**ORDINANCE NO. 1797**

 **AN ORDINANCE AMENDING THE SECTION 2-109 OF THE LA HARPE MUNICIPAL CODE REGARDING THE KEEPING OF ANIMALS AND REPEALING THE EXISTING SECTION THEREOF.**

 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LA HARPE, KANSAS:**

 **Section 1.** Section 2-109 of the La Harpe Municipal Code providing for the keeping of animals is hereby amended to read as follows:

 **2-109. KEEPING OF ANIMALS.** It shall be unlawful for any person to own or possess any animal within the City except for the following:

(a) Dogs and Cats under the provisions of Article 2 of this Chapter.

(b) Non-poisonous and non-vicious animals and some fowl which are commonly recognized as household pets, such as ham­sters, rabbits, parakeets, and other comparable animals, when kept as a house­hold pet and in a safe and sanitary manner in accordance with Section 2-113 of this Chapter.

(c) The maintaining of a stockyard or sales barn for the loading, unloading, temporary detention, and sale of such livestock, if the location of such stockyard or sales barn does not otherwise vio­late the zoning ordinances of the City;

(d) The transporting of animals through the City by ordinary and customary means.

(e) The temporary presence or housing of animals owned by or utilized for performance or entertainment purposes by a commercial circus or carnival company, provided:

(1) Their location conforms to the provisions of the City’s zoning regulations.

(2) All animals and animal quarters are kept in a clean and sanitary condition and maintained to eliminate objectionable odors.

3) Animals are securely maintained and confined to prevent their escape.

(f) The keeping of any farm livestock, such as chickens, horses, cows, goats, swine, and the like is hereby strictly prohibited.

 **Section 2.** Any person not in compliance with this new Section 2-109 as of the date of adoption of this Ordinance shall be grandfathered to the extent such noncompliance is continuous by the original owner and the original noncomplying animal. Any cessation or interruption of the noncomplying use or change in ownership or of the specific animal in question will extinguish any grandfathered rights.

 **Section 3.** The existing Section 2-109 of the La Harpe Municipal Code is hereby repealed.

 **Section 4.** This Ordinance shall take effect and be in force from and after its publication one time in the official city newspaper.

 **PASSED BY THE COUNCIL THIS 9TH DAY OF AUGUST, 2023.**

 **APPROVED BY THE MAYOR THIS 9TH DAY OF AUGUST, 2023.**

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 **Ella Mae Crowell, Mayor**

ATTEST:

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**Michelle Altis, City Clerk**

PREPARED BY:

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