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CITY COUNCIL AGENDA

Wednesday, June 17, 2020
7:00 p.m.

1. CALL TO ORDER
   - A. Roll Call
   - B. Invocation
   - C. Pledge of Allegiance
2. MAYOR AND COUNCIL REPORTS
3. STAFF REPORTS
   - A. City Attorney Report
   - B. City Manager Report
     - a. SRTS 2B
     - b. Budget Meetings
     - c. WTP Update
     - d. MCRWD #1 & #3
     - e. ISO Fire Rating
   - C. Police Chief Report
   - D. Economic Development Report
4. PUBLIC COMMENT
   - A. None
5. CONSENT AGENDA
   - A. 6/3/2020 City Council Meeting Minutes
   - B. 6/10/2020 City Council Special Meeting Minutes
   - C. Appropriations 6B
6. ORDINANCES
   - A. Ordinance 2274 Animal Control
   - B. Ordinance 2275 Electric Rate
   - C. Ordinance 2276 Vacate Alley in Block 11
7. RESOLUTIONS
   - A. Resolution 2020-10 Agreement on Solar
   - B. Resolution 2020-11 Fee Resolution
   - C. Resolution 2020-12 SRO Agreement
   - D. Resolution 2020-13 Unfit Structure Located at 511 W. Court
8. FORMAL ACTIONS
   - A. BCBS Health Insurance
   - B. LEC HVAC Bid
   - C. CDBG-CV Grant Agreement
   - D. CDBG Authorized Signatures
   - E. KMGA Appointments
   - F. Fire Department Officers
   - G. Wire Bid
   - H. Cross Arm Bid
9. CLOSED SESSION
   - A. None
10. ADJOURNMENT

WORK SESSION AGENDA

1. CORRESPONDENCE AND STAFF REPORTS
   - A. City Attorney Report
   - B. City Manager Report
2. DISCUSSION ITEMS
   - A. Ward/Election Change
3. ADJOURNMENT

NOTE: Background information is available for review in the office of the City Clerk prior to the meeting.

The Public Comment section is to allow members of the public to address the Council on matters pertaining to any business within the scope of Council authority and <u>not</u> appearing on the Agenda. Kansas Statutes prohibit the Council from taking action on any item <u>not</u> appearing on the Agenda, except where an emergency is determined to exist.

BELOIT CITY COUNCIL MEETING MINUTES
June 3, 2020

The Beloit City Council met in regular session on June 3, 2020 in the Council Chambers. Mayor Tom Naasz called the meeting to order at 7:00 p.m. Council Members in attendance were Tony Gengler. Todd Adoph, Andrew Grabon, Matt Otte, Lee McMillan, and Jamie Meier. Also present was City Attorney Katie Schroeder, City Manager Jason Rabe, and City Clerk Amanda Lomax.

Department heads in attendance was Heather Hartman, Steve Krier, and Dave Elam.

Mayor Tom Naasz gave the invocation and the Pledge of Allegiance was recited.

Mayor Naasz said a lot of citizens are glad the pool will be opening. Councilor Otte is glad our police department is professional since our current chief has taken over. Councilor Grabon thanked city crews for working in the heat.

City Attorney Katie Schroeder discussed the following:

1. Animal Ordinance will be ready to approve next meeting.
2. Working on updating school resource officer contract.
3. Working on safe routes to school easements as they come up.
4. Municipal court is on Monday.

City Manager Jason Rabe discussed the following:

1. COVID-19 –discussed opening plans for youth sports and the pool.
2. Safe Routes to School 2B construction has started.
3. Received dividend check from EMC for $46,302.00.
4. Water Treatment Plant update – USDA is supposed to be working on this to lock in our rates.
5. Reviewed sales tax revenue.

Director of Community Development Heather Hartman announced that the city was awarded $132,000.00 from the CDBG COVID-19.

A motion was made by Councilor Grabon and seconded by Councilor Adolph to approve the May 20, 2020 Council Meeting Minutes, May 21, 2020 Special Council Meeting Minutes, and Appropriations 6A in its entirety. Motion carried 6-0. Nays: None.

A motion was made by Councilor Grabon and seconded by Councilor Meier to approve Resolution 2020-8 Mitchell County Rural Water District #1 water contract. Motion carried 6-0. Nays: None.

A motion was made by Councilor Gengler and seconded by Councilor Meier to approve Resolution 2020-9 Mitchell County Rural Water District #3 water contract. Motion carried 6-0. Nays: None.

A motion was made by Councilor McMillan and seconded by Councilor Gengler to approve the Fire Works Donation of $1,000.00. Motion carried 6-0. Nays: None.

A motion was made by Councilor Meier and seconded by Councilor Grabon to approve the Special Event Request for the Disc Golf Tournament at the Chautauqua Park July 17-19, 2020. Motion carried 6-0. Nays: None.

A motion was made by Councilor Grabon and seconded by Councilor McMillan to adjourn the meeting. Motion carried 6-0. Nays: None. The meeting ended at 7:19 p.m.

Work Session began at 7:19 p.m. Council Members in attendance were Council Members in attendance were Tony Gengler. Todd Adoph, Andrew Grabon, Matt Otte, Lee McMillan, and Jamie Meier. Also present was City Attorney Katie Schroeder, City Manager Jason Rabe, and City Clerk Amanda Lomax.

Department heads in attendance was Heather Hartman, Steve Krier, and Dave Elam.

City Manager Jason Rabe discussed the Blue Cross Blue Shield renewal options. Mark Isley with HUB will attend next meeting to further discuss renewal.

Scott Schreve went over preliminary solar request for proposal results with council.

City Manager Jason Rabe discussed the reducing electric rates by approximately 3%. An ordinance will be brought back next meeting for council to consider.

City Manager Jason Rabe was approached about a mosquito fogging treatment for the City of Beloit as well as treating standing water and parks by a local vendor. The council discussed the idea and provided feedback.

Work Session Ended: 8:26 p.m.

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TOM NAASZ, Mayor

ATTEST:

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AMANDA LOMAX, City Clerk

BELOIT CITY COUNCIL SPECIAL MEETING MINUTES
June 10, 2020

The Beloit City Council met in a special meeting on June 10, 2020 in the Council Chambers. Mayor Tom Naasz called the meeting to order at 5:30 p.m. City Council members in attendance were Todd Adolph, Andrew Grabon, and Tony Gengler. Councilors Matt Otte and Jamie Meier attended by telephone conference. Also present were City Attorney Katie Schroeder, City Manager Jason Rabe, and City Clerk Amanda Lomax. Absent from the meeting was Councilor Lee McMillan.

A motion was made by Councilor Grabon and seconded by Councilor Adolph to approve the Airport AIP Project 3-20-0008-013 bid from Van Kirk Bros for $257,433.25. Roll call yeas: Gengler, Adolph, Grabon, Otte, and Meier. Motion carried 5-0. Nays: None.

A motion was made by Councilor Grabon and seconded by Councilor Gengler to approve the Amendment to the Agreement for Consulting Services with Olsson. Roll call yeas: Gengler, Adolph, Grabon, Otte, and Meier. Motion carried 5-0. Nays: None

A motion to adjourn the Council meeting was made by Councilor Gengler and seconded by Councilor Otte. Motion passed 5-0. The meeting ended at 5:37 p.m.

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TOM NAASZ, Mayor

ATTEST:

_____
AMANDA LOMAX, City Clerk

Accounts Payable Detail Listing

City of Beloit

Vend# / Pay#	Vendor Name / Post Date	Due Date	Amount	Invoice / Account#	Work Order	Date	PO#	Description	Date / Debit	Status / Credit
1721	**A-B BUILDERS**									
80242	6/19/2020	6/19/2020	281.38	991286						Posted
				25-00-6150				51.16 TON CHIPS	281.38✓	0.00
6	**ABRAM READY-MIX, INC**									
80191	6/19/2020	6/19/2020	886.83	36910						Posted
				30-00-6150				SIDEWALK PROGRAM-6TH & HERSEY-E	886.83✓	0.00
1060	**ACCURATE LABS**									
80328	6/19/2020	6/19/2020	298.05							Posted
				51-41-6000				SU31936-CHLORINE REAGENT	142.04✓	0.00
				51-41-6000				SU31926-HARDNESS & CHLORINE REA	156.01✓	0.00
									298.05✓	0.00
8	**ACE HARDWARE**									
80192	6/19/2020	6/19/2020	98.86							Posted
				10-11-6000				552801-BULBS	15.58✓	0.00
				10-11-6000				552193-NUTS & BOLTS	14.35✓	0.00
				10-11-6000				552159-IMPACT NUTSETTER	17.99✓	0.00
				10-11-6000				551850-NUTS & BOLTS	17.37✓	0.00
				10-11-4300				551942-FILTERS	24.98✓	0.00
				10-11-6000				552808-SPARK PLUG	8.59✓	0.00
									98.86✓	0.00
80218	6/19/2020	6/19/2020	140.14							Posted
				10-11-4300				552518-ELBOW, COUPLING, PIPE	99.92✓	0.00
				10-11-4300				552473-PIPE, ELBOW, COUPLE	15.11✓	0.00
				10-11-4300				552552-ELBOWS	6.37✓	0.00
				10-11-4300				552573-ELBOW	1.99✓	0.00
				10-11-4300				552749-ELBOWS & FLEX COUPL	16.75✓	0.00
									140.14✓	0.00
80233	6/19/2020	6/19/2020	14.98	552425						Posted
				10-13-6000				POWER STRIP, EXT CORD	14.98✓	0.00
80238	6/19/2020	6/19/2020	6.46							Posted
				10-14-6000				552365-ADAPTER, COUPLE, NUT, CEME	6.46✓	0.00
				10-14-6000				552299-ADAPTER, COUPLE, NUTS, CEM	6.46✓	0.00
				10-14-6000				552364-CREDIT FROM INV 552299	0.00	6.46✓
									12.92✓	6.46✓
80249	6/19/2020	6/19/2020	48.73							Posted
				10-15-6000				552557-NUTS & BOLTS	1.38✓	0.00
				10-15-6000				553035-MENDERHOSE	5.18✓	0.00
				10-15-6000				553063-ZONE MARK OIL	28.99✓	0.00
				10-15-6000				553326-MARKING PAINT	13.18✓	0.00
									48.73✓	0.00
80292	6/19/2020	6/19/2020	192.86							Posted
				10-18-6000				552103-SPRAYER	5.99✓	0.00
				10-18-6000				552079-CLEANER, TEE, COUPLE, ADAP	29.93✓	0.00
				10-18-6000				552493-MARKING PAINT	27.16✓	0.00
				10-21-6000				552599-HOSE END, TAPE, SCOUR PAD	25.97✓	0.00
				10-18-6000				552597-O-RING	4.74✓	0.00
				10-18-4300				552825-VALVE REPAIR	23.99✓	0.00
				10-18-4300				552584-FAUCET	25.99✓	0.00
				10-21-6000				552766-BRUSH, FUNNEL, SPRAYER, PA	49.09✓	0.00
									192.86✓	0.00
80312	6/19/2020	6/19/2020	134.74							Posted
				53-41-6000				552157-FILTER	47.76✓	0.00
				53-43-6000				551867-CHLORINE TABS	69.99✓	0.00
				53-43-6000				551765-BATTERY	16.99✓	0.00
									134.74✓	0.00

Vend# / Pay#	Vendor Name / Post Date	Due Date	Amount	Invoice / Account#	Date / Work Order	Description	PO#	Date / Debit	Status / Credit
8	**ACE HARDWARE (continued)**								
80329	6/19/2020	6/19/2020	260.93						Posted
				51-41-6000		552519-NEBO REDLINE BLAST		49.99✓	0.00
				51-41-6000		552539-TAPE & DRILL BIT		38.77✓	0.00
				51-41-4360		552275-NIPPLE & UNION		38.15✓	0.00
				51-41-6000		551899-BATTERY		15.99✓	0.00
				52-41-6000		552095-SOAP		9.18✓	0.00
				52-43-6000		552379-HOSE		37.99✓	0.00
				52-43-6000		552551-BLADE & TAPE		18.77✓	0.00
				52-43-6000		552572-BIT		3.99✓	0.00
				51-41-4360		552488-NUTS & BOLTS		5.50✓	0.00
				51-41-6000		552366-PIPE, PLUG, BATTERY, CABLE		42.60✓	0.00
								260.93✓	0.00
9	**ACKERMAN SUPPLY**								
80285	6/19/2020	6/19/2020	99.99	302396					Posted
				10-18-4330		SPRAYER MOTOR		99.99✓	0.00
11	**ADVANCE INSURANCE COMPANY**								
80193	6/19/2020	6/19/2020	730.44						Posted
				21-00-2100		JUNE 2020 LIFE INS. PREMIUMS		730.44✓	0.00
767	**AIRGAS USA, LLC**								
80313	6/19/2020	6/19/2020	61.48	9971302845					Posted
				53-41-6230		CYLINDER RENTAL		61.48✓	0.00
1679	**ALTEC INDUSTRIES INC**								
80314	6/19/2020	6/19/2020	93.81	11408021					Posted
				53-43-4310		ADAPTERS		93.81✓	0.00
2534	**ASPHALT & FUEL SUPPLY**								
80194	6/19/2020	6/19/2020	11,663.94	71106					Posted
				30-00-6180		MC-800 OIL-8TH STREET PROJECT		11,663.94✓	0.00
2032	**AT&T**								
80340	6/19/2020	6/19/2020	128.40	08900759485827					Posted
				10-13-5310		PD INTERNET		128.40✓	0.00
80341	6/19/2020	6/19/2020	308.37	78573838216789					Posted
				51-43-5310		SEWER		308.37✓	0.00
54	**BARCO MUNICIPAL PRODUCTS INC**								
80250	6/19/2020	6/19/2020	444.57	IN-237149					Posted
				10-15-7450		HAZARD LIGHT		444.57✓	0.00
4000	**BECKER AUTOS**								
80293	6/19/2020	6/19/2020	165.00	4912					Posted
				10-18-6000		WATER VALVE KIT		165.00✓	0.00
80	**BELOIT TYPEWRITER EXCHANGE**								
80309	6/19/2020	6/19/2020	344.92						Posted
				53-41-6110		063336-POST ITS, PAPER, CARTRIDGES		170.95✓	0.00
				53-43-6110		063327-HIGHLIGHTERS, SHEET PROTE		33.58✓	0.00
				53-41-6110		063268-11X17 PAPER		53.97✓	0.00
				53-41-6110		063280-PRINTER CARTRIDGES		86.42✓	0.00
								344.92✓	0.00
80324	6/19/2020	6/19/2020	150.94	063335					Posted
				52-43-6000		INK		75.47✓	0.00
				51-43-6000		INK		75.47✓	0.00
								150.94✓	0.00
2735	**BEVERAGE CARBONATION SERVICE**								
80330	6/19/2020	6/19/2020	479.20	H104187					Posted
				51-41-6170		CO2		479.20✓	0.00
669	**BLADE-EMPIRE PUBLISHING**								
80189	6/19/2020	6/19/2020	67.12						Posted
				10-11-6400		1 YR SUBSCRIPTION-ADMIN		67.12✓	0.00

