

**RESOLUTION TO AMEND SECTION 5-5  
OF THE SEDGWICK COUNTY CODE**

RESOLUTION NO. \_\_\_\_\_

Published on: \_\_\_\_\_

Effective on January 1, 2018

WHEREAS, the Board of County Commissioners has adopted an Animal Code within Chapter 5 of the Sedgwick County Code; and

WHEREAS, Section 5-5 of the Sedgwick County Code pertains to animal pickup fees; and

WHEREAS, Sedgwick County has an existing agreement with the City of Wichita ("City") for animals picked up by Sedgwick County Animal Control being transferred to the Wichita Animal Shelter, which is owned by the City of Wichita; and

WHEREAS, the City has increased fees for animals within the Wichita Animal Shelter and these increased fees from \$25.00 per animal to \$70.00 per animal are included within a new agreement between the City and the County; and

WHEREAS, the County wishes to increase the animal pickup fees within the Animal Code such that such costs are passed along to the owners/harborers of the animals.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

***SECTION 1.***

Section 5-5 of the Sedgwick County Code is amended to state as follows:

Sec. 5-5. - Animal pickup fees; violations; penalty.

(a) *Request for animal pickup.* Any citizen requesting county animal control to pickup dead animal(s) from private property for disposal, to pickup and deliver live animals to the Wichita Animal Shelter for humane euthanasia, or the pickup of nuisance, dangerous, or biting animal shall pay fees assessed as follows:

- (1) A fee of twenty-nine dollars (\$29.00) per dead animal removed from private property by county animal control shall be paid by the person requesting the pickup, which fee shall be paid to Sedgwick County Animal Control at the time Sedgwick County Animal Control recovers the animal.
- (2) A fee of seventy-five dollars (\$75.00) per animal for pickup by county animal control of a living animal for euthanasia and disposal requested by the owner of the animal

shall be paid by the owner to Sedgwick County Animal Control at the time Sedgwick County Animal Control recovers the animal.

- (3) A fee of seventy-five dollars (\$75.00) shall be assessed by county animal control to the owner/harbinger of any nuisance, dangerous, or biting animal captured, controlled and transported by county animal control to the Wichita Animal Shelter. This fee shall be paid to Sedgwick County Animal Control by the owner/harbinger of the animal prior to the animal's release from the Wichita Animal.
  - (4) Requests for pickup of multiple dead animals shall be handled by the director of the county animal control department. The frequency of such pickups and the fees charged shall be at the discretion of the director. However, such fees shall not be in excess of seventy dollars (\$70.00) per dead animal.
  - (5) The director shall have the authority to determine the size of animals which the county will pickup based upon the capabilities, equipment and facilities available for use.
  - (6) Any animal that comes into the custody or control of Sedgwick County Animal Control that is not acceptable to be placed with the Wichita Animal Shelter may be delivered by the director or designee to a proper facility, as determined in the sole discretion of the director or designee. The charges of the facility, including daily fees or pickup fees, wholesome food, potable water, veterinarian care, any procedures deemed necessary for the wellbeing and maintenance of said animal, medical supplies, medications and/or vaccinations shall be the responsibility of the owner/harbinger of the animal. The owner/harbinger shall pay in full the facility and in compliance with the requirements or policies of the facility prior to the animal's release. The facility and/or the director may request the judge of the county court to order the payment of such fees and expenses as part of any proceeding against the owner/harbinger, and the owner/harbinger shall pay the fees, expenses and costs as the court shall direct.
- (b) *Fail to pay pickup fees.* It shall be a violation of this chapter for any person to fail to pay the pickup fee as required in subsections (a)(1) and (2), inclusive, of this section. Fail to pay pickup fees is a class F violation.
- (c) *Fail to pay pickup fees: nuisance, dangerous, or biting animal.* It shall be a violation of this chapter for any person to fail to pay the pickup fee as required in subsection (a)(3), of this section. Fail to pay pickup fees: nuisance, dangerous, or biting animal is a class H violation.

## **SECTION 2.**

Should any section, clause or provision of this Resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part so declared to be invalid.

## **SECTION 3.**

The Sedgwick County Clerk is directed to publish this Resolution upon its approval. This Resolution shall be effective on January 1, 2018

Commissioners present and voting were:

DAVID M. UNRUH  
MICHAEL B. O'DONNELL, II  
DAVID T. DENNIS  
RICHARD RANZAU  
JAMES M. HOWELL

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Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

\_\_\_\_\_  
KELLY B. ARNOLD, County Clerk

\_\_\_\_\_  
DAVID M. UNRUH, Chairman  
Commissioner, First District

\_\_\_\_\_  
MICHAEL B. O'DONNELL, II, Chair Pro Tem  
Commissioner, Second District

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JUSTIN M. WAGGONER,  
Assistant County Counselor

\_\_\_\_\_  
DAVID T. DENNIS  
Commissioner, Third District

\_\_\_\_\_  
RICHARD RANZAU  
Commissioner, Fourth District

\_\_\_\_\_  
JAMES M. HOWELL  
Commissioner, Fifth District