



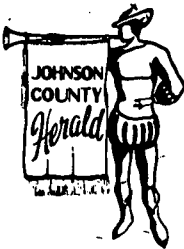
Case No. _____

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION



AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

BOB FISER being first duly sworn,

Deposes and says: That he is the editor of the Johnson County Herald, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas, with a general paid circulation on a weekly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Shawnee Mission, in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the

23rd day of September, 1970, with subsequent publications being made on the following dates:

-----, 19-----
-----, 19-----
-----, 19-----
-----, 19-----
-----, 19-----
-----, 19-----

Bob Fiser

Subscribed and sworn to before me this 24th

day of September, 1970

Helen M. Caldwell
Notary Public in and for
Johnson County, Kansas

My Commission Expires Aug. 28, 1971
My commission expires: -----

Notary Fee - - - - - \$-----

Printer's fee - - - - - \$ 32.64

Additional copies - - - - - \$-----

Total Charge - - - - - \$ 32.64

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

WESTWOOD HILLS

(First Published in Johnson County Herald
Wednesday September 23, 1970)

ORDINANCE NO. 81

AN ORDINANCE PROVIDING FOR THE LICENSING AND CONTROL OF DOGS
BE IT ORDAINED BY THE GOVERNING BODY
OF WESTWOOD HILLS, KANSAS:

SECTION 1: License. It shall be unlawful for any person to own, keep or harbor any dog over six (6) months of age within the corporate limits of the city of WESTWOOD HILLS without registering such dog and paying a yearly license tax thereon, as herein-after provided.

SECTION 2: License Fee. Any person, firm or corporation owning, keeping or harboring any dog or dogs over six (6) months of age within the corporate limits of WESTWOOD HILLS shall pay an annual license tax as follows:
(a) THREE Dollars (\$3.00) for each male or spayed female dog; Provided, that any person registering and paying the license tax for a spayed female dog shall, at the time of registration and payment of said tax, present to the city clerk a certificate from a licensed veterinarian showing that such female dog has been spayed.

(b) FIVE Dollars (\$5.00) for each unspayed female dog.

SECTION 3: When Payable. The license tax hereinbefore provided shall be for the calendar year and shall become due on Jan. 1 and payable on or before the first day of Feb. 1 of each year and shall become delinquent and subject to an added penalty of fifty cents (50¢) per month or fraction thereof on each dog on or after Feb. of each year, or upon the date registration of the dog is required.

SECTION 4: Number of Dogs Limited. The owning, harboring or keeping of dogs over six months 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 governing body, 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.

SECTION 5: Registration - Dog Tags. The owner or harbinger of any dog over the age of six (6) months in the city shall cause such dog to be registered with the city clerk. It shall be the duty of the city clerk, upon receipt of the license tax hereinbefore required, to keep in a book suitable for the registration of dogs, the time of such registration, the name of the owner or keeper, the number of such registration and the amount paid therefor, and shall deliver to the owner or keeper of such dog a receipt in writing, stating that such person has registered such dog and the number by which he is registered, and shall also deliver to the owner or keeper of such dog a metal tag with the letters WH and the registration number marked or stamped thereon, which shall be by the owner or keeper attached to the collar to be used on said dog so registered.

SECTION 6: Lost Tags. When it shall be made to appear to the city clerk that any tag has become lost, he shall, upon presentation of the certificate, issue another tag for a \$1.00 fee.

SECTION 7: Dog Tags - Removal of. It shall be unlawful for any person to take off or remove the city license tag from any dog belonging to another, or remove the strap or collar on which the same is fastened.

SECTION 8: Anti-rabies Vaccination Required. Any person making application for a license for a dog shall be required to present to the city clerk at the time of making such application a certificate issued by a licensed veterinarian showing that such dog has been vaccinated or inoculated with a recognized anti-rabies vaccine and showing that the inoculation so administered to such dog was administered within the calendar year in which the application is made.

SECTION 9: Keeping and Harboring Defined. Any person who shall allow any dog to habitually remain or to lodge or to be fed within his home, store, yard, enclosure or place, shall be deemed and considered as keeping and harboring said dog within the meaning of this article.

SECTION 10: Running at Large Unlawful. It shall be unlawful for any owner, keeper or harbinger of any dog to allow the dog to run at large within the City of WESTWOOD HILLS.

