

WESTWOOD HILLS

(First Published in Johnson County
Herald Thursday April 4, 1963)
ORDINANCE NO. 65

AN ORDINANCE RELATING TO DOMESTIC ANIMALS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS:

SECTION 1. — IMMUNIZATION OF DOGS.

No person shall own, keep or harbor in the city any dog which has not been immunized against rabies and each person owning, keeping or harboring a dog in the city shall on or before the 30th day of April in each year file with the City Clerk a certificate from a licensed veterinarian showing that such dog has been inoculated for rabies in the four months' period preceding such date. It shall also be the duty of each such person to keep securely fastened upon or around the neck of any such dog a metal tag or tags showing the immunization tag issued for it.

SECTION 2 — DISPOSAL OF UNIMMUNIZED DOGS.

Whenever any dog shall be found within the city with respect to which an immunization certificate shall not have been filed with the City Clerk or which shall not have a metal tag or tags fastened to it as provided in the preceding section, such dog may be taken up by an officer or person designated so to do by the City of Westwood Hills and placed in a shelter house designated by the governing body for that purpose; and if the owner, keeper or harbinger of any such dog does not redeem the same within three days after such impounding by the payment of a fee of \$5.00 to the said city, plus the cost of the bill charged by the owner or operator of the shelter house for the keeping of such dog, then such dog shall be disposed of in some humane manner by the designated operator or owner of the shelter house.

SECTION 3. LIMIT ON DOGS.

The owning, harboring, or keeping of dogs over twelve weeks of age in excess of two upon any property in the City of Westwood Hills shall be deemed a nuisance per se. Provided that the owner or keeper may secure from and at the discretion of the City Council, a permit to keep or harbor dogs in excess of two upon adequately showing that the premises are so situated, and that special circumstances exist which would not constitute a nuisance to the neighborhood. The City Council may limit said permit as to time and may also limit the maximum number of dogs that may be maintained at any one time.

SECTION 4 — ANIMALS PROHIBITED.

No person shall keep or harbor any animal, which by loud, frequent and habitual barking, howling, yelping, screeching, or fighting shall annoy or disturb the public peace.

SECTION 5 — CONFINEMENT OF ANIMALS.

Any person who has been notified in writing by anyone of the destruction or damage of property or injury to another by an animal owned by or kept or harbored by him, or that such animal by barking, growling, snapping, biting, clawing, scratching, chasing, or jumping on any person upon public streets, or sidewalks, or that such animal chases or barks at cars, motorcycles, bicycles, scooters or vehicles of any kind driven or ridden upon the public streets and sidewalks, shall immediately confine such animal upon his premises, or keep said animal tied to a leash while off said premises. This section shall not be construed to relieve any person of the liability for the actions of an animal owned or harbored by him.

SECTION 6 — COMPLAINTS.

Any person wishing to make a complaint concerning the violation of Sections 4 and 5 must do so in writing to the city judge after having first served a copy of said complaint upon the owner or keeper of said animal, or an adult member of the household of such owner or keeper.

SECTION 7 — EXAMINATION AND QUARANTINE.

It shall be unlawful for the owner of any animal or any person owning, keeping or harboring an animal when notified that such animal has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such animal or to permit or allow such animal to be taken beyond the limits of the city, for a period of not less than fifteen days after date that such animal has so bitten or injured any person, except under the care of a licensed veterinarian. It shall be the duty of such owner or keeper upon receiving notice of the character aforesaid to immediately place such animal in a licensed veterinary hospital, where such animal shall be confined for a period of not less than ten days; and such owner or person keeping or harboring such animal shall notify the City Clerk of the name and location of said veterinarian hospital, and the date that said animal was confined.

SECTION 8 — DESTRUCTION OF ANIMALS.

Any dangerous, fierce or vicious animal may be slain or picked up by the Chief of Police, Marshal, or one of his deputies, or humane officer. If said animal has been slain, it shall be the duty of the Marshal to deliver, or cause to be delivered, its carcass and brain to a laboratory where examination of the same may be made.

SECTION 9 — RABIES.

The Mayor is hereby authorized, whenever in his opinion the danger to the public safety from rabid dogs is made imminent, to issue his proclamation ordering the person owning, keeping or harboring any dogs to muzzle the same, or confine the same, by good and sufficient means, to the house, outbuildings, or yard wherein such person may reside for such time as may be specified in such proclamation by the Mayor, and the person keeping or harboring any dog shall confine the same by good and sufficient means, within the house, yard or outbuildings of such owner or keeper, and have such dog or dogs properly and securely muzzled during the time specified in such proclamation, and all dogs found running at large within the city during the time so specified by the Mayor in his proclamation, without being securely muzzled are hereby declared to be a nuisance, and it shall be the duty of any police officer of said city to kill such animal.