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669	**BLADE-EMPIRE PUBLISHING (continued)**								
80195	6/19/2020	6/19/2020	1,754.58						Posted
				10-11-6110		75049-PAPER		389.90✓	0.00
				10-18-6110		75049-PAPER		77.98✓	0.00
				10-11-6110		75049-PAPER-11X17		53.00✓	0.00
				51-43-5400		211930-WATER MAIN FLUSHING		348.00✓	0.00
				51-43-5400		212317-WATER SYS OP JOB AD		93.00✓	0.00
				51-43-5400		212614-WATER SYS OP JOB AD		93.00✓	0.00
				51-43-5400		212440-WATER SYS OP JOB AD		93.00✓	0.00
				51-43-5400		212337-WATER SYS OP JOB AD		93.00✓	0.00
				10-11-5400		211958-MOTHERS DAY		25.00✓	0.00
				10-11-5400		212599-CHURCH DIRECTORY PAGE		7.50✓	0.00
				10-11-5400		212357-CHURCH DIRECTORY PAGE		7.50✓	0.00
				10-11-5400		211865-CHURCH DIRECTORY PAGE		7.50✓	0.00
				10-11-5400		212226-CHURCH DIRECTORY PAGE		7.50✓	0.00
				10-11-5400		211980-CHURCH DIRECTORY PAGE		7.50✓	0.00
				10-11-5400		212270-COUNCIL AGENDA		139.50✓	0.00
				10-11-5400		211900-COUNCIL AGENDA		139.50✓	0.00
				10-11-5400		211932-1ST QUARTER TREASURER REI		104.40✓	0.00
				10-11-5400		212245-PUBLIC HEARING NOTICE		69.60✓	0.00
				10-11-5400		212334-ORDINANCE #2273		34.80✓	0.00
				10-11-5400		212335-OEDINANCE #2272		34.80✓	0.00
				10-11-5400		212634-DISCOUNT		0.00	71.40✓
								1,825.98✓	71.40✓
88	**BLUE CROSS & BLUE SHIELD INSURANCE**								
80196	6/19/2020	6/19/2020	73,658.65						Posted
				21-00-2100		JUNE 2020 HEALTH INS. PREMIUMS		73,658.65✓	0.00
1810	**BOBCAT OF SALINA**								
80251	6/19/2020	6/19/2020	453.00	067725					Posted
				25-00-7450		BUCKET SPILL GUARD		453.00✓	0.00
91	**BOETTCHER SUPPLY INC**								
80197	6/19/2020	6/19/2020	1,629.67						Posted
				24-00-7200		1134177-1-PLUGS, CONNECTORS, RINC		65.90✓	0.00
				24-00-7200		1133164-1-FIXTURES		1,377.50✓	0.00
				24-00-7200		1136084-1-EMERGENCY LIGHTS		121.50✓	0.00
				24-00-7200		1134959-1-EXIT LIGHT		64.77✓	0.00
								1,629.67✓	0.00
80219	6/19/2020	6/19/2020	149.40						Posted
				10-11-4300		1135846-1-ELBOW, FITTING, ADAPTER,		21.47✓	0.00
				10-11-4300		1135594-1-PIPE & COUPLE		127.93✓	0.00
								149.40✓	0.00
80252	6/19/2020	6/19/2020	0.65	1135532-1					Posted
				10-15-4330		COUPLING GASKET		0.65✓	0.00
80294	6/19/2020	6/19/2020	9.11	1134021-1					Posted
				10-18-6000		HYDRANT HANDLE		9.11✓	0.00
80315	6/19/2020	6/19/2020	212.62						Posted
				53-43-7450		1135873-1-PACKOUT COMPACT ORGAN		28.13✓	0.00
				51-43-6000		1135692-1-CONNECTORS		19.04✓	0.00
				53-43-6000		1134252-1-KEYS		8.86✓	0.00
				53-41-6000		1133998-1-BULBS		120.00✓	0.00
				53-41-6000		1135862-1-BALLASTS		36.59✓	0.00
								212.62✓	0.00
80331	6/19/2020	6/19/2020	113.51						Posted
				51-43-6000		1134112-1-ADAPTER & CLAMP		6.86✓	0.00
				51-43-6000		1134104-1-COUPLING & CLAMP		9.23✓	0.00
				51-43-6000		1135717-1-TILE & SEALANT		71.48✓	0.00
				51-41-6000		1133499-1-SCREWDRIVER SET		25.94✓	0.00
								113.51✓	0.00
1258	**BUMPER TO BUMPER AUTO PARTS**								
80198	6/19/2020	6/19/2020	1.31	795929					Posted
				10-11-6000		BULB		1.31✓	0.00
80234	6/19/2020	6/19/2020	15.71	794851					Posted
				10-13-4310		WASHER FLUID, CARB ADJ TOOL		15.71✓	0.00

Vend# / Pay#	Vendor Name / Post Date	Due Date	Amount	Invoice / Account#	Work Order	Description	Date	PO#	Date / Debit	Status / Credit
1258	**BUMPER TO BUMPER AUTO PARTS (continued)**									
80253	6/19/2020	6/19/2020	10.50	795459						Posted
				10-15-4330		MINI BULB & TAIL LIGHT			10.50✓	0.00
80295	6/19/2020	6/19/2020	34.08	795952						Posted
				10-20-4310		SEAL & GEAR OIL			34.08✓	0.00
80316	6/19/2020	6/19/2020	166.32							Posted
				53-41-4330		795567-BATTERY			112.15✓	0.00
				53-41-4330		795573-BATTERY CABLES			26.98✓	0.00
				53-41-6000		795953-BRAKE CLEANER			23.40✓	0.00
				53-41-6000		795926-TORX BIT SOCKET			3.79✓	0.00
									166.32✓	0.00
113	**BUREAU OF RECLAMATION**									
80199	6/19/2020	6/19/2020	9,200.00	1802866529						Posted
				51-41-3000		LAKE STORAGE 2ND INSTALLMENT FOI			9,200.00✓	0.00
1091	**CARD SERVICES**									
80226	6/19/2020	6/19/2020	222.71	8199						Posted
				51-41-5320		USPS			25.95✓	0.00
				51-41-5320		USPS			7.50✓	0.00
				51-41-5320		USPS			34.73✓	0.00
				51-41-5320		USPS			7.50✓	0.00
				51-41-5320		USPS			8.70✓	0.00
				51-41-5320		USPS			14.60✓	0.00
				52-41-7460		HAND SOAP			19.38✓	0.00
				52-41-4360		USB POWER SUPPLY			13.98✓	0.00
				10-11-4300		NVENT CADDY			77.38✓	0.00
				52-41-3000		AMAZON PRIME MEMBERSHIP			12.99✓	0.00
									222.71✓	0.00
80227	6/19/2020	6/19/2020	314.02	0835						Posted
				10-11-6000		FACE MASK			199.75✓	0.00
				10-21-3000		OMNIFY FEE			49.00✓	0.00
				10-11-3000		ZOOM FEES			65.27✓	0.00
									314.02✓	0.00
80228	6/19/2020	6/19/2020	272.02	6378						Posted
				10-11-2400		BUDGET WORKSHOP-RABE, LOMAX			150.00✓	0.00
				26-00-3000		ADOBE			16.26✓	0.00
				10-11-6000		BULLETIN BOARD			105.76✓	0.00
									272.02✓	0.00
80229	6/19/2020	6/19/2020	1,375.29	3920						Posted
				10-11-5320		USPS			4.80✓	0.00
				53-43-7440		GLOVES			50.89✓	0.00
				52-43-7440		GLOVES			50.89✓	0.00
				51-43-7440		GLOVES			50.89✓	0.00
				25-00-7450		CHIP SPREADER			1,124.14✓	0.00
				10-11-6110		LAMINATING POUCHES, LABEL MAKER			34.44✓	0.00
				10-11-3000		ADOBE			16.26✓	0.00
				10-15-3000		MAPPING SOFTWARE RENEWAL			24.99✓	0.00
				10-11-5320		STAMPS.COM MEMBER FEE			17.99✓	0.00
									1,375.29✓	0.00
80230	6/19/2020	6/19/2020	310.73	1033						Posted
				10-13-2400		TRAINING LUNCH			29.00✓	0.00
				10-13-2400		TRAINING LUNCH			18.60✓	0.00
				10-13-6000		COFFEE & FILTERS			8.68✓	0.00
				10-13-6000		MEAL			17.45✓	0.00
				10-13-6000		HAND SANITIZER			148.00✓	0.00
				10-13-6000		BADGE HOLDER			89.00✓	0.00
									310.73✓	0.00
124	**CARRICO IMPLEMENT**									
80246	6/19/2020	6/19/2020	51.66							Posted
				25-00-6000		IA47307-3/8 FLAT SA			1.30✓	0.00
				25-00-6000		IA47944-SPRING			5.86✓	0.00
				25-00-6000		IA41694-STUD			4.81✓	0.00
				25-00-6000		IA46682-GREASE			39.69✓	0.00
									51.66✓	0.00

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124	**CARRICO IMPLEMENT (continued)**									
80288	6/19/2020	6/19/2020	1.62	IA47380						Posted
	10-18-4330					FUEL HOSE			1.62✓	0.00
80296	6/19/2020	6/19/2020	12,450.00	CE07094752						Posted
	10-18-7400					JD Z997R MOWER			16,950.00✓	0.00
	10-18-7400					TRADE IN JD 997 MOWER			0.00	4,500.00✓
									16,950.00✓	4,500.00✓
80310	6/19/2020	6/19/2020	28.42	IA47143						Posted
	53-43-4310					PARTS			28.42✓	0.00
80326	6/19/2020	6/19/2020	642.38							Posted
	51-43-4310					IA44534-SEAL KIT, RIVET, FILTER, LABE			105.80✓	0.00
	52-43-4310					IA44534-SEAL KIT, RIVET, FILTER, LABE			105.79✓	0.00
	51-43-4310					IA44534-SEAL KIT, RIVET, FILTER, LABE			105.79✓	0.00
	51-43-7450					IA45502-SKID STEER RENT-MAY			325.00✓	0.00
									642.38✓	0.00
3016	**CASH**									
80184	6/19/2020	6/19/2020	300.00							Ck# 81801 Printed
	10-21-6190					START UP CASH FOR POOL			300.00✓	0.00
2992	**CENTRAL OFFICE SERVICE AND SUPPLY**									
80200	6/19/2020	6/19/2020	6,138.22	251144-0						Posted
	24-00-7200					251144-0-ADMIN OFFICE DESKS			5,841.22✓	0.00
	24-00-7200					252143-0-CHAIRMATS			297.00✓	0.00
									6,138.22✓	0.00
2033	**CHAMPLIN TIRE RECYCLING INC**									
80297	6/19/2020	6/19/2020	1,778.00	134857						Posted
	23-00-6000					PICNIC TABLES			1,778.00✓	0.00
1200	**CHEMQUEST, INC.**									
80317	6/19/2020	6/19/2020	1,787.50	1056						Posted
	53-41-6170					VER-DATE			1,787.50✓	0.00
2906	**CINTAS CORPORATION**									
80254	6/19/2020	6/19/2020	192.02	5017332331						Posted
	10-15-3000					GLOVES & LENSES			192.02✓	0.00
3137	**CVA AREA 3 BELOIT OFFICE**									
80243	6/19/2020	6/19/2020	140.51							Posted
	10-15-6270					3840-DIESEL			23.25✓	0.00
	10-15-6270					3840-DIESEL			36.70✓	0.00
	10-15-6270					3840-DIESEL			40.40✓	0.00
	10-15-6270					3840-DIESEL			20.31✓	0.00
	10-15-6270					3840-DIESEL			19.85✓	0.00
									140.51✓	0.00
80318	6/19/2020	6/19/2020	11,415.60	1367985						Posted
	53-41-6260					TRUCKLOAD OF 87 ETHANOL FUEL			11,415.60✓	0.00
193	**DOLLAR GENERAL STORE-MSC-410526**									
80286	6/19/2020	6/19/2020	26.50	1000978618						Posted
	10-21-6100					TAPE, STAPLES, PENCILS, SOAP, ETC.			26.50✓	0.00
80307	6/19/2020	6/19/2020	24.25	1000980437						Posted
	10-11-6000					TOWELS			24.25✓	0.00
2653	**DRIVERS ANALYSIS**									
80186	6/19/2020	6/19/2020	12.00							Ck# 81802 Printed
	10-12-3000					CERTIFIED DL R. FOSTER			12.00✓	0.00
3059	**BRUCE FILE**									
80319	6/19/2020	6/19/2020	37.00							Posted
	53-41-3000					REIMBURSEMENT FOR CDL			37.00✓	0.00
237	**FINN-KOOL INC**									
80255	6/19/2020	6/19/2020	175.00	22883						Posted
	10-15-4310					LENGTHEN DRUM ON CURB ROLLER			175.00✓	0.00
3351	**FORTE PAYMENT SYSTEMS**									

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	Account#	Work Order		Description				Debit	Credit
3351	**FORTE PAYMENT SYSTEMS (continued)**								
80201	6/19/2020	6/19/2020	509.30	007057250					Posted
	53-43-3000			CARD COMPANY FEES				254.65✔	0.00
	52-43-3000			CARD COMPANY FEES				127.32✔	0.00
	51-43-3000			CARD COMPANY FEES				127.33✔	0.00
								509.30✔	0.00
265	**GREAT PLAINS LANDSCAPE**								
80287	6/19/2020	6/19/2020	987.00	10186					Posted
	10-18-7310			TREES				987.00✔	0.00
271	**GUARANTY ST BANK & TRUST CO**								
80239	6/19/2020	6/19/2020	5,463.27	7-7-2020					Posted
	53-45-4726			ALTEC DIGGER DERRICK #8212 LOAN F				4,753.40✔	0.00
	53-45-4727			ALTEC DIGGER DERRICK #8212 LOAN F				709.87✔	0.00
								5,463.27✔	0.00
1010	**MORGAN HARRIS**								
80298	6/19/2020	6/19/2020	150.00						Posted
	10-18-2911			BOOT REIMBURSEMENT				150.00✔	0.00
297	**HARRISON & DEMEL LAW OFFICE LLC**								
80235	6/19/2020	6/19/2020	115.00	261					Posted
	10-12-3000			SPECIAL PROSECUTOR				115.00✔	0.00
2659	**HAWKINS**								
80332	6/19/2020	6/19/2020	1,187.81	4717156					Posted
	51-41-6170			CHLORINE				1,187.81✔	0.00
3365	**HOWELL RADON INC.**								
80209	6/19/2020	6/19/2020	19,090.00	19-HR-001					Posted
	30-00-3000			CDBG PROJ.-619 N CENTRAL				9,795.00✔	0.00
	30-00-3000			CDBG PROJ.-621 N CENTRAL				9,295.00✔	0.00
								19,090.00✔	0.00
2517	**HQH2O INC.**								
80202	6/19/2020	6/19/2020	17.25						Posted
	10-13-6000			306490-WATER				5.75✔	0.00
	10-13-6000			306743-WATER				11.50✔	0.00
								17.25✔	0.00
3367	**GARA LEE HUNDLEY**								
80290	6/19/2020	6/19/2020	75.00						Posted
	10-00-3472			DIFFERENCE IN FAMILY POOL PASS				75.00✔	0.00
1440	**JCI INDUSTRIES, INC**								
80333	6/19/2020	6/19/2020	209.24						Posted
	51-41-4360			8196097-SEAL FOR PUMP				56.55✔	0.00
	51-41-4360			8196380-SEALS FOR PUMP				152.69✔	0.00
								209.24✔	0.00
251	**KANSAS GAS SERVICE**								
80203	6/19/2020	6/19/2020	62.15	200774227					Posted
	53-43-6210			502 E 12TH BLDG B-GENE				62.15✔	0.00
80204	6/19/2020	6/19/2020	81.21	121850373					Posted
	53-43-6210			SYSTEMS				20.31✔	0.00
	52-43-6210			SYSTEMS				20.30✔	0.00
	51-43-6210			SYSTEMS				20.30✔	0.00
	10-13-6210			SYSTEMS				20.30✔	0.00
								81.21✔	0.00
80205	6/19/2020	6/19/2020	65.59	162672864					Posted
	10-14-6210			601 N MILL				65.59✔	0.00
80206	6/19/2020	6/19/2020	46.94	169801291					Posted
	51-41-6210			215B S CHESTNUT				46.94✔	0.00

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251	**KANSAS GAS SERVICE (continued)**									
80207	6/19/2020	6/19/2020	842.20	100270100						Posted
				10-15-6210		STREET & ALLEY			63.46✓	0.00
				51-41-6210		WATER			39.67✓	0.00
				53-41-6210		POWER PLANT			97.38✓	0.00
				10-18-6210		PARKS & REC			65.23✓	0.00
				10-22-6210		AIRPORT			37.88✓	0.00
				53-43-6210		SYSTEMS			62.88✓	0.00
				52-43-6210		SYSTEMS			62.88✓	0.00
				51-43-6210		SYSTEMS			62.87✓	0.00
				52-43-6210		818 E SOUTH ST			35.95✓	0.00
				10-11-6210		ADMIN			276.13✓	0.00
				52-43-6210		219 INDEPENDENCE GEN			37.87✓	0.00
									842.20✓	0.00
80342	6/19/2020	6/19/2020	81.04	156296173						Posted
				53-41-6210		215 S CHESTNUT			81.04✓	0.00
80343	6/19/2020	6/19/2020	81.04	121984891						Posted
				10-19-6210		1720 N HERSEY			81.04✓	0.00
370	**KANSAS ONE CALL SYSTEM INC**									
80208	6/19/2020	6/19/2020	55.20	0050153						Posted
				53-43-3000		LOCATES			18.40✓	0.00
				51-43-3000		LOCATES			18.40✓	0.00
				52-43-3000		LOCATES			18.40✓	0.00
									55.20✓	0.00
3075	**KIMBALL MIDWEST**									
80334	6/19/2020	6/19/2020	696.79	7955663						Posted
				51-41-6000		DRILL			696.79✓	0.00
2042	**KMEA EMP2 OPERATING ACCOUNT**									
80344	6/19/2020	6/19/2020	61,234.80	EMP2-BE-2020-05						Posted
				53-41-6220		MAY SERVICE			61,234.80✓	0.00
394	**KRIERS AUTO PARTS**									
80232	6/19/2020	6/19/2020	256.86							Posted
				10-13-4310		4925-320922-BATT CHARGER			88.87✓	0.00
				10-13-4310		4925-320972-BATTERY			167.99✓	0.00
									256.86✓	0.00
80247	6/19/2020	6/19/2020	901.96							Posted
				10-15-4330		4925-321898-U JOINT			20.69✓	0.00
				10-15-4330		4925-321943-ROCKER SWITCH			24.67✓	0.00
				10-15-4330		4925-320529-BATTERY			216.99✓	0.00
				10-15-4330		4925-320789-TIRE SEALANT			59.99✓	0.00
				10-15-4330		4925-320787-OXYGEN			104.88✓	0.00
				10-15-4330		4925-322192-TERMINAL ADAPTER			3.02✓	0.00
				10-15-4330		4925-322249-MINI BLADE & FUSE			14.01✓	0.00
				10-15-4330		4925-322333-RING, SOLENOID, WIRE, T			154.83✓	0.00
				10-15-4330		4925-322250-PLUNGER, NUT, BUSHING,			302.88✓	0.00
									901.96✓	0.00
80291	6/19/2020	6/19/2020	16.99	4925-321098						Posted
				10-21-4330		COMP. OIL			16.99✓	0.00
80311	6/19/2020	6/19/2020	233.16							Posted
				53-41-4360		4925-321172-BEARINGS			138.31✓	0.00
				53-43-4310		4925-322454-BATTERY			49.46✓	0.00
				53-43-4310		4925-322457-COUPLER			26.51✓	0.00
				53-43-7450		4925-321609-ADAPTER			18.88✓	0.00
									233.16✓	0.00
80327	6/19/2020	6/19/2020	95.21	4925-320538						Posted
				51-43-7450		PARTS			31.74✓	0.00
				52-43-7450		PARTS			31.74✓	0.00
				53-43-7450		PARTS			31.73✓	0.00
									95.21✓	0.00
3156	**LOCKIT TECHNOLOGIES LLC**									

