

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 6 of the Lincoln Municipal Code relating to
2 Animals by adding a section numbered 6.02.010 to provide general provisions for definitions;
3 by adding new sections numbered 6.02.020 through 6.02.560 to define "adequate shelter,"
4 "animal," "animal control," "animal control officer," "animal exhibit," "animal rescue
5 organization," "animal shelter," "anti-escape," "Board of Health," "boarding," "cat," "chief
6 animal control officer," "commercial boarding kennel," "commercial breeding kennel,"
7 "dangerous dog," "department," "director," "dog," "dog kennel," "domestic animal,"
8 "domesticated," "dwelling," "exotic animal," "foster home," "fowl," "groom shop," "guard
9 dog," "hobby breeder," "hobby kennel or cattery," "hybrid," "keep or harbor," "kennel,"
10 "inoculation, vaccination or vaccination for rabies," "indoor housing facility," "large animal,"
11 "multi-cat household," "multi-dog household," "outdoor housing facility," "own," "owner,"
12 "pet animal," "pet animal dealership," "pet shop," "potentially dangerous dog," "premise,"
13 "retail sale," "rooster," "run at large," "severe injury," "shade," "small animal," "unusual
14 animal," "wholesale," "wild animal," and "wound," respectively; by repealing Section
15 6.04.010 to delete definitions; by adding a new section numbered 6.04.041 to prohibit
16 roosters within the City of Lincoln; by amending Section 6.04.090 to establish separate permit
17 fees for large or small animals or fowl, to establish a combination of large and small animals
18 or fowl permit fee and to establish a renewal late fee; by adding a new section numbered
19 6.04.125 to require ferrets to be vaccinated; by amending Section 6.04.160 to increase permit
20 fees and to create a late fee; by adding a new section numbered Section 6.04.235 to regulate
21 animal rescue organizations through a permit process in which the organization must register
22 its members who will be providing foster care for the rescued pet

1 animal, and to create requirements for obtaining and maintaining such permit; by repealing
2 Section 6.08.010 to delete definitions; by amending Section 6.08.030 to set minimum penalty
3 amounts for repetitive violations of licensing requirements; by amending Section 6.08.060 to
4 increase licensing fees for dogs; by adding a new section numbered 6.08.155 to require any
5 person with custody or control of any dog on public property or another's property to dispose
6 of dog feces or manure in a sanitary manner and to provide for an exception for law
7 enforcement officers while using a dog for law enforcement or rescue activity; by adding a
8 new section numbered 6.08.180 to establish a multi-dog household permit and the process
9 to obtain the permit; by adding a new section numbered 6.08.182 to establish permit terms
10 and requirements for commercial breeding kennels located within the City of Lincoln; by
11 adding a new section numbered 6.08.184 to establish permit terms and requirements for
12 multi-dog households and commercial breeding kennels; by amending Section 6.08.310 to
13 add exceptions to the prohibition of dog kennels for permitted commercial breeding kennels
14 and multi-dog households; by repealing Section 6.10.010 to delete definitions; by amending
15 Section 6.10.040 to allow the use of microchips for marking dangerous dogs in addition to
16 tattooing; by amending Section 6.10.120 to set minimum penalties for violations of this
17 chapter; by repealing Section 6.12.010 to delete definitions; by amending Section 6.12.030
18 to set minimum penalty amounts for repetitive criminal violations of licensing requirements;
19 by adding a new section numbered 6.12.045 to place a limit on the number of cats a person
20 may own without a multi-cat household, cattery, or hobby kennel permit while located within
21 the City of Lincoln; by amending Section 6.12.120 to increase licensing fees for cats; by
22 amending Section 6.12.130 to increase licensing fees for catteries and hobby kennels; by
23 adding a new section numbered 6.12.132 to establish a multi-cat household permit and the
24 process to obtain the permit; by adding a new section numbered 6.12.134 to establish multi-
25 cat household permit terms and requirements; by adding a new section numbered 6.12.136
26 to allow current cat owners or those who are annexed, who own more than fifteen cats, to

1 retain all of their cats until death or transfer of ownership of the cat; by amending Section
2 6.12.140 to include multi-cat households; amending Section 6.12.145 to also apply to multi-
3 cat households; and repealing Sections 6.04.090, 6.04.160, 6.08.030, 6.08.060, 6.08.310,
4 6.10.040, 6.10.120, 6.12.030, 6.12.120, 6.12.130, 6.12.140, 6.12.145, and 6.12.290 of the
5 Lincoln Municipal Code as hitherto existing.

6 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

7 Section 1. That Title 6 of the Lincoln Municipal Code be amended by adding
8 a new section numbered 6.02.010 to read as follows:

9 **6.02.010 Definitions; General Provisions.**

10 The following definitions shall apply in the interpretation and enforcement of Title 6
11 of the Lincoln Municipal Code unless otherwise provided.

12 Section 2. That Title 6 of the Lincoln Municipal Code be amended by adding
13 a new section numbered 6.02.020 to read as follows:

14 **6.02.020 Adequate Shelter.**

15 Adequate shelter shall mean a physical structure available for use by an animal so that
16 when factors related to the age, size, physical condition, medical condition, species, and
17 breed disposition are considered, the animal's well-being is not endangered by weather or
18 environmental conditions.

19 Section 3. That Title 6 of the Lincoln Municipal Code be amended by adding
20 a new section numbered 6.02.030 to read as follows:

21 **6.02.030 Animal.**

22 Animal shall mean any vertebrate member of the animal kingdom excluding man.

23 Section 4. That Title 6 of the Lincoln Municipal Code be amended by adding
24 a new section numbered 6.02.040 to read as follows:

1 **6.02.040 Animal Control.**

2 Animal Control shall mean the Animal Control Division of the Health Department
3 authorized to enforce the animal control laws of the city.

4 Section 5. That Title 6 of the Lincoln Municipal Code be amended by adding
5 a new section numbered 6.02.050 to read as follows:

6 **6.02.050 Animal Control Officer.**

7 Animal control officer shall mean any person authorized by law or employed or
8 appointed for the purpose of aiding in the enforcement of this section or any other law or
9 ordinance relating to the licensing of animals, control of animals, or seizure and impoundment
10 of animals.

11 Section 6. That Title 6 of the Lincoln Municipal Code be amended by adding
12 a new section numbered 6.02.060 to read as follows:

13 **6.02.060 Animal Exhibit.**

14 Animal exhibit shall mean an animal act or performance where such animal is trained
15 to perform some behavior or action or is part of a circus, carnival, show, performance,
16 exhibition or animal ride.

17 Section 7. That Title 6 of the Lincoln Municipal Code be amended by adding
18 a new section numbered 6.02.070 to read as follows:

19 **6.02.070 Animal Rescue Organization.**

20 Animal rescue organization shall mean any nonprofit organization incorporated for the
21 purpose of finding permanent adoptive homes for animals and does not maintain an animal
22 shelter for keeping animals, but rather houses the animals in a residential dwelling or uses a
23 system of housing animals in foster homes or donated space in a pet shop.

24 Section 8. That Title 6 of the Lincoln Municipal Code be amended by adding
25 a new section numbered 6.02.080 to read as follows:

1 **6.02.080 Animal Shelter.**

2 Animal shelter shall mean a facility that is used to house or contain animals and is
3 owned, operated, or maintained by a Nebraska nonprofit corporation for the purpose of
4 providing temporary kenneling and finding permanent adoptive homes for animals.

5 Section 9. That Title 6 of the Lincoln Municipal Code be amended by adding
6 a new section numbered 6.02.090 to read as follows:

7 **6.02.090 Anti-escape.**

8 Anti-escape shall mean any housing, fencing, or device which a dog cannot go over,
9 under, through, or around.

10 Section 10. That Title 6 of the Lincoln Municipal Code be amended by adding
11 a new section numbered 6.02.100 to read as follows:

12 **6.02.100 Board of Health.**

13 Board of Health shall mean the Lincoln-Lancaster County Board of Health.

14 Section 11. That Title 6 of the Lincoln Municipal Code be amended by adding
15 a new section numbered 6.02.110 to read as follows:

16 **6.02.110 Boarding.**

17 Boarding shall mean caring for, feeding, watering, or sheltering a pet animal belonging
18 to another by any person or business for pay, trade, barter, commission, or remuneration of
19 any sort.