SECTION 10 — PENALTIES.

That any person violating any of the provisions of any section of this Ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$1.00 nor more than \$100.00, or by imprisonment for not more than thirty days, or both such fine and imprisonment.

SECTION 11 — TAKE EFFECT.

This Ordinance shall take effect and be in force and effect from and after publication.

Passed the City Council this 1st day of April, 1963.

Approved by the Mayor this 1st day of April, 1963.

S/ Hal Sandy
Mayor

Attest:
S/ Ora M. Amberg
City Clerk

WESTWOOD HILLS

(First Published in Johnson County
Herald Thursday, March 28, 1963)
ORDINANCE NO. 64

An Ordinance relating to trees and shrubs.

Be it ordained by the governing body of the City of Westwood Hills, Kansas as follows:

Section 1. Whenever any competent city authority or competent state or federal authority when requested by the Governing Body of the City shall file with the Governing Body a statement in writing, based upon a laboratory test or other supporting evidence that trees or tree materials or shrubs located upon private property within said city are infected or infested with or harbours any tree or plant disease or insect pest or larvae, the uncontrolled presence of which may constitute a hazard to or result in the damage or destruction of other trees or shrubs in the community, describing the same and where located, said governing body shall direct the city clerk to forthwith issue notice requiring the owner or agent of the owner of the premises to treat or remove any such designated tree, tree material or shrub within thirty days from the date of service of such notice; said notice shall be served by the city marshal or other police officer, by delivering a copy thereof to the owner, or agent of such property or if the same be unoccupied and the owner a nonresident, then the city clerk shall notify the owner by mailing a notice to his last known address. If the owner or agent shall fail to comply with the requirements of said notice within thirty days from the delivery or mailing of such notice, then the street superintendent or other designated officer shall proceed to have the designated tree, tree material or shrub treated or removed and report the cost thereof to the city clerk, and the cost of such treatment or removal shall be paid by the owner of the property or shall be assessed and charged against the lot or parcel of ground on which the tree, tree material or shrub was located. The city clerk shall at the time of certifying other city taxes to the county clerk, certify the unpaid costs and the county clerk shall extend the same on the tax roll of the county against said lot or parcel of ground.

Section 2. All dead trees adjacent to city right-of-way, utility lines or wires, sidewalks or areas which children frequent are hereby declared to be a public nuisance and shall be removed by the property owner at his own expense.

Section 3. In the event that said property owner shall not remove said dead trees provided for in Section 2, then the city clerk shall cause notice to be given as provided in Section 1; and if not removed, as provided in Section 1, then the city shall remove said tree and shall certify the cost thereof to the county clerk as provided in Section 1 hereof.

Section 4. It shall be unlawful for any person owning or controlling any hedge, fence or other type of bush or shrubs bordering on any of the sidewalks in the city to permit the same to grow or extend over said adjacent sidewalk.

Section 5. Any ordinance in conflict with this ordinance be and the same is hereby repealed.

Section 6. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00) for each offense or by confinement in the county jail not to exceed ninety days or both.

Section 7. This ordinance shall take effect and be in effect after its publication.

Passed by the City Council this 11th day of March, 1963.

Approved this 11th day of March, 1963.

S/ Hal Sandy
Mayor

ATTEST:
Ora Amberg
City Clerk

Ind. No 65 repealed
by passage of No. 81

ORDINANCE NO. 65

AN ORDINANCE RELATING TO DOMESTIC ANIMALS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS:

SECTION 1 - IMMUNIZATION OF DOGS.

No person shall own, keep or harbor in the city any dog which has not been immunized against rabies and each person owning, keeping or harboring a dog in the city shall on or before the 30th day of April in each year file with the city clerk a certificate from a licensed veterinarian showing that such dog has been immunized for rabies in the four months' period preceding such date. It shall also be the duty of each such person to keep conspicuously fastened upon or around the neck of any such dog a metal tag or tags showing the immunization tag issued for it.

SECTION 2 - DISPOSAL OF UNIMMUNIZED DOGS.

Whenever any dog shall be found within the city with respect to which an immunization certificate shall not have been filed with the city clerk or which shall not have a metal tag or tags fastened to it as provided in the preceding section, such dog may be taken up by an officer or person designated to do so by the city of Westwood Hills and placed in a shelter house designated by the governing body for that purpose; and if the owner, keeper or harborer of any such dog does not redeem the same within three days after such impounding by the payment of a fee of \$5.00 to the said city, plus the cost of the bill charged by the owner or operator of the shelter house for the keeping of such dog, then such dog shall be disposed of in some humane manner by the designated operator or owner of the shelter house.

