

**Olathe Municipal Code**

**Section 8.0 – Animals**

**Olathe Animal Control (913)971-6362**

**Olathe Police Department (913)971-7500**

**8.02 General Provisions**

"Animal Nuisance" is created when an animal:

1. Runs uncontrolled;
2. Molests or disturbs persons or vehicles by chasing, barking, or biting;
3. Attacks other animals;
4. Damages property other than that of the owner or harborer;
5. Barks, whines, howls, brays, cries or makes other noise excessively so as to cause unreasonable annoyance, disturbance or discomfort to an individual who is a neighbor (a neighbor for this purpose is hereby defined as an individual residing in a residence structure which is within one thousand (1000) yards of the property on which the animal is kept or harbored) and who does in writing state he will so testify if called upon to testify about such matter under oath;
6. Creates noxious or offensive odors;
7. Defecates upon any public place or upon premises not owned or controlled by the owner or harborer unless promptly removed by the animal owner or harborer;
8. Creates an insect breeding and/or attraction site due to an accumulation of excreta;
9. Is in heat and not properly confined as provided in Section 8.10.030.
10. Is ridden on public property and obstructs or interferes with vehicular or pedestrian traffic;
11. Threatens or causes a condition which endangers public health; or
12. Impedes refuse collection by ripping any bag or tipping any container of such.

**8.14.030 Penalties.**

Nuisance Violations. Any person found guilty of permitting an animal nuisance to exist shall be fined:

1. Not less than \$35.00 nor more than \$100.00 for the first offense
2. Not less than \$100.00 nor more than \$200.00 for the second offense within a consecutive twenty-four (24) month period, otherwise the first offense fine;
3. Not less than \$200.00 nor more than \$350.00 for the third offense within a consecutive twenty-four (24) month period, otherwise the first offense fine;
4. Not less than \$350.00 nor more than \$500.00 for the fourth offense within a consecutive twenty-four (24) month period, otherwise the first offense fine; and/or
5. Ordered to remove such animal permanently from the City within twenty-four (24) hours of such order.