

CITY OF LANSING

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Lansing, KS 66043

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WORK SESSION AGENDA

April 30, 2015

Thursday

7:00 p.m.

Lansing City Hall

Call To Order:

- I. Dog Breed Restriction Review
 - II. Municipal Court Defense Attorney
 - III. Health Insurance Renewal Rate Review
 - IV. Adjournment
-

TO: Mayor and Governing Body *AK*
FROM: Sarah Bodensteiner, City Clerk *SB*
DATE: April 24, 2015
SUBJECT: Work Session Summary

- I. **Dog Breed Restriction Review**
 - o Review draft of updated Animal Code regarding Breed Specific Language.
 - II. **Municipal Court Defense Attorney**
 - o Appointment of Defense Attorney.
 - III. **Health Insurance Renewal Rate Review**
 - o Review renewal rates for Health Insurance.
 - IV. **Adjournment**
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WORK SESSION SUMMARY

TO: Mayor Gene Kirby *GR*
FROM: Steven L. Wayman, Chief of Police
DATE: April 24, 2015
SUBJECT: Review of the City Pit Bull Ordinance

Review of the changes to the city pit bull ordinance.

Changes have been made to the current breed specific dog ordinance. Requesting review by council to go forward with the changes and remove the breed specific portion of the ordinance.

WORKSHEETS - ON - THE - #

CHAPTER 2. ANIMAL CONTROL AND REGULATION

Article 1. General Provisions Concerning Animals

Article 2. Cruelty to Animals

Article 3. Offenses Generally

Article 4. Dangerous Animals

Article 5. Permits and Licensing

Article 6. Kennels

ARTICLE 1. GENERAL PROVISIONS CONCERNING ANIMALS

2-101 FINDINGS OF THE GOVERNING BODY

The Governing Body of the City of Lansing, Kansas hereby finds that to protect and preserve the public health, safety and welfare it is necessary to prohibit the ownership of certain animals within the City and to establish regulations governing the ownership of animals allowed within the City.

2-102 DEFINITIONS

As used in this Chapter:

- A. "Abandon" shall mean to leave an animal without demonstrated or apparent intent to recover or resume custody; to leave an animal for more than 12 hours without providing adequate food and shelter for the duration of the absence; or to turn out or release an animal for the purpose of causing it to be impounded.
- B. "Animal Shelter" or "pound" means a facility which is used or designed for use to house, contain, impound or harbor any seized stray, homeless, relinquished or abandoned animal or a person who acts as an animal rescuer, or who collects and cares for unwanted animals or offers them for adoption. Animal shelter or pound also includes a facility of an individual or organization, profit or nonprofit, maintaining 20 or more dogs or cats, or both, for the purpose of collecting, accumulating, amassing or maintaining the animals or offering the animals for adoption.
- C. "Dangerous animal" shall mean and include:
 1. Any mammal, amphibian, fish, reptile or fowl which is of a species which, due to size, vicious nature or other characteristics would constitute a danger to human life, physical well-being, or property, including but not limited to, lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of a species whose average adult weight is 20 pounds or more, foxes, elephants, alligators, crocodiles, and snakes which are venomous or otherwise present a risk of serious physical harm or death to human

beings as a result of their nature or physical makeup including, but not limited to, boa constrictors, Madagascar ground boas, green and yellow anacondas, Cuban boas, Indian pythons, reticulated pythons, African rock pythons, Amethystine pythons, Boelen's pythons and all members of the family pythonidae that exceed six feet in length.

2. Any dog or cat having a disposition or propensity to attack or bite any person or animal without provocation. For the purposes of this chapter, where the official records of the Chief Animal Control Officer indicate a dog or cat has **aggressively** bitten any person or persons, it shall be prima facie evidence that said dog or cat is a dangerous animal.

A. **Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who at the time such injury or damage was sustained, was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime, or if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.**

3. ~~Any pit bull dog. "Pit bull dog" is defined to mean any and all of the following dogs:-~~

- ~~a) The bull terrier breed of dog;~~
- ~~b) The Staffordshire Bull Terrier breed of dog;~~
- ~~c) The American Staffordshire Terrier breed of dog;~~
- ~~d) The American Pit Bull Terrier breed of dog;~~
- ~~e) Dogs which have the appearance and characteristics of being predominately of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier;~~
- ~~f) Dogs of mixed breed or of other breeds than above listed, which breed or mixed breed is commonly known as pit bulls, pit bull dogs or pit bull terriers.~~

4. Any domesticated dog that has in its known genetic history and/or formal pedigree crossbreeding with the wolf species to include, but not be limited to, animals referred to as wolf-hybrids or wolf-mix breeds or the breed known as Tundra Shepherd. The registration of an animal at any time in any jurisdiction as a wolf-hybrid, wolf mix or Tundra Shepherd shall constitute prima facie evidence the animal is a dangerous animal. For the purposes of this section all references to animals described herein shall be to wolf-hybrids.

- D. "Domesticated" shall mean bred for and adapted to living dependently in an urban household setting.
- E. "Humane" shall mean a manner of care including, but not limited to, protection from harm, providing of shelter with adequate protection from the elements, ventilation, sanitation, and appropriate food and potable water consistent with the requirements and habits of the animal's species, type, size, age and condition.
- F. "Kenel" shall mean a place of business where four or more animals are brought, sold, bred, raised or kept for the purpose of boarding, sale, resale, training or teaching, and which business is done commercially and for profit.
- G. "Officer" shall mean City Animal Control Officer or City Police Officer.
- H. "Own" or "Owning" shall mean to keep, maintain, harbor, shelter, manage, possess, control, sell, trade, buy or have a part interest.
- I. "Owner" shall mean the person who owns, keeps, harbors, shelters manages, controls or possesses an animal or specified animal. A parent or legal guardian shall be deemed to be an owner of an animal or specified animal owned or maintained by a minor in the parent's or guardian's charge.
- J. "Person" shall mean and include any natural person, association, partnership, organization or corporation.
- K. "Spay" or "neuter" shall mean to render permanently incapable of producing offspring.

2-103

OWNING CERTAIN ANIMALS PROHIBITED

It shall be unlawful for any person(s) to own, within the City limits, any animal except as excluded in Section 2-104.