SECTION 11: Running at Large Defined. A dog shall be kept within the owner's private premises, or otherwise led by a chain, strap or rope or similar restraint by some person in charge of the dog. A dog shall be deemed running at large when found upon public or private property not the property of the owner, when not under the control of the owner, keeper or harbinger as above provided.

SECTION 12: Running at Large - Pick Up. Whenever any dog shall be found running at large within the city limits of WESTWOOD HILLS, such dog may be taken up by the humane officer or by any other agency designated by the city of WESTWOOD HILLS, and such animal shall be held seven (7) days after notice to the owners at a shelter provided for such purposes, and if within said seven (7) days, the owner of any animal so held shall present to the person in charge of such shelter house a license receipt and upon payment of any shelter fees or board bills due, such animal shall be delivered to the owner. If not so claimed and after notice, if possible, as below provided, the animal shall become the property of the designated agency to be disposed of in some humane manner or placed in a good home under the agency's regulations.

SECTION 13: Notice to Owner. Notice of pick up shall immediately be mailed by the agency designated by the city to the owner or keeper of the dog as shown by the licensing records of the city. Failure to receive such notice shall not prevent the city or its authorized agency to carry out the provisions of this ordinance.

SECTION 14: Female Dogs. It shall be unlawful to keep or harbor any female dog within the city of WESTWOOD HILLS during such times as she is in heat, whether or not she has a tag, unless such person shall keep such dog inside the buildings located upon the owner's premises and should the owner or keeper fail to do so, then the city may take up said female dog and impound her and dispose of her in the manner as provided in Section 12.

SECTION 15: Vicious Dogs. It shall be unlawful for any person within the city to keep, own or harbor any cross or vicious dog, unless such person shall keep such dog securely fastened and tied so that he cannot reach any person to do him damage and shall keep said dog in an enclosure securely fenced so that said dog cannot escape therefrom; provided, that if any such vicious dog is not so fastened, tied or fenced, the city may take up the dog and impound it and dispose of it in the manner as provided in Section 12.

SECTION 16: Dog Bites - Quarantine. It shall be unlawful for the owner of any animal or any person 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 (15) 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 (10) 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 17: Abandoning Dogs Unlawful. It shall be unlawful for any person or persons to bring within the city limits any dog or dogs and abandon the same and allow them to run at large in the streets, alleys and public places in the city.

SECTION 18: Noisy Dogs. The keeping or harboring of any dog which by loud, frequent and habitual barking, howling or yelping shall disturb the peace of any neighborhood is hereby prohibited and declared to be a public nuisance and unlawful under this ordinance. It shall be the duty of any person harboring or keeping such loud or noisy dog or dogs to abate said nuisance, and if he fails to do so, the city may abate said nuisance by taking up, impounding and disposing of the dog in the manner as provided in Section 12.

SECTION 19: Penalty. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not exceeding one hundred dollars (\$100.00) or be imprisoned not to exceed thirty (30) days, or be both so fined and imprisoned.

SECTION 20: Ordinance No. 85 is hereby repealed.

SECTION 21: This ordinance shall take effect from and after its publication in the official city paper.

PASSED BY THE GOVERNING BODY THIS 14th DAY OF SEPTEMBER, 1970.

APPROVED BY THE MAYOR THIS 14th DAY OF SEPTEMBER, 1970.

/s/ Paul A. Maclean
Mayor

(SEAL)
/s/ Ora M. Amberg
City Clerk

Case No. _____

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION

AN ORDINANCE PROVIDING FOR THE LICENSING AND CONTROL OF DOGS

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

SECTION 1: License. It shall be unlawful for any person to own, keep or harbor any dog over six (6) months of age within the corporate limits of the city of WESTWOOD HILLS without registering such dog and paying a yearly license tax thereon, as hereinafter provided.

SECTION 2: License Fee. Any person, firm or corporation owning, keeping or harboring any dog or dogs over six (6) months of age within the corporate limits of WESTWOOD HILLS shall pay an annual license tax as follows.

(a) Three Dollars (\$3⁰⁰) for each male or spayed female dog: Provided, that any person registering and paying the license tax for a spayed female dog shall, at the time of registration and payment of said tax, present to the city clerk a certificate from a licensed veterinarian showing that such female dog has been spayed.

(b) Five Dollars (\$5⁰⁰) for each unspayed female dog.