SECTION 3 - LIMIT ON DOGS

The owning, harboring, or keeping of dogs over twelve weeks of age in excess of two upon any property in the city of Westwood Hills shall be deemed a nuisance per se. Provided that the owner or keeper may secure from and at the discretion of the City Council, a permit to keep or harbor dogs in excess of two upon adequately showing that the premises are so situated, and that special circumstances exist which would not constitute a nuisance to the neighborhood. The city council may limit said permit as to time and may also limit the maximum number of dogs that may be maintained at any one time.

SECTION 4 - ANIMALS PROHIBITED.

No person shall keep or harbor any animal, which by loud, frequent and habitual barking, howling, yelping, screeching, or fighting shall annoy or disturb the public peace.

SECTION 5 - CONFINEMENT OF ANIMALS.

Any person who has been notified in writing by anyone of the destruction or damage of property or injury to another by an animal owned by or kept or harbored by him, or that such animal by barking, growling, snapping, biting, clawing, scratching, chasing, or jumping on any person upon public streets, or sidewalks, or that such animal chases or barks at cars, motorcycles, bicycles, scooters or vehicles of any kind driven or ridden upon the public streets and sidewalks, shall immediately confine such animal upon his premises, or keep said animal tied to a leash while off said premises. This section shall not be construed to relieve any person of the liability for the actions of an animal owned or harbored by him.

SECTION 6 - COMPLAINTS.

Any person wishing to make a complaint concerning the violation of Sections 4 and 5 must do so in writing to the city judge after having first served a copy of said complaint upon the owner or keeper of said animal, or an adult member of the household of such owner or keeper.

SECTION 7 - EXAMINATION AND QUARANTINE.

It shall be unlawful for the owner of any animal or any person owning, keeping or harboring an animal when notified that such animal has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such animal or to permit or allow such animal to be taken beyond the limits of the city, for a period of not less than fifteen days after date that such animal has so bitten or injured any person, except under the care of a licensed veterinarian. It shall be the duty of such owner or keeper upon receiving notice of the character aforesaid to immediately place such animal in a licensed veterinarian hospital, where such animal shall be confined for a period of not less than ten days; and such owner or person keeping or harboring such animal shall notify the City Clerk of the name and location of said veterinarian hospital, and the date that said animal was confined.

SECTION 8 - DESTRUCTION OF ANIMALS.

Any dangerous, fierce or vicious animal may be slain or picked up by the Chief of Police, Marshal, or one of his deputies, or humane officer. If said animal has been slain, it shall be the duty of the Marshal to deliver, or cause to be delivered, its carcass and brain to a laboratory where examination of the same may be made.

SECTION 9 - RABIES.

The Mayor is hereby authorized, whenever in his opinion the danger to the public safety from rabid dogs is made imminent, to issue his proclamation ordering the person owning, keeping or harboring any dogs to muzzle the same, or confine the same, by good and sufficient means, to the house, outbuildings, or yard wherein such person may reside for such time as may be specified in such proclamation by the Mayor, and the person keeping or harboring any dog shall confine the same by good and sufficient means, within the house, yard or outbuildings of such owner or keeper, and have such dog or dogs properly and securely muzzled during the time specified in such proclamation, and all dogs found running at large within the city during the time so specified by the Mayor in his proclamation, without being securely muzzled are hereby declared to be a nuisance, and it shall be the duty of any police officer of said city to kill such animal.

SECTION 10 - PENALTIES.

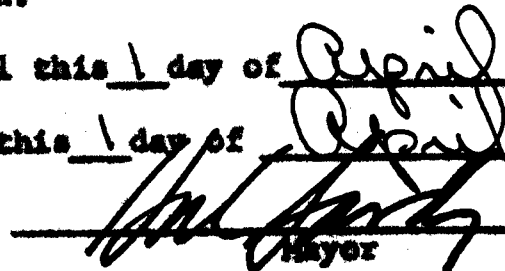
That any person violating any of the provisions of any section of this Ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$1.00 nor more than \$100.00, or by imprisonment for not more than thirty days, or both such fine and imprisonment.

SECTION 11 - TAKE EFFECT.

This Ordinance shall take effect and be in force and effect from and after publication.


Passed the City Council this 1 day of April, 1963.

Approved by the Mayor this 1 day of April, 1963.



Mayor

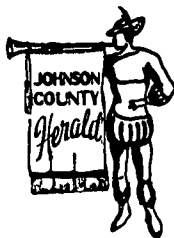
Attest:



City Clerk

I hereby certify that the foregoing is a true and correct copy of the original Ordinance; that said Ordinance was passed on the 1 day of April, 1963 and the record of the final vote on its passage is found in the minutes of the meeting of April, 1963; that it was published in the Johnson County Herald on the day of April, 1963.