2-104

ANIMALS EXCLUDED FROM PROHIBITION

Animals excluded from the prohibition under Section 2-103 are:

- A. Domestic dogs, except:
 - 1. Those hybridized with wild canines; or
 - 2. Those that are "dangerous animals", as defined in Section 2-102(C), unless the owner has complied with all requirements set forth in Section 2-402 of this Chapter.
- B. Domestic cats, except:
 - 1. Those hybridized with wild felines; or

2. Those that are “dangerous animals”, as defined in Section 2-102(C), unless the owner has complied with all requirements set forth in Section 2-402 of this Chapter.
- C. Domesticated rodents
 - D. Domesticated European ferrets
 - E. Rabbits
 - F. Birds and fowl including chickens, ducks, geese, turkey, guineas, and pigeons, except for species protected by state or federal law
 - G. Nonvenomous snakes less than six (6) feet in length, except that such snakes shall be required to be maintained on the owner's premises or property
 - H. Nonvenomous lizards
 - I. Turtles, except for species protected by state or federal law
 - J. Amphibians
 - K. Fish
 - L. Invertebrates except bees
 - M. Any animal in the ownership of a veterinary clinic operated by a licensed veterinarian, provided that the animal is properly restrained
 - N. Any animal in the ownership of a person designated and licensed as an animal rehabilitator by the Kansas Wildlife and Parks Department, provided that the animal is properly restrained
 - O. Any animal in the ownership of a person temporarily transporting such animal through the City, provided that the animal is properly restrained
 - P. Any animal in the ownership of a bona fide medical institution or accredited educational institution, provided that the animal is properly
 - Q. Any animal temporarily owned by a facility licensed by the Kansas Animal Health Department for the purpose of impounding, sheltering, or caring for animals, provided that the animal is properly restrained

- A. A person wanting to own, keep, harbor or shelter any of the following in a residentially zoned area shall be required to apply for and obtain a permit as stated in Article 5 of this Chapter:
1. Livestock, including but not limited to cattle, horses, mules, goats, swine, and/or sheep
 2. Bees, unless being owned, kept, harbored or maintained in an area zoned agricultural and more than 100 yards from a residentially zoned area

2-106 LIMIT ON NUMBER OF ANIMALS

With the exception of domesticated rodents, fish, and invertebrates, it shall be unlawful for any person(s) to own, keep or harbor any combination of more than four non-prohibited animals at the same address or on the same premises within the City limits without first applying for and obtaining a Special Permit as provided for in Article 5 of this Chapter.

2-107 CONFISCATION OF PROHIBITED ANIMAL

The Municipal Court Judge may order the confiscation of a prohibited animal if the animal poses an immediate danger to the public or itself. Upon the conviction of a person for owning an animal as prohibited by this Chapter or the owners' failure to appear at court, the Municipal Court Judge may order the animal confiscated and transferred to an appropriate licensed animal rehabilitation or care facility, or order the animal destroyed. The Municipal Court Judge may order the release of the animal to the owner provided that the animal will not be kept within the City limits.

2-108 PENALTY

Violation of Section 2-103 shall be a municipal offense for which a mandatory court appearance is required, and upon conviction, the defendant shall be fined no less than \$90.00 nor more than \$500.00 per offense, plus applicable court costs.

ARTICLE 2. CRUELTY TO ANIMALS

2-201

CRUELTY TO ANIMALS (see 11.11 of the UPOC also)

A. Cruel acts and conditions enumerated:

1. It shall be unlawful for any person:

- a) To willfully or maliciously kill, maim, disfigure or torture, strike, hit or beat with a stick, board, chain, club or other object; mutilate, burn, or scald with any substance; or drive over any domesticated animal, or cruelly set an animal upon another animal, except that reasonable force may be employed to drive off vicious or trespassing animals; or**
- b) By any means to make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with harmful or poisonous substances (it is not the intent of this subsection to prohibit the use of poisonous substances for the control of vermin of significance to the public health); or**
- c) To fail, refuse or neglect to provide any animal in said person's charge or custody as owner or otherwise, with proper food, drink, shade, care, or structurally-sound weatherproof shelter appropriate for the type, age and/or size of the animal; or**
- d) To drive or work any animal cruelly; or**
- e) To abandon any animal within the City limits; or**
- f) To leave any animal confined in a vehicle for more than five (5) minutes in extreme weather conditions, defined as less than thirty (30) degrees Fahrenheit or more than eighty (80) degrees Fahrenheit; or**
- g) To transport an animal in the trunk of a vehicle; or**
- h) To cause, instigate, stage, or train any animal to fight or permit any fight between any animal and another animal or human; or**
- i) To give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade; or**

- j) To attach chains or other tethers, restraints or implements directly to an animal without the proper use of a collar, harness, or other device designed for that purpose and made from a material that prevents injury to the animal; or
- k) To continuously picket, tether or stake an animal (excluding those used by businesses for security during non-business hours) for more than two (2) continuous hours, except that tethering or staking of the same animal may resume after a hiatus of three (3) continuous hours, for up to six (6) hours total time on a tether or stake per day; provided that for the purpose of tethering or staking an animal, a chain, leash, rope or tether shall be at least 10 feet in length; or
- l) To use a chain, leash, rope, collaring device, tether, or any assembly or attachments thereto to picket an animal that shall weigh more than one-eighth (1/8) of the animal's body weight, or due to weight, inhibit the free movement of the animal within the area picketed; or
- m) To picket an animal in such a manner as to cause injury, strangulation, or entanglement of the animal on fences, trees, or other man-made or natural obstacles.

- 2. Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report any injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the local humane society.

B. Exceptions Nothing in Subsection (A) of this Section shall:

- 1. Be deemed to prohibit any action by a licensed veterinarian done in accordance with accepted standards of veterinary medicine, or any action taken by a law enforcement officer pursuant to the interests of public health and safety; or
- 2. Be interpreted as prohibiting any act done in self-defense or done to defend another person.

2-202

PROCEDURES FOR CRUELTY TO ANIMALS; FINES

- A. Any public health officer, law enforcement officer, code enforcement officer, or licensed veterinarian may take into custody

any animal, upon either private or public property, which clearly shows evidence of cruelty to animals, as defined by Section 2-201; provided that entry upon private property shall only be accomplished with the assistance of a law enforcement officer. Such officer, agent or veterinarian may inspect, care for, or treat such animal or place such animal in the care of any facility with which the City has contracted for animal sheltering services or a licensed veterinarian for treatment, boarding or other care or, if an officer of such animal sheltering facility or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane destruction.