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3156	**LOCKIT TECHNOLOGIES LLC (continued)**									
80236	6/19/2020	6/19/2020	1,380.99							Posted
				10-13-7460				5861-SERVICE CONTRACT	1,291.00✔	0.00
				10-13-7460				5725-POWER SUPPLY	89.99✔	0.00
									1,380.99✔	0.00
3014	**MAHASKA BOTTLING COMPANY**									
80299	6/19/2020	6/19/2020	604.00	666446						Posted
				10-21-6190				POOL CONCESSIONS	604.00✔	0.00
426	**CRAIG MARCOTTE**									
80190	6/19/2020	6/19/2020	30.00	33673447						Posted
				10-13-6600				MOWING-411 E SOUTH	30.00✔	0.00
424	**MCHENRY ELECTRIC & SUPPLY**									
80248	6/19/2020	6/19/2020	459.00	026145						Posted
				10-15-4330				BATTERIES	459.00✔	0.00
2069	**COLLEEN MCKEON**									
80300	6/19/2020	6/19/2020	6.99							Posted
				10-11-6000				REIMBURSEMENT FOR ADAPTER HANI	6.99✔	0.00
459	**MISSISSIPPI LIME CO**									
80335	6/19/2020	6/19/2020	6,295.52	1492069						Posted
				51-41-6170				QUICKLIME	6,295.52✔	0.00
467	**MITCHELL CO HIGHWAY DEPT**									
80256	6/19/2020	6/19/2020	519.51	14459						Posted
				25-00-6090				CSS-1 TACK OIL	519.51✔	0.00
2110	**MITCHELL COUNTY REGISTER OF DEEDS**									
80210	6/19/2020	6/19/2020	110.00	19-HR-001						Posted
				30-00-3000				SOFT LOAN FILING FEE-619 N CENTRAI	55.00✔	0.00
				30-00-3000				SOFT LOAN FILING FEE-621 N CENTRAI	55.00✔	0.00
									110.00✔	0.00
470	**MITCHELL COUNTY SOLID WASTE**									
80325	6/19/2020	6/19/2020	10.00	006366						Posted
				52-41-3000				TRASH	10.00✔	0.00
342	**MUNICIPAL SUPPLY INC. OF NEBRASKA**									
80220	6/19/2020	6/19/2020	471.65	0762243-IN						Posted
				10-11-4300				COUPLING, PIPE, REDUCER, BEND	471.65✔	0.00
80336	6/19/2020	6/19/2020	1,178.75							Posted
				51-43-6080				0762242-IN-TAP	394.75✔	0.00
				51-43-6080				0762368-IN-ANCHOR COUPLING	784.00✔	0.00
									1,178.75✔	0.00
1559	**MURPHY TRACTOR & EQUIPMENT CO**									
80257	6/19/2020	6/19/2020	1,120.61	1389475						Posted
				10-15-4330				WASHERS & VAPOR COND	1,120.61✔	0.00
750	**NORTH CENTRAL AIR, INC**									
80320	6/19/2020	6/19/2020	205.91							Posted
				53-41-4360				6-8-87690-PARTS	152.12✔	0.00
				53-41-4360				6-8-87558-USED VALVE	53.79✔	0.00
									205.91✔	0.00
496	**NORTH CENTRAL REGIONAL PLANNING**									
80211	6/19/2020	6/19/2020	1,000.00	3078						Posted
				30-00-3000				FINAL INSPECTION-619 N CENTRAL	500.00✔	0.00
				30-00-3000				FINAL INSPECTION-621 N CENTRAL	500.00✔	0.00
									1,000.00✔	0.00
2366	**OLSSON**									
80212	6/19/2020	6/19/2020	11,334.59	355045						Posted
				30-00-3000				PROJECT NO. 3-20-0008-012 AIRPORT L	11,334.59✔	0.00
3210	**ORAZEM & SCALORA ENGINEERING, P.A.**									
80213	6/19/2020	6/19/2020	2,065.00	20005-0620						Posted
				30-00-3000				HVAC EVALUATION-N. CAMPUS BLDGS	2,065.00✔	0.00

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3368	**ORIGINAL WATERMEN, INC. (continued)**									
80306	6/19/2020	6/19/2020	438.25	S67211						Posted
				10-21-2911		SWIMSUITS			438.25✓	0.00
3063	**PORTER HOUSE APTS**									
80240	6/19/2020	6/19/2020	250.00							Posted
				26-00-3000		OFFICE RENT-JULY			250.00✓	0.00
1263	**PRAIRIE FIRE COFFEE ROASTERS**									
80245	6/19/2020	6/19/2020	90.80	6301742426						Posted
				10-15-3000		COFFEE			90.80✓	0.00
3305	**PRIORITY POWER MANAGEMENT, LLC**									
80221	6/19/2020	6/19/2020	1,990.00	16863						Posted
				53-41-3000		CONSULTING AGREEMENT-MAY			1,990.00✓	0.00
1335	**PUR- O- ZONE, INC.**									
80284	6/19/2020	6/19/2020	42.60	805615						Posted
				10-11-6000		WET MOP			42.60✓	0.00
80301	6/19/2020	6/19/2020	163.50	805178						Posted
				10-21-6000		HAND SANITIZER			163.50✓	0.00
2979	**RAY'S APPLE MARKET**									
80241	6/19/2020	6/19/2020	28.22	3407						Posted
				10-11-6000		WATER, CREAMER, SUGAR			28.22✓	0.00
80302	6/19/2020	6/19/2020	42.54	2792						Posted
				10-21-6000		BLEACH			42.54✓	0.00
80323	6/19/2020	6/19/2020	126.54	0557						Posted
				51-41-6110		TP, COFFEE, GLADE, SANITIZER			126.54✓	0.00
321	**RICOH USA, INC**									
80214	6/19/2020	6/19/2020	310.88	103701362						Posted
				10-11-3360		RICOH RENTAL			310.88✓	0.00
80215	6/19/2020	6/19/2020	68.06	5059687341						Posted
				10-11-3360		COPY MACHINE			68.06✓	0.00
575	**SAGE PRODUCTS**									
80216	6/19/2020	6/19/2020	48.40	0081655-IN						Posted
				10-11-4300		SOAP			48.40✓	0.00
582	**SALINA SUPPLY COMPANY**									
80337	6/19/2020	6/19/2020	1,534.20	S100169128.001						Posted
				51-41-4360		BOLT, GASKET, HINGE, RING, NUT			1,534.20✓	0.00
94	**SCHENDEL PEST CONTROL**									
80321	6/19/2020	6/19/2020	50.00	84206						Posted
				53-43-3000		PEST CONTROL			16.67✓	0.00
				52-43-3000		PEST CONTROL			16.67✓	0.00
				51-43-3000		PEST CONTROL			16.66✓	0.00
									50.00✓	0.00
3347	**KATIE SCHROEDER**									
80217	6/19/2020	6/19/2020	16.70	3898						Posted
				10-11-6110		OFFICE EXPENSES-MAY			16.70✓	0.00
488	**SCHWAB EATON BELOIT**									
80222	6/19/2020	6/19/2020	6,957.50							Posted
				30-00-3000		20.B001-1-ENGINEERING SERVICES			2,331.50✓	0.00
				51-41-3000		18.095-11-WATER TREATMENT IMPROV			3,144.00✓	0.00
				30-00-3000		19.043-7-SAFE ROUTES TO SCHOOL			1,482.00✓	0.00
									6,957.50✓	0.00
607	**SHAMBURG OIL COMPANY**									
80244	6/19/2020	6/19/2020	58.00	724980						Posted
				25-00-6180		PROPANE			58.00✓	0.00
80308	6/19/2020	6/19/2020	124.98							Posted
				53-43-6270		723819-CLEAR DIESEL			50.00✓	0.00
				53-43-6270		723818-CLEAR DIESEL			46.01✓	0.00
				53-43-6270		723773-CLEAR DIESEL			53.00✓	0.00
				53-43-6270		603650-EXCISE TAX CREDIT-MAY			0.00	24.03✓
									149.01✓	24.03✓
80322	6/19/2020	6/19/2020	48.78	723786						Posted
				51-43-6260		CLEAR DIESEL			48.78✓	0.00

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626	**SOLOMON VALLEY HOME CENTER (continued)**							
80223	6/19/2020	6/19/2020	166.60					Posted
	10-11-4300			INV0514410-WEDGE ANCHOR			18.40✓	0.00
	10-11-6000			INV0515970-RETRACTABLE KEY CHAIN			8.58✓	0.00
	10-11-4300			INV0515198-FURNACE FILTERS			139.62✓	0.00
							166.60✓	0.00
80258	6/19/2020	6/19/2020	15.99	INV0516184				Posted
	10-15-6130			ORANGE CHALK			15.99✓	0.00
80303	6/19/2020	6/19/2020	295.76					Posted
	10-18-6000			INV0516093-CONNECTOR, MENDER, EN			14.27✓	0.00
	10-18-6000			INV0515651-ADAPTER			18.58✓	0.00
	10-21-4330			INV0513854-REMOVER, SCRUBBER, GR			29.56✓	0.00
	10-21-4330			INV0513495-PLUG, SEALANT, BIT, DRIVI			76.24✓	0.00
	10-18-6000			INV0515079-HAMMER BIT			16.49✓	0.00
	10-21-6000			INV0515362-SPRAYER			54.95✓	0.00
	10-21-6000			INV0514668-SPRAYER			23.58✓	0.00
	10-21-4300			INV0516401-SHOWER KIT, SCREW HOC			47.94✓	0.00
	10-21-6000			INV0516097-PAINT & S HOOK			14.15✓	0.00
							295.76✓	0.00
80338	6/19/2020	6/19/2020	31.28	INV0515125				Posted
	52-43-6000			BIT & TORCH BLADE			31.28✓	0.00
627	**SOLOMON VALLEY TRANSMISSION**							
80231	6/19/2020	6/19/2020	265.50	13645				Posted
	10-13-4310			2015 FORD EXPLORER REPAIRS			265.50✓	0.00
628	**SOLOMON VALLEY VET HOSPITAL PA**							
80237	6/19/2020	6/19/2020	221.25	314034				Posted
	10-13-3500			FEB-MAY ANIMAL BOARDING			221.25✓	0.00
3366	**PEGGY SORENSEN**							
80289	6/19/2020	6/19/2020	175.00					Posted
	10-00-3472			POOL REFUND			175.00✓	0.00
2442	**ROBERT THOMPSON**							
80304	6/19/2020	6/19/2020	119.34					Posted
	10-20-2911			BOOT REIMBURSEMENT			119.34✓	0.00
3073	**U.S. BANK EQUIPMENT FINANCE**							
80185	6/19/2020	6/19/2020	194.92	414261602				Ck# 81803 Printed
	10-13-7460			INV. 414261602-PD COPIER			194.92✓	0.00
80224	6/19/2020	6/19/2020	443.70	415924398				Posted
	10-11-3360			INV. 415924398-ADMIN COPIER			443.70✓	0.00
704	**UNIVAR USA INC**							
80339	6/19/2020	6/19/2020	14,787.35	W1626074				Posted
	51-41-6170			SODA ASH			14,787.35✓	0.00
410	**UTILITIES**							
80305	6/19/2020	6/19/2020	640.95	7346				Posted
	10-13-6220			CITY SHARE OF JAIL UTILITIES			640.95✓	0.00
2067	**VERIZON WIRELESS SERVICES, LLC**							
80345	6/19/2020	6/19/2020	47.42	9855891652				Posted
	10-18-5310			PARKS & REC ON CALL PHONE			47.42✓	0.00
725	**WELBORN SALES**							
80259	6/19/2020	6/19/2020	2,103.16	821				Posted
	30-00-3000			PIPE-SAFE ROUTES TO SCHOOL SIDEV			2,103.16✓	0.00
1649	**WILLOW SPRINGS SERVICES INC**							
80225	6/19/2020	6/19/2020	9,501.48					Posted
	24-00-7200			21243-HVAC SYSTEM			8,857.74✓	0.00
	24-00-7200			21242-HVAC SYSTEM			518.13✓	0.00
	10-11-4300			21226-OFFICE HVAC MAINTENANCE			125.61✓	0.00
							9,501.48✓	0.00

Vend#	Vendor Name									
Pay#	Post Date	Due Date	Amount	Invoice		Date	PO#		Date	Status
	Account#		Work Order		Description				Debit	Credit
			302,953.88	136 Non-voided payables listed.						

Report Setup
AP - Accounts Payable Listing : Vendor Name
Filter Options
Starting: 6/19/2020
Ending: 6/19/2020
Banks: All
Payable Status: Posted, Printed, ACH, Recorded, Voided
All Vendors Selected

City of Beloit and the Beloit Fire Department goes through an ISO Public Protection Classification review every five years. This directly effects homeowner and other property/casualty insurance costs for residents. Thanks to various reasons, the City of Beloit and the BFD have continued to imrpove equipment, trucks, and training in order to maintain or improve our ISO PPC rating. In 2020, the City of Beloit and the BFD went through another reivew with Chief Lacoe representing the City of Beloit/BFD. Main impacts for your ISO PPC score include personnel, equipement, training, record keeping, and water supply. Thanks to our Chief Lacoe, preceding chiefs, volunteer firefighters, and our City of Beloit water department- we have improved our ISO PPC rating for the next period. Previously, we were in Class 5 and our new rating will put us at Class 4. This ranking will put us ahead of 84% of departments in our state. Thank you to our governing body and citizens for investing in our fire department.

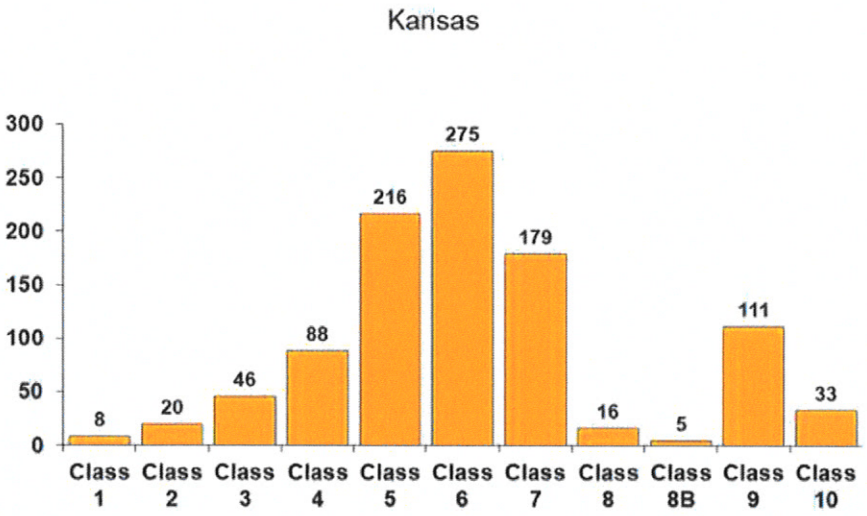
Facts and Figures about PPC Codes around the Country

This page has information describing the state of community fire protection in the United States. The information can help you benchmark your community's level of fire protection against other cities and towns in your state and the country as a whole.

Distribution of Communities by PPC Class Number within Classification

Number within Classification

Kansas



REQUEST FOR COUNCIL ACTION

DATE: 6/17/2020

TITLE: Ordinance 2274 Animal Control

ORIGINATING DEPARTMENT:
Administration

TYPE OF ACTION:
- [x] ORDINANCE
- [ ] RESOLUTION
- [ ] FORMAL ACTION
- [ ] OTHER

RECOMMENDATION:

I recommend that the Council approve Ordinance 2274 Animal Control.

BACKGROUND:

The council has reviewed and provided input of our Animal Control Ordinance primarily revolving around at-large fines, dangerous dog declaration process, potential leash modifications, and ownership privileges after multiple violations. The intention is to evolve the ordinance in order to encourage good pet ownership and deal with poor ownership and dangerous animals. Katie Schroeder will review the major changes again before passage.