20 Section 12. That Title 6 of the Lincoln Municipal Code be amended by adding
21 a new section numbered 6.02.120 to read as follows:

22 **6.02.120 Cat.**

23 Cat shall include both male and female cats.

24 Section 13. That Title 6 of the Lincoln Municipal Code be amended by adding
25 a new section numbered 6.02.130 to read as follows:

1 **6.02.130 Chief Animal Control Officer.**

2 Chief animal control officer shall mean the individual designated by the Director to
3 supervise animal control officers and other animal control employees, and have responsibility
4 and authority for enforcing all provisions of this chapter.

5 Section 14. That Title 6 of the Lincoln Municipal Code be amended by adding
6 a new section numbered 6.02.140 to read as follows:

7 **6.02.140 Commercial Boarding Kennel.**

8 Commercial boarding kennel shall mean any kennel where pet animals owned by
9 another person are temporarily boarded for pay, trade, barter, commission, or remuneration
10 of any sort; provided, however, this definition shall not apply to zoos or to animal hospitals
11 operated by veterinarians duly licensed under the laws of the State of Nebraska.

12 Section 15. That Title 6 of the Lincoln Municipal Code be amended by adding
13 a new section numbered 6.02.150 to read as follows:

14 **6.02.150 Commercial Breeding Kennel.**

15 Commercial breeding kennel shall mean any kennel, lawfully located on a premises
16 one acre or more in size zoned for such use and where no more than ten dogs, registered with
17 a nationally recognized registration organization, over the age of six months are owned, kept,
18 or harbored for the purpose of breeding purebred or pedigreed dogs, provided, however, this
19 definition shall not apply to zoos or to animal hospitals operated by veterinarians duly
20 licensed under the laws of the State of Nebraska.

21 Section 16. That Title 6 of the Lincoln Municipal Code be amended by adding
22 a new section numbered 6.02.160 to read as follows:

23 **6.02.160 Dangerous Dog.**

24 Dangerous dog shall mean any dog that (a) has killed or inflicted severe injury on a
25 human being on public or private property; (b) has killed a domestic animal without
26 provocation while the dog was off the owner's property; or (c) has been previously determined

1 to be a potentially dangerous dog according to this chapter and such dog subsequently and
2 aggressively bites, attacks, or endangers the safety of humans or domestic animals. Under (a)
3 and (c) herein, the dog shall not be considered a dangerous dog if the conduct of the dog in
4 question is directed at a person:

5 (1) who, at the time, was committing a willful trespass or any other tort upon
6 the property of the owner of the dog;

7 (2) who, at the time, was tormenting, abusing, or assaulting the dog;

8 (3) who has, in the past, been observed or reported to have tormented,
9 abused, or assaulted the dog; or

10 (4) who, at the time, was committing or attempting to commit a crime
11 against the person, against public peace, or relating to property.

12 Section 17. That Title 6 of the Lincoln Municipal Code be amended by adding
13 a new section numbered 6.02.170 to read as follows:

14 **6.02.170 Department.**

15 Department shall mean the Lincoln-Lancaster County Health Department.

16 Section 18. That Title 6 of the Lincoln Municipal Code be amended by adding
17 a new section numbered 6.02.180 to read as follows:

18 **6.02.180 Director.**

19 Director shall mean the Director of the Lincoln-Lancaster County Health Department
20 or such Director's authorized representative.

21 Section 19. That Title 6 of the Lincoln Municipal Code be amended by adding
22 a new section numbered 6.02.190 to read as follows:

23 **6.02.190 Dog.**

24 Dog shall mean an animal of the canine or canidae family, regardless of sex.

25 Section 20. That Title 6 of the Lincoln Municipal Code be amended by adding
26 a new section numbered 6.02.200 to read as follows:

1 **6.02.200 Dog Kennel.**

2 Dog kennel shall mean the house, yard, enclosure, or place where four or more dogs
3 over the age of six months are kept, harbored, or maintained.

4 Section 21. That Title 6 of the Lincoln Municipal Code be amended by adding
5 a new section numbered 6.02.210 to read as follows:

6 **6.02.210 Domestic Animal.**

7 Domestic animal shall mean a cat, a dog, or livestock.

8 Section 22. That Title 6 of the Lincoln Municipal Code be amended by adding
9 a new section numbered 6.02.220 to read as follows:

10 **6.02.220 Domesticated.**

11 Domesticated shall mean a tame animal that is subject to the dominion and control
12 of an owner and accustomed to living in or near human habitation without requiring extraordi-
13 nary restraint or unreasonably disturbing such human habitation.

14 Section 23. That Title 6 of the Lincoln Municipal Code be amended by adding
15 a new section numbered 6.02.230 to read as follows:

16 **6.02.230 Dwelling.**

17 Dwelling shall mean any building or portion thereof which is designed and used for
18 residential purposes. An attached garage shall be deemed to be part of a dwelling.

19 Section 24. That Title 6 of the Lincoln Municipal Code be amended by adding
20 a new section numbered 6.02.240 to read as follows:

21 **6.02.240 Exotic Animal.**

22 Exotic animal shall mean any animal that is native to a foreign country or of foreign
23 origin or character, is not native to the United States or was introduced from abroad except
24 pet animals, large animals, or fowl. This term specifically includes animals such as, but not
25 limited to, elephants, camels, antelope, anteaters, kangaroo and water buffalo.

1 Section 25. That Title 6 of the Lincoln Municipal Code be amended by adding
2 a new section numbered 6.02.250 to read as follows:

3 **6.02.250 Foster Home.**

4 Foster home shall mean a residential premise at which, through registration with an
5 animal rescue organization, temporary animal care or rehabilitation is provided.

6 Section 26. That Title 6 of the Lincoln Municipal Code be amended by adding
7 a new section numbered 6.02.260 to read as follows:

8 **6.02.260 Fowl.**

9 Fowl shall mean chickens, ducks, geese, turkeys, pigeons, pheasants, quail, partridge,
10 guineas, or other domesticated or wild birds.

11 Section 27. That Title 6 of the Lincoln Municipal Code be amended by adding
12 a new section numbered 6.02.270 to read as follows:

13 **6.02.270 Groom Shop.**

14 Groom shop shall mean any commercial retail establishment or business or part thereof
15 where cleaning, shampooing, caring, and grooming are provided for animals except the term
16 shall not include the Humane Society, animal shelter, animal research facilities, zoos,
17 veterinarians duly licensed under the laws of the State of Nebraska, commercial boarding
18 kennels, or to livestock auctions.

19 Section 28. That Title 6 of the Lincoln Municipal Code be amended by adding
20 a new section numbered 6.02.280 to read as follows:

21 **6.02.280 Guard Dog.**

22 Guard dog shall mean any dog that is utilized to protect commercial or industrial
23 property or place of business.

24 Section 29. That Title 6 of the Lincoln Municipal Code be amended by adding
25 a new section numbered 6.02.290 to read as follows:

1 **6.02.290 Hobby Breeder.**

2 Hobby breeder shall mean any person who breeds and raises pet animals at his or her
3 place of residence; provided that (1) such breeding activity is incidental to keeping pet animals
4 for personal enjoyment, and (2) the premises are not a kennel regulated by the Lincoln
5 Municipal Code. At least one parent of the pet animal must be kept upon the residence or
6 premises.