- B. The owner or keeper of an animal destroyed pursuant to subsection (A) shall not be entitled to recover damages for the destruction of such animal unless the owner proves that such destruction was unreasonable and unwarranted.
- C. Expenses incurred for the care, treatment or boarding of any animal taken into custody pursuant to subsection (A) pending prosecution of the owner or keeper of such animal for the crime of cruelty to animals as defined in Section 2-201 shall be assessed to the owner or keeper as a cost of the case if the owner or keeper is adjudicated guilty of such crime.
- D. If a person is adjudicated guilty of the crime of cruelty to animals as defined in Section 2-201 and the court determines that such animal owned or possessed by such person would be in the future subject to any cruelty to animals, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society, animal shelter or control or licensed veterinarian for sale, adoption or other disposition.
- E. Unless the animal obtained pursuant to this Section is the evidentiary subject of a pending prosecution, the owner or keeper of the animal shall have a maximum of four (4) business days after the animal is taken into custody to obtain the animal from the veterinarian or the animal sheltering facility having custody of the animal. The veterinarian or the animal sheltering facility shall notify the owner or keeper of the animal, if known or reasonably ascertainable. The failure of the owner or keeper to obtain custody of the animal in the time provided shall provide the authority for the Municipal Judge to declare that the animal be disposed of by the veterinarian or the animal sheltering facility by adoption or destruction.
- F. Violation of Section 2-201 shall be a municipal offense for which a mandatory court appearance is required, and upon conviction, the defendant shall be fined not less than \$90.00 nor more than \$1,000.00, plus applicable court costs, per offense. The Municipal

Judge shall not have authority to suspend the minimum fine. In addition, the Municipal Judge shall have authority to sentence the convicted defendant to a maximum six (6) month sentence in jail.

ARTICLE 3. OFFENSES GENERALLY

2-301 ANIMAL NUISANCES

- A. It shall be unlawful for any person to:
1. Own any animal, including a dog or cat, in a residentially-zoned district, which by frequent or long continued noise shall disturb the comfort or repose of any person within the vicinity of such animal (see also noise ordinance 12-301); or
 2. Own any animal, including a dog or cat, in a residentially-zoned district, which shall by the nature of their maintenance or by the numbers of the same shall create an offensive odor so as to be objectionable to surrounding residences; or
 3. Own any dog or cat, in a residentially-zoned district, which is in heat, unless such animal is confined in a secure and sufficiently enclosed area; or
 4. Own on their premises more than four (4) dogs, cats or other non-prohibited animals or combination of non-prohibited animals, ten (10) weeks in age or older, unless such premises is licensed as a commercial kennel or a Special Permit has been issued by the City as provided for in Article 5 of this Chapter. The limit to four animals shall not include rodents, fish, and invertebrates.

Violation of this Section shall be a municipal offense and upon conviction shall be punishable by a fine of \$90.00, plus applicable court costs, per offense.

2-302 RESPONSIBILITY FOR REMOVAL OF ANIMAL EXCREMENT

- A. It shall be unlawful for any person to appear with an animal upon the public right-of-way, within public places or upon the property of another, absent that person's consent, without some means for removal of excrement that may be deposited by the animal.
- B. It shall be unlawful for any person who is an owner or possessor of an animal in their care to fail to remove any excrement deposited by the animal upon any public or private property, other than the property of the owner of the animal.
- C. The provisions of this Section shall not apply to persons who have a physical disability or visual impairment, who are using service dogs, and can provide adequate documentation, upon demand of an animal control officer or law enforcement officer, that the service dog is an animal trained by an accredited institution which trains dogs for service work for the physically disabled or visually

impaired.

Violation of this Section shall be a municipal offense and upon conviction shall be punishable by a fine of \$90.00, plus applicable court costs, per offense. The Municipal Judge shall have no authority to suspend the fine or any portion thereof.

2-303

ANIMALS RUNNING AT LARGE; FINES

- A. It shall be unlawful for any person to own or keep a dog or cat or other animal which runs at large in the City. Knowledge or acquiescence by the owner or keeper is not an element of the offense.
- B. An animal shall not be deemed to be running at large if:
 - 1. The animal is firmly attached to a leash or chain under the physical control of its owner or keeper; or
 - 2. The animal is within a structure or within a fence enclosure with the permission of the owner or keeper of the structure or fence enclosure; or
 - 3. The animal has an operating electronic collar and is under the charge, care or control, of its owner or keeper who is operating an electronic pet containment system or electronic training system for the animal in the owner's back or side yard. Notwithstanding this subsection, all animals on or in the public right-of-way must be kept on a leash or chain under the physical control of its owner or keeper.
- C. Any animal on property without the permission of the property owner shall be deemed to be an animal at large and the owner of such animal shall be in violation of this Section.
- D. Any cat that is on the property of its owner or keeper shall not be deemed to be running at large in the City.
- E. The provisions of this Section shall not apply to persons who have a physical disability or visual impairment, who are using service dogs, and can provide adequate documentation, upon demand of an animal control officer or law enforcement officer, that the service dog is an animal trained by an accredited institution which trains dogs for service work for the physically disabled or visually impaired.
- F. Any person found guilty of a violation of this Section shall be fined

as follows: \$90.00 for the first offense within a twelve (12) month period; \$100.00 for the second offense within a twelve (12) month period; \$110.00 for the third offense within a twelve (12) month period; and \$160.00 for the fourth and subsequent offense(s) within a twelve (12) month period. The Municipal Judge shall have no authority to suspend the fine or any portion thereof established by this Section. The fine shall be in addition to any applicable court costs or impoundment fees. The animal sheltering facility having custody of the animal, if any, shall not release an animal to an owner if the owner has failed to pay a fine or has failed to appear in Municipal Court for the adjudication of a violation of this Section.