FINANCIAL IMPACT:

There is no financial impact with this item.

OPTIONS:

DISCUSSION:

Respectfully submitted,
Jason Rabe
City Manager

ORDINANCE NO. 2274 SUMMARY

On June 17, 2020 the City of Beloit, Kansas adopted Ordinance No. 2274, which amends and restates Chapter 2, Animals, of the Code of the City of Beloit. A complete copy of this ordinance is available at www.beloitks.org or at City Hall, 119 S. Hersey St. This summary certified by Katie J. Schroeder, Beloit City Attorney.

ORDINANCE NO. 2274

AN ORDINANCE AMENDING AND RESTATING CHAPTER 2, ANIMALS, OF THE CODE OF THE CITY OF BELOIT, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELOIT, KANSAS:

Section 1: Chapter 2, Animals, of the Beloit City Code is hereby amended and restated as follows:

ARTICLE 1. GENERAL PROVISIONS

2-101. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them:

(a) Animal means any live vertebrate creature, domestic or wild, other than humans, and including all fowl.

(b) Animal Control Officer. The use of this title through this chapter shall be a reference to the Animal Control Officer and any staff assigned to work with the Animal Control Officer who may act to perform any duty under this chapter.

(c) Animal hospital means any facility that has the primary function of providing medical and surgical care for animals and is operated by a currently licensed veterinarian.

(d) Animal pound means the facility or facilities operated by the city or its authorized agents for the purpose of impounding or caring for animals under the authority of this chapter or state law.

(e) Attack means violent or aggressive physical contact with a person or domestic animal or violent or aggressive behavior that confines the movement of a person.

(f) Bite means any penetration of the skin by teeth.

(g) Cat means any member of the Felis Catus Family, male or female, regardless of age.

(h) Chief of police means the duly appointed, highest-ranking officer in charge of the police department or his authorized representatives.

(i) Commercial animal establishment means any pet shop, grooming shop, auction, riding stable, guard dog service, kennel, catterie, animal pound, other than that operated by the city, animal hospital, business keeping animals in stock for retail or wholesale trade, or any establishment performing one or more of the principal activities of the aforementioned establishments.

(j) Dog means any member of the Canis Familiaris, male or female, regardless of age.

(k) Exotic animal means

(1) any mammal not generally accustomed to live in or near human populations

(2) Poisonous reptiles of any length and non-poisonous reptiles over 8 feet in length. etc.)

(3) Poisonous arthropods (i.e., poisonous scorpions, poisonous spiders,

(4) All non-human primates.

(5) The definition of exotic animal shall also include, but is not limited to: antelope, badgers, bears, bison, any member of the large cat family (lion, cheetah, etc.), crocodilians, coyotes, deer, elephant, elk, game cock and other fighting birds, hippopotami, hyenas, llama, moose, ostriches, potbellied pigs, raccoons, rhinoceroses, skunks, and wolves.

(l) Fowl any animal that is included in the zoological class Aves.

(m) Harboring means any person who shall allow any animal to habitually remain or lodge or be fed within his home, yard, enclosure, place of business or any other premises where he resides or which he controls.

(n) Hobby breeder means any person who owns more than five (5) but less than twenty (20) purebred, registered dogs or cats over the age of nine (9) months, which are habitually boarded and lodged within the person's domicile or yard where appropriately zoned; and who provides a fenced and/or totally enclosed exercise area; and provided that such animals are, at all times, kept in the fenced or enclosed area, except when under the personal and immediate control of the owner/custodian. To be considered a hobby breeder, a person must be a member, in good standing, of any national dog or cat fancy association; and provided furthermore, that the purpose and intent of breeding the animals is as a hobby and for the sole purpose of improving the breed.

(o) Household means all persons living in the same dwelling unit.

(p) Humane live animal trap means any cage trap that upon activation encloses an animal without placing any physical restraining upon any part of the body of such animal.

(q) Humane officer means any staff person employed at the city animal pound.

(r) Humanely euthanize means the proper injection of a substance that quickly and painlessly terminates the life of an animal, or any method approved by the American Veterinary Medical Association.

(s) Inhumane or cruel treatment or manner means any treatment to any animal which deprives the animal of necessary sustenance, including sufficient and wholesome food, potable water and protection from weather, or any treatment of any animal such as overloading, overworking, tormenting, beating, mutilating or teasing, or other abnormal treatment or neglect that causes suffering to such animal.

(t) Kennel means any premises upon which four (4) or more cats and dogs are kept, boarded, bred, trained for a fee, bought, and/or sold, except for commercial animal establishments otherwise, enumerated in this chapter.

(u) Large animal means any swine, bovine, goat, sheep, beast of burden or any other domestic or wild animal of similar or larger size.

(v) Microchip means a small electronic device inserted beneath the skin, between the shoulder blades, of an animal which can be scanned for identification purposes.

(w) Neutered means any male or female cat or dog that has been permanently rendered sterile.

(x) Notice to appear means a notice of a complaint of a violation requiring the violator to appear before the municipal judge, or in lieu of such appearance, pay such fine as is prescribed in this chapter.

(y) Owner/custodian means the person owning, keeping, possessing or harboring any animal; or any person who feeds or shelters any stray animal for seventy-two (72) or more consecutive hours without reporting such animal to the animal pound or who professes ownership/custodianship of such animal. If a minor owns or keeps an animal, then any household head of which such minor is a member shall be deemed the owner/custodian of such animal under this chapter and shall be responsible as the owner/custodian, whether or not such household head is himself a minor. If not a member of a household, such minor shall be directly subject to the provisions of this chapter.

(z) Premises means any parcel of land and any structure thereon in which any animal regulated by this chapter is housed and/or confined.

(aa) License tag means any system of animal identification approved by the City Clerk that does not involve alteration or permanent marking of any animal.

(bb) Small animal means any animal not within the definition of large animal, but including all dogs without reference to size.

(cc) Tethering refers to the practice of fastening a dog to a stationary object or stake, usually in the owner/custodian's backyard, as a means of keeping the animal under control. This term shall not refer to the periods with then animal is being walked or exercised on a leash.

(dd) To permit means to allow, consent, let, to acquiesce by failure to prevent or to expressly assent or agree to the doing of an act.

(ee) Wild animal means any animal that is predominately free-roaming as opposed to domesticated, and includes those animals defined as exotic animals and any rabies carrying species for which no anti-rabies vaccine has been approved by the Centers for Disease Control.

2-101a. Duties of the City Manager.

Except where otherwise provided, it shall be the duty of the City Manager, through the Chief of Police and the Animal Control Officer, to administer and enforce the provisions of this chapter directly or through staff assigned to be supervised by the Animal Control officer.

2-101b. Duties of the police department.

It shall be the duty of the Police Department officers to enforce the provisions of this chapter and any regulations issued by the Animal Control Officer, and to assist the Animal Control Officer in enforcing the provisions of this chapter.

2-101c. Duties of the animal control officer.

It shall be the duty of the Animal Control Officer to administer and enforce the public health provisions of this chapter directly or through staff assigned to be supervised by the Animal Control officer. The Animal Control officer shall keep a record of all animal pound transactions and all enforcement and investigative activities conducted by the Animal Control Officer and police officers. The Animal Control Officer may issue standing and/or emergency regulations for rabies control, zoonosis control, the control or elimination of animal pests, and animal bite procedures that the officer finds necessary to protect the public health. Said regulations shall be filed with the City Clerk, the Animal Control Officer and the Chief of Police.

2-101d. Enforcement procedures.

(a) The Animal Control Officer, the Chief of Police or any law enforcement officer are hereby authorized to issue a notice to appear to the owner/custodian of any animal in violation of any provision of this chapter, or any regulation issued by the Animal Control Officer. Such person may retain possession of the animal if it is the belief of the officer issuing such notice to appear that such possession is not in conflict with any other provision of this chapter.

(b) The Animal Control Officer, the Chief of Police or any law enforcement officer are hereby authorized to pick up and impound any animal violation of any provision of this chapter or any regulation issued by the Animal Control Officer, if the person owning or caring for such animal cannot be issued a notice to appear because such person is not known or present. Such animal shall be confined at the animal pound in a humane manner and shall be released upon satisfactory proof that the party claiming the animal is entitled to recovery and possession thereof, and upon payment to the City Clerk of all recovery fines described in this chapter and fees for care, feeding and treatment expenses established by resolution.

(c) In the interest of animal welfare, any person owning or caring for any animal in the city, by doing so, does thereby authorize the Animal Control Officer, the Chief of Police or any law enforcement officer to enter upon private property, other than within the residence, at reasonable times, where such animal is kept, if the officer has probable cause to believe the animal is being kept in a cruel or inhumane manner. The Animal Control Officer, the Chief of Police or any law enforcement officer will examine such animal and impound such animal at the animal pound when,

in the officer's opinion, it is being kept in an unlawfully cruel or inhumane manner. If entry is refused, the official shall have recourse to the remedies provided by law to secure entry.

(d) Any animal that has bitten a person may be removed from the property of its owner/custodian by the Animal Control Officer, the Chief of Police or any law enforcement officer, if such animal is in violation of examination or observation requirements prescribed by regulation of the Animal Control Officer.

(e) The Animal Control Officer, the Chief of Police or any law enforcement officer are hereby authorized to use humane live animal traps to capture any animal whose presence on private or public property constitutes a nuisance to persons or a threat to the public health or the health of domestic animals.

(f) It is unlawful for any person to interfere with the duties of the Animal Control Officer, the Chief of Police or any law enforcement officer by removing, or causing to be removed, the identification tag of any dog without the consent of the owner/custodian thereof; refusing to identify himself upon the request of an enforcement officer, when such officer has probable cause to believe that such person has violated this chapter; or in any other manner preventing the lawful discharge of enforcement duties prescribed by this chapter.

2-102. Removal and disposal of dead animals.

(a) The Animal Control Officer shall be responsible for the removal of any dead animal found on public property within the city, except as otherwise provided in this section. In this section the term "dead animal" shall exclude any animal lawfully and humanely killed for food.

(b) No person having in his possession any dead animal shall permit the same to remain in or upon any private or public place.

(c) Large dead animals shall be removed and appropriately disposed of by the owner/custodian, occupant or proprietor of the premises promptly after the death or discovery of such animal. If not so removed or properly disposed of, the Animal Control Officer shall remove such animal. The charge for such removal shall be established by resolution.

2-103. Emergency treatment of sick or injured cats and dogs.

(a) Any sick or injured cat or dog found at large in the city and wearing a current city license tag, identification tag or rabies vaccination tag shall be taken at once to a veterinarian for examination and treatment, and the owner/custodian of such animal shall be promptly notified. All charges for veterinary services shall be borne by such owner/custodian.

(b) Any sick or injured cat or dog found at large in the city without such identifying tag, tattoo or microchip shall be examined at once by the Animal Control Officer and held at the animal pound as prescribed in section 2-804.

2-104. Penalties.

(a) Wherever, in this chapter, any act is prohibited or is declared to be unlawful or the performance of any act is required or the failure to do any act is declared to be unlawful and no specific penalty or penalty range is provided by another subsection of this section, the violation of any provision in this chapter shall be punished by a fine not less than $50.00 and not more than $500.00 in accordance with the proposed penalties in this section, or by imprisonment for a period not exceeding six (6) months, or, by both such fine and imprisonment, at the discretion of the court. Each day any violation of this chapter continues shall constitute a separate offense.

(b) Any pet owner/custodian found guilty of a violation of one of the following code sections shall be punished by a fine not less than $50.00 for a First Offense, $100.00 for a Second Offense, and $175.00 for a Third or Subsequent Offense, up to a maximum of $500.00.

Sec. 2-102(b)	Removal/disposal of dead animals
Sec. 2-302(b)&(c)	Animals prohibited/owning
Sec. 2-304	Location of yard housing of animals
Sec. 2-411	Animals in public building prohibited
Sec. 2-412	Removal of animal feces required
Sec. 2-414	Duty to report animal bites
Sec. 2-503	Report of motor vehicles striking animals
Sec. 2-504	Selling of certain animals prohibited
Sec. 2-507	Killing or molesting birds
Sec. 2-508	Retention of animals unlawfully

(c) Any pet owner/custodian found guilty of a violation of one of the following code sections shall be punished by a fine not less than $75.00 for a First Offense, $125.00 for a Second Offense, and $200.00 for a Third or Subsequent Offense, up to a maximum of $500.00.

Sec. 2-301	Numbers of dogs owned
Sec. 2-302(a)	Prohibited owning
Sec. 2-402	Animal care requirements and prohibition of animal cruelty
Sec. 2-403	Proper identification of cats and dogs required
Sec. 2-404	Running at large prohibited
Sec. 2-405	Animal nuisance activities prohibited
Sec. 2-406	Excessive animal noise prohibited
Sec. 2-407	Proper confinement of cats and dogs in heat required
Sec. 2-410	Rabies vaccination of cats and dogs required
Sec. 2-505	Exposing poison to animals
Sec. 2-602	Licensing of dogs required
Sec. 2-612	Hobby breeders license required
Sec. 2-701	Licensing of commercial animal establishments required

(d) Any pet owner/custodian found guilty of a violation of one of the following code sections shall be punished by a fine not less than $150.00 for a First Offense, $250.00 for a Second Offense, and $350.00 for a Third or Subsequent Offense, up to a maximum of $500.00.

Sec. 2-501	Dog fighting
Sec. 2-502	Cruelty generally

(e) The number of prior offenses referenced refers to the owner/custodian and not the dog/animal.

(f) If the alleged offender fails to pay the requisite fine or fails to appear in court on the date set by the notice to appear, then a warrant shall be issued for the arrest of the alleged offender.

(g) Any person convicted of five (5) or more violations of the provisions of this chapter within a five (5) year period may be prohibited from owning any animal within the city for a period of three (3) years following the date of the fifth or consecutive conviction. Violations shall be tracked as of January 1, 2016 for purposes of determining prior violations and shall not be considered if such prior violation was older than five years on the date the current violation was found to have occurred.

2-105. Dangerous dogs; definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) Dangerous dog means:

(1) Any dog with a known propensity, tendency or disposition to attack, to cause injury, or otherwise threaten the safety of human beings or domestic animals;

(2) Any dog which in a vicious or threatening manner approaches any person in an apparent attack upon the person while on the streets, sidewalks, or any public grounds or places;

(3) Any dog which has attacked, bitten, or seriously physically harmed a human being;

(4) Any dog which has attacked or bitten a domestic animal in an aggressive, vicious or threatening manner; or

(5) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.

Notwithstanding this definition of a dangerous dog, no dog may be declared dangerous if any injury or damage is sustained by a person or animal who at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog, or was teasing, tormenting, abusing or assaulting the dog or was committing or attempting to commit a crime. No dog may be declared dangerous if an injury or damage was sustained by a person if the dog was responding to pain or injury; protecting itself, its kennel or its offspring; protecting or defending another human being within the immediate vicinity of the dog from an unjustified attack or assault; or involved in playful actions resulting in an unintentional bite wound. No dog may be declared dangerous if an injury or damage was sustained by a domestic animal which, at the time such injury or damage was sustained, was teasing, tormenting, abusing

or assaulting the dog. Nothing in this section shall be deemed to regulate or prohibit the lawful maintenance of dogs by law enforcement agencies.

(b) It shall be unlawful for any person to own, possess, keep, or harbor a dog that such person knows, or reasonably should know, to be a dangerous dog, unless the owner, keeper or harborer complies with the requirements of Section 2-107. Any person who keeps, harbors, controls, acts as a custodian of, or knowingly permits an animal to remain on or about any premises shall be deemed to own or possess the animal.

(c) Upon the occurrence of any event described in Section 2-105(a), the Animal Control Officer shall declare the dog as a dangerous dog as defined by this article.

2-106. Dangerous dogs, appeal; administrative hearing.

(a) Any owner/custodian aggrieved by any decision, ruling, action, or finding by the City with respect to a determination of whether a dog is a dangerous dog as defined by this article may, within 10 days thereafter, file a written notice of appeal from the decision, ruling action, or finding to the municipal court for an administrative hearing thereon.

(b) The filing of an appeal under this subsection shall not stay any action taken pursuant to this article.

(c) The hearing on the appeal shall be conducted by the judge of the municipal court who shall act as an administrative judge for the purposes of this article. Notice of the hearing shall be issued within three (3) days of receipt of the notice of appeal and shall be mailed by certified mail or personally served upon the dog owner/custodian at the last known placed of residence. The hearing shall be held promptly within not less than five (5) nor more ten (10) days after mailing notice to the owner/custodian of the dog. The sole issue for determination shall be whether there is clear and convincing evidence that the animal is a dangerous dog as defined by this article. The Court shall make specific findings of fact and conclusions of law in each case.