7 Section 30. That Title 6 of the Lincoln Municipal Code be amended by adding
8 a new section numbered 6.02.300 to read as follows:

9 **6.02.300 Hobby Kennel or Cattery.**

10 Hobby kennel or cattery shall mean any kennel where more than two and less than
11 sixteen unneutered and/or unspayed cats are owned, harbored or kept for organized shows,
12 breeding for exhibition, or for the enjoyment of the household; provided, however, this
13 definition shall not apply to the Humane Society, animal shelter, animal research facilities,
14 zoos, or to animal hospitals operated by veterinarians duly licensed under the laws of the State
15 of Nebraska.

16 Section 31. That Title 6 of the Lincoln Municipal Code be amended by adding
17 a new section numbered 6.02.310 to read as follows:

18 **6.02.310 Hybrid.**

19 Hybrid shall mean any animal which is (1) the product of the breeding of a
20 domesticated animal with a non-domesticated animal including, but not limited to, wolf/dog
21 hybrids, or (2) the product of the breeding of a non-domesticated animal with an animal of a
22 different species, variety, or breed.

23 Section 32. That Title 6 of the Lincoln Municipal Code be amended by adding
24 a new section numbered 6.02.320 to read as follows:

1 **6.02.320 Keep or Harbor.**

2 Keep or harbor shall mean to have charge, custody, or control of an animal or fowl, or
3 permitting the same to habitually remain or be lodged or fed within the house, store, yard,
4 enclosure, or place of the owner or occupant of the premises.

5 Section 33. That Title 6 of the Lincoln Municipal Code be amended by adding
6 a new section numbered 6.02.330 to read as follows:

7 **6.02.330 Kennel.**

8 Kennel shall mean the house, yard, enclosure, or place where pet animals are kept,
9 harbored, or maintained; provided, however, this definition shall not apply to the Humane
10 Society, animal shelter, animal research facilities, zoos, or to animal hospitals operated by
11 veterinarians duly licensed under the laws of the State of Nebraska.

12 Section 34. That Title 6 of the Lincoln Municipal Code be amended by adding
13 a new section numbered 6.02.340 to read as follows:

14 **6.02.340 Inoculation, Vaccination, or Vaccination for Rabies.**

15 Inoculation, vaccination, or vaccination for rabies shall mean the vaccination of a cat,
16 dog, or ferret with a vaccine approved by the Lincoln-Lancaster County Department of Health
17 for use in the prevention of rabies.

18 Section 35. That Title 6 of the Lincoln Municipal Code be amended by adding
19 a new section numbered 6.02.350 to read as follows:

20 **6.02.350 Indoor Housing Facility.**

21 Indoor housing facility shall mean any enclosure, structure or building intended to
22 harbor dogs, which has the capability of controlling the environment within the enclosure
23 created by the continuous connection of a roof, floor, and walls with at least one opening for
24 entry by a dog and an exit with a door or any movable structure used to close off the opening
25 and typically consisting of a panel of wood, glass, metal, etc., which slides on rollers or swings

1 on hinges. Any openings which provide natural light shall be covered with a transparent
2 material.

3 Section 36. That Title 6 of the Lincoln Municipal Code be amended by adding
4 a new section numbered 6.02.360 to read as follows:

5 **6.02.360 Large Animal.**

6 Large animal shall mean cattle, horses, mules, sheep, goats, llamas, or any other
7 domesticated animal which is normally and historically kept and raised on farms in the United
8 States and used or intended for use as food, fiber, or farm work weighing more than twenty
9 pounds except pet animals, unusual animals, or fowl.

10 Section 37. That Title 6 of the Lincoln Municipal Code be amended by adding
11 a new section numbered 6.02.370 to read as follows:

12 **6.02.370 Multi-Cat Household.**

13 Multi-cat household shall mean any kennel where more than five and less than sixteen
14 cats over the age of six months are harbored or kept; provided, however, this definition shall
15 not apply to the Humane Society, animal shelter, animal research facilities, zoos, or to animal
16 hospitals operated by veterinarians duly licensed under the laws of the State of Nebraska.

17 Section 38 That Title 6 of the Lincoln Municipal Code be amended by adding
18 a new section numbered 6.02.380 to read as follows:

19 **6.02.380 Multi-Dog Household.**

20 Multi-dog household shall mean any kennel lawfully located on a premises one acre
21 or more in size zoned for such use and where a maximum of five neutered or spayed dogs
22 over six months of age are owned, kept, or harbored; provided however, this definition shall
23 not apply to the Humane Society, animal shelter, animal research facilities, zoos, or to animal
24 hospitals operated by veterinarians duly licensed under the laws of the State of Nebraska..

25 Section 39. That Title 6 of the Lincoln Municipal Code be amended by adding
26 a new section numbered 6.02.390 to read as follows:

1 **6.02.390 Outdoor Housing Facility.**

2 Outdoor housing facility shall mean any enclosure, structure, building, land or
3 premises, housing or intended to house dogs, which does not meet the definition of any other
4 type of housing facility provided in this chapter, and in which temperatures cannot be
5 controlled within set limits.

6 Section 40. That Title 6 of the Lincoln Municipal Code be amended by adding
7 a new section numbered 6.02.400 to read as follows:

8 **6.02.400 Own.**

9 Own shall mean to own, keep, harbor, or have charge, custody, or control of an animal
10 or fowl.

11 Section 41. That Title 6 of the Lincoln Municipal Code be amended by adding
12 a new section numbered 6.02.410 to read as follows:

13 **6.02.410 Owner.**

14 Owner shall mean any person, firm, organization, association, or corporation owning,
15 possessing, keeping, harboring, or having charge, custody or control of any animal or fowl.

16 Section 42. That Title 6 of the Lincoln Municipal Code be amended by adding
17 a new section numbered 6.02.420 to read as follows:

18 **6.02.420 Pet Animal.**

19 Pet animal shall mean dogs, cats, birds, guinea pigs, hamsters, mice, snakes, iguana,
20 and turtles. Pet animal shall also include any domesticated animal that a person owns or that
21 is sold or offered for sale generally for the purpose of being kept indoors as household pets,
22 except unusual animals.

23 Section 43. That Title 6 of the Lincoln Municipal Code be amended by adding
24 a new section numbered 6.02.430 to read as follows:

1 **6.02.430 Pet Animal Dealership.**

2 Pet animal dealership shall mean places or premises where pet animals are kept for
3 wholesale or retail sale, including breeding facilities, except hobby breeders.

4 Section 44. That Title 6 of the Lincoln Municipal Code be amended by adding
5 a new section numbered 6.02.440 to read as follows:

6 **6.02.440 Pet Shop.**

7 Pet shop shall mean any business establishment or premises or part thereof maintained
8 for the purpose of a pet animal dealership, but shall not include the Humane Society, animal
9 shelter, animal research facilities, zoos, veterinarians duly licensed under the laws of the State
10 of Nebraska., hobby breeder, and commercial breeding kennels.

11 Section 45. That Title 6 of the Lincoln Municipal Code be amended by adding
12 a new section numbered 6.02.450 to read as follows:

13 **6.02.450 Potentially Dangerous Dog.**

14 Potentially dangerous dog shall mean:

15 (a) Any dog that when unprovoked

16 (1) inflicts a wound on a human or injures a domestic animal either on
17 public or private property, or

18 (2) chases or approaches a person upon streets, sidewalks, or any public
19 grounds in an outward appearance of aggressive or dangerous behavior; or

20 (b) Any dog with a known propensity, tendency, or disposition to attack when
21 unprovoked, to cause injury, or to threaten the safety of humans or domestic animals.

22 Section 46. That Title 6 of the Lincoln Municipal Code be amended by adding
23 a new section numbered 6.02.460 to read as follows:

24 **6.02.460 Premise.**

1 Premise shall include any enclosure, building, lot, yard, or portion thereof, facilities
2 and appurtenances thereto, grounds, area, or place used or held out for use to own, keep or
3 harbor animals.

