

(Published in the official county newspaper on the ___ day of May, 2012)

RESOLUTION NO. 6 - 2012

A RESOLUTION PROVIDING FOR THE IMPOUNDMENT OF ANIMALS PROHIBITED FROM BEING IN CHEROKEE COUNTY, KANSAS; PROVIDING FOR THE ASSESSMENT OF COSTS RELATED THERETO; AND, PROVIDING FOR THE DISPOSITION OF SUCH ANIMALS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS:

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds that enacting the legislation would provide for an appropriate method of enforcing a prior resolution enacted by the county, permit the collection of costs related thereto, and provide for efficient method for the disposition of such animals.

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 21st day of May, 2012, does hereby resolve as follows:

Section 1. Impoundment of Dangerous Animals.

(a) Any dog referenced in Cherokee County, Kansas, Resolution 11-92, which is owned, kept, or harbored by any person in violation of Resolution 11-92, may be taken up and impounded by the Sheriff's Department, or the Sheriff's authorized agent, for the protection and health of the animal, for the protection of the health, safety and welfare of the public, or for it being an animal which is prohibited within Cherokee County, Kansas, pursuant to Cherokee County, Kansas, Resolution 11-92.

(b) The cost of take-up, impoundment, and care of the animal will be charged to its owner and/or harborer regardless of whether the animal is claimed by or returned to said owner and/or harborer.

(c) If an animal cannot be taken up safely or if proper and safe housing cannot be found for the animal, the Sheriff can immediately cause the animal to be destroyed or euthanized, in a manner authorized by the statutes of the state of Kansas.


(d) The owner and/or harborer of the animal can reclaim the animal only if said owner and/or harborer is in compliance with this Resolution and Cherokee County, Kansas, Resolution 11-92, and only after all costs have been paid by the owner and/or harborer. Any other intended disposition of the animal requires the approval of the Sheriff.

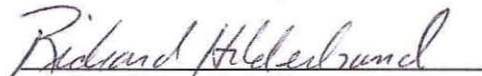
(e) If no owner or harborer can be located, will claim the animal within five (5) days after impoundment, or pay the cost to Cherokee County, Kansas, of taking up and impounding the animal, the Sheriff may cause the sale, adoption, donation or euthanization of the animal.

Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, 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 resolution.

Section 3. Effective Date. This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.

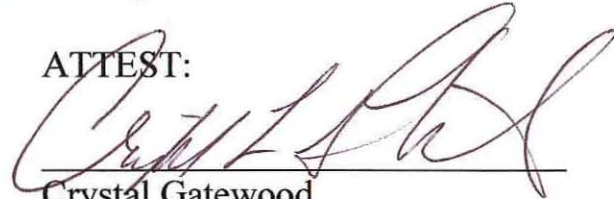
Adopted this 21st day of May, 2012, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Patrick W. Collins
County Commissioner


Richard J. Hilderbrand
County Commissioner


Jack G. Garner
County Commissioner

ATTEST:


Crystal Gatewood
Cherokee County Clerk
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