(d) In making a determination of whether a dog is dangerous, the municipal judge may consider, but is not limited to the consideration of any one or all of the following factors:

(1) The seriousness and nature of any attack, bite or physical injury of a human being or domestic animal;

(2) Whether the dog has any history of attacking or biting a human being or domestic animal;

(3) Whether the dog has chased or approached a person upon any public or private property in an apparent attitude of attack;

(4) Whether the dog behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to a human being or domestic animal;

(5) Whether the dog has a known propensity, tendency or disposition to attack or bite unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals;

(6) Whether the dog has been previously determined, declared or adjudicated to be dangerous or vicious by the city and which jurisdiction uses substantially the same standards as the city for determination of a dangerous or vicious animal;

(7) The likelihood of attacks or bites in the future;

(8) The conditions or circumstances existing at the time of the approach, attack or bite, including, but not limited to:

a. Whether the dog was provoked;

b. Whether the victim was committing a willful trespass or other tort or was committing or attempting to commit a crime upon the premises occupied by the owner of the dog; or

c. Whether the dog was protecting or defending a human being or another animal within the immediate vicinity of the dog from an unjustified attack or assault.

(9) The conditions under which the dog is kept, enclosed or confined; and

(10) The status of the dog's license and vaccination as required by the Beloit City Code.

(e) Pursuant to its role as administrative judge, the court is empowered to subpoena witnesses, take testimony, and require the production of any evidence relating to any matter being heard. The failure of the owner, custodian, keeper or harborer to attend or participate in the hearing shall not prevent the judge from making the appropriate determination concerning the dog.

(f) Any aggrieved party may appeal the decision and findings of the Municipal Court Judge pursuant to K.S.A. 60-2101 (d). However, the filing of an appeal under this subsection shall not stay any action taken pursuant to this article.

(g) While the appeal is pending, if the Animal Control Officer has probable cause to believe the dog in question may pose a threat of serious harm to human beings or other domestic animals, the dog may be impounded pending the determination by the judge. If the judge deems the animal dangerous, the owner/custodian shall be liable to the city for the costs and expenses of keeping such dog.

2-107. Dangerous dogs, control; registration; confinement.

If a dog is dangerous by definition, is declared dangerous by the Animal Control Officer, or the municipal court judge determines that a dog is dangerous pursuant to this article, the owner/custodian of the dangerous dog shall be required to comply with the following:

(a) Registration. The owner/custodian shall annually register the dangerous dog with the city, on such forms designated by the city clerk. The owner/custodian shall pay a $50.00 annual license fee. The owner/custodian shall be responsible for maintaining with the city clerk the address of the owner or keeper and the dangerous dog. The owner or keeper shall notify the city clerk within seven days of a change in address for the owner or keeper and dangerous dog, or the removal from the city limits or death, loss or theft of a registered dangerous dog.

(b) Confinement. All dangerous dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel outdoors. Said enclosure shall be a fence or structure at least six feet in height, with a secure top suitable to confine a dangerous dog and shall meet the minimum size requirements in Section 2-402(c)(2). If such enclosure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot. No dangerous dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. It is unlawful for any owner/custodian to maintain a dangerous dog upon any premises that does not have a locked enclosure. It is unlawful for any owner/custodian to allow a dangerous dog to be outside of the dwelling of the owner/custodian or outside the enclosure unless it is necessary for the owner/custodian to obtain veterinary care for the dangerous dog or for the limited purposes of allowing the dangerous dog to urinate or defecate or to sell or give away the dangerous dog or respond to such orders of law enforcement officials as may be required. In such event, the dangerous dog shall be securely muzzled and restrained with a leash not exceeding four feet in length, and shall be under the direct control and supervision of the owner/custodian of the dangerous dog. No person shall permit a dangerous dog to be kept on a chain, rope or other type of tether outside its kennel or pen. Such dogs may not be tethered to inanimate objects such as trees, posts or buildings. The muzzle shall be made and used in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

(c) Microchipping. All dangerous dogs shall have an identification microchip implanted in the dog which is compatible with local veterinarian detection equipment. The applicant shall provide proof of microchipping at the time application or reapplication is made for a dangerous dog license.

(d) Signage. All owners of dangerous dogs shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog". In addition, a similar sign is required to be posted on the kennel or pen of such animal.

(e) Identification Photos. All owners of dangerous dogs shall provide a current photo of the dog being registered during the registration process for identification purposes.

(f) Spayed/Neutered. The dangerous dog shall be spayed or neutered by a licensed veterinarian. The application or reapplication for a dangerous dog license shall include documentation showing that the dog has been spayed or neutered.

(g) Insurance. Any owner of a dangerous dog shall maintain liability insurance in the single-incident in the amount of $100,000.00 for bodily injury or death of any person(s), or for damage to property which may result from actions of the dangerous dog, or from action or inactions of the owner related to the dangerous dog. The application or reapplication for a dangerous dog license

shall include a certificate of liability insurance that indicates the required insurance level and is valid for the intended registration period.

2-108. Dangerous dogs, violation of requirements.

(a) Penalty; Fines. It is unlawful for any person to violate the provisions of this article. Any person found guilty of violating the provisions of this article shall be assessed, fined, and the animal disposed of, as provided in this subsection:

(1) Registration. Any dangerous dog that is not properly registered in accordance with Section 2-107 or if any other requirements in Section 2-107 are not met, such dog shall be impounded by animal control or law enforcement, or their designee, until such animal is properly registered or removed from the city limits. In addition to all costs for impoundment, the owner or keeper shall pay a $100.00 fine.

(2) At-large. Any dangerous dog that is not confined as required pursuant to this article shall be impounded by animal control or law enforcement, or their designee. In addition to all costs for impoundment, the owner or keeper shall pay a $150.00 fine. For a second offense within 24 months in which the dog is not confined as required pursuant to this article, in addition to all costs for impoundment, the owner or keeper shall pay a $300.00 fine, and the animal control or law enforcement, or their designee is empowered to impound the dog, and after the expiration of a five-day waiting period, exclusive of Sundays and holidays, shall destroy the dog. The judge shall have no authority to suspend the fine or any portion thereof.

(3) Attack on Human. If any dangerous dog shall attack, assault, wound, bite, or otherwise injure or kill, or assist in such injury or killing of a human being, the owner or keeper shall pay a $500.00 fine, and the animal control officer, law enforcement, or designee is empowered to impound the dog, and after the expiration of a five-day waiting period, exclusive of Sundays and holidays, shall destroy the dog. The judge shall have no authority to suspend the fine or any portion thereof.

(4) Attack on Other Animal. If any dangerous dog shall kill or wound, or assist in killing or wounding, any animal, the owner or keeper shall pay a $250.00 fine, and the animal control officer or law enforcement officer is empowered to impound the dog, and after the expiration of a five-day waiting period, exclusive of Sundays and holidays, shall destroy the dog. The judge shall have no authority to suspend the fine or any portion thereof. If the owner or keeper of a dog impounded pursuant to this article shall believe that there has not been a violation of the provisions of this article, such owner may petition the municipal court, on forms approved by the municipal judge, praying that the impounded dog not be destroyed. The impounded dog shall not be destroyed pending the resolution of such owner's petition if the petition shall have been filed within five days of impoundment of such dog and notice shall be delivered within five days of the impoundment of such dog. The dog shall remain impounded pending the determination of the petition. If the court shall find that there shall not have been a violation, such dog shall be released to the custody of the owner upon the payment of the expenses by the owner or keeper.

(b) Jail Sentence. In addition to the fines provided in this section, the municipal judge shall have the authority to sentence the person adjudicated guilty of this article to serve up to a maximum of six months in jail.

(c) Ownership or Possession of Dog Following Conviction. It is unlawful for any person who has been twice convicted of violating these dangerous dog requirements to own or possess any dog, whether or not found to be a dangerous dog, for a period of five (5) years following the date of such second conviction.

2-108a. Running-at-large; dangerous.

Any dog found running at large that appears dangerous, fierce or vicious, and cannot be safely apprehended and impounded without endangering some person, the Animal Control Officer or a law enforcement officer is authorized to use that force reasonably necessary to restrain or put down the dog.

2-109. Dangerous dogs, threats to public safety.

Notwithstanding any other provision of this article to the contrary, and irrespective of whether the dog has been declared dangerous pursuant to this article, the municipal judge may order any dog destroyed if the judge determines that the dog is an immediate threat to public health and safety and that confinement and registration of the dog by the owner or keeper of the dog as provided in this article will not adequately protect public health and safety. No person shall harbor, own or possess a dog that is an immediate threat to public health and safety. In making such determination, the judge may consider the severity of the attack and other relevant information. The municipal judge shall have the authority to sentence the person adjudicated guilty of this article to serve up to a maximum of six months in jail and to pay a fine not to exceed $1,000.00.

2-110. Dangerous dogs, duty of owners; failure to comply.

The purpose of the requirements in this article governing dangerous dogs is to prevent attacks, injuries or death by mandating use of control methods. It is the affirmative duty of any owner/custodian of a dangerous dog to take all necessary steps to comply with this article. Any dog found to be the subject of a violation of this article shall be subject to immediate seizure and impoundment. If the dog is not immediately seized and impounded, the officer shall instruct the owner/custodian to keep said dog confined in a securely closed and locked pen or kennel until such time as the court may order seizure and impoundment. Neither the owner/custodian, nor any other person may remove said dog from said secure pen or kennel without the written permission of either the animal control officer or judge of the municipal court. Failure to comply with any provision of this article shall also be considered good cause for the revocation of any license issued allowing for the keeping of the subject dog, resulting in the immediate removal from the city by the owner/custodian, or the impoundment of the dog.

2-111. Dangerous dogs, costs to be paid by responsible persons.

All reasonable costs incurred by the city in seizing, impounding, confining or disposing of any dangerous dog pursuant to the provisions of this article shall be charged against the owner/custodian of such animal and shall be subject to collection by any lawful means. If the owner/custodian of the animal is found guilty of a violation of this article, said above-mentioned expenses shall be assessed as costs in said court action.

2-112. Dangerous dogs, penalties.

Whenever in this article any act is prohibited or is declared to be unlawful or the performance of any act is required or the failure to do any act is declared to be unlawful, the violation of any provision of this article shall be punished by a fine of not more than $1,000.00, or by imprisonment for a period not exceeding six months, or by both fine and imprisonment, at the discretion of the court. Each day any violation of this article continues shall constitute a separate offense.

2-113. Vicious dogs, definitions.

The city hereby finds that certain dogs, because of a combination of their physical attributes and disposition or training for aggression, fighting or attack, pose a clear and present threat to public safety. Although relatively few in number, such dogs represent a threat to all persons, particularly those persons who cannot protect and defend themselves, such as children and the elderly. Regardless of the procedures taken to confine such dogs, their mere presence creates an unacceptable risk to the public because such dogs may escape or be released at any time. Because of the clear and present threat to public safety, such dogs are found to be a public nuisance. As a result, the city hereby prohibits the ownership and possession of these vicious dogs within the city limits of the city and imposes related regulations, as set forth in this article.

Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Vicious dog means:

(a) Any dog which:

(1) Kills a human being;

(2) Inflicts severe injury to a human being through a sustained or vicious attack;

(3) Has been trained to fight and possess physical attributes such as size, build, or bite strength to inflict severe injury to a human being. For this purpose, the following shall be presumed to have been trained to fight:

(A) Any dog involved in a staged fight;

(B) Any dog exhibiting wounds or bodily disfigurements commonly associated with dog fighting;

(C) Any dog found or kept on premises at which equipment is located that is commonly associated with training dogs to fight; or

(D) Any dog found or kept with other dogs that:

(i) Have been trained to fight; or

(ii) Are presumed to have been trained to fight.

(4) Because of its disposition and physical attributes, such as size, build, or bite strength, poses a substantial threat to the life and safety of public safety and emergency response personnel (such as law enforcement officers, firefighters and paramedics) who are seeking or may seek lawful access to any property in order to perform their duties; or

(5) Has the propensity, tendency or disposition to attack a human being without provocation and possesses physical attributes such as size, build, or bite strength to inflict severe injury to a human being.

(b) Exceptions. No dog shall be deemed or declared a vicious dog:

(1) Solely because it inflicted severe injury on a human being if the human being was, at the time the severe injury was sustained:

(A) Assaulting the owner or possessor of the dog; provided, the owner or possessor of the dog was not the aggressor;

(B) Committing a willful trespass upon the premises of the owner or possessor of the dog; or

(C) Provoking, tormenting abusing, or assaulting the dog, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the dog at other times.

(2) Solely because it inflicted severe injury on a human being if the dog was, at the time the substantial injury was sustained:

(A) Responding to pain or injury;

(B) Protecting itself; its kennel, its offspring, or its owner or possessor's property; or

(C) Protecting or defending another human being within the immediate vicinity of the dog from an unjustified attack or assault.

(3) Is owned or possessed by a federal, state, or local law enforcement agency.

2-114. Vicious dogs, unlawful acts.

(a) Vicious Dogs as Public Nuisance. Vicious dogs are declared to be a public nuisance and are hereby prohibited within the city.

(b) Ownership or Possession of Vicious Dog. It is unlawful to own or possess a vicious dog in the city. An owner/custodian of a dog that falls within the definition of "vicious dog" shall be strictly liable under this article and a conviction shall not require proof of any criminal intent or the owner/custodian's knowledge of any particular propensity, tendency or disposition of the dog. Each vicious dog owned or possessed in violation of this article shall constitute a separate offense.

(c) Ownership or Possession of Dog Following Conviction. It is unlawful for any person convicted of owning or possessing a vicious dog in violation of subsection (b) of this section to own or possess any dog for a period of five (5) years following the date of such conviction.

2-115. Vicious dogs, euthanization.

If the court finds, after hearing evidence, that any dog is a vicious dog, the court shall, in addition to any other applicable penalties or remedies, order the animal control officer, law enforcement, or designee to cause the dog to be euthanized in accordance with applicable state euthanization laws. The court may enter such an order as part of a criminal proceeding brought pursuant to Section 2-117 or in a separate civil proceeding brought for such purpose and, in either event, shall impose against the owner/custodian of the vicious dog the expenses of impounding, keeping, and euthanizing the vicious dog. The owner/custodian shall be notified (at the owner or possessor's last known address) at least five days in advance of the date and time of any evidentiary hearing pursuant to this article and may present contrary evidence at such hearing. The failure of the owner/custodian to attend or participate in the hearing, however, shall not prevent the court from making an appropriate determination concerning the dog.

2-116. Vicious dogs, impoundment.

(a) Generally. When the animal control officer, law enforcement, or designee has probable cause to believe that any dog is a vicious dog, such officer may, in his discretion, take custody of the dog and impound it until such time as evidence shall be heard and a determination made as to whether the dog is a vicious dog; provided that if the owner/custodian of the dog is not known, the dog may be disposed of pursuant to other applicable law. The dog may be impounded at a licensed veterinary clinic or other location that the animal control officer, law enforcement, or designee permits and which is consistent with applicable state impoundment laws. A warrant may be obtained to allow the animal control officer, law enforcement, or designee or any other law enforcement officer to go onto any property and take custody of any dog for which there is probable cause to believe it is a vicious dog. In addition, the court may, through its contempt power, compel the owner/custodian of any dog to surrender it to the animal control officer, law enforcement, or designee. In the event any dog is found to be a vicious dog, the owner/custodian of such dog shall be responsible for payment of any expenses of impounding and keeping the dog, pending disposition of the case and expenses of euthanizing the dog.

(b) Discretionary Testing of Suspected Vicious Dog. Whenever any dog is impounded pursuant to this article based upon probable cause to believe that the dog is a vicious dog under the term "vicious dog" of Section 2-113(a)(3), (a)(4) or (a)(5), the animal control officer, law enforcement, or designee may, in his discretion, cause any person who is knowledgeable in identifying dogs trained to fight, or who is trained or certified at evaluating animal temperament, to examine the dog and render an opinion as to whether the dog is a vicious dog under the term "vicious dog" of Section 2-113(a)(3), (a)(4) or (a)(5), with the person examining and rendering the opinion to be chosen at by the animal control officer, law enforcement, or designee requesting the examination.

(c) Unauthorized Removal of Impounded Dogs, Actual or Attempted. No person shall remove or attempt to remove a dog from the custody of the animal control officer, law enforcement, or designee or any animal shelter at which the dog is impounded, whether by force, threat, deceit or otherwise, when such dog has been impounded under the provisions of this article or any other law, unless the animal control officer, law enforcement, or designee or a court of appropriate jurisdiction expressly authorizes the release of the dog.

(d) Post-impoundment Review. Within ten days of impounding a vicious dog pursuant to this section without a warrant, the court shall review documentary evidence substantiating the animal control officer, law enforcement, or designee's probable cause to determine whether the dog is a vicious dog. If the court determines that the evidence is not sufficient to establish probable cause that the dog is a vicious dog and the dog's owner/custodian is known, the dog shall be released to its owner/custodian as soon as practical.

2-117. Vicious dogs, criminal penalties.

In addition to any applicable restitution, any person who violates the provisions of this section shall be subject to the following penalties:

(a) Violation of Vicious Dog Provisions. Any person who owns or possesses a vicious dog in violation of Section 2-114(b) shall be guilty of a misdemeanor, punishable as follows:

(1) First offense, a fine, which shall be set at $500.00. The fine shall be mandatory, and the court shall have no authority to suspend the fine or any portion thereof. In addition, the court shall have the authority to sentence the defendant to confinement in the county jail for a maximum of 90 days.