SECTION 3: When Payable. The license tax hereinbefore provided shall be for the calendar year and shall become due on January ~~1st~~ and payable on or before the first day of February ~~June~~ of each year and shall become delinquent and subject to an added penalty of fifty cents (50¢) per month or fraction thereof on each dog on or after February ~~June~~ of each year, or upon the date registration of the dog is required.

SECTION 4: Number of Dogs Limited. The owning, harboring, or keeping of dogs over six months 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 governing body, 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.

SECTION 5: Registration - Dog Tag. The owner or harborer of any dog over the age of six (6) months in the city shall cause such dog to be registered with the city clerk. It shall be the duty of the city clerk, upon receipt of the license tax hereinbefore required, to keep in a book suitable for the registration of dogs, the time of such registration, the name of the owner or keeper, the number of such registration and the amount paid therefor, and shall deliver to the owner or keeper of such dog a

receipt in writing, stating that such person has registered such dog and the number by which he is registered, and shall also deliver to the owner or keeper of such dog a metallic tag with the letters WH and the registration number marked or stamped thereon, which shall be by the owner or keeper attached to the collar to be used on said dog so registered.

SECTION 6: Lost Tags. When it shall be made to appear to the city clerk that any tag has become lost, he shall, upon presentation of the certificate, issue another tag for a \$1.00 fee.

SECTION 7: Dog Tags - Removal of. It shall be unlawful for any person to take off or remove the city license tag from any dog belonging to another, or remove the strap or collar on which the same is fastened.

SECTION 8: Anti-rabies Vaccination Required. Any person making application for a license for a dog shall be required to present to the city clerk at the time of making such application a certificate issued by a licensed veterinarian showing that such dog has been vaccinated or inoculated with a recognized anti-rabies vaccine and showing that the inoculation so administered to such dog was administered within the calendar year in which the application is made.

SECTION 9: Keeping and Harboring Defined. Any person who shall allow any dog to habitually remain or to lodge or to be fed within his home, store, yard, enclosure or place, shall be deemed and considered as keeping and harboring said dog within the meaning of this article.

SECTION 10: Running at Large Unlawful. It shall be unlawful for any owner, keeper or harbinger of any dog to allow the dog to run at large within the City of WESTWOOD HILLS.

SECTION 11. Running at Large Defined. A dog shall be kept within the owner's private premises, or otherwise led by a chain, strap or rope or similar restraint by some person in charge of the dog. A dog shall be deemed running at large when found upon public or private property not the property of the owner, when not under the control of the owner, keeper or harbinger as above provided.

SECTION 12: Running at Large - Pick Up. Whenever any dog shall be found running at large within the city limits of WESTWOOD HILLS such dog may be taken up by the humane officer or by any other agency designated by the city of WESTWOOD HILLS, and such animal shall be held seven (7) days after notice to the owners at a shelter provided for such purposes, and if within said seven (7) days, the owner of any animal so held shall present to the person in charge of such shelter house a license receipt and upon payment of any shelter fees or board bills due, such animal shall be delivered to the owner. If not so claimed and after notice, if possible, as below provided, the animal shall become the property of the designated agency to be disposed of in some humane manner.

or placed in a good home under the agency's regulations.

SECTION 13: Notice to Owner. Notice of pick up shall immediately be mailed by the agency designated by the city to the owner or keeper of the dog as shown by the licensing records of the city. Failure to receive such notice shall not prevent the city or its authorized agency to carry out the provisions of this ordinance.

SECTION 14: Female Dogs. It shall be unlawful to keep or harbor any female dog within the city of WESTWOOD HILLS during such times as she is in heat, whether or not she has a tag, unless such person shall keep such dog inside the buildings located upon the owner's premises and should the owner or keeper fail to do so, then the city may take up said female dog and impound her and dispose of her in the manner as provided in Section 12.

SECTION 15: Vicious Dogs. It shall be unlawful for any person within the city to keep, own or harbor any cross or vicious dog, unless such person shall keep such dog securely fastened and tied so that he cannot reach any person to do him damage and shall keep said dog in an enclosure securely fenced so that said dog cannot escape therefrom; provided, that if any such vicious dog is not so fastened, tied or fenced, the city may take up the dog and impound it and dispose of it in the manner as provided in Section 12.

SECTION 16: Dog Bites - Quarantine. It shall be unlawful for the owner of any animal or any person 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 (15) 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 (10) 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 17: Abandoning Dogs Unlawful. It shall be unlawful for any person or persons to bring within the city limits any dog or dogs and abandon the same and allow them to run at large in the streets, alleys and public places in the city.

