

RESOLUTION 2005-34

ANIMALS AT LARGE

WHEREAS, the Board of County Commissioners of Barton County, Kansas, have determined that certain domestic animals have been allowed to run at large within the County; and

WHEREAS, domestic animals running at large constitute a public nuisance and cause a danger to the traveling public within the County; and

WHEREAS, the Commissioners deem it in the best interest of the taxpayers of Barton County to regulate domestic animals running at large.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Barton County, that it shall be unlawful for an owner of a domestic animal to allow such animal to run at large and the penalty imposed for violation of this Resolution shall be in accordance with the penalties established by Kansas law for a Class B misdemeanor.

FURTHER, the following definitions shall apply:

Owner(s) is a person(s) having possession, control or ownership of a domestic animal.

Domestic animal shall mean cattle, sheep, horses, mules, asses, swine, goats, buffalo and bison.

To allow an animal to run at large shall mean to stroll, without restraints or confinement, so that the animal may wander, rove or ramble at will. Suffering or permitting an animal to run at large implies knowledge, consent or willingness on the part of the owner or such negligent conduct as is equivalent thereto, but does not include a situation where the animal(s) escape(s) from the owner, after due precaution to secure them has been taken, and without fault or negligence on the owner's part, and the owner makes immediate and suitable efforts to recover the animal(s).

FURTHER, the Barton County Sheriff and appointed law enforcement officers of the Sheriff may issue a uniform complaint and notice to appear in Court to any person violating any provision of this Resolution; and

FURTHER, that this Resolution shall become effective upon its publication in the official County paper.

ADOPTED this 19th day of December, 2005.

BOARD OF COUNTY COMMISSIONERS


Kenny Schremmer, Chair

ATTEST:



Donna Zimmerman
County Clerk




Betty Chlumsky, Commissioner


Jennifer Schartz, Commissioner

APPROVED AS TO FORM:


Richard A. Boeckman,
County Counselor


Rick Scheuffler, Commissioner


Joe Wilson, Commissioner