2-304 HABITUAL VIOLATOR; ANIMAL AT-LARGE

- A. It shall be a separate municipal offense for any person to receive four (4) or more citations for violation of Section 2-303 within a twenty-four (24) month consecutive period. Such person may then be cited as a habitual violator.
- B. Violation of this Section shall be a municipal offense for which a mandatory court appearance is required. Any person found guilty of a violation of this Section shall be fined not less than \$90.00 nor more than \$500.00, plus applicable court costs, for each habitual violator citation. The Municipal Judge shall have no authority to suspend the minimum fine or any portion thereof. In addition thereto, the Municipal Judge shall have the authority to sentence the individual to up to six (6) months in jail. It shall be a defense to an alleged violation of this Section for the defendant to have been adjudged not guilty, or the charge dismissed, for a specific citation issued under Section 2-303.

2-305 AGGRESSIVE ANIMALS RUNNING AT LARGE; PENALTIES

- A. An "aggressive animal running at large" means any animal at large pursuant to Section 2-303 that without provocation, exhibits aggression or combativeness toward a person or another domestic animal, whether or not said person or animal is attacked, bitten, or scratched by the aggressive animal at large.
- B. Any person found guilty of violating Section 2-303, where the animal at large is an aggressive animal pursuant to subsection (A) of this Section, shall be fined as follows: \$110.00 for the first offense within a twelve (12) month period, or by imprisonment, for not more than 10 days, or by both such fine and imprisonment; \$120.00 for the second offense within a twelve (12) month period, or by imprisonment, for not more than 10 days, or by both such fine and imprisonment; \$130.00 for the third offense within a twelve (12) month period, or by imprisonment, for not more than 14 days, or by both such fine and imprisonment; and \$180.00 for

the fourth and subsequent offense(s) within a twelve (12) month period, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment. The Municipal Judge shall have no authority to suspend the fine (or any portion thereof) established by this Section but shall have the authority to suspend the term of imprisonment. The fine shall be in addition to any applicable court costs or impoundment fees. The animal sheltering facility having custody of the animal, if any, shall not release an animal to an owner if the owner has failed to pay a fine or has failed to appear in Municipal Court for the adjudication of a violation of this Section.

2-306 HABITUAL VIOLATOR; AGGRESSIVE ANIMAL AT-LARGE

- A. It shall be a separate municipal offense for any person to receive four (4) or more citations for violation of Section 2-305 within a twenty-four (24) month consecutive period. Such person may then be cited as a habitual violator.
- B. Violation of this Section shall be a municipal offense for which a mandatory court appearance is required. Any person found guilty of violation of this Section shall be fined not less than \$180.00 nor more than \$500.00, plus applicable court costs, for each habitual violator citation. The Municipal Judge shall have no authority to suspend the minimum fine or any portion thereof. In addition thereto, the Municipal Judge shall have the authority to sentence the individual to up to six (6) months in jail. It shall be a defense to an alleged violation of this Section for the defendant to have been adjudged not guilty, or the charge dismissed, for a specific citation issued under Section 2-305.

2-307 PURSUIT ONTO PRIVATE PROPERTY

A law enforcement officer or animal control officer shall have the right of entry upon any private unenclosed lots or lands to pursue and capture any animal, including a dog or cat, found to be running at large or whose presence is in violation of any article in this chapter.

2-308 IMPOUNDING, REDEMPTION AND DISPOSITION

A dog, cat or other animal found running at large or in violation of the articles within this chapter, situated within the corporate limits of the City, may be taken up by the officer or brought in by a member of the public and may be impounded at any facility with which the City has contracted for animal sheltering services. The officer shall make a record of all dogs or cats so impounded with their description, date of impoundment and rabies vaccination number if available. If, within four (4) business days from the date any dog or cat is impounded and the owner of such dog or cat shall appear and claim his or her dog or cat, said dog or cat may be

released upon payment of the impoundment and board fees charged to the City by the animal sheltering facility in accordance with the schedule of fines, costs and fees then in effect.

All fees required by this Section shall be payable to the City, and no animal shall be released until the animal's owner proves that the animal, if a dog or cat, is currently immunized against rabies, is properly licensed pursuant to Article 5 of this Chapter, and all impoundment and board fees have been paid in full to the City. Rabies immunization and licensing are not required until the animal is over four (4) months of age. If said animal is over four (4) months of age and is not currently immunized against rabies and licensed as required, then the owner shall post a \$20 cash bond, in addition to the impoundment and board fees as required above, for the release of the animal. In addition, the owner shall pay for the purchase of a City license tag for the animal, in accordance with the provisions of Article 5 of this Chapter. Said license tag shall be retained by the City until such time as the animal owner provides proof of current rabies immunization for the animal. If proof of immunization is provided within five (5) business days of the animal's release from impound, the cash bond posted by the animal's owner shall be refunded to said owner. After five (5) business days, the bond shall be retained by the City.

Any owner or keeper of a dog or cat who wishes to forfeit or otherwise terminate their ownership of said animal may bring the animal to the Lansing Police Department for surrender. At such time, the owner shall complete a written statement (including the animal's behavioral history and medical records, if available) irrevocably surrendering ownership of the animal and shall at that time pay a \$100.00 surrender fee to the City. The City expressly reserves the right to refuse to accept custody of any dog or cat offered for surrender.

2-309

FILING COMPLAINT; ENFORCEMENT

It is hereby made the duty of the animal control officer, or anyone having the authority of an animal control officer, including but not limited to law enforcement officers, to enforce the terms and provisions of this chapter. Pursuant to Charter Ordinance No. 1-2012, and other lawful authority, the animal control officer is authorized to issue citations to the owner of and/or impound any dog, cat or other animal found in violation of the terms of this Chapter. The Chief of Police may appoint persons to be known as animal control officers, whose duties it shall be to assist in the enforcement of this Article as defined by K.S.A. 12-4113(j) and to work under the immediate supervision and direction of the Police Department. Any person having personal knowledge of the violations of any of the provisions of this article may make a verified complaint of the facts showing a violation of this article before the Municipal Court Judge and upon the filing of such a complaint, the Municipal Court Judge may issue proper legal process to enforce the penalties provided herein.

2-310 DAMAGE TO PRIVATE PROPERTY

The owner of any animal shall be in violation of this Article and subject to the penalties prescribed herein if any such animal damages private property not belonging to the animal owner.