W. H. Amburg
City Clerk



AFFIDAVIT OF PUBLICATION
State of Kansas, County of Johnson, ss:
LOYD NEFF

of lawful age, being duly sworn upon oath states that he is the Editor of the Johnson County Herald, that said semi-newspaper has been published at least weekly, fifty (50) times a year, and has been so published for at least one year prior to the first publication of the attached notice.

That said paper has a general paid circulation on a semi-weekly basis, was entered as second class matter July 17, 1924 at the postoffice at Overland Park, Kansas, under the Act of March 3, 1897, is not a trade, religious, or fraternal publication, and is printed in Johnson County, Kansas.

The attached notice is a true copy, and was printed and published in the regular and entire issue of the Johnson County Herald for... consecutive weeks:

First week: April 4, 1963

Second week:

Third week:

Fourth week:

Fifth week:

Sixth week:

Loyd Neff
Loyd Neff, Editor

Subscribed in my presence and sworn to before me

this 4 day of April, 1963

Charry L. Lawhead
Notary Public in and for
Johnson County, Kansas

My commission expires January 23, 1967

Publication fee - - - - - \$ 24.32

Affidavits, Notary's fee - - - - - \$

Additional copies - - - @ - - - \$

Total publication fee - - - - - \$ 24.32

IN THE.....COURT OF
JOHNSON COUNTY, KANSAS
State of Kansas, Johnson County, ss:

....., 19.....

The within Proof of Publication approved by

Johnson County Herald—Fully qualified to
publish legal notices

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SECTION 3. LIMIT ON DOGS.

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City Council may limit said permit as to time and may also limit the maximum number of dogs that may be maintained at any one time.

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Any person who has been notified in writing by anyone of the destruction or damage of property or injury to another by an animal owned by or kept or harbored by him, or that such animal by barking, growling, snapping, biting, clawing, scratching, chasing, or jumping on any person upon public streets, or sidewalks, or that such animal chases or barks at cars, motorcycles, bicycles, scooters or vehicles of any kind driven or ridden upon the public streets and sidewalks, shall immediately confine such animal upon his premises, or keep said animal tied to a leash while off said premises. This section shall not be construed to relieve any person of the liability for the actions of an animal owned or harbored by him.

SECTION 6 — COMPLAINTS.

Any person wishing to make a complaint concerning the violation of Sections 4 and 5 must do so in writing to the city judge after having first served a copy of said complaint upon the owner or keeper of said animal, or an adult member of the household of such owner or keeper.

SECTION 7 — EXAMINATION AND QUARANTINE.

It shall be unlawful for the owner of any animal or any person owning, keeping or harboring an animal when notified that such animal has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such animal or to permit or allow such animal to be taken beyond the limits of the city, for a period of not less than fifteen days after date that such animal has so bitten or injured any person, except under the care of a licensed veterinarian. It shall be the duty of such owner or keeper upon receiving notice of the character aforesaid to immediately place such animal in a licensed veterinary hospital, where such animal shall be confined for a period of not less than ten days; and such owner or person keeping or harboring such animal shall notify the City Clerk of the name and location of said veterinarian hospital, and the date that said animal was confined.

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Passed the City Council this 1st day of April, 1963.

Approved by the Mayor this 1st day of April, 1963.

S/ Hal Sandy
Mayor

Attest :
S/ Ora M. Amberg
City Clerk

Case No.

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION

WESTWOOD HILLS

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Passed the City Council this 1st day of April, 1963.

Approved by the Mayor this 1st day of April, 1963:

S/ Hal Sandy
Mayor

Attest:
S/ Ora M. Amberg
City Clerk

27

WESTWOOD HILLS

(First Published in Johnson County

Herald Thursday, March 28, 1963)

ORDINANCE NO. 64

An Ordinance relating to trees and shrubs.

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Section 2. All dead trees adjacent to city right-of-way, utility lines or wires, sidewalks or areas which children frequent are hereby declared to be a public nuisance and shall be removed by the property owner at his own expense.

Section 3. In the event that said property owner shall not remove said dead trees provided for in Section 2, then the city clerk shall cause notice to be given as provided in Section 1; and if not removed, as provided in Section 1, then the city shall remove said tree and shall certify the cost thereof to the county clerk as provided in Section 1 hereof.

Section 4. It shall be unlawful for any person owning or controlling any hedge, fence or other type of bush or shrubs bordering on any of the sidewalks in the city to permit the same to grow or extend over said adjacent sidewalk.

Section 5. Any ordinance in conflict with this ordinance be and the same is hereby repealed.

Section 6. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in a sum not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00) for each offense or by confinement in the county jail not to exceed ninety days or both.

Section 7. This ordinance shall take effect and be in effect after its publication.

Passed by the City Council this 11th day of March, 1963.

Approved this 11th day of March, 1963.

S/ Hal Sandy
Mayor

ATTEST:
Ora Amberg
City Clerk

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