4 Section 47. That Title 6 of the Lincoln Municipal Code be amended by adding
5 a new section numbered 6.02.470 to read as follows:

6 **6.02.470 Retail Sale.**

7 Retail sale shall mean the business of selling pet animals directly to consumers or the
8 public.

9 Section 48. That Title 6 of the Lincoln Municipal Code be amended by adding
10 a new section numbered 6.02.480 to read as follows:

11 **6.02.480 Rooster.**

12 Rooster shall mean the male of the domesticated chicken or gallus genus domesticus
13 species.

14 Section 49. That Title 6 of the Lincoln Municipal Code be amended by adding
15 a new section numbered 6.02.490 to read as follows:

16 **6.02.490 Run at Large.**

17 Run at large shall include any animal that is not under the actual control of its owner.
18 An animal shall not be considered under the actual control of its owner unless on a leash,
19 cord, or chain which is securely fastened or picketed in a manner sufficient to keep the animal
20 on the premises where picketed, or on a leash, cord, or chain of six feet or less in length physi-
21 cally held by the owner or confined within a receptacle, enclosed vehicle, fenced enclosure
22 or shelter or within the real property limits of the owner and in the owner's presence and
23 under direct and effective voice control.

24 Section 50. That Title 6 of the Lincoln Municipal Code be amended by adding
25 a new section numbered 6.02.500 to read as follows:

26 **6.02.500 Severe Injury.**

1 Severe injury shall mean any physical injury to a person that results in disfiguring
2 lacerations requiring multiple sutures or cosmetic surgery, or one or more broken bones, or
3 that creates a potential danger to the life or health of the victim.

4 Section 51. That Title 6 of the Lincoln Municipal Code be amended by adding
5 a new section numbered 6.02.510 to read as follows:

6 **6.02.510 Shade.**

7 Shade shall mean protection from the direct rays of the sun.

8 Section 52. That Title 6 of the Lincoln Municipal Code be amended by adding
9 a new section numbered 6.02.520 to read as follows:

10 **6.02.520 Small Animal.**

11 Small animal shall mean any animal, including rabbits, weighing twenty pounds or less,
12 except pet animals, unusual animals or fowl.

13 Section 53. That Title 6 of the Lincoln Municipal Code be amended by adding
14 a new section numbered 6.02.530 to read as follows:

15 **6.02.530 Unusual Animal.**

16 Unusual animal shall mean any exotic, wild, poisonous, or potentially dangerous
17 animal not normally considered domesticated and shall include animals prohibited by the City
18 of Lincoln, State of Nebraska, or federal requirements, and also:

19 (a) Class mammalia; order carnivora, family felidae (such as lions, tigers, jaguars,
20 leopards, and cougars) and hybrids of the same except commonly accepted domesticated cats;
21 family canidae (such as wolves, coyotes, and fox) and hybrids of the same except
22 domesticated dogs; family mustelidae (such as weasels, martins, fishers, skunks, wolverines,
23 mink, and badgers) except ferrets; family procyonidae (such as raccoon); family ursidae (such
24 as bears); order primata (such as monkeys and chimpanzees); and order chiroptera (such as
25 bats).

1 **(b)** Class reptilia; (i) all poisonous or venomous snakes, lizards, amphibians and
2 other reptiles and shall include but not be limited to: cobras and their allies (elapidae,
3 hydrophidae); vipers and their allies (crotalidae, viperidae); boonslang and kirtland's tree
4 snake (clonophis); and gila monster (helodermatidae); (ii) order loricata (such as alligators,
5 caymans, and crocodiles); (iii) green anaconda (eunectes murinus), Indian python (molurus
6 molurus), reticulated python (python reticulatus), and African rock python (python sebae).

7 Section 54. That Title 6 of the Lincoln Municipal Code be amended by adding
8 a new section numbered 6.02.540 to read as follows:

9 **6.02.540 Wholesale.**

10 Wholesale shall mean the business of buying for resale or selling pet animals to persons
11 other than retail sales; or contracting in any manner for the sale of pet animals as a broker,
12 commission merchant, or other persons who take possession of such pet animals during the
13 course of such business.

14 Section 55. That Title 6 of the Lincoln Municipal Code be amended by adding
15 a new section numbered 6.02.550 to read as follows:

16 **6.02.550 Wild Animal.**

17 Wild animal shall mean any animal within the boundaries of the United States which
18 is now or historically has been found in the wild, or is in the wild state wherein it is living in
19 its original, natural condition and is not domesticated.

20 Section 56. That Title 6 of the Lincoln Municipal Code be amended by adding
21 a new section numbered 6.02.560 to read as follows:

22 **6.02.560 Wound.**

23 Wound shall mean any injury to a person not included within the definition of severe
24 injury.

25 Section 57. That Section 6.04.010 of the Lincoln Municipal Code be and the
26 same is hereby repealed in its entirety.

1 ~~6.04.010 Definitions.~~

2 ~~For the purpose of this title, the following words shall have the following meanings:~~

3 ~~**Adequate shelter** shall mean a physical structure available for use by an animal so that~~
4 ~~when factors related to the age, size, physical condition, medical condition, species, and~~
5 ~~breed disposition are considered, the animal's well-being is not endangered by weather or~~
6 ~~environmental conditions.~~

7 ~~**Animal** shall mean any vertebrate member of the animal kingdom excluding man.~~

8 ~~**Animal exhibit** shall mean an animal act or performance where such animal is trained~~
9 ~~to perform some behavior or action or is part of a circus, carnival, show, performance,~~
10 ~~exhibition or animal ride.~~

11 ~~**Board of Health** shall mean the Lincoln-Lancaster County Board of Health.~~

12 ~~**Boarding** shall mean caring for, feeding, watering, or sheltering a pet animal belonging~~
13 ~~to another by any person or business for pay, trade, barter, commission, or remuneration of~~
14 ~~any sort.~~

15 ~~**Department** shall mean the Lincoln-Lancaster County Health Department.~~

16 ~~**Director** shall mean the Director of the Lincoln-Lancaster County Health Department~~
17 ~~or such Director's authorized representative.~~

18 ~~**Domesticated** shall mean a tame animal that is subject to the dominion and control of~~
19 ~~an owner and accustomed to living in or near human habitation without requiring extraordi-~~
20 ~~nary restraint or unreasonably disturbing such human habitation.~~

21 ~~**Dwelling** shall mean any building or portion thereof which is designed and used for~~
22 ~~residential purposes. An attached garage shall be deemed to be part of a dwelling.~~

23 ~~**Exotic animal** shall mean any animal that is native to a foreign country or of foreign~~
24 ~~origin or character, is not native to the United States or was introduced from abroad except~~
25 ~~pet animals, large animals, or fowl. This term specifically includes animals such as, but not~~
26 ~~limited to, elephants, camels, antelope, anteaters, kangaroo and water buffalo.~~

27 ~~**Fowl** shall mean chickens, ducks, geese, turkeys, pigeons, pheasants, quail, partridge,~~
28 ~~guineas, or other domesticated or wild fowl.~~

29 ~~**Groom shop** shall mean any commercial retail establishment or business or part thereof~~
30 ~~where cleaning, shampooing, caring, and grooming are provided for animals except the term~~
31 ~~shall not include livestock auctions, veterinarians, boarding kennels, or animal shelters.~~

32 ~~**Hobby breeder** shall mean any person who breeds and raises pet animals at his or her~~
33 ~~place of residence; provided that (1) such breeding activity is incidental to keeping pet animals~~
34 ~~for personal enjoyment, and (2) the premises are not a dog or cat kennel regulated by the~~

1 Lincoln Municipal Code. At least one parent of the pet animal must be kept upon the
2 residence or premises.

3 ——— **Hybrid** shall mean any animal which is (1) the product of the breeding of a
4 domesticated animal with a non-domesticated animal including, but not limited to, wolf/dog
5 hybrids, or (2) the product of the breeding of a non-domesticated animal with an animal of a
6 different species, variety, or breed.

7 ——— **Keep or harbor** shall mean to have charge, custody, or control of an animal or fowl,
8 or permitting the same to habitually remain or be lodged or fed within the house, store, yard,
9 enclosure, or place of the owner or occupant of the premises.

