



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 9/17/2019

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Department: Legal

Council Meeting Date: September 17, 2019

Staff Contact: Ron Shaver; Daniel Yoza

Subject: Report on proposed 2019 amendments to Title 8 of the Olathe Municipal Code concerning animals.

Focus/Perspective Area: Effective Organization

Executive Summary: Every summer, staff prepares updates to certain provisions of the Olathe Municipal Code (OMC) to align them with state law. Staff typically consults with the League of Kansas Municipalities (LKM) to identify which OMC sections need to change. This year, LKM undertook the task of reviewing all state criminal statutes, and providing suggested language to add every state misdemeanor that may be included as a municipal offense. Staff has reviewed these recommendations, and has prepared Ordinance 19-XX (Attachment A) which adds the following provisions to the Title 8 of the OMC.

Section One adds the offense of Illegal Animal Ownership, which is owning an animal any time within 5 years of a conviction for dogfighting or cruelty to animals.

Section Two amends the present offense of Cruelty to Animals to add all applicable state exceptions to the offense.

Section Three adds the offense of Permitting a Dangerous Animal to be at large. This has been a state provision for many years, but is a new addition to the OMC.

Section Four is the only provision in this ordinance that is not based on state law. It requires resident finding dogs running to bring them to the animal shelter. This change was recommended by staff at the Animal Shelter to increase efficiency in connecting owners with their lost dogs.

The draft ordinance also includes technical amendments to clarify and improve language.

Fiscal Impact: None.

Recommendations/Options/Action Requested: Accept the report. Unless directed otherwise, staff will prepare the Ordinance for formal consideration on October 1, 2019.

Attachments: Attachment A: 2019 Animal Ordinance Updates