

ANIMAL CONTROL RESOLUTION 2020-01

JULY 7th, 2020

A RESOLUTION BY THE BOARD OF DIRECTORS OF LAKEWOOD HILLS IMPROVEMENT DISTRICT, JEFFERSON COUNTY, KANSAS TO CONTROL ANIMALS WITHIN THE DISTRICT.

WHEREAS: The Lakewood Hills Improvement District is a residential District in Jefferson County, Kansas and,

WHEREAS: The Board of Directors of Lakewood Hills Improvement District has the full power and authority pursuant to K.S.A. 19-2765 to adopt resolutions for the orderly development and regulation of the district.

BE IT THEREFORE RESOLVED:

The Board of Lakewood Hills establishes the following regulations pertaining to any person or persons owning, harboring, or keeping animals within the District:

SECTION 1: The Board of Directors of Lakewood Hills incorporates resolution; Resolution No 2008-01 and dated April 1, 2008; a resolution that sets forth regulations on animal control within Lakewood Hills Improvement District.

SECTION 2: The Board of Directors of Lakewood Hills incorporates resolution; Resolution No. 97-32 adopted by the Board of County Commissioners of Jefferson County Kansas on September 15, 1997; a resolution prohibiting the ownership of certain vicious dogs; imposing certain insurance requirements; providing penalties; and authorizing the disposition of certain vicious dogs.

SECTION 3: REGISTRATION AND VACCINATION

- A. Annually, during the month of April, every owner or keeper of any dog or cat shall pay a \$4.00 registration fee per animal. It shall be the responsibility of the owner or keeper of any registered dog or cat to notify the office if the animal is removed from the district or dies.
- B. Any newly acquired or any dog or cat being brought into Lakewood Hills shall be registered with the Lakewood Hills office within fifteen (15) days from acquisition or from being brought into Lakewood Hills.
- C. Any dog or cat born in Lakewood Hills, upon reaching the age of six (6) months, shall be registered with the Lakewood Hills office.
- D. TO REGISTER, the owner or keeper of any dog or cat shall:
 - i. Submit a completed registration form.
 - ii. Present a current certificate of immunization against rabies.
 - a. Jefferson County law requires that all cats and dogs have current rabies vaccination.



- b. No registration shall follow without evidence of this document and it shall be unlawful for the owner of any dog or cat to fail to maintain effective rabies immunization thereafter.
- c. It shall be unlawful for any owner of any dog or cat kept within the District to fail to display a current certificate of immunization against rabies by an accredited veterinarian when requested to do so by the District or any law enforcement agency.
- iii. Provide a photo of the animal
- iv. Each dog or cat will be issued a Lakewood Hills identification tag with a registration number to be attached to its collar or halter by the owner or keeper.
 - a. If the tag becomes lost, a replacement may be requested. The owner or keeper shall pay a \$4.00 replacement fee.
 - b. It shall be unlawful for any person to take off or remove the registration tag from any dog or cat belonging to someone else or remove the collar or halter to which the tag is fastened.
 - c. It shall also be unlawful for any person to make, forge or use a counterfeited tag or imitation thereof in the place of the Lakewood Hills registration tag.
- v. Any person found in violation of Section 3 shall pay a fine of twenty-five (\$25.00) dollars per animal. Each day a person fails to comply with Section 3 shall be deemed a separate violation thereof and subject to the fine as stated herein.

SECTION 4: NUMBER OF DOGS AND CATS ALLOWED

- A. Any person or persons owning or keeping dogs and cats in Lakewood Hills shall be limited to a total of four (4) dogs and/or four (4) cats at the same address or on the same premises. Any cat that is permitted outside should be neutered or spayed.
- B. Puppies or kittens from a registered animal are allowed until they reach six (6) months of age. Any puppies or kittens over the age of six (6) months that are in excess of the maximum number of animals allowed per household must be removed from Lakewood Hills.
- C. Any person found in violation of Section 4 shall be fined twenty-five (\$25.00) dollars. Each day a person fails to comply with Section 4 shall be deemed a separate violation thereof and subject to the fine as stated herein.

SECTION 5: DOGS RUNNING AT LARGE

- A. Dogs are not permitted to run at large within Lakewood Hills.
- B. Any dog kept securely tied on private premises, or kept securely within an enclosure on private premises, or led by a leash by a responsible person in charge of such dog shall **NOT** be deemed to be running at large.

- C. Any dog which is NOT aggressive, mean or vicious and which responds to the command of some responsible adult handler who is present and exercising direct supervision and/or control over the dog; may be permitted to exercise or otherwise run at large on the private premises of its owner or handler unfettered by a leash.
- D. No dogs or any other animals are permitted within the fenced area of the Lakewood Hills Swimming Pool.
- E. Any person found in violation of Section 5 shall be fined twenty-five (\$25.00) dollars. Each occurrence shall be deemed a separate violation thereof and subject to the fine as stated herein.

