowl may be kept on the location set out in the application. Prior to hearing the application, the city clerk shall mail notice thereof to all persons owning or residing on property within 200 feet from the property line of the property on which it is proposed that such animals or fowl be kept or maintained.

(d) Permit Fee. Any person desiring to keep or maintain any animals or fowl within the city, upon approval in accordance with Section 2-109(c), shall pay a permit fee of \$10 to the city clerk.

(e) Annual Permit Renewal. Any person keeping or maintaining any animal or fowl pursuant to this section shall be required to renew their permit and pay an annual permit renewal fee of \$10 to the city clerk. The registration year shall be from January 1 to December 31 of each year. The renewal fee shall be payable before February 1 of each year without penalty. Failure to submit such annual permit renewal fee before the February 1 deadline shall result such person's permit to lapse and shall require such person to re-apply for a permit in accordance with Section 2-109(c).

(f) Does Not Apply to Dogs, Cats, House Birds. The provisions of this section shall not apply to the keeping of dogs, cats, hamsters (or like species) and house birds.

SECTION 2. Existing Section 2-109 of the City Code of the City of Lincoln Center, Kansas is hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper.

INTRODUCED, PASSED, and APPROVED by the City Council of the City of Lincoln Center, Kansas, on this 13th day of January, 2025.

APPROVED:

/s/ Travis Schwerdtfager
Mayor

Attest: (seal)

/s/ Heather N. Hillegeist
City Clerk