2-311 TRANQUILIZER/STUN GUN/LETHAL FORCE

The Chief of Police or his/her designate shall be authorized to use a tranquilizer gun or Taser in the enforcement of this chapter. He/she shall be authorized to tranquilize/stun an animal which is impractical or impossible to catch or capture. In circumstances where the officer or another human being is in threat of great bodily harm from an animal, or an animal has been critically injured, lethal force maybe employed against the animal.

2-312 ANIMAL BITES, COMMUNICABLE DISEASE; QUARANTINE

- A. **OWNER KNOWN:** Upon receipt of notification from a duly licensed practitioner of medicine or registered nurse that an animal bite incident has occurred, or upon the receipt of reliable and verifiable information that an animal is believed to have rabies or some other serious communicable disease, an officer shall make reasonable efforts to contact the owner of the animal involved in the incident and advise the owner to place the animal immediately with a regularly licensed and practicing veterinarian of the owner's choice for a confinement period of a minimum of ten (10) days from the time of the occurrence of the bite, or if no bite then a minimum of (10) days from notification. The exact period of confinement may be longer than ten (10) days at the discretion of the veterinarian selected and the owner shall be liable for all confinement costs incurred.
- B. **FAILURE TO COMPLY:** Any owner who shall fail to comply with the provisions of this Section, within twenty-four (24) hours or one (1) business day of notification, shall be deemed in violation of this Article and an officer shall take such animal into custody and commit it for the above described confinement period.
- C. **OWNER UNKNOWN:** Biting animals, or animals suspected of having rabies or some other serious communicable disease for which an owner cannot be located, shall be taken into custody by the animal control officer and confined for observation. If the bite to the victim is on the neck or head, or if the animal is behaving strangely or is ill, the animal shall be held for twenty-four (24) hours before euthanized. If the bite to the victim is not on the neck or head, and if the animal is not behaving strangely or is not ill, the animal shall be held for three (3) days before euthanized. If the owner is later identified and seeks to claim the animal, the

provisions of Subsection (A) shall govern the confinement of the animal. Should such animal become ill, die or be euthanized within the confinement period, the bite victim or victim's representative shall be notified and the City shall direct further management of the animal or animal remains. If the animal is alive and well at the end of the confinement period, the bite victim or victim's representative shall be notified, and the animal shall become the property of any facility with which the City has contracted for animal sheltering services.

- D. STATE LAW: Kansas Administrative Regulations (K.A.R.) 28-1-13, and amendments thereto, shall be followed concerning the isolation of biting animals for observation, examination and quarantine, unless the provisions of this Chapter require more stringent procedures.

2-313 BREAKING POUND

It shall be unlawful for any person to break open, or assist, counsel or advise the breaking open of the City pound, or to take or let out any animal placed therein by the impounding officer. This section shall not apply to any officer duly authorized to handle animals impounded.

2-314 PENALTY

Unless otherwise specified herein, upon a first conviction for a violation of any section of this Article, a defendant shall be fined \$90.00, plus applicable court costs. A second or subsequent violation of any section of this Article shall be a municipal offense for which a mandatory court appearance is required, and shall be punishable by a fine of not less than \$110.00 nor more than \$500.00, plus applicable court costs, and/or imprisonment for not more than ten (10) days. Each consecutive day's violation shall constitute a separate punishable offense. Any costs associated with the impoundment of the animal shall be assessed against the convicted person and shall be in addition to any fines or other penalties imposed.

ARTICLE 4. DANGEROUS ANIMALS

2-401 PROHIBITIONS

Except as provided elsewhere in this article, no person shall own, keep, or harbor any Dangerous Animal, as defined in Section 2-102(C) of this Chapter, in the City of Lansing.

2-402 EXCEPTIONS; PERMIT AND REGISTRATION REQUIREMENTS

The prohibition on Dangerous Animals in Section 2-401 of this Article shall NOT extend to the following situations, provided that any person or organization desiring to own, harbor or have charge, custody, control or possession of a Dangerous Animal pursuant to the following subsections has first secured a permit pursuant to Article 5 of this Chapter:

- A) The keeping of such animals in zoos, bona fide educational or medical institutions, museums or any other place where they are kept as live specimens for the public to view, or for the purpose of instruction or study;
- B) The keeping of such animals for exhibition to the public of such animals by a circus, carnival or other exhibit or show;
- C) The keeping of such animals in a bona fide, licensed veterinary hospital for treatment;
- D) Commercial establishments possessing such animals for the purpose of sale or display;
- E) The keeping of a ~~pit bull dog as defined in Section 2-102(C)(3)~~ Dangerous Animal as defined in Section 2-102 (C)(2) herein or wolf-hybrids as defined in Section 2-102(C)(4) herein, provided that the following additional requirements are met for each such animal to be kept pursuant to this subsection:
 - 1) Each animal shall at all times be securely confined in one of the following manners:
 - a) Indoors, inside a residence or structure equipped with windows and doors that prevent the animal from exiting the structure on its own volition; or
 - b) Outdoors, in a securely enclosed and locked pen or kennel having: secure sides, which are either anchored to a secure floor or embedded at least two (2) feet into the ground; a secure top attached to the sides; and access controlled by a keyed or

combination lock. Said structure must comply with all City building and zoning regulations and must be adequately lighted and ventilated and kept in a clean and sanitary condition; or

- c) Outdoors, outside its kennel or pen but securely restrained with 1) a muzzling device sufficient to prevent the animal from biting persons or other animals, and 2) a leash no longer than four (4) feet in length. Said leash must at all times be under the physical control of a person and shall not be attached to inanimate objects such as trees, posts, buildings, etc.
- 2) The owner, keeper or harborer of an animal under this subsection shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign shall be posted on the kennel or pen of such animal.
- 3) Each animal owned, kept or harbored pursuant to this subsection shall be registered with the City according to the requirements of Article 5 of this Chapter.
- 4) The owner, keeper or harborer of an animal under this subsection shall, within ten (10) business days of receiving approval from the City for ownership of such animal, provide proof to the Chief of Police of public liability insurance in a single incident amount of \$300,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. This shall require a special insurance rider. At the time of application for permit renewal, the owner, keeper or harborer must show proof of insurance for the present registration period and proof that there was insurance coverage throughout the period of the prior registration year.

In the event said liability insurance is canceled, lapsed, or for any other reason becomes non-enforceable, said owner, keeper, or harborer shall be in violation of the provisions of this ordinance and subject to the penalties provided herein.