SECTION 6: BARKING DOGS

- A. No person shall keep or harbor any animal which is continuously loud and/or exhibits frequent barking, howling, yelping, fighting, or any other form of noise that shall annoy or disturb the public peace.
- B. Any person found in violation of Section 6 shall be fined twenty-five (\$25.00) dollars. Each occurrence shall be deemed a separate violation thereof and subject to the fine stated herein.

SECTION 7: NOTORIOUSLY CROSS DOGS ARE PROHIBITED

- A. Any loose dog that attacks and causes injury or death to another dog or cat will be considered a “cross dog” by Lakewood Hills.
- B. Jefferson County and Lakewood Hills prohibits the ownership, harboring or keeping of any dog that attempts to attack, bite or otherwise do bodily harm to a human being or other animal.
 - a. **NOTE: County law states that all dog or cat bites must be reported to the county health department AND the county sheriff’s office.**
- C. Any person in violation of Section 7 or who permits a notoriously cross dog to run at large shall be issued a fine not to exceed one-hundred (\$100.00) dollars. Each occurrence shall be deemed a separate violation thereof and subject to the fine stated herein.

SECTION 8: OTHER ANIMALS – PROHIBITED

- A. Any poisonous, dangerous or vicious animal or reptile.
- B. Domestic farm animals and fowl are not permitted within Lakewood Hills. Domestic farm animals and fowl include but are not limited to: horses, mules, burros, cows, pigs, goats, sheep, llamas, alpacas, geese, guineas and peacocks.
- C. Wild or exotic animals are not permitted in Lakewood Hills. Wild or exotic animals include but are not limited to: monkeys, apes, baboons, chimpanzees, gibbons,

gorillas, orangutans, simians; bobcats, cheetahs, cougars, pumas, mountain lions, jaguars, leopards, lions, lynxes, panthers, tigers; coyotes, foxes, wolves, all members of the deer family; game cocks, fighting birds; alligators, crocodiles, badgers, bears, bison, opossums, skunks, raccoons, squirrels, or poisonous snakes.

- D. Any person in violation of Section 8 shall be fined a sum not to exceed one-hundred (\$100.00) dollars. Each occurrence shall be deemed a separate violation thereof and subject to the fine stated herein.

SECTION 9: ANIMALS EXCLUDED FROM PROHIBITION

- A. Chickens, ducks and domestic rabbits **ARE** permitted in Lakewood Hills provided:
- a. Chickens and ducks are to be females (hens/ducks) only.
 - b. Maximum of 8 birds TOTAL. (No males of either species; roosters or drakes).
 - c. Maximum of 8 rabbits TOTAL.
 - d. All animals shall be kept in a clean and sanitary condition with adequate ventilation and so maintained as to limit objectionable odors.
 - e. All animals are to be housed in quarters constructed according to the Lakewood Hills Building Codes and adequately constructed so as to prevent escape or intrusion of other animals and/or wildlife.
 - f. The owner of the property where the chickens, ducks and/or rabbits are to be housed shall secure a building permit from Lakewood Hills prior to bringing these animals into Lakewood Hills to construct an acceptable habitat for the permitted animals.
- B. Any person in violation of Section 9 shall be fined a sum not to exceed twenty-five (\$25.00) dollars. Each occurrence shall be deemed a separate violation thereof and subject to the fine stated herein.

SECTION 10: COMPLAINTS-RESOLUTION

- A. Residents are encouraged to discuss issues with their neighbors first to attempt to resolve any issue that may arise. However, if this attempt has failed and no compromise or resolution can be made, then residents are encouraged to file an official complaint by using the approved LWH Written Complaint Form and submit it to the Lakewood Hills office at any time via e-mail or drop-box.
- a. **Office E-Mail:** clerk.lwh@gmail.com
- B. The owner or keeper of the animal(s) if known, or reasonably ascertainable, will be notified of the issue in an attempt to assist in resolving the issue.
- C. Any disputed violation of *Resolution 2020-01* may be brought before the Board of Directors for a hearing. The request for a hearing must be submitted in writing to the Lakewood Hills office by e-mail or drop-box. The request must be received by the Lakewood Hills office within ten (10) days of the violation notice.
- D. Any unpaid fines will be sent to the county and placed on the homeowners' property taxes.

- E. If any person(s) fail to comply with any part of this Resolution, injunctive relief may be sought in district court and all expenses will be the responsibility of the homeowner.

SECTION 11: INVALIDITY


- A. If any section, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this resolution.

Adopted on this 7th day of July 2020 by the

BOARD OF DIRECTORS, LAKEWOOD HILLS IMPROVEMENT DISTRICT, JEFFERSON COUNTY, KANSAS.


Christopher Cain – Board President


Teisha Hutchison – Board Vice President/Treasurer


Jami Hunter – Board Secretary