(2) Second offense, committed within five years of a prior offense, a fine, which shall be set at $1,000.00. The fine shall be mandatory, and the court shall have no authority to suspend the fine or any portion thereof. In addition, the court shall have the authority to sentence the defendant to confinement in the county jail for a maximum of six months.

(3) Third offense, committed within five years of two prior offenses, a fine, which shall be set at $1,000.00. The fine shall be mandatory, and the court shall have no authority to suspend the fine or any portion thereof. In addition, the court shall sentence the defendant to confinement in the county jail for a minimum of 30 days and a maximum of six months. The defendant shall be

required to serve the minimum 30-day jail sentence and the court shall have no authority to suspend the first 30 days of such sentence.

(b) Violation of Provisions Regarding Unauthorized Removal of Impounded Dogs. Any person who removes or attempts to remove a dog from the custody of the animal control officer, law enforcement officer, or designee, or any animal shelter at which the dog is impounded, in violation of Section 2-116(c), shall be guilty of a misdemeanor, punishable by a fine in the amount of $1,000.00. The court shall have no authority to suspend the fine or any portion thereof. In addition, the court shall have the authority to sentence the defendant to confinement in the county jail for a maximum of six months.

(c) Violation of Other Provisions. Any person, who owns or possesses a dog in violation of Section 2-114(c) or violates any· other provision of this article, shall be guilty of a misdemeanor, punishable by a fine in the amount of $250.00. The court shall have no authority to suspend the fine or any portion thereof. In addition, the court shall have the authority to sentence the defendant to confinement in the county jail for a maximum of 30 days.

2-118. Vicious dogs, costs to be paid by responsible persons.

All reasonable costs incurred by the city in seizing, impounding, confining or disposing of any vicious dog pursuant to the provisions of this article shall be charged against the owner of such animal and shall be subject to collection by any lawful means. If the owner of the animal is found guilty of a violation of this article, said above-mentioned expenses shall be assessed as costs in said court action.

ARTICLE 2. RESERVED FOR FUTURE USE.

ARTICLE 3. RESTRICTIONS ON OWNING ANIMALS

2-301. Number of dogs; exemption.

Ownership/custodianship of dogs is limited to no more than three (3) dogs per household. This prohibition shall not apply to:

(a) Individuals possessing a hobby breeder's license.

(b) Zoos, circuses, carnivals, fairs, veterinarian clinics in possession of such animals during treatment, educational institutions or medical institutions.

(c) Persons temporarily transporting such animals through the city.

(d) Individuals selling or giving away pups. Such individuals shall have sixty (60) days from the date of birth of these pups to comply with this section.

2-302. Prohibited owning; exemptions.

(a) The owning, harboring, keeping, possessing or selling of any wild, exotic, poisonous or vicious animal within the city limits is hereby prohibited. This prohibition shall not apply to:

(1) Those wild or exotic animals kept under a rehabilitation or scientific and exhibition permit of the Kansas Wildlife and Parks Department.

(2) Zoos, circuses, carnivals, veterinarian clinics in possession of such animals during treatment, educational institutions or medical institutions.

(3) Persons temporarily transporting such animals through the city.

(b) The owning or keeping of any fowl within the city limits is hereby prohibited; except:

(1) Caged birds kept as pets within a resident structure;

(2) The owning or keeping of chickens shall be limited to a maximum of five (5) per residence, kept in accordance with section 2-304;

(3) The owning or keeping of pigeons shall be limited to a maximum of five (5) per residence, kept in accordance with section 2-304;

(4) Other domestic fowl, kept in accordance with section 2-302(c)(2).

(5) Roosters are subject to section 2-406, Excessive Animal Noise Prohibited.

(c) No livestock, including but not limited to horses, mules, cattle, sheep, goats, and swine, shall be owned, kept or maintained within the city limits, except;

(1) Livestock in conjunction with veterinarian clinics, livestock auctions, livestock shows, rodeos, and fairs are permitted.

(2) Individuals who own or maintain livestock, or property used for the keeping and maintenance of livestock within the city limits when the Animal Code is adopted may continue to own, keep or maintain such livestock.

2-303. Limitation on numbers of animals owned; exemptions.

When animals in excess of the limits established in the Beloit code are found at a residence, all of the animals found at the residence may be removed by the Animal Control officer and impounded, except that the person in charge of the residence may designate and retain up to those limits established in the Code.

2-304. Location of yard housing for animals.

It shall be unlawful for any person to maintain any chicken coop, pigeon cote, or rabbit hutch closer than fifty (50) feet to the nearest portion of any building occupied by or in any way used by any person, other than the dwelling occupied by the owner/custodian of the animals. Any yard housing for the animals shall be so constructed and maintained that any animal kept therein is securely confined and prevented from escaping therefrom.

No chickens, pigeons, ducks or geese shall reside within the living area of the owner/custodian's residence.

2-305. Keeping bees.

It shall be unlawful for any person, either as owner or as agent, representative, employee or bailee of any owner, to keep or harbor any bees within the limits of the city without having first obtained a special permit therefore from the City Clerk. Any person desiring to obtain a permit to keep bees within the city limits shall file an application with the City Clerk who shall refer the same to the Animal Control Officer. The Animal Control Officer shall investigate the proposed premises and file his written report and recommendations with the City Council. After investigation, the City Clerk may grant the applicant permission to keep bees upon her/his premises within the city limits upon such terms and conditions as it may specify. Any permit granted by the City Clerk hereunder shall be subject to revocation in the event said applicant shall fail to comply with the terms and conditions of the special permit or if the keeping of the bees becomes a nuisance, health hazard or detrimental to the general welfare of the residents of the city.

ARTICLE 4. RESPONSIBILITIES OF PERSONS OWNING ANIMALS

2-401. Duty of all animal owners/custodians to be responsible owner/custodians.

It shall be the positive duty of every owner/custodian or any animal or anyone having an animal in possession or custody, to exercise reasonable care and to take all necessary steps and precautions to protect other people, property and animals from injury or damage which might result from their animal's behavior.

2-402. Animal care requirements and prohibition of animal cruelty.

(a) Shelter.

(1) Any dog that is habitually kept outside or repeatedly left outside unattended shall be provided shelter which is sanitary, of sound construction, and provide adequate protection from the cold and heat. Shelter must be placed in a dry area free of debris, feces, and standing water. It must have at least three sides and a weather proof roof; have a solid, sanitary floor, be adequately ventilated; provide shelter from wind, rain, sun and the elements at all times. Suitable drainage must be provided so that water is not standing in or around the shelter.

(2) Shelter must be large enough to accommodate the animal, but not so large that it would not retain body heat adequately.

(3) When outdoor temperatures reach freezing levels or below, pet owners/custodians shall take extraordinary measures to ensure their animals are protected from the extreme weather conditions and that they have unfrozen water to drink.

(4) All areas where animals are kept shall be cleaned regularly so that fecal matter is disposed of so not to attract insects or rodents, become unsightly or cause objectionable odor.

(5) An Animal Control Officer may remove an animal that is living in conditions that do not meet the standards outlined above.

(6) If multiple animals are present in one location each animal must have access to shelter and the owner/custodian must meet all standards as outlined in this section.

(b) Nutrition.

(1) All animals kept or harbored shall be provided with sufficient, wholesome food suitable for the animal's size, age, and physical condition and in sufficient quantities to maintain an adequate level of nutrition.

(2) Animals shall be provided a regular supply of clean, fresh water.

(c) Exercise.

(1) The enclosure or confinement area for a dog shall encompass sufficient useable space to keep the animal in good condition.

(2) When a dog is confined outside by means of an enclosure or an electronic containment device, the following minimum space requirements shall be met:

Number of Dogs	**Under 50 lbs.**	**Over 50 lbs.**
1	6x10 (60 sq. feet)	8x10 (80 sq. feet)
2	8x10 (80 sq. feet)	8x12 (96 sq. feet)
3	8x12 (96 sq. feet)	10x14 (140 sq. feet)

(d) It shall be unlawful cruelty to animals for any person to own or keep any animal and:

(1) Tether or chain the animal as a primary means of stationary confinement. Dogs may be tethered or chained for no longer than eight (8) hours in any 24-hour period. Any chain or tether must be attached to a properly fitting collar or harness worn by the animal.

(2) Fail to provide such sufficient and wholesome food, fresh water, shade and protection from the weather, opportunity for exercise, veterinary care when needed to treat injury or illness, (unless the animal is instead humanely euthanized) or other care as is needed for the health or well-being

of such kind of animal. The dog's fur provides insulation from heat and cold, regulating the animal's body temperature. Allowing the dog's fur to become matted due to filth and neglect shall be a violation of this code.

(3) Abandon or leave any animal in any place. For the purpose of this provision, "abandon" means for the owner/custodian or keeper to leave any animal without demonstrated or apparent intent to recover or to resume custody; leave any animal for more than eight (8) hours without providing for adequate food, fresh water, and shelter for the duration of the absence; or turn loose or release any animal for the purpose of causing it so be impounded.

(4) Leave any animal unattended in a vehicle when such vehicle does not have adequate ventilation and temperature to prevent suffering, disability or death to such animal.

(e) Any animal impounded for being kept in violation of this section or section 2-502 may be humanely euthanized by a veterinarian if he deems it necessary to relive suffering. The owner/custodian of any animal that is not euthanized shall be entitled to regain custody of such animal only after such custody is authorized by the court. All expenses accrued for the treatment or care of such animal shall be paid by the owner/custodian, whether or not he seeks to regain custody of such animal.

2-403. Proper identification of dogs required.

It shall be unlawful for any person owning or keeping any dog to permit such animal to be outside the premises of such owner/custodian without a current city license tag and a current rabies vaccination tag attached to the collar or harness of such animal. It shall be unlawful for any person to permit a city licensing or rabies vaccination tag to be worn by any animal other than the animal for which such tag is issued.

2-404. Running-at-large prohibited; exemptions.

Every owner/custodian shall ensure that the dog is kept under restraint and that reasonable care and precautions are taken to prevent the animal from leaving, while unattended, the premises of its owner/custodian. It shall be unlawful for any owner/custodian to fail to prevent such dog from running-at-large within the City at any time.

A dog shall not be deemed running-at-large if:

(a) The dog is firmly attached to a leash, chain, rope or harness and under the physical control of its owner/custodian; or

(b) The dog is under the immediate voice control of its owner/custodian, such that the dog remains by the side of its owner/custodian at all times, or

(c) The dog is within a structure or fence enclosure with the permission of the owner of the structure or fence enclosure; or

(d) The dog is tethered in such a manner as to prevent its crossing outside the premises of the owner/custodian onto public property, public right-of-way, or private property owned by any person other than the owner/custodian.

2-404a. Electronic Fences.

Electronic fences are not considered proper restraining devices and are discouraged. Residents who confine a dog with an electronic fence or an electronic collar must clearly post a sign on the property indicating the use of such a device. Any electronic fence must not be installed closer than ten (10) feet to any public sidewalk or property line.

2-404b. Running-at-large; dangerous.

Any dog found running at large that appears dangerous, fierce or vicious, and cannot be safely apprehended and impounded without endangering some person, the Animal Control Officer or a law enforcement officer is authorized to use that force reasonably necessary to restrain or put down the dog.

2-405. Animal nuisance activities prohibited.

The owner/custodian of any animal shall take all reasonable measures to keep such animal from becoming a nuisance. It shall be unlawful for the owner/custodian of any animal to cause, permit or fail to exercise proper care and control to prevent such animal from performing, creating or engaging in an animal nuisance activity. For the purpose of this provision, "animal nuisance activity" is defined as any animal which:

(a) When unprovoked, chases or approaches a person or domestic animal upon public property, public rights-of-way, or private property, owned or kept by any person other than the owner/custodian, in a menacing fashion or apparent attitude of attack. Menacing shall mean the display by an animal of a disposition, determination or intent to attack or inflict injury or harm to a human being or other domestic animal, including displays of growling, charging, lunging, snapping or biting;

(b) When unprovoked, engages in a menacing behavior causing a person lawfully on abutting or adjoining private or public property or rights-of-way to reasonably believe the safety of the person is threatened. Particular attention shall be paid to threatened safety of children. Such menacing behavior may include displays of growling, snapping or biting, or behaviors such as charging or lunging at or against a fence or other barrier separating the owner/custodian's premises from other public or private property. Attempts by an animal to cross outside the owner/custodian's premises through, over or under a fence or barrier may constitute menacing behavior;

(c) Damages public or private property by its activities or with its excrement;

(d) Scatters refuse that is bagged or otherwise contained;

(e) Causes any condition which threatens or endangers the health or well-being of persons or other animals.

If a notice to appear is issued charging violation of this section, a subpoena may also be issued to a complainant, witness or other person to testify under oath as to the animal nuisance activity.

2-406. Excessive animal noise prohibited.

It shall be unlawful for the owner/custodian of any animal to permit such animal to make noise which is so loud or continuous that it disturbs a person or normal sensibilities. If a notice to appear is issued charging violation of this section, a subpoena may also be issued to the person who has been disturbed to testify to the disturbance under oath.

2-407. Proper confinement of cats and dogs in heat required.

The owner/custodian of any female cat or dog shall, during the period that such animal is in heat, keep it securely confined and enclosed within a building except when out upon such person's premises briefly for toilet purposes.

2-408. Special licensing of guard dogs and posting of premises required.

(a) Any person owning or keeping a trained guard dog in the city (for the purpose of this section, a trained guard dog shall mean any dog used to guard public or private property, and whether the training was formal or informal) shall license such dog with the Animal Control Officer, who shall verify that such animal is controllable by its keeper and is confined in a manner that will not endanger persons not on the premises guarded.

(b) A conspicuous notice shall be posted on the premises where any guard dog is kept to warn persons of the nature of the dog therein confined.

(c) Any person operating a guard dog service in the city shall license such business with the Animal Control Officer and shall list all premises to be guarded with the Animal Control Officer before such service begins.

(d) Annual Licensing fees pursuant to subsections (a) and (c) are as follows:

(1) Private guard dog, IAW 2-408(a) $100.00

(2) Commercial guard dog service IAW 2-408(c) $400.00

2-409. Annual licensing of dogs required; exception.

Any person owning or keeping any dog over six (6) months of age shall license such dog as prescribed in Article VI of this chapter, except for persons who shall be required to license as a commercial animal establishment.

2-410. Rabies vaccination of cats and dogs required.

Any person owning or keeping any cat or dog over one hundred twenty (120) days of age shall be required to have such animal currently immunized against rabies. For the purpose of this chapter, "currently immunized or vaccinated against rabies" shall mean that such cat or dog has been inoculated against rabies by a licensed veterinarian within the past thirty-six (36) months. However, cats and dogs under one year of age which are inoculated must receive a second rabies inoculation within twelve (12) months.

2-411. Animals in public buildings prohibited; exemptions.

No animal shall be allowed to enter any theatre, store, or other public building in the city, whether accompanied by its owner/custodian or person in charge or otherwise, except with the approval of the building's owner or manager. Formally trained assist dogs and police dogs engaged in law enforcement are exempt from this provision.

2-412. Removal of animal feces required.

The owner/custodian of any animal, when such animal is off the owner/custodian's property, shall be responsible for the removal of any feces deposited by such animal on public walks, streets, recreation areas, or private property and it shall be a violation of this section for such owner/custodian to fail to remove or provide for the removal of such feces before taking such animal from the immediate area where such defecation occurred.

2-413. Reserved.

2-414. Duty to report animal bites.

(a) The owner/custodian, as defined in this chapter, of any animal shall immediately report to the animal pound, health department, hospital or police department any incident in which the animal has actually bitten any person or domestic animal, regardless of circumstances, and shall cause the animal to be confined in a secure enclosure or building until an investigation is conducted by the proper authority.

(b) In the case where the animal is not current on its rabies vaccinations, the animal will be impounded and confined in the city pound for a period of ten (10) days for observation. The cost for this confinement will be borne by the animal's owner/custodian.

ARTICLE 5. ANIMAL PROTECTION RESPONSIBILITY OF ALL PERSONS

2-501. Dog fighting.

It shall be unlawful for any person to, by words, signs or otherwise, intentionally set any dog or pup to attack any other dog or pup or any other animal, or aid, abet or encourage any dog or pup to fight; or by words, signs or otherwise permit or encourage any dog or pup to fight.

2-502. Cruelty generally.

No person shall willfully and wantonly kill, beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse any animal, or cause, instigate or permit any dog fight, cock fight, or other combat between animals or between animals and humans, nor shall any person attend such unlawful exhibition or be umpire or judge at such.

2-503. Report of motor vehicle striking animals.

The operator of a motor vehicle that strikes any animal shall, as soon as possible, report the accident to the Animal Control Officer or the Police Department.

2-504. Selling of certain animals prohibited.

(a) It shall be unlawful for any person to sell or display within the city any animal or fowl that has been artificially dyed or colored.

(b) No wild, exotic, poisonous or vicious animal may be sold within the city limits, except as allowed under section 2-302(a).

2-505. Exposing poison to animals.