- 5) The owner, keeper or harborer of an animal pursuant to this subsection shall, within ten (10) business days of receiving approval from the City for ownership of such animal, provide to the Chief of Police two color photographs of the registered animal clearly showing the color and approximate size of the animal.

- 6) The owner, keeper or harbinger of an animal pursuant to this subsection shall, within ten (10) days of the occurrence of any of the following events, report such event to the Chief of Police in writing:
- a) Death of the animal;
 - b) Birth of offspring of the animal; or
 - c) The new address of the animal owner should the owner move within the corporate City limits.

Any animal found to be the subject of a violation of any of the provisions of this subsection shall be subject to immediate seizure and impoundment and shall be delivered to a place of confinement, which may be with any organization which is authorized by law to accept, own, keep or harbor such animals. In addition, failure to comply will result in the revocation of the license for such animal and the permit providing for the keeping of such animal resulting in the immediate removal of the animal from the City, and may result in criminal penalties against the owner of such animal as provided for elsewhere in this Chapter.

- F) The keeping of any snakes of the species boa constrictors, Madagascar ground boas, green and yellow anacondas, Cuban boas, Indian pythons, reticulated pythons, African rock pythons, Amethystine pythons, Boelen's pythons and all members of the family pythonidae that exceed six feet in length; provided, these animals shall be kept under the following mandatory conditions.
- 1) In consideration of the right of the public not to be unexpectedly exposed to snakes, these animals will not be openly displayed in a public setting outside of established forums for such practices to include herpetological shows, educational displays, pet stores and other special displays whereby members of the public are forewarned that a snake(s) may be displayed in the open.
 - 2) Snakes shall be transported in a manner that precludes escape. At a minimum snakes shall be placed in a sturdy cloth bag free of holes or tears and the bag placed in a box or similar container. The box or container must be locked or sealed during transportation.
 - 3) Snakes shall be housed in secure cages with hinged tops or doors or a sliding glass front which includes a locking mechanism. The cage shall be kept in a room modified to prevent snake escapes and which has a door which shall be kept shut or locked when not occupied by the owner.

- 4) Snakes requiring permits shall not be sold to minors.
- 5) Pet stores or other vendors or sellers of snakes requiring permits are required to provide a copy of this ordinance to all prospective purchasers of such snakes.
- 6) Snakes will not be fed or in any fashion provided any live or living creature while observable by any member of the public or in any manner which may otherwise violate the humane laws of the City.
- 7) It shall be unlawful, and a violation of this subsection, for any person to not comply with the standards set forth herein.

2-403 EXEMPTIONS

The provisions of this Article shall not apply to the transportation of such animals through this City, when such transporter has taken adequate safeguards to protect the public and has notified the local law enforcement agency of the proposed route of transportation and the time thereof and shall not apply to dogs kept by law enforcement agencies.

2-404 NOTICE OF KEEPING DANGEROUS ANIMALS

Upon the written complaint of any person, or the personal observation of an officer or animal control officer, that a person owns or is keeping or harboring a Dangerous Animal in violation of this chapter in the City, the Chief of Police or his/her designated representative shall forthwith cause the matter to be investigated; and if after investigation the facts indicate that such person named in the complaint is in fact the owner or is keeping or harboring any such Dangerous Animal in the City, the Chief of Police shall forthwith send written notice to such person requiring such person to safely remove said animal from the City within 48 hours of the date of said notice. Notice as herein provided shall not be required where such Dangerous Animal has previously caused serious physical harm or death to any person or has escaped and is at large in which case the Chief of Police or his/her designated representative shall cause said animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

2-405 TEMPORARY PERMITS; POWERS

The Chief of Police or a person under his/her authority may, following application for a permit pursuant to Article 5 of this Chapter and pending final disposition of the same, grant a temporary permit for the maintenance within the City of any such animal upon such conditions as he/she shall, in his/her sole discretion, require when, in his/her opinion, there is no reasonable doubt as to the consistency thereof with the public health,

safety and general welfare, but no such animal shall be otherwise kept or maintained within this City or permitted to occupy any premises within this City except while such a regular or temporary permit is in full force and effect.

2-406

COMMERCIAL ESTABLISHMENTS

- A) Commercial establishments possessing such animals for the purpose of sale or display may replace the same with others of the same kind, but the number of each shall not be in excess of the number thereof allowed by the terms of such permit. Such establishments may, in the discretion of the Chief of Police or his/her designated representative, be granted a permit for those such numbers of each kind of animal as do not exceed the maximum number such establishment estimates will be maintained by it in this City at any one time during the period of the permit. Such permit shall require the immediate notification of the Chief of Police or his/her designated representative upon the acquisition of any animal having a prior history of any incident involving the public health or safety, or resulting in any bodily injury or property damage.
- B) Upon the sale of any dangerous animal, said commercial establishment shall immediately send notification of said sale along with the name and address of the buyer, the method of transporting the animal, the path of travel of such transportation, and the destination to the Chief of Police or his/her designated representative.

2-407

SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this chapter or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof.

2-408

VIOLATIONS AND PENALTIES

Unless otherwise stated herein, a violation of any provision of this Article shall be a municipal violation for which a mandatory court appearance shall be required. Upon conviction in the Municipal Court, a defendant shall be fined not less than \$200.00 nor more than \$1,000.00, plus applicable court costs, per offense. In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the county jail for a period not to exceed 30 days. In addition, the Court shall order the registration of and permit for the subject animal revoked and the animal removed from the City. Should the defendant refuse to remove the animal from the City, the Municipal Court Judge shall find the defendant owner in

contempt and order the immediate confiscation and impoundment of the animal. Each day that a violation of this ordinance continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this ordinance.

2-409

COSTS TO BE PAID BY RESPONSIBLE PARTIES

Any reasonable costs incurred by the Chief of Police or his/her designated representative in seizing, impounding, confining or disposing of any dangerous or wild animal, pursuant to the provisions of this Article shall be charged against the owner, keeper, or harbinger of such animal and shall be collected by the Chief of Police.

ARTICLE 5. PERMITS AND LICENSING

2-501

PERMIT REQUIRED FOR MORE THAN FOUR ANIMALS

Any person or organization wishing to own, keep or harbor more than four dogs, cats or other non-prohibited animals or combination of non-prohibited animals at the same address or on the same premises shall be required to obtain a City permit for said ownership.