SECTION 18: Noisy Dogs. The keeping or harboring of any dog which by loud, frequent and habitual barking, howling or yelping shall disturb the peace of any neighborhood is hereby prohibited and declared to be a public nuisance and unlawful under this ordinance. It shall be the duty of any person harboring or keeping such loud or noisy dog or dogs to abate said nuisance, and if he fails to do so, the city may abate said nuisance by taking up, impounding and disposing of the dog in the manner as provided in Section 12.

SECTION 19: penalty. Any person, firm or corporation violating any of the provisions of this ordinance shall; upon conviction thereof, be fined in any sum not exceeding one hundred dollars (\$100.00) or be imprisoned not to exceed thirty (30) days; or be both so fined and imprisoned.

SECTION 20: Ordinance No. 65 is hereby repealed.

SECTION 21: This ordinance shall take effect from and after its publication in the official city paper.

PASSED BY THE GOVERNING BODY THIS 14TH DAY OF SEPTEMBER, 1970.

APPROVED BY THE MAYOR THIS 14TH DAY OF SEPTEMBER, 1970.

Paul C. Maclean
Mayor

Dr. M. Rindberg
City Clerk

AN ORDINANCE PROVIDING FOR THE LICENSING AND CONTROL OF DOGS

BE IT ORDAINED BY THE GOVERNING BODY OF WESTWOOD HILLS, KANSAS:

SECTION 1: License. It shall be unlawful for any person to own, keep or harbor any dog over six (6) months of age within the corporate limits of the city of WESTWOOD HILLS without registering such dog and paying a yearly license tax thereon, as hereinafter provided.

SECTION 2: License Fee. Any person, firm or corporation owning, keeping or harboring any dog or dogs over six (6) months of age within the corporate limits of WESTWOOD HILLS shall pay an annual license tax as follows.

(a) THREE Dollars (\$3.00) for each male or spayed female dog: Provided, that any person registering and paying the license tax for a spayed female dog shall, at the time of registration and payment of said tax, present to the city clerk a certificate from a licensed veterinarian showing that such female dog has been spayed.

(b) FIVE Dollars (\$5.00) for each unspayed female dog.

SECTION 3: When Payable. The license tax hereinbefore provided shall be for the calendar year and shall become due on ~~May 1~~ JAN. 1 and payable on or before the first day of ~~June~~ FEB. of each year and shall become delinquent and subject to an added penalty of fifty cents (50¢) per month or fraction thereof on each dog on or after FEB. of each year, or upon the date registration of the dog is required.

SECTION 4: Number of Dogs Limited. The owning, harboring, or keeping of dogs over six months 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 governing body, 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.

SECTION 5: Registration - Dog Tag. The owner or harborer of any dog over the age of six (6) months in the city shall cause such dog to be registered with the city clerk. It shall be the duty of the city clerk, upon receipt of the license tax hereinbefore required, to keep in a book suitable for the registration of dogs, the time of such registration, the name of the owner or keeper, the number of such registration and the amount paid therefor, and shall deliver to the owner or keeper of such dog a

receipt in writing, stating that such person has registered such dog and the number by which he is registered, and shall also deliver to the owner or keeper of such dog a metallic tag with the letters WH and the registration number marked or stamped thereon, which shall be by the owner or keeper attached to the collar to be used on said dog so registered.

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SECTION 8: Anti-rabies Vaccination Required. Any person making application for a license for a dog shall be required to present to the city clerk at the time of making such application a certificate issued by a licensed veterinarian showing that such dog has been vaccinated or inoculated with a recognized anti-rabies vaccine and showing that the inoculation so administered to such dog was administered within the calendar year in which the application is made.

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or placed in a good home under the agency's regulations.

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SECTION 19: Penalty. Any person, firm or corporation violating any of the provisions of this ordinance shall; upon conviction thereof, be fined in any sum not exceeding one hundred dollars (\$100.00) or be imprisoned not to exceed thirty (30) days, or be both so fined and imprisoned.

SECTION 20: Ordinance No. 65 is hereby repealed.

SECTION 21: This ordinance shall take effect from and after its publication in the official city paper.

PASSED BY THE GOVERNING BODY THIS 14th DAY OF September 1970.

APPROVED BY THE MAYOR THIS 14th DAY OF September 1970.

Paul A. Walker
Mayor

Orin M. Aubrey
City Clerk