10 ——— **Large animal** shall mean cattle, horses, mules, sheep, goats, llamas, or any other
11 domesticated animal which is normally and historically kept and raised on farms in the United
12 States and used or intended for use as food, fiber, or farm work weighing more than twenty
13 pounds except pet animals, unusual animals, or fowl.

14 ——— **Own** shall mean to own, keep, harbor, or have charge, custody, or control of an animal
15 or fowl.

16 ——— **Owner** shall mean any person, firm, organization, association, or corporation owning,
17 possessing, keeping, harboring, or having charge, custody or control of any animal or fowl.

18 ——— **Pet animal** shall mean dogs, cats, birds, guinea pigs, hamsters, mice, snakes, iguana,
19 and turtles. Pet animal shall also include any domesticated animal that a person owns or that
20 is sold or offered for sale generally for the purpose of being kept indoors as household pets,
21 except unusual animals.

22 ——— **Pet animal dealership** shall mean places or premises where pet animals are kept for
23 wholesale or retail sale, including breeding facilities, except hobby breeders.

24 ——— **Pet shop** shall mean any business establishment or premises or part thereof maintained
25 for the purpose of a pet animal dealership, but shall not include hobby breeder, groom shop,
26 veterinarians, boarding kennels, and animal shelters.

27 ——— **Premises** shall include any building, lot, yard, or portion thereof, facilities and
28 appurtenances thereto, grounds, area, or place used as or held out for use as a pet shop.

29 ——— **Retail sale** shall mean the business of selling pet animals directly to consumers or the
30 public.

31 ——— **Run at large** shall include any animal that is not under the actual control of its owner.
32 An animal shall not be considered under the actual control of its owner unless on a leash,
33 cord, or chain which is securely fastened or picketed in a manner sufficient to keep the animal
34 on the premises where picketed, or on a leash, cord, or chain of six feet or less in length physi-

1 cally held by the owner or confined within a receptacle, enclosed vehicle, fenced enclosure
2 or shelter or within the real property limits of the owner and in the owner's presence and
3 under direct and effective voice control.

4 ~~——— **Shade** shall mean protection from the direct rays of the sun.~~

5 ~~——— **Small animal** shall mean any animal, including rabbits, weighing twenty pounds or
6 less, except pet animals, unusual animals or fowl.~~

7 ~~——— **Unusual animal** shall mean any exotic, wild, poisonous, or potentially dangerous
8 animal not normally considered domesticated and shall include animals prohibited by the City
9 of Lincoln, State of Nebraska, or federal requirements, and also:~~

10 ~~——— (1) — Class mammalia; order carnivora, family felidae (such as lions, tigers,
11 jaguars, leopards, and cougars) and hybrids of the same except commonly accepted do-
12 mesticated cats; family canidae (such as wolves, coyotes, and fox) and hybrids of the same
13 except domesticated dogs; family mustelidae (such as weasels, martins, fishers, skunks, wol-
14 verines, mink, and badgers) except ferrets; family procyonidae (such as raccoon); family ur-
15 sidae (such as bears); order primata (such as monkeys and chimpanzees); and order chiroptera
16 (such as bats).~~

17 ~~——— (2) — Class reptilia; (i) all poisonous or venomous snakes, lizards, amphibians
18 and other reptiles and shall include but not be limited to: cobras and their allies (elapidae,
19 hydrophidae); vipers and their allies (crotalidae, viperidae); boonslang and kirtland's tree
20 snake (clonophis); and gila monster (helodermatidae); (ii) order loricata (such as alligators,
21 caymans, and crocodiles); (iii) green anaconda (eunectes murinus), Indian python (molurus
22 molurus), reticulated python (python reticulatus), and African rock python (python sebae).~~

23 ~~——— **Wholesale** shall mean the business of buying for resale or selling pet animals to persons
24 other than retail sales; or contracting in any manner for the sale of pet animals as a broker,
25 commission merchant, or other persons who take possession of such pet animals during the
26 course of such business.~~

27 ~~——— **Wild animal** shall mean any animal within the boundaries of the United States which
28 is now or historically has been found in the wild, or is in the wild state wherein it is living in
29 its original, natural condition and is not domesticated.~~

30 Section 58. That Chapter 6.04 of the Lincoln Municipal Code be amended by
31 adding a new section numbered 6.04.041 to read as follows:

32 **6.04.041 Keeping of Roosters Prohibited.**

1 No person shall, within the corporate limits of the City, own, keep or harbor live
2 roosters. The unlawful keeping or harboring of roosters is hereby declared to be a public
3 nuisance.

4 This prohibition on the ownership, keeping, or harboring of live roosters shall not
5 apply to roosters owned or harbored by a governmental entity or a person participating in a
6 health surveillance conducted by a governmental entity, Humane Society, animal shelter,
7 animal research facility, zoo, or to an animal hospital operated by veterinarians duly licensed
8 under the laws of the State of Nebraska.

9 Section 59. That Section 6.04.090 of the Lincoln Municipal Code be amended
10 to read as follows:

11 **6.04.090 Permit Fees.**

12 ~~Before any permit to keep any large or small animal or fowl is issued, the applicant~~
13 ~~shall pay a permit fee of twenty-five dollars for each premises upon which such animals or~~
14 ~~fowl are to be kept. A permit shall be issued for any large or small animal or fowl upon the~~
15 Director's finding that the applicant satisfies the requirements of this chapter and upon
16 payment of the following fees:

17	<u>Large Animal</u>	<u>\$50.00</u>
18	<u>Small Animal</u>	<u>\$50.00</u>
19	<u>Fowl</u>	<u>\$50.00</u>
20	<u>Combination of Large and Small Animal or Fowl</u>	<u>\$75.00</u>

21 A permit holder who fails to renew the permit within thirty days of the permit
22 expiration date shall pay a late fee of \$25.00 in addition to the annual permit fee.

23 Section 60. That Chapter 6.04 of the Lincoln Municipal Code be amended by
24 adding a new section numbered 6.04.125 to read as follows:

25 **6.04.125 Vaccination Against Rabies; Required for Ferrets.**

1 Any person, within the City of Lincoln, who owns, keeps, or harbors a ferret shall have
2 such ferret vaccinated with a rabies vaccine as approved by the State of Nebraska. All ferrets
3 shall be vaccinated against rabies commencing at three months of age and vaccination shall
4 be repeated at fifteen months; a booster vaccination shall be given triennially thereafter.
5 Unvaccinated ferrets acquired or moved into the City of Lincoln must be vaccinated within
6 thirty days after purchase or arrival, unless under three months of age. Such vaccination shall
7 be performed by a veterinarian duly licensed to practice veterinary medicine in the State of
8 Nebraska. It shall be the duty of every veterinarian, at the time of vaccinating any ferret, to
9 provide a copy of the rabies vaccination certificate to the Director and to provide a rabies
10 vaccination tag to the owner.

11 Section 61. That Section 6.04.160 of the Lincoln Municipal Code be amended
12 to read as follows:

13 **6.04.160 Permit Required to Operate Pet Shop or Groom Shop.**

14 No pet shop or groom shop shall be operated or maintained in the City of Lincoln
15 without a permit issued by the Director. Before such a permit is issued, an inspection of the
16 premises shall be conducted by the Director. Upon a finding by the Director that the premises
17 are in compliance with the law and upon payment of the following fees, said permit shall be
18 issued:

19 Pet Shop	\$45.00 <u>65.00</u>
20 Groom Shop	\$45.00 <u>65.00</u>
21 Pet Shop with Groom Shop	\$60.00 <u>85.00</u>
22 First Mobile Groom Shop Unit	\$45.00 <u>55.00</u>
23 Each Additional Unit	\$15.00 <u>20.00</u>

24 A permit holder who fails to renew the permit within thirty days of the permit
25 expiration date shall pay a late fee of \$25.00 in addition to the annual permit fee.

1 (a) Permits are not transferable from one person to another person or place. A valid
2 permit shall be posted in a conspicuous place in every pet shop or groom shop.

