

## Woodson County Resolution 10- 11

A RESOLUTION ADOPTING PROCEDURES FOR ANIMALS TAKEN INTO CUSTODY UNDER K.S.A. 21-4311

WHEREAS, the Board of County Commissioners of Woodson County, Kansas, is authorized by K.S.A. 21-4311(a) to enact and provide procedures to allow for the adoption or euthanizing of certain animals taken custody pursuant to K.S.A. 21-4311;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Woodson County, Kansas, that the following resolutions are hereby adopted;

Section 1: K.S.A. 21-4311(a) authorizes the Board of County Commissioners of Woodson County to establish procedures for the adoption or euthanizing of certain animals taken into custody because the animal shows clear evidence of cruelty to animals as defined in K.S.A. 21-4310. The following procedures shall apply to animals taken into custody under the provisions of K.S.A. 21-4311:

- (a) When an animal is taken into custody by any law enforcement agency, and placed with an animal shelter, humane society, veterinarian, or any other person or entity, the animals' owner or custodian shall be responsible for paying costs of boarding the animal during the pendency of the underlying criminal proceedings and until the animal is released to the owner or custodian.
- (b) Any animal shelter, humane society, veterinarian, or other person boarding the animal taken into custody under the provisions of K.S.A. 21-4311 may initiate and file a petition with the district court of Woodson County for an order allowing for the adoption or euthanizing of the animal if the animal's owner or custodian fails to post a renewable cash or performance bond with the county clerk for the cost of care and treatment of the animal for not less than 30 days, or fails to keep the bond in force.
- (c) Costs for the care and treatment of the animal shall be submitted to the Board of County Commissioners of Woodson County for review and consideration and shall be approved if found reasonable and necessary for the care and treatment of the animal.
- (d) If the animal's owner or custodian fails to post or keep in force the cash or performance bond required by this section within 7 days of the animal having been taken into custody, the animal shelter, humane society, veterinarian, or other person boarding the animal taken into custody may file a petition with the District Court of Woodson County seeking to place the animal for adoption or to euthanize the animal at any time after 20 days after the owner or the custodian was notified, or if the owner or custodian is not known or reasonably ascertainable after 20 days after the animal was taken into custody.
- (e) Notwithstanding anything to the contrary of this resolution, if the animal's owner disclaims his/her interest in the animal taken into custody under the provisions of K.S.A.

21-4311, the animal may be placed for adoption or euthanized by the animal shelter, humane society, veterinarian, or other person boarding the animal taken into custody. From and after the date of the execution of such disclaimer the Owner shall be released from any future costs for the care and treatment of the animal taken into custody but shall remain liable nonetheless for costs incurred prior to the execution of the disclaimer.

BE IT FINALLY RESOLVED that this resolution shall be effective upon publication in the Yates Center Newspaper.

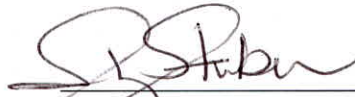
Adopted this 9 day of September, 2010

**Board of Woodson County Commissioners**

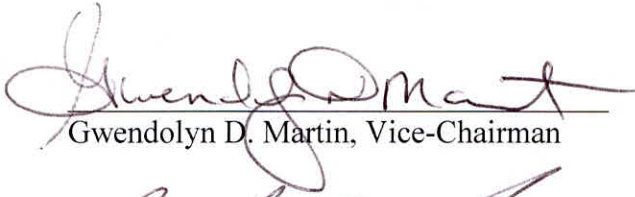
**Attested by:**



Karl D. Allen, Chairman

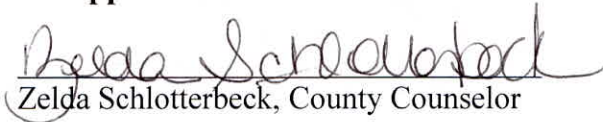


Shelley A. Stuber, County Clerk



Gwendolyn D. Martin, Vice-Chairman

**Approved as to form:**



Zelda Schlotterbeck, County Counselor



Larry Crossfield, Member