- A. An application for any permit required pursuant to this Section shall be made to the City Clerk in writing and upon a form furnished by the City Clerk. Said application shall be verified by the person who desires to have, keep, maintain or have in his/her possession or under his/her control, in the City, the animals for which a permit is required, and shall set forth the following:
1. Name, address and telephone number of the applicant.
 2. The applicant's interest in such animals and justification why such number of animals should be allowed in the City.
 3. The proposed location, and the name, address, and telephone number of the owner of such location, and of the lessee, if any.
 4. The number and general description of all animals for which the permit is sought.
 5. Any information known to the applicant concerning vicious or dangerous propensities of all such animals.
 6. The housing arrangements for all such animals with particular details as to safety or structure, locks, fencing, etc.
 7. Safety precautions proposed to be taken.
 8. Noises or odors anticipated in the keeping of such animals.
 9. Prior history of incidents involving the public health or safety involving any of said animals.
 10. Proof of insurance to cover those who may be injured or killed by said animal.
 11. A statement, signed by the applicant, indemnifying the City and its agents and employees for any and all injuries that may result from said animal.
 12. Any additional information required by the Chief of Police or his/her designated representative at the time of filing such application or thereafter. In addition, the applicant shall allow the Chief of Police or his designated representative the ability to inspect the animals and/or property where the

- animals are to be kept.
- B. The fee for a permit application shall be \$25.00 per permit. The fee is nonrefundable. Said fee shall be payable to the City Clerk at the time of filing the permit application.
 - C. Upon the submission of a fully and properly completed application for permit and fees, the City Clerk shall forward the permit application to the Governing Body. The matter shall be set for hearing on a regularly scheduled council meeting not later than 45 days after submission and acceptance of a fully and properly completed application for permit and the appropriate fees.
 - D. No permit shall be granted except upon an explicit finding by the Governing Body of Lansing that the issuance of a permit will not be contrary to the public health, safety and general welfare. The Governing Body may consider, but is not limited to the following factors in making its determination: the possible impact on neighbors and the surrounding area; the possibility of harm to the general public; detriment to the health of the animal(s) or neighboring animals; public nuisance, sanitary or offensive conditions; the noises from the animals and possible odors; the number of animals; planning and zoning requirements; etc. The Governing Body may attach requirements and conditions to the issuance of the permit which the applicant will be required to comply with. The decision of the Governing Body is final.

2-502

PERMITS; OTHER

Any permit which is required under the provisions of this Chapter, except for the permits specified in Section 2-501 and Section 2-601, shall be subject to the following provisions:

- A. An application for such permit shall be made to the Chief of Police in writing and upon a form furnished by the Chief of Police. Said application shall be verified by the person who desires to have, keep, maintain or have in his/her possession or under his/her control, in the City, the animal for which a permit is required, and shall set forth the following:
 - 1. Name, address and telephone number of the applicant.
 - 2. The applicant's interest in such animal and justification why such prohibited animal should be allowed in the City.
 - 3. The proposed location, and the name, address, and telephone number of the owner of such location, and of the lessee, if any.
 - 4. The number and general description of all animals for which the permit is sought.
 - 5. Any information known to the applicant concerning vicious or dangerous propensities of all such animals.

6. The housing arrangements for all such animals with particular details as to safety or structure, locks, fencing, etc.
 7. Safety precautions proposed to be taken.
 8. Noises or odors anticipated in the keeping of such animals.
 9. Prior history of incidents involving the public health or safety involving any of said animals.
 10. Proof of insurance to cover those who may be injured or killed by said animal.
 11. A statement, signed by the applicant, indemnifying the City and its agents and employees for any and all injuries that may result from said animal.
 12. Any additional information required by the Chief of Police or his/her designated representative at the time of filing such application or thereafter. In addition, the applicant shall allow the Chief of Police or his/her designated representative the ability to inspect the animal and/or property where the animal is to be kept.
- B. The fee for a permit application shall be \$25.00 per permit. The fee is nonrefundable. Said fee shall be payable to the Chief of Police at the time of filing the permit application.
- C. Upon the submission of a fully and properly completed application for permit and fees, the Chief of Police or his/her designated representative shall begin an investigation to determine whether or not the permit should be issued.
- D. No permit shall be granted except upon an explicit finding by the Chief of Police that the issuance of a permit will not be contrary to the public health, safety and general welfare. The Chief of Police may consider, but is not limited to the following factors in making his/her determination: the possible impact on neighbors and the surrounding area; the possibility of harm to the general public; detriment to the health of the animal(s) or neighboring animals; public nuisance; sanitary or offensive conditions; the noises from the animals and possible odors; the number of animals; planning and zoning requirements; etc. The Chief of Police may attach requirements and conditions to the issuance of the permit which the applicant will be required to comply with.

2-503 PERMIT, TERM AND RENEWAL

No permit required by this chapter shall be granted for a period in excess of one year. An application for renewal of any permit shall be made not less than 45 days prior to the expiration thereof, and shall be accompanied by a \$25.00 renewal fee.

2-504 PERMIT; INSPECTIONS, INVESTIGATIONS, AND ISSUANCE OF RENEWAL

Prior to the annual renewal of any permit issued hereunder and at least once, not more than six (6) months after the issuance of any such permit or after its renewal, the Chief of Police, animal control officer or a designated representative shall inspect the premises subject to such permit to determine whether the person to whom it has been issued is complying or continuing to comply with all of the conditions specified in this Article. In addition, the officer or representative shall investigate the past history of the permit holder to determine whether during the past permit period the permit holder was in compliance with all of the conditions specified in this Article. The investigation may include a review of department records and interviews with the permit holder and neighbors. If the officer or representative determines during any such inspection and investigation that any of the conditions therein specified are being violated or have been noted during the past permit period, he/she shall recommend denial of a renewal of any such permit, and/or he/she shall recommend revocation of such permit in the event that such violation is not corrected within such period of time as she/he shall direct. Upon completion of the investigation and review process provided herein, the Chief of Police or his/her designated representative shall, in the case of a multiple animal permit, recommend to the City Clerk that the permit be renewed or that the renewal application be denied, and in the case of any other permit required pursuant to this Chapter, either renew or deny the permit.