3 (b) A permit holder shall notify the Director of any change of operations which may
4 affect the status of the permit and shall keep the Director apprised of any change in name or
5 location of such business.

6 (c) The pet shop or groom shop permit shall expire September thirtieth of each ca-
7 lendar year and shall be renewed by October first of that year.

8 (d) The pet shop or groom shop owner shall submit detailed plans and specifica-
9 tions to the Director whenever any such shop is constructed, modified, enlarged, or
10 remodeled in a manner requiring a building permit under the Lincoln Municipal Code.
11 Approval of plans and specifications shall be required prior to any construction, modification,
12 enlargement, or remodeling and final approval shall be required before a permit for operation
13 is issued or renewed.

14 (e) Final plans and specifications shall show compliance with all requirements of
15 the Lincoln Municipal Code and shall include schedules describing the ventilation system,
16 plumbing equipment, and finishes of floors, walls, and ceilings. The plans required herein
17 need not be professionally drawn.

18 Section 62. That Chapter 6.04 of the Lincoln Municipal Code be amended by
19 adding a new section numbered 6.04.235 to read as follows:

20 **6.04.235 Animal Rescue Organization: Permit.**

21 It shall be unlawful for any person to maintain or operate an animal rescue organization
22 within the City of Lincoln without first having obtained a permit therefor from the Director.
23 An application shall include the organization's proof of non-profit status and permit fee. Upon
24 a finding by the Director that the organization is in compliance with the law and minimum
25 standards of operation as adopted by resolution by the City Council, said permit shall be
26 issued. The terms of the permit are as follows:

- 1 (a) Permits are not transferable.
- 2 (b) Permits are for the rescue of pet animals only.
- 3 (c) A permit holder shall notify the Director of any change in name, address, or
4 substantial control, or ownership in the operation of the organization.
- 5 (d) The animal rescue organization permit shall expire December 31st of each
6 calendar year for which issued. All permit renewals shall be due January 1st of each year.
- 7 (e) The permit fee shall be five dollars per year for the animal rescue organization.
- 8 (f) No rescued animal shall be kept by an animal rescue organization or foster
9 home for more than thirty days unless the rescued pet animal is documented to be under a
10 veterinarian's care. The thirty days shall not apply to rescued pet animals housed in a pet
11 shop.
- 12 (g) No animal rescue organization or foster home shall house more than the
13 number of pet animals allowed by law.
- 14 (h) Animal rescue organizations or foster homes shall obtain all permits or licenses
15 as required by law except those required by law for the individual pet animal.

16 Section 63. That Section 6.08.010 of the Lincoln Municipal Code be and the
17 same is hereby repealed in its entirety.

18 ~~**6.08.010 — Definitions.**~~

19 ~~—— For the purpose of this chapter, the following words shall have the following meanings:~~

20 ~~—— **Anti-escape** shall mean any housing, fencing, or device which a dog cannot go over,~~
21 ~~under, through, or around.~~

22 ~~—— **Chief animal control officer** shall mean the individual designated by the Director to~~
23 ~~supervise animal control officers and other animal control employees, and have responsibility~~
24 ~~and authority for enforcing all provisions of this chapter.~~

25 ~~—— **Dog** shall mean an animal of the canine or canidae family, regardless of sex.~~

26 ~~—— **Guard dog** shall mean any dog that is utilized to protect commercial or industrial~~
27 ~~property or place of business.~~

28 ~~—— **Inoculation, vaccination, or vaccination for rabies** shall mean the inoculation of a dog~~
29 ~~with a vaccine approved by the department for use in the prevention of rabies.~~

1 ~~_____ Kennel shall mean the house, yard, enclosure, or place where four or more dogs over~~
2 ~~the age of six months are kept, harbored, or maintained.~~

3 Section 64. That Section 6.08.030 of the Lincoln Municipal Code be amended
4 to read as follows:

5 **6.08.030 License Required.**

6 It shall be unlawful for any person within the city to own a dog over six months of age
7 without procuring a license for such dog as provided in this chapter. Any person convicted
8 of violating this provision shall be deemed guilty of a misdemeanor and upon conviction
9 thereof shall be punished by imprisonment in the county jail for a period not to exceed six
10 months or by a fine in a sum not more than \$500.00, recoverable with costs, or both such fine
11 and imprisonment, except that each person so convicted shall be fined in a sum of not less
12 than \$50.00 for the first offense; not less than \$75.00 for a second offense; and not less than
13 \$100.00 for the third offense and each offense thereafter. Each day that this violation
14 continues shall constitute a separate and distinct offense and shall be punishable as such. The
15 penalties herein provided shall be cumulative with and in addition to any penalty or forfeiture
16 in this chapter.

17 Section 65. That Section 6.08.060 of the Lincoln Municipal Code be amended
18 to read as follows:

19 **6.08.060 License Fee.**

20 (a) The license fee for all dogs shall be the sum of ~~twenty-four~~ five dollars;
21 provided, however, the license fee for all spayed female dogs and neutered male dogs shall
22 be the sum of ~~twelve~~ fifteen dollars each. Further provided, the license fee for a dog owned
23 by an individual sixty-two years of age or older shall be the sum of ~~eighteen~~ nineteen dollars,
24 or ~~nine~~ eleven dollars if the dog is a spayed female or a neutered male. Unless previously
25 licensed as spayed or neutered, a dog shall be so licensed only if the license fee is
26 accompanied by a statement signed by a veterinarian describing such dog and verifying the
27 fact that such dog has been spayed or neutered.

1 (b) In addition to the license fee, any expired license which is renewed later than
2 the expiration date shall not be renewed or issued until the following late fee has been paid
3 by the owner:

4 Received later than thirty days after license expiration,
5 but before sixty days \$ 5.00

6 Received sixty days or more after license expiration,
7 but before ninety days \$10.00

8 Received ninety days or more after license expiration \$15.00

9 For new licenses, the owner shall be liable for a late fee according to the above
10 schedule if the owner fails to license the animal within thirty days of the date the animal
11 attains the age of six months.

12 No late fee shall be charged on new licenses if the owner submits proof of purchase
13 or acquisition of the dog within the preceding thirty days; or the owner has moved into the
14 city within the preceding thirty days.

15 Section 66. That Chapter 6.08 of the Lincoln Municipal Code be amended by
16 adding a new section numbered 6.08.155 to read as follows:

17 **6.08.155 Disposal of Dog Waste.**

18 Any person having custody or control of any dog shall have the responsibility for
19 disposing of dog feces or manure of the dog in a sanitary manner. The provisions of this
20 section shall not apply to law enforcement officers while using the dog to perform law
21 enforcement functions or rescue activity.

22 It shall be unlawful for any person having custody or control of any dog to place,
23 deposit, discard, or dispose of feces or manure on public property or private property of
24 another unless placed in approved garbage or refuse containers on public property or with the
25 consent of the owner of the private property.

1 Section 67. That Chapter 6.08 of the Lincoln Municipal Code be amended by
2 adding a new section numbered 6.08.180 to read as follows:

3 **6.08.180 Multi-Dog Household Permits.**

4 It shall be unlawful for any person to have or maintain a multi-dog household within
5 the City of Lincoln without first having obtained such a permit from the Director.

6 Any person having a multi-dog household shall make application to the Director for
7 said permit. The following shall be submitted with the application:

8 (a) Proof of current licenses and rabies vaccination for each dog to be owned, kept
9 or harbored on the premises.

10 (b) A drawing or plan showing the location and dimensions of the premises, dog
11 runs or pens, and distances to neighboring properties. Drawings or plans must be drawn to
12 scale.

13 (c) The permit fee shall be the sum of \$50.00 in addition to the licensing fee for
14 each dog as required by Sections 6.08.030 and 6.08.060.

15 Upon a finding by the Director that the premises are in compliance with the terms of
16 the permit and the law, said permit will be issued. Only one multi-dog household permit per
17 premise shall be issued. A permit shall not be granted if permit holder possesses a current
18 commercial breeding kennel permit on the same premises.

