

CITY OF SHAWNEE
ORDINANCE NO. 3504

**AN ORDINANCE AMENDING CHAPTER 6.08.030 OF THE SHAWNEE
MUNICIPAL CODE THAT REGULATES ANIMAL CRUELTY.**

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF SHAWNEE, KANSAS:**

PARAGRAPH 1. Chapter 6.08.030 of the Shawnee Municipal Code is hereby amended to read as follows:

6.08.030 CRUELTY PROHIBITED.

- A. As to any Animal in the City, whether or not such Animal is Owned by that Person, it shall be unlawful for any Person to:
1. Knowingly, but not maliciously, kill or injure any Animal, including: molesting, ill-treating, overworking, overloading, or disfiguring any animal, hunting, trapping, killing, or destroying any animal;
 2. Intentionally abandon or leave any Animal in any place without making provisions for its Adequate Care;
 3. Have physical custody of any Animal and fail to provide proper standards of care as provided for in this Chapter;
 4. Intentionally using a wire, pole, stick, rope or any other object to cause an Equine to lose its balance or fall, for the purpose of sport or entertainment.
 - a. For the purposes of this Section, "Equine" means a horse, pony, mule, jenny, donkey or hinny;
 5. Leave any Animal confined in a vehicle for more than five (5) minutes in extreme weather conditions, being defined as less than thirty (30) degrees Fahrenheit or more than sixty (60) degrees Fahrenheit. It shall further be considered an act of cruelty to transport an Animal in the trunk of a car with the trunk lid closed;
 6. Knowingly, but not maliciously, causing any physical injury other than the acts described in this Subsection; or
 7. Give or offer any live Animal as a prize or business inducement.
- B. The provision of this Section shall not apply to:
1. Normal and/or accepted veterinary practices;

2. Bona fide experiments carried on by commonly recognized research facilities;
3. Trapping beavers by an Animal Damage Control business that holds an approved permit from the Kansas Department of Wildlife and Parks, providing that the Police Chief is notified and trapping concludes within ninety (90) days of notification. The Animal Damage Control business must be hired by the property owner(s) and is responsible for assuming liability for any accidents that may occur, properly warning area residents, ensuring all necessary precautions have been taken to keep non-target species out of the trapping area, and notifying the Police Chief of a location and intent to trap;
4. The humane killing of an Animal which is diseased or disabled beyond recovery for any useful purpose by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, or a local or state health officer or a licensed veterinarian three (3) business days following the receipt of any such animal at such society, shelter or pound, or by a law enforcement officer or animal control officer;
5. The use of reasonable force to drive off vicious or trespassing Animals or to defend oneself or any other Person from attack; provided that rats, mice, squirrels and like rodents infesting any private premises may be properly controlled and destroyed at any time;
6. Laying down Equine for medical or identification purposes.
7. Rodeo practices accepted by the rodeo cowboys' association;
8. With respect to farm animals, normal or accepted practices of animal husbandry including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;
9. An animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods, so long as slaughtering of animals is not conducted in public;
10. Normal or accepted practices of pest control, as defined in subsection (x) of K.S.A. 2-2438a, and amendments thereto; or
11. Accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

PARAGRAPH 2. Upon the effective date of this Ordinance, Chapter 6.08.030 of the Shawnee Municipal Code as it existed before the above amendments is hereby amended.

PARAGRAPH 3. If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining parts of this Ordinance. The Governing Body hereby declares that it would have passed the remaining parts of this Ordinance if it would have known that such part or parts thereof would be declared invalid.

PARAGRAPH 4. Neither the passage of this Ordinance, the repeal of the Ordinance or Code provisions set forth herein, or the future repeal or amendment of any Ordinance or Code section or part or portion thereof, shall in any manner affect the prosecution for violation of this Ordinance or any Ordinance or Code amended or repealed herein, nor be construed as a waiver of any license, fee or penalty at said effective date and unpaid under any Ordinance or Code, nor be construed as affecting any of the provisions of such Ordinance or Code relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any Ordinance or Code, and all rights and obligations thereunder shall continue in full force and effect. Any Ordinance or Code sections amended or repealed, are hereby continued in force and effect after the passage, approval, and publication of this Ordinance for the purposes of such rights, fines, penalties, forfeitures, liabilities, and actions therefore.

PARAGRAPH 5. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

This portion is intentionally blank.

PASSED by the Governing Body this 23 day of September, 2024.

APPROVED AND SIGNED by the Mayor this 23 day of September, 2024.

CITY OF SHAWNEE, KANSAS




By: 

Michael Sandifer, Mayor

ATTEST:

By: 
Stephanie Zaldivar, City Clerk

APPROVED AS TO FORM:

By:  
Leena Bellmann, Senior Prosecutor

The Legal Record

1701 E. Cedar St., Ste. 111
Olathe, KS 66062-1775
(913) 780-5790

CITY OF SHAWNEE - CITY CLERK
11110 JOHNSON DR
SHAWNEE KS 66203-2750

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CITY OF SHAWNEE Summary of Ordinance No. 3504

On the 23 day of September, 2024, the Governing Body of the City of Shawnee, Kansas passed Ordinance No. 3504, amending Chapter 6.08.030 of the Shawnee Municipal Code that regulates Animal Cruelty.

A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk or at www.cityofshawnee.org.

The undersigned hereby certifies as prescribed by KSA 12-3007 that the foregoing Summary of Ordinance No. 3504 is legally accurate and sufficient.

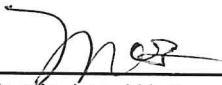
Dated: 9/23/2024

/s/ Jenny Smith, City Attorney
10/1

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

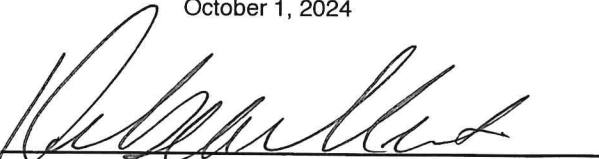
SUMMARY OF ORDINANCE NO. 3504
10/1/24



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

October 1, 2024



Notary Public

DEBRA VALENTI

Notary Public-State of Kansas
My Appt. Expires Aug. 21, 2027

L20443
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