2-505 PERMIT; REVOCATION AND SUSPENSION

The Chief of Police may, for good cause, revoke any permit or modify any terms or provisions thereof and may, in the event it is reasonably necessary to protect against an immediate threat or danger to the public health or safety, suspend any permit or portion thereof without hearing. Failure to comply with any of the provisions of this chapter shall be considered good cause for revocation or suspension of a permit.

2-506 APPEALS; FEE

- A. Any person aggrieved by or dissatisfied with any of the decisions, rulings, actions or findings by the Chief of Police or his designated representative in regards to a denial, revocation or suspension of a permit may, within ten (10) days thereafter, file a written notice or statement of appeal from said decision, ruling, action or finding to the Lansing Governing Body.
- B. An administrative fee of \$10.00 shall be paid to the City Clerk and is required for each appeal to the Lansing Governing Body, and no appeal shall be set for hearing until such fee has been paid. No appeal shall be set for hearing if it is filed more than ten (10) days after said action, decision, ruling or findings of the Chief of Police or his designated representative from which the party is appealing.

- C. An appeal shall be scheduled for hearing within forty-five (45) days after the request and fees are received by the City Clerk.
- D. The filing of an appeal under this subsection shall not stay any action taken pursuant to this chapter.
- E. The decision of the Governing Body to either affirm or reverse the determination previously made by the Chief of Police regarding the issuance of a permit shall be final.

2-507

LICENSING; VACCINATION

No person shall own or have custody of any dog or cat over four months of age unless such dog or cat is licensed as herein provided.

- A. Before a license will be issued, the animal owner must produce satisfactory evidence that the dog or cat has been vaccinated against rabies with either of the following:
 - 1. Killed tissue vaccine (also known as "one-year" vaccine) within the 12 months previous to the date of the issuance of the license.
 - 2. Modified live virus vaccine (also known as "three-year" vaccine) within the 36 months previous to the date of the issuance of the license.
- B. The license fee shall be \$15.00 for each dog or cat; however, if spayed or neutered the license fee shall be \$7.50 for each dog or cat.
- C. All licenses shall be valid from the date of issuance through the last day of the month containing the one-year anniversary of the date of issuance. The office of the Chief of Police is authorized to issue dog and cat licenses.
- D. Each person shall, upon purchase of the required license, cause such animal to wear a durable tag furnished by the police department for the particular animal for which the license is issued, and bearing the animal's assigned number. In case of the loss of any tag, the police department shall, upon presentation of the original receipt, issue a duplicate tag at no charge. No person shall place upon any animal a City-issued tag other than the one given for the particular animal for which it is issued.
- E. Failure of an owner or keeper of an animal required to be registered pursuant to this Chapter to either:
 - 1. Procure and maintain current rabies vaccination(s) on said animal; and/or
 - 2. Purchase the annual City license for said animal,

shall be a municipal offense and, upon conviction, shall be punishable by a fine of \$90.00, plus applicable court costs.

2-508

VIOLATIONS AND PENALTIES

Unless otherwise stated herein, the failure to obtain any permit required pursuant to this Article shall be a municipal violation for which a mandatory court appearance shall be required. Upon conviction in the Municipal Court, a defendant shall be fined not less than \$200.00 nor more than \$1,000.00, plus applicable court costs, per offense. In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the county jail for a period not to exceed 30 days. In addition, the Court shall order the registration (if any) of the subject animal revoked and the animal removed from the City. Should the defendant refuse to remove the animal from the City, the Municipal Court Judge shall find the defendant owner in contempt and order the immediate confiscation and impoundment of the animal.

ARTICLE 6. KENNELS

2-601 KENNELS; LICENSE REQUIRED

- A. No person, firm or corporation shall operate a kennel commercially or for profit within the City, unless such person, firm or corporation shall have first obtained a license from the City Clerk and has complied with and been approved by the state for all state licensing requirements, said proof to be furnished to the City Clerk.
- B. Licenses shall be valid for a period of five (5) years from the date of issuance.
- C. Outdoor Kennels shall only be permitted in areas zoned as A-1. Indoor Kennels shall be permitted in any zoning area except residential.
- D. No permit shall be issued, and if a permit has been issued then it shall be revoked, if the Governing Body finds that the kennel is being kept in a manner that is:
 - 1. Offensive
 - 2. Unsanitary
 - 3. Detrimental to the health of the people in the neighborhood
 - 4. Detrimental to the health of the animal(s) or neighboring animals
 - 5. A public nuisance
 - 6. In violation of applicable City ordinances (i.e. running at large, failure to license, etc.), zoning regulations or laws and regulations of the State of Kansas
 - 7. Not within the specifications set out within the issued permit

2-602 SAME; FEE

The fee for a license to operate a kennel shall be \$25.00 per year.

2-603 SAME; VACCINATION

No license shall be issued without a certificate of immunization for each animal as set out in section 2-502 of this Chapter

2-604 ZONING REGULATIONS

No license shall be issued for the establishment of a kennel within an area zoned for residential use within the City.

2-605 PENALTIES

Violation of any provision of this Article shall be a municipal offense for

which a mandatory court appearance is required. Any person, firm or corporation convicted of a violation of this code, shall be punished by a fine not less than \$90.00 nor more than \$500.00, plus any applicable court costs.

TO: Mayor Gene Kirby *GK*
FROM: Steven L. Wayman, Chief of Police
DATE: April 24, 2015
SUBJECT: Review of Municipal court defense attorney contract

Catalina Thompson will be present to answer any questions about the current vacancy of the city's municipal court defense attorney. Currently Jeff Sonntag is currently filling the position of defense attorney for the City. Looking for council direction on contract for the Defense Attorney for the Lansing Municipal court.

ME-T-NO-SMKSRO-ZO-SMKSRO

TO: Mayor and Governing Body *gk*
FROM: Sunshine Petrone, HR Director *SP*
DATE: April 24, 2015
SUBJECT: Health Insurance Renewal Rate Review

The HR Director will provide an update to the council about the renewal rates for health insurance. We are still negotiating with the insurance company and receiving information. If available, more information will be shared with the council prior to the meeting.

WORKSESSIONWORKSESSIONWORKSESSION ITEM #