19 Section 68. That Chapter 6.08 of the Lincoln Municipal Code be amended by
20 adding a new section numbered 6.08.182 to read as follows:

21 **6.08.182 Commercial Breeding Kennel: Permit Required.**

22 It shall be unlawful for any person to have or maintain a commercial breeding kennel
23 within the City of Lincoln without first having obtained such a permit from the Director.

24 Any person wanting to operate a commercial breeding kennel shall make application
25 to the Director for a Commercial Breeding Kennel Permit. The following shall be submitted
26 with the application:

1 (a) Proof of current licenses , rabies vaccination, and registration with a nationally
2 recognized registration organization for each dog to be kept or harbored on the premises.

3 (b) A drawing or plan showing the location and dimensions of the premises, dog
4 runs or pens, and distances to neighboring properties.

5 (c) The permit fee shall be \$100 in addition to required licensing fees for each dog
6 as required in Sections 6.08.030 and 6.08.060.

7 Upon a finding by the Director that the premises are in compliance with the terms of
8 the permit and the law, said permit will be issued. Only one permit per premise shall be
9 issued. A permit shall not be granted if permit holder possesses a current multi-dog household
10 permit on the same premises.

11 Section 69. That Chapter 6.08 of the Lincoln Municipal Code be amended by
12 adding a new section numbered 6.08.184 to read as follows:

13 **6.08.184 Multi-Dog Household and Commercial Breeding Kennel: Terms and**
14 **Requirements.**

15 (a) Permit is not transferable to another person or premise

16 (b) The permits shall expire December 31st of each calendar year for which issued.
17 All permits shall be renewed by January 1st of the following year.

18 (c) A permit holder shall notify the Director of any changes in ownership or death
19 of dogs, property, or any other changes which may affect the status of said permit and shall
20 keep the Director apprised of any change in name or location of the permit holder's kennel.

21 (d) For a multi-dog household permit, all dogs owned, kept or harbored on the
22 premises shall be spayed and neutered. There shall be no breeding of dogs permitted under
23 this permit.

24 The commercial breeding kennel permit holders shall limit dog reproduction
25 to no more than one litter of offspring per license year per adult female dog.

1 (e) It shall be unlawful for any multi-dog household permit holder to own, keep or
2 harbor more five dog over the age of six month on the premises.

3 It shall be unlawful for any commercial breeding kennel permit holder to keep
4 or harbor more than ten dogs over six months of age on the premises.

5 (f) All dogs shall be kept confined on the permit holder's premises.

6 (g) A permit holder may either have a multi-dog household permit or a commercial
7 breeding kennel permit, but not both.

8 (h) The minimum lot size shall be one acre for any premises in which a multi-dog
9 household or a commercial breeding kennel is to be located. The permit holder shall be
10 allowed to maintain a multi-dog household or commercial breeding kennel permit until such
11 premises is completely or partially sold or a change of ownership occurs, or termination of the
12 permit.

13 (i) It shall be unlawful to have indoor or outdoor housing facilities, pens,
14 enclosures, or shelter closer than seventy-five feet to a neighboring residence and closer than
15 ten feet to a neighboring property line. The Director may require additional setbacks, fencing,
16 screening or soundproofing requirements as deemed necessary to ensure the compatibility of
17 the multi-dog household or commercial breeding kennel with the surrounding neighborhood.
18 Factors to be considered in determining such capability are as follows:

19 (1) Statements regarding approval/disapproval of surrounding neighbors
20 relative to maintenance of a multi-dog household or commercial breeding kennel at the
21 address applied for;

22 (2) Past history of animal control complaints relating to the dogs of the
23 applicant at the address for which the multi-dog household or commercial breeding kennel
24 is applied for;

25 (3) Facility specifications/dimensions in which the dogs are to be
26 maintained;

1 (4) Animal size, type and characteristics of breed.

2 (j) Noise or barking from the dogs shall not interfere with an adjoining property
3 owner's use and peaceful enjoyment of his/her property.

4 (k) Any odor or unsanitary conditions caused by the dogs shall not interfere with
5 an adjoining property owner's use and peaceful enjoyment of his/her property.

6 (l) It shall be unlawful for the owner, proprietor, employee, or volunteer of any
7 commercial breeding kennel to knowingly sell or offer for sale an ill dog or misrepresent the
8 breed or sex of a dog to any buyer or consumer.

9 (m) It shall be unlawful to operate a multi-dog household or commercial breeding
10 kennel thereof in an area within the City of Lincoln that kennels are not allowed by law.

11 (n) No dog shall be kept under conditions or circumstances by which a violation
12 of Sections 6.04.310, Cruelty to Animals, or 6.04.315, Animal Neglect, shall be occurring or
13 has occurred.

14 (o) Failure to maintain the premises in compliance with the law, or failure to make
15 payment of the permit fee, or failure to maintain proof showing that each dog has been
16 properly licensed or vaccinated against rabies may result in the immediate termination of the
17 commercial breeding kennel permit by the Director.

18 (p) Permit holder shall allow an Animal Control Officer to inspect or investigate
19 premises. Failure to permit an Animal Control Officer to investigate or inspect may result in
20 the termination of the multi-dog or commercial breeding kennel permit.

21 Section 70. That Section 6.08.310 of the Lincoln Municipal Code be amended
22 to read as follows:

23 **6.08.310 Dog Kennels Prohibited; Exceptions.**

24 It shall be unlawful for any person to keep, or permit to be kept upon any premises
25 occupied or under such person's charge or control, any dog kennel. Provided, however, the
26 provisions of this section shall not apply to the Humane Society, animal shelter, animal re-

1 search facilities, zoos, or to animal hospitals operated by veterinarians duly licensed under the
2 laws of the State of Nebraska, ~~keeping dogs for others for treatment or boarding~~ commercial
3 breeding kennels, or to multi-dog households.

4 If upon the trial of the offense mentioned in this section it shall appear to the county
5 judge that the person be guilty as charged in said complaint, said county judge shall, in
6 addition to the usual judgment of conviction, declare said dog kennel a public nuisance, order
7 the party or parties so convicted to abate said nuisance forthwith, and in the event the party
8 or parties convicted shall fail to do so, order the Health Director or the Chief of Police to
9 remove to the animal shelter said dog or dogs so kept and harbored in violation of this section,
10 there to be impounded and disposed of in accordance with the terms of this chapter. The cost
11 of such impoundment and disposal shall be borne by the convicted person.

12 Section 71. That Section 6.10.010 of the Lincoln Municipal Code be and the
13 same is hereby repealed in its entirety.

14 ~~**6.10.010 — Definitions.**~~

15 ~~—— For the purpose of this chapter, the following words shall have the following meanings:~~

16 ~~—— **Animal Control** shall mean the Animal Control Division of the Health Department~~
17 ~~authorized to enforce the animal control laws of the city;~~

18 ~~—— **Animal Control Officer** shall mean any person authorized by law or employed or~~
19 ~~appointed for the purpose of aiding in the enforcement of this section or any other law or~~
20 ~~ordinance relating to the licensing of animals, control of animals, or seizure and impoundment~~
21 ~~of animals;~~

22 ~~—— **Chief Animal Control Officer** shall mean the person appointed by the Director as head~~
23 ~~of Animal Control.~~

24 ~~—— **Dangerous dog** shall mean any dog that (a) has killed or inflicted severe injury on a~~
25 ~~human being on public or private property; (b) has killed a domestic animal without~~
26 ~~provocation while the dog was off the owner's property; or (c) has been previously determined~~
27 ~~to be a potentially dangerous dog according to this chapter and such dog subsequently and~~
28 ~~aggressively bites, attacks, or endangers the safety of humans or domestic animals. Under (a)~~
29 ~~and (c) herein, the dog shall not be considered a dangerous dog if the conduct of the dog in~~
30 ~~question is directed at a person:~~