No person shall expose any known poisonous substance whether mixed with food or not, so that the same shall be liable to be eaten by any animal, provided that it shall not be unlawful for a person to expose, on his own property, poison mixed with only vegetable substances.

2-506. Spring steel traps restricted.

It shall be unlawful for any person to use a spring steel trap in the city limits except rat, mice, gopher and mole traps.

2-507. Killing or molesting birds.

It shall be unlawful for any person to willfully kill any songbird or to molest the nest of such birds.

2-508. Retention of animals unlawfully.

No person shall, without the knowledge of consent of the owner/custodian, hold or retain possession of any animal of which he is not the owner/custodian for more than twenty-four (24) hours without first reporting the possession of such animal to the Animal Control Officer, the Police Department, or the animal pound; nor shall any person feed or shelter any unowned animal for seventy-two (72) hours or more consecutive hours without reporting such animal to the animal pound.

ARTICLE 6. LICENSING OF DOGS

2-601. License required.

It shall be unlawful for any person to own, possess, keep, harbor, or house a dog within the city without properly registering the dog and obtaining a dog license from the city as provided in this article.

2-601a. Dogs temporarily in the city.

The provisions of this article with respect to licensing shall not apply to any dog owned or kept by any person temporarily remaining within the City of Beloit less than fourteen (14) days, or any dog brought into the City of Beloit for less than fourteen (14) days. The owner/custodian shall keep such dogs or pups under restraint.

2-602. License procedure.

(a) Every owner of any dog over six (6) months of age shall register with the city clerk his or her name and address with the name, sex and description of each dog owned and kept within the city limits.

(b) It shall be unlawful for the owner of any newly acquired dog, or any dog brought into the city to fail to register such animal within fourteen (14) days from a dog reaching the age of required licensing, within fourteen (14) days of acquisition, or within fourteen (14) days of bringing the dog into the City.

(c) Upon registration, the owner shall present a current, completed certificate of immunization against rabies. No registration shall follow without evidence of this document, and it shall be unlawful for the owner of any dog over six (6) months of age to fail to maintain effective rabies immunization of such dog.

(d) The owner, custodian, or harborer of any dog shall, at the time of registering such dog, present to the Clerk a certificate from an accredited veterinarian showing that a male dog has been neutered or a female dog has been spayed, if the dog has been neutered or spayed.

(e) The City Clerk shall issue a lifetime registration for each registered dog. A lifetime tag shall be issued free of charge for each registered dog. A replacement tag shall be issued for a replacement fee of $5.00 for each replacement tag.

(f) The owner/custodian shall be responsible for providing the city with current rabies immunization of such dog at the time of registration and subsequent thereto as long as the dog remains and is kept within the City.

(g) The owner/custodian shall be responsible for providing the city with a current address of such dog as long as the dog remains and is kept within the City. The owner/custodian shall be

responsible for notifying the city of the dog's death or removal from the city which will terminate such license.

(h) Upon change of owner/custodianship, any person acquiring a dog currently licensed with the city shall apply to the City Clerk to transfer such license to his/her name and no fee shall be charged.

2-603. Exemptions.

(a) Any other section of this chapter notwithstanding, the license provision of this chapter, shall not apply to any nonresident owner/custodian or any dog while such person is passing through the city, provided such dog shall remain on a leash or otherwise effectively restrained while within the City.

(b) Dogs which have been declared dangerous pursuant to Beloit City Code shall be registered pursuant to Section 2-107, requiring an annual registration and payment of a license fee and other registration requirements.

2-604. Tags.

(a) It shall be the duty of the City Clerk or designated agent, upon a showing of current rabies immunization and other information required by Section 2-602, to keep in a book suitable for the registration of dog, the time of the registration, the name of the owner/custodian, the number of the registration, and shall deliver to the owner/custodian of the dog a certificate in writing, stating that the person has registered the dog and the number by which the dog is registered, and shall also deliver to the owner/custodian of the dog a lifetime tag with the registration number which shall be, by the owner/custodian, attached to the collar to be used on the dog so registered.

(b) A lifetime tag shall be issued free of charge for each registered dog. A replacement tag shall be issued for a replacement fee of $5.00 for each replacement tag.

(c) It shall be unlawful for any person to take off or remove the City registration tag from any dog belonging to another, or remove the strap or collar on which the same is fastened.

2-605. Licensed in name of household head.

All dogs maintained in any household shall be licensed in the name of the household head. Such household head shall be deemed the owner/custodian of the dog as that term is defined in Section 2-101(y) of this chapter.

2-606. Hobby breeder's license required.

All hobby breeders shall obtain an annual City license and pay the fee established by resolution of the City Council. No license shall be issued until the applicant shall have furnished satisfactory proof that he meets all requirements of a hobby breeder as specified in Section 2-101 and a written consent to the issuance of the license, signed by the adjacent property owners is filed with the City

Clerk. For the purpose of this section, adjacent property owner/custodian shall mean the owner/custodian of land of which any part thereof lies within fifty (50) feet shall exclude public streets and alleys. Any license issued hereunder may be revoked at any time for just cause at the discretion of the City Manager.

2-607. Denial, revocation and reinstatement.

(a) Withholding or falsifying information on a license application shall be grounds for denial or revocation of such license.

(b) Any person having been denied a license may not reapply for a period of thirty (30) days.

(c) No person who has been convicted of cruelty to animals shall be issued a license or permitted to own/keep any animal within the City.

(d) It shall be a condition of the issuance of any license that the Animal Control Officer shall be permitted to inspect all animals and all premises where animals are kept at any reasonable time. If permission for such inspection is refused, the Animal Control Officer shall revoke the license.

(e) Any license issued shall be subject to revocation in the event such license shall fail to comply with the terms and conditions of such license, or if the activity licensed becomes a nuisance, health hazard, or detriment to the safety and welfare to residents of the City.

(f) Any person whose license is revoked shall, within ten (10) days thereafter remove the animals owned or kept from the limits of this City, or surrender any animal owned or kept to the Animal Control Officer, who shall determine its disposition.

(g) Any person aggrieved by the denial or revocation of a license may appeal to the City Council, who may issue, reinstate, or affirm the denial of such license or licensing.

ARTICLE 7. LICENSING OF COMMERCIAL ANIMAL ESTABLISHMENTS

2-701. License required.

It shall be unlawful for any person, either as owner or agent, representative, employee, or bailee of an owner, to operate a commercial animal establishment without being licensed for that activity as provided in this article.

2-702. Application.

Any person desiring to obtain or annually renew a license to operate a commercial animal establishment shall file an application with the City Clerk.

2-703. Fees; exemptions.

(a) The fee for a license under this article shall be established by resolution.

(b) No license fee shall be required of the animal pound, of any animal hospital or animal shelter.

(c) Any person for the first time beginning to operate a commercial animal establishment shall pay the applicable license fee at least thirty (30) days prior to the start of such operation.

2-704. Procedure.

Upon the receipt of the license application and fee, the City Clerk shall refer such application to the Animal Control Officer, who shall investigate the premises and file a written report and recommendation with the City Clerk. If the Animal Control Officer approves the application, the City Clerk shall issue the applicant a license to operate the activity under such conditions as the Animal Control Officer shall specify in the report.

2-705. Transferability.

License for commercial animal establishments shall not be transferable.

2-706. Expiration; renewal.

All licenses shall expire on December 31 of the current year. Licenses shall be advised by written notice of the City Clerk sixty (60) days prior to the license expiration date, for the purpose of renewal. The licensee shall then apply to the City Clerk for license renewal at least thirty (30) days prior to the license expiration date to assure continuous licensing·.

2-707. Denial, revocation and reinstatement.

(a) Withholding or falsifying information on a license application shall be grounds for denial or revocation of such license.

(b) Any person having been denied a license may not reapply for a period of thirty (30) days. Each reapplication shall be accompanied by a fee established by resolution.

(c) No person who has been convicted of cruelty to animals shall be issued a license.

(d) It shall be a condition of the issuance of any license that the Animal Control Officer shall be permitted to inspect all animals and all premises where animals are kept at any reasonable time. If permission for such inspection is refused, the Animal Control Officer shall revoke the license.

(e) Any license issued shall be subject to revocation in the event such licensee shall fail to comply with the terms and conditions of such license, or if the activity licensed becomes a nuisance, health hazard, detriment to the safety and welfare of residents of the city.

(f) Any person who license is revoked shall, within ten (10) days thereafter remove the animals owned or kept from the limits of this city, or surrender any animal owned or kept to the Animal Control Officer, who shall determine its disposition, and no part of the license fee shall be refunded.

(g) Any person aggrieved by the denial or revocation of a license may appeal to the City Council, who may issue, reinstate, or affirm the denial of such license.

ARTICLE 8. IMPOUNDMENT OF ANIMALS

2-801. Notification of capture and impoundment.

Upon the taking and impoundment of any cat or dog wearing a current city licensing and/or rabies vaccination tag, the Animal Control Officer shall notify the owner/custodian of such animal of its impoundment and conditions under which the animal can be recovered. Such notice shall be given within forty-eight (48) hours of the impoundment of such animal. Any owner/custodian so notified who fails to reclaim such animal within one business day or such notice shall be issued a notice to appear for failure to reclaim.

2-802. Owner/custodian of impounded animal may be processed against for violation of any applicable section or sections.

The owner/custodian of any impounded animal who does not recover such animal may still be processed against for violation of any applicable section or sections of this chapter.

2-803. Period for holding animals.

(a) Any impounded cat or dog not recovered by its owner/custodian within a holding period of three (3) business days shall become the property of the city and may be offered for adoption or humanely euthanized.

(b) When any cat or dog not having proper identification arrives at the shelter in such a condition that, in the judgement of the veterinarian, compassion requires that such animal be promptly euthanized, then the animal may be humanely euthanized.

2-804. Procedure and fees for recovery of animals.

(a) Any owner/custodian of an impounded dog or cat shall be entitled to recover such animal if, within the prescribed holding period, such person shall appear to claim such animal and shall make payment of the required fees and any veterinary expenses. The required fees shall be established by resolution.

(b) If an owner/custodian cannot validate current rabies immunization for his/her animal, then such owner/custodian shall, within three (3) business days, accomplish such vaccination with a licensed veterinarian or shall be issued a notice to appear for validation of this section.

2-805. Breaking pound or shelter.

It shall be unlawful for any person other than a duly authorized officer to break open or attempt to break open any enclosure in which dogs, pups, cats, kittens, or any other impounded animals are confined or held pursuant to the provisions of this article or take or let out any dog, pup, cat, kitten or any other impounded animals placed therein by an officer of this city, or take or attempt to take from an officer of this city any dog, pup, cat, kitten or any other impounded animal taken by such an officer, or in any manner interfere with or hinder any officer of this city in catching or taking up any animal.

Section 2: This Ordinance shall take effect and be in full force from and after its passage and one publication in the official city newspaper.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 17th day of June, 2020.

_____
Tom Naasz, Mayor

ATTEST:

_____
Amanda J. Lomax, City Clerk

REQUEST FOR COUNCIL ACTION

DATE: 6/17/2020

TITLE: Ordinance 2275 Electric Rates

ORIGINATING DEPARTMENT:
Administration

TYPE OF ACTION:
- [x] ORDINANCE
- [ ] RESOLUTION
- [ ] FORMAL ACTION
- [ ] OTHER

RECOMMENDATION:

I recommend that the Council approve Ordinance 2275 Electric Rates.

BACKGROUND:

Due to portfolio changes and progress on the electric reserve account, it is recommended the council partially roll back rate increases enacted in 2015. Staff continues to monitor this quarterly with the enacted decreases in the PCA in the middle of 2019 and the beginning of 2020. Assuming the PCA component of the rate structure continues on trend this in total represents an approximate 10-11% reduction in power costs to the customer over the last 18 months.

FINANCIAL IMPACT:

There is no financial impact with this item.

OPTIONS:

DISCUSSION:

Respectfully submitted,
Jason Rabe
City Manager

ORDINANCE NO. 2275 SUMMARY

On June 17, 2020 the City of Beloit, Kansas adopted Ordinance No. 2275, which amends Section 17-309 of the Beloit City Code. The ordinance reduces the city's electric rates. A complete copy of this ordinance is available at www.beloitks.org or at City Hall, 119 S. Hersey St. This summary certified by Katie J. Schroeder, Beloit City Attorney.

ORDINANCE NO. 2275

AN ORDINANCE AMENDING ELECTRIC RATES FOR THE CITY OF BELOIT, KANSAS, BY AMENDING SECTION 17-309 OF ARTICLE 3, CHAPTER 17 OF THE CODE OF THE CITY OF BELOIT, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELOIT, KANSAS:

SECTION 1. Section 17-309 of the Code of the City of Beloit, Kansas, is hereby amended to read as follows:

17-309. MONTHLY RATES.

(a) The monthly rates to be charged and collected by the city for the sale of electricity and electrical service shall be as follows, to-wit:

(1) **Residential Urban metered use (Inside City Limits):**

(A) First 50 kwh/ month or less minimum charge of $9.00
(B) Next 950 kwh/month $0.08500/kwh
(C) Over 1,000 kwh/month $0.07000/kwh

Plus energy cost adjustment charge, as applicable. Minimum monthly charge $9.00.

Application: To all urban residential consumers inside the city limits. Each dwelling unit (apartment, duplex, trailer, etc.) is to be metered separately unless the user (apartment house, duplex, trailer court, etc.) elects to be billed as an urban business user. Rooming houses with more than five units available for rent shall be considered business and be under one meter. If the user elects to be billed as a business user and desires private metering in addition to the one meter furnished by the utility, it shall be at the expense of the user.

Service: Such phase and voltage as the utility has immediately available to the site shall be determined by the Director of Electric Operations.

(2) **Residential Rural metered use (Outside City Limits):**

(A) First 50 kwh/ month or less minimum charge of $10.50
(B) Next 950 kwh/month $0.09000/kwh
(C) Over 1,000 kwh/month $0.07400/kwh

Plus energy cost adjustment charge, as applicable. Minimum monthly charge $10.50.

Application: To all rural residential consumers outside the city limits and to any farm consumer, for domestic plus customary farm uses, where consumption does not exceed 10,000 kwh per month in any months after June 16 and before October 15 in any year. Each dwelling unit (apartment, duplex, trailer, etc.) is to be metered separately unless the user (apartment house, duplex, trailer court, etc.) elects to be billed as a rural business user. Rooming houses with more than five units available for rent shall be a rural business user. If the user elects to be billed as a rural business user

and desires private metering in addition to the one meter furnished by the utility it shall be at the expense of the user.

Service: Such phase and voltage as the utility has immediately available to the site shall be determined by the Director of Electric Operations.

(3) **Small Urban Business metered use (Inside City Limits):**

(A) First 100 kwh/month or less minimum charge of $15.00
(B) Next 1,900 kwh/month $0.09000/kwh
(C) Over 2,000 kwh/month $0.08000/kwh

Plus energy cost adjustment charge, as applicable. Minimum monthly charge $15.00.

Application: To all urban business and institutional users inside the city limits, unless classified as residential or large business. Residential use may be included where business operated in the home, on the same meter as the household. Each meter is to be considered a separate customer.

Service: Such phase and voltage as the utility has immediately available to the site shall be determined by the Director of Electric Operations.

(4) **Small Rural Business metered use (Outside City Limits):**

(A) First 100 kwh/month or less minimum charge of $17.50
(B) Next 1,900 kwh/month $0.09500/kwh
(C) Over 2,000 kwh/month $0.08500/kwh

Plus energy cost adjustment charge, as applicable. Minimum monthly charge $17.50.

Application: To all rural farm business and institutional users outside the city limits, unless classified as rural residential or rural large business. Residential use may be included where business is operated in the home on the same meter as the household. Each meter is to be considered a separate customer.

Service: Such phase and voltage as the utility has immediately available to the site shall be determined by the Director of Electric Operations.

(5) **Large Urban Business metered use (Inside City Limits):**

(A) Demand Charges:
(i) First 25 kwh/month demand or less minimum charge of $120.00
(ii) Next 75kwh demand $5.75000/kwh
(iii) Over 100 kwh demand $6.75000/kwh

(B) Energy Charges:
(i) First 2,000kwh/month or less minimum charge of $125.00
(ii) Next 18,000 kwh/month $0.05700/kwh
(iii) Over 20,000 kwh/month $0.05200/kwh

Plus energy cost adjustment charge, as applicable. Minimum monthly charge $125.00.

Power Factor Adjustment: The rates set by governing body of the city are based on the maintenance by the customer of a power factor of not less than 80% at all times. If it is determined by measurement that the power factor at time of customer's monthly peak load is less than 80% the demand shall be increased by the ratio of 80% to the customer's power factor expressed as a percentage.

Application: To all urban business and institutional users inside the city limits which elect by signed request to be served hereunder. Commitment shall be not less than 12-month duration renewable automatically and indefinitely.

