



# City of Olathe

## COUNCIL AGENDA ITEM

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**MEETING DATE:** 5/7/2019

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**DEPARTMENT:** Legal

**STAFF CONTACT:** Ron Shaver; Daniel Yoza

**SUBJECT:** Report on Ordinance No. 19-XX concerning amendments to the animal nuisance Ordinance, O.M.C. 8.10.010.

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**ITEM DESCRIPTION:**

Staff has prepared draft Ordinance 19-XX (Attachment A) which makes two minor changes to O.M.C. 8.10.010. The first change is to remove the word “barking” and add “snapping” in Subsection (B). Subsection (B) defines “scheduled” animal nuisances which are the minor offenses which may be resolved without a court appearance. Barking remains a public offense in Subsection (C), which defines more serious animal nuisances. The second change is to add the offense of biting or attacking a person to the list of animal nuisances. This offense is added to O.M.C. 8.10.010 to clarify that there are cases where there should be a lower level offense for biting or attacking than the dangerous dog procedure in O.M.C. 8.10.110. This procedure is very extensive and could result in confining or euthanizing the animal. Adding biting or attacking a person to the list of animal nuisances gives the Municipal Judge the ability order a fine in the case of a minor bite where the dangerous dog procedure is not appropriate.

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**SUMMARY:**

Ordinance 19-XX amends O.M.C. 8.10.010 pertaining to Animal nuisance.

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**FINANCIAL IMPACT:**

None

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**ACTION NEEDED:**

Accept the report. Unless directed otherwise, staff will prepare the Ordinance for formal consideration on May 21, 2019.

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**ATTACHMENT(S):**

Attachment A: Ordinance 19-XX - Animal Nuisance

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