1 ~~_____ (1) who, at the time, was committing a willful trespass or any other tort upon~~
2 ~~the property of the owner of the dog;~~

3 ~~_____ (2) who, at the time, was tormenting, abusing, or assaulting the dog;~~

4 ~~_____ (3) who has, in the past, been observed or reported to have tormented,~~
5 ~~abused, or assaulted the dog; or~~

6 ~~_____ (4) who, at the time, was committing or attempting to commit a crime~~
7 ~~against the person, against public peace, or relating to property.~~

8 ~~_____ **Domestic animal** shall mean a cat, a dog, or livestock.~~

9 ~~_____ **Potentially dangerous dog** shall mean:~~

10 ~~_____ (a) Any dog that when unprovoked-~~

11 ~~_____ (1) inflicts a wound on a human or injures a domestic animal either on~~
12 ~~public or private property, or~~

13 ~~_____ (2) chases or approaches a person upon streets, sidewalks, or any public~~
14 ~~grounds in a menacing fashion or apparent attitude of attack; or~~

15 ~~_____ (b) Any dog with a known propensity, tendency, or disposition to attack when~~
16 ~~unprovoked, to cause injury, or to threaten the safety of humans or domestic animals.~~

17 ~~_____ **Severe injury** shall mean any physical injury to a person that results in disfiguring~~
18 ~~lacerations requiring multiple sutures or cosmetic surgery, or one or more broken bones, or~~
19 ~~that creates a potential danger to the life or health of the victim.~~

20 ~~_____ **Wound** shall mean any injury to a person not included within the definition of severe~~
21 ~~injury.~~

22 Section 72. That Section 6.10.040 of the Lincoln Municipal Code be amended
23 to read as follows:

24 **6.10.040 Registration Requirements; Dangerous Dogs.**

25 (a) The owner of any dangerous dog shall register such dog with Animal Control
26 and upon registration shall provide the following:

27 (1) The name, address and telephone number of the owner;

28 (2) A written description and representation indicating the owner has and
29 will continue to comply with the confinement provisions of this chapter;

30 (3) Written evidence from a licensed veterinarian that the dog is currently
31 neutered or spayed;

1 (4) A written acknowledgment that the owner shall notify Animal Control
2 immediately if said dog is known by the owner to be running at large, unconfined, or when
3 the owner has any knowledge or belief that the dog has bitten or is alleged to have bitten a
4 human being or another animal;

5 (5) A written acknowledgment that the owner of said dog shall notify Animal
6 Control of any changes in material recorded as a part of the registration within twenty-four
7 hours of said change. Changes in material recorded as part of the registration shall include
8 information that the dog has been sold, given away, or otherwise transferred to any other
9 person, and in that event the registered owner shall provide the director with the name,
10 address, and telephone number of such person; and

11 (6) A non-refundable registration fee of twenty-five dollars, which fee shall
12 be in addition to any other license fee required by this title.

13 (b) Upon satisfactory completion of all the requirements of this section the Chief
14 Animal Control Officer shall issue a registration certificate which shall be used to assign the
15 dog a permanent number. At the time of registration the Chief Animal Control Officer shall
16 either order the owner to have any dangerous dog tattooed by a licensed veterinarian per-
17 manently marking the number assigned herein by tattoo upon the inner side of the dangerous
18 dog's right ear ~~within thirty days of the date of the registration,~~ or order the owner to have a
19 microchip inserted in any dangerous dog by a licensed veterinarian within thirty days of the
20 date of registration. The owner shall provide Animal Control with the animal's microchip
21 number within thirty days of the date of the registration. It shall be unlawful for any owner
22 of such dangerous dog to fail to so mark, ~~or tattoo,~~ or microchip such dangerous dog as pro-
23 vided herein. It shall be unlawful for any person other than a licensed veterinarian to remove
24 any tattoo, microchip, or any other marking used for identification.

1 (c) The registration requirements including the notification requirements
2 acknowledged therein shall be construed as affirmative duties upon the owner, failure of
3 which shall constitute a violation of this section.

4 (d) It shall be unlawful for any person registering a dog to falsify or misrepresent
5 material recorded as a part of the registration.

6 Section 73. That Section 6.10.120 of the Lincoln Municipal Code be amended
7 to read as follows:

8 **6.10.120 Penalty.**

9 ~~It shall be unlawful for any person upon whom a duty is placed by the provisions of this~~
10 ~~chapter to fail, neglect, or refuse to perform such duty, or to violate any of the provisions~~
11 ~~hereof. Upon conviction thereof, such person shall be punished by a fine not to exceed~~
12 ~~\$100.00 recoverable with costs. Any person who shall violate any of the provisions of Section~~
13 ~~6.10.060, 6.10.070, or 6.10.100 shall be deemed guilty of a misdemeanor and upon~~
14 ~~conviction thereof shall be punished by imprisonment in the county jail for a period not to~~
15 ~~exceed six months or be fined in a sum not to exceed \$500.00 and not less than \$200.00~~
16 ~~recoverable with costs, or by both such fine and imprisonment.~~

17 Any person upon whom a duty is placed by the provisions of this chapter who shall
18 fail, neglect, or refuse to perform such duty, or who shall violate any of the provisions of this
19 chapter for which a penalty is not specifically provided, shall be deemed guilty of a
20 misdemeanor and upon conviction thereof shall be punished by imprisonment in the county
21 jail for a period not to exceed six months or be fined in a sum not to exceed \$500.00 and not
22 less than \$50.00 for the first offense and not less than \$75.00 for a second offense, and not less
23 than \$100.00 for the third offense and each offense thereafter, recoverable with costs, or by
24 both such fine and imprisonment.

25 In addition to the penalties for all violations herein provided, the court may order such
26 person to reimburse the city, and/or a public or private agency for expenses incurred in the

1 care, medical treatment, impoundment, and disposal of any animal involved in or connected
2 with the incident for which the complaint was filed.

3 A court, upon finding a person guilty or any violation of this title, may in addition to
4 finer, imprisonment, costs, or otherwise, order such convicted person to make restitution to
5 any persons for damage or injury to such person or such person's property.

6 Each day that a violation of this chapter continues shall be punishable as a separate
7 offense. The penalty herein provided shall be cumulative and in addition to revocation,
8 cancellation, or forfeiture of any license, permit, or right granted by this chapter or elsewhere.

9 Section 74. That Section 6.12.010 of the Lincoln Municipal be and the same
10 is hereby repealed in its entirety.

11 ~~**6.12.010 — Definitions.**~~

12 ~~—— For the purpose of this chapter, the following words shall have the following meanings:~~

13 ~~—— **Cat** shall include both male and female cats.~~

14 ~~—— **Hobby kennel or cattery** shall mean any kennel where cats are kept for organized~~
15 ~~shows, breeding for exhibition, or for the enjoyment of the household.~~

16 ~~—— **Inoculation, and vaccination, or vaccination for rabies** shall mean the vaccination of~~
17 ~~a cat with a vaccine approved by the Lincoln-Lancaster County Department of Health for use~~
18 ~~in the prevention of rabies.~~

19 ~~—— **Kennel** shall be construed to mean the house, store, yard, enclosure, or place where~~
20 ~~two or more weaned, unspayed, or unneutered cats are harbored or kept; provided, however,~~
21 ~~this definition shall not apply to spayed female cats nor to the animal shelter, animal research~~
22 ~~facilities, or to animal hospitals operated by veterinarians duly licensed under the laws of the~~
23 ~~State of Nebraska, keeping cats for others for treatment or boarding.~~

24 Section 75. That Section 6.12.030 of the Lincoln Municipal Code be amended
25 to read as follows:

26 **6.12.030 License Required.**

27 It shall be unlawful for any person within the city to own a cat over six months of age
28 without procuring a license for such cat as provided in this chapter. Any person convicted of
29 violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof

1 shall be punished by imprisonment in the county jail for a period not to exceed six months
2 or by a fine in a sum not more than \$