To such other business or institutional users inside the city limits as are assigned to this classification at the sole discretion of the utility. Criteria for such assignment are:

(A) Whenever the customer's metered demand exceeds 50 kw in any monthly period of time after June 16th and before October 15th each year or the normal reading cycle closest thereto; or

(B) Whenever the customer's average monthly use in any calendar year exceeds 20,000 kwh; or

(C) Whenever the average power factor during the period of customer's annual peak demand is measured as less than 75%; or

(D) Whenever in the judgment and sole discretion of the utility, the customer requests, or exhibits any abnormal service conditions, capacities, or voltage requirements.

Service: Such phase and voltage as the utility has immediately available to the site shall be determined by the Director of Electric Operations.

(6) **Large Rural Business metered use (Outside City Limits):**

(A) Demand Charges:
- (i) First 25 kwh/month demand or less minimum charge of $132.00
- (ii) Next 75kwh demand $6.10000/kwh
- (iii) Over 100kwh demand $7.10000/kwh

(B) Energy Charges:
- (i) First 2,000kwh/month or less minimum charge of $140.00
- (ii) Next 18,000 kwh/month $0.05800/kwh
- (iii) Over 20,000 kwh/month $0.05300/kwh

Plus energy cost adjustment charge, as applicable. Minimum monthly charge $140.00.

Power Factor Adjustment: The rates set by governing body of the city are based on the maintenance by the customer of a power factor of not less than 80% at all times. If it is determined by measurement that the power factor at time of customer's monthly peak load is less than 80% the demand shall be increased by the ratio of 80% to the customer's power factor expressed as a percentage.

Application: To all rural business and institutional users outside the city limits which elect by signed request to be served hereunder. Commitment shall be not less than 12 month duration renewable automatically and indefinitely.

To such other business or institutional users outside the city limits as are assigned to this classification at the sole discretion of the utility. Criteria for such assignment are:

(A) Whenever the customer's metered demand exceeds 50 kw in any monthly period of time after June 16th and before October 15th each year or the normal reading cycle closest thereto; or

(B) Whenever the customer's average monthly use in any calendar year exceeds 20,000 kwh; or

(C) Whenever the average power factor during the period of customer's annual peak demand is measured as less than 75%; or

(D) Whenever in the judgment and sole discretion of the utility, the customer requests, or exhibits any abnormal service conditions, capacities, or voltage requirements.

Service: Such phase and voltage as the utility has immediately available to the site shall be determined by the Director of Electric Operations.

(7) **Municipal Use: Same as applicable business rate.**

SECTION 2. This Ordinance shall take effect and be in force from and after its passage, approval, and publication one time in the official City newspaper.

PASSED AND APPROVED by the Mayor and Governing Body of the City of Beloit, Kansas this 17th day of June, 2020.

_____
Tom Naasz, Mayor

ATTEST:

_____
Amanda J. Lomax, City Clerk

Example Residential High Use Summer Electric Bill

PROPOSED RESIDENTIAL INSIDE CITY LIMITS

		Electric Use
kw	**Rate**	**2,500**
50	$ 9.00	$ 9.00
950	$ 0.08500	$ 80.75
1000	$ 0.07000	$ 105.00
		$ 194.75
PCA	$ 0.03	$ 75.00
Total		$ 269.75

PROPOSED RESIDENTIAL OUTSIDE CITY LIMITS

		Electric Use
kw	**Rate**	**2,500**
50	$ 10.50	$ 10.50
950	$ 0.09000	$ 85.50
1000	$ 0.07400	$ 111.00
		$ 207.00
	$ 0.03	$ 75.00
		$ 282.00

CURRENT RESIDENTIAL INSIDE CITY (old PCA)

		Electric Use
kw	**Rate**	**2,500**
50	$ 10.00	$ 10.00
950	$ 0.08700	$ 82.65
1000	$ 0.07200	$ 108.00
		$ 200.65
PCA	$ 0.04	$ 100.00
Total		$ 300.65
Approx. Red.		10.28%

CURRENT RESIDENTIAL OUTSIDE CITY (old PCA)

		Electric Use
kw	**Rate**	**2,500**
50	$ 11.00	$ 11.00
950	$ 0.09200	$ 87.40
1000	$ 0.07600	$ 114.00
		$ 212.40
	$ 0.04	$ 100.00
		$ 312.40
		9.73%

Example Small Business Electric Bill

PROPOSED
SMALL BUSINESS INSIDE CITY LIMITS

kw	Rate	Electric Use 20,500
100	$ 15.00	$ 15.00
1,900	$ 0.09000	$ 171.00
2,000	$ 0.08000	$ 1,480.00
		$ 1,666.00
PCA	$ 0.03	$ 615.00
Total		$ 2,281.00

PROPOSED
SMALL BUSINESS OUTSIDE CITY LIMITS

kw	Rate	Electric Use 20,500
100	$ 17.50	$ 17.50
1,900	$ 0.09500	$ 180.50
2,000	$ 0.08500	$ 1,572.50
		$ 1,770.50
	$ 0.03	$ 615.00
		$ 2,385.50

CURRENT
SMALL BUSINESS INSIDE CITY (Old PCA)

kw	Rate	Electric Use 20,500
100	$ 17.00	$ 17.00
1,900	$ 0.09200	$ 174.80
2,000	$ 0.08200	$ 1,517.00
		$ 1,708.80
PCA	$ 0.04	$ 820.00
Total		$ 2,528.80
		9.80%

CURRENT
SMALL BUSINESS OUTSIDE CITY (Old PCA)

kw	Rate	Electric Use 20,500
100	$ 18.70	$ 18.70
1,900	$ 0.09800	$ 186.20
2,000	$ 0.08700	$ 1,609.50
		$ 1,814.40
	$ 0.04	$ 820.00
		$ 2,634.40
		9.45%

Example Large Business Electric Bill

PROPOSED
LARGE BUSINESS INSIDE CITY LIMITS

DEMAND		Electric Use
kw	**Rate**	**200**
25	$ 120.00	$ 120.00
75	$ 5.75000	$ 431.25
100	$ 6.75000	$ 675.00
		$ 1,226.25

PROPOSED
LARGE BUSINESS OUTSIDE CITY LIMITS

DEMAND		Electric Use
kw	**Rate**	**200**
25	$ 132.00	$ 132.00
75	$ 6.10000	$ 457.50
100	$ 7.10000	$ 710.00
		$ 1,299.50

LARGE BUSINESS INSIDE CITY LIMITS

		Electric Use
kw	**Rate**	**20,500**
2,000	$ 125.00	$ 125.00
18,000	$ 0.05700	$ 1,026.00
20,000	$ 0.05200	$ 26.00
		$ 1,177.00
PCA	$ 0.03	$ 615.00
Total		**$ 3,018.25**

LARGE BUSINESS OUTSIDE CITY LIMITS

		Electric Use
kw	**Rate**	**20,500**
2,000	$ 140.00	$ 140.00
18,000	$ 0.05800	$ 1,044.00
20,000	$ 0.05300	$ 26.50
		$ 1,210.50
	$ 0.03	$ 615.00
		$ 3,125.00

LARGE BUSINESS INSIDE CITY LIMITS
DEMAND

kw	Rate	Electric Use
25	$ 140.00	**200**
75	$ 6.00000	$ 140.00
100	$ 7.00000	$ 450.00
		$ 700.00
		$ 1,290.00

LARGE BUSINESS INSIDE CITY LIMITS

kw	Rate	Electric Use
2,000	$ 130.00	**21,200**
18,000	$ 0.05800	$ 130.00
20,000	$ 0.05300	$ 1,044.00
		$ 63.60
		$ 1,237.60
PCA	$ 0.04	$ 848.00
Total		$ 3,375.60
		10.59%

CURRENT
LARGE BUSINESS OUTSIDE CITY LIMITS

DEMAND		Electric Use
kw	**Rate**	**200**
25	$ 154.00	$ 154.00
75	$ 6.30000	$ 472.50
100	$ 7.35000	$ 735.00
		$ 1,361.50

LARGE BUSINESS OUTSIDE CITY LIMITS

		Electric Use
kw	**Rate**	**20,500**
2,000	$ 145.00	$ 145.00
18,000	$ 0.05900	$ 1,062.00
20,000	$ 0.05400	$ 27.00
		$ 1,234.00
	$ 0.04	$ 820.00
		$ 3,415.50
		8.51%

REQUEST FOR COUNCIL ACTION

DATE: 6/17/2020

TITLE: Ordinance 2276 Vacate Alley in Block 11

ORIGINATING DEPARTMENT:
Administration

TYPE OF ACTION:
- [x] ORDINANCE
- [ ] RESOLUTION
- [ ] FORMAL ACTION
- [ ] OTHER

RECOMMENDATION:

I recommend that the Council approve Ordinance 2276 Vacate Alley in Block 11.

BACKGROUND:

FINANCIAL IMPACT:

There is no financial impact with this item.

OPTIONS:

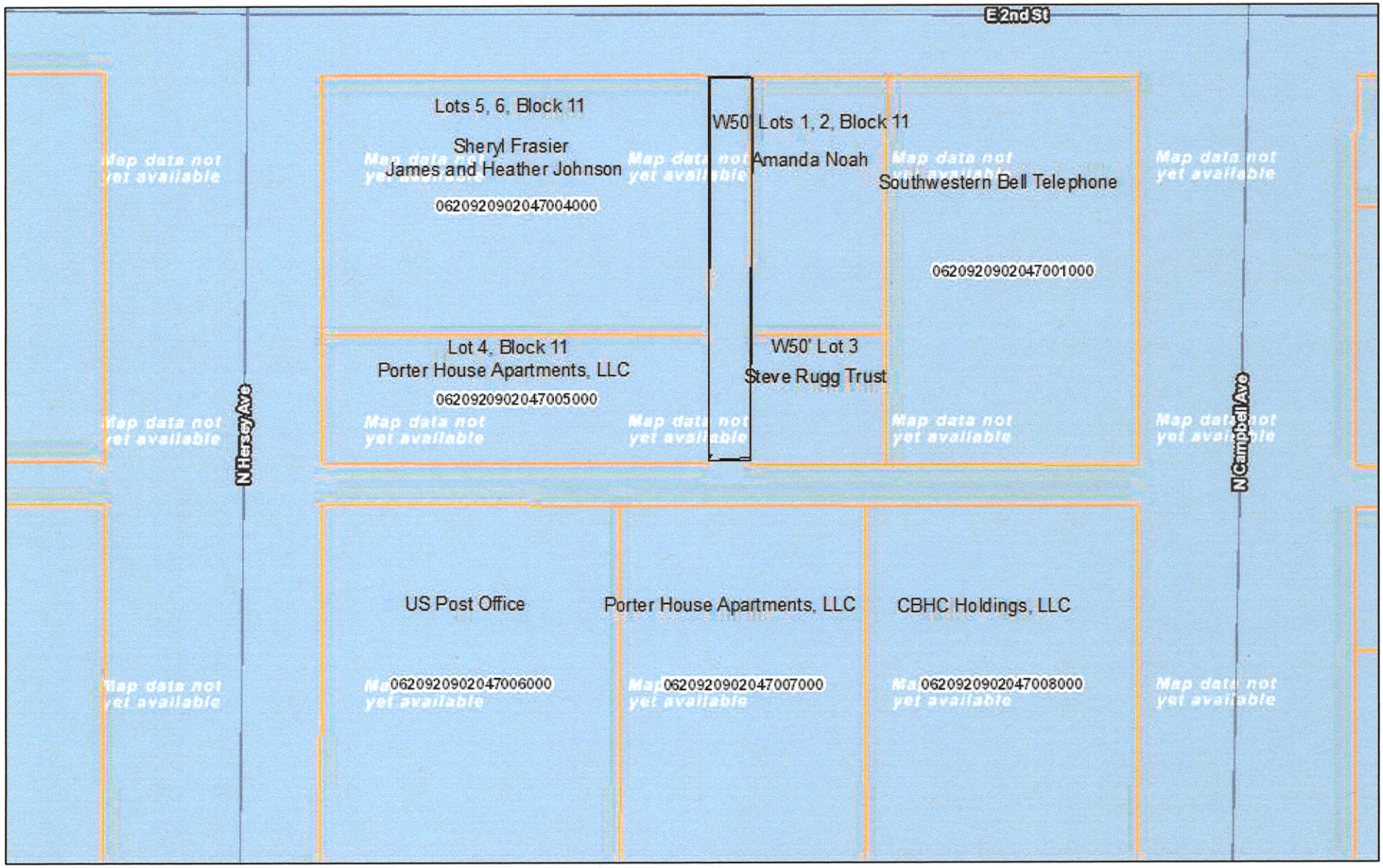
DISCUSSION:

Respectfully submitted,
Jason Rabe
City Manager

ORDINANCE NO. 2276 SUMMARY

On June 17, 2020 the City of Beloit, Kansas adopted Ordinance No. 2276, which vacates the north/south alley in Block 11, Original City of Beloit. A complete copy of this ordinance is available at www.beloitks.org or at City Hall, 119 S. Hersey St. This summary certified by Katie J. Schroeder, Beloit City Attorney.

North/South Alley - Block 11



June 5, 2020
10:43 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:784

0 0.005 0.01 0.02 mi

0 0.01 0.02 0.04 km

City Limits

Parcels

City Streets

City of Beloit
gWorks.

PETITION FOR VACATION OF ALLEY

The undersigned,

Amanda J. Noah – Owner – West 50' of Lots 1 and 2, Block 11, Original Town of Beloit

Steve Rugg Trust – Owner – West 50' of Lot 3, Block 11, Original Town of Beloit

Sheryl J. Frasier, James and Heather Johnson – Owners – Lots 5 and 6, Block 11, Original Town of Beloit

petition and request that the alley described below, be vacated. Said alley is more particularly described as follows:

A platted north/south alley in Block Eleven (11), Original Town of Beloit, Mitchell County, Kansas, more particularly described as follows: a Fifteen foot (15.0') wide north/ south alley lying west of Lots One (1), Two (2), and Three (3), Block Eleven (11), and lying east of Lots Four (4), Five (5), and Six (6), Block Eleven (11), Original Town of Beloit, Mitchell County, Kansas.

The Petition for Vacation of Alley is based upon the following:

1. There is no need for the alley to be a public right of way. Use of the alley by the public has become a safety hazard.
2. The vacation of this alley will have no detrimental effect on the property owners, surrounding property owners, or the City of Beloit.
3. All the property interest of the north/south alley to be vacated should revert back to the owners of Lots 4, 5, and 6, and the owners of the West 50' of Lots 1, 2, and 3, Block 11, Original Town of Beloit, Mitchell County, Kansas.

Amanda J. Noah

Amanda J. Noah

Sheryl J. Frasier

Sheryl J. Frasier

James Johnson

Heather Johnson

Steve Rugg, Trustee
Steve Rugg Trust

ORDINANCE NO. 2277

AN ORDINANCE RELATING TO THE VACATION OF THE NORTH/SOUTH ALLEY IN BLOCK 11, ORIGINAL TOWN OF BELOIT, MITCHELL COUNTY, KANSAS, PURSUANT TO K.S.A. 14-423.

WHEREAS, the Governing Body has received Petition to Vacate the north/south alley lying west of Lots One (1), Two (2), and Three (3) and east of Lots Four (4), Five (5), and Six (6) of Block 11, Original Town of Beloit, and

WHEREAS, the Governing Body has deemed it expedient to vacate all of the north/south alley between Lots One (1), Two (2), and Three (3) and Lots Four (4), Five (5), and Six (6) of Block 11, Original Town of Beloit.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELOIT, KANSAS:

SECTION 1: That the Governing Body of the City of Beloit, Kansas deems it expedient that the platted north/south alley in Block Eleven (11), Original Town of Beloit, Mitchell County, Kansas, more particularly described as follows: a Fifteen foot (15.0') wide north/south alley lying west of Lots One (1), Two (2), and Three (3), Block Eleven (11), and lying east of Lots Four (4), Five (5), and Six (6), Block Eleven (11), Original Town of Beloit, Mitchell County, Kansas, be and is vacated, except for reservation of the City of Beloit for the right to install, repair, maintain, alter and operate sewers, storm drains, water mains, utility poles, underground electric lines and cable lines for franchisees of the City, and other utility services into, upon, over, across and under the above described tract and the right to keep the same free from foliage. The vacated portion shall revert back to the owners of Lots Four (4), Five (5) and Six (6) and the owners of the West 50' of Lots (1), Two (2), and Three (3), Block Eleven (11), Original Town of Beloit.

SECTION 2: This ordinance shall become effective 30 days after the date of publication thereof, unless one or more interested parties file a written protest before the expiration of such time. In the event such protest is filed in the Office of the City Clerk of the City of Beloit, Kansas, within said time the Governing Body shall set the same for hearing ten (10) days after the end of the thirty (30) day period above mentioned. At the conclusion of said hearing the Governing Body shall adopt a resolution confirming the vacation ordinance or in the event such resolution is not adopted, the vacation ordinance shall be void and of no effect. Upon this ordinance becoming effective, either

without objection or by resolution as above provided for after objection, the City Clerk will take a certified copy thereof to the Office of the Register of Deeds and the County Clerk, all as provided by K.S.A. 14-423.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 17th day of June, 2020.

_____

Tom Naasz, Mayor

Attest:

_____

Amanda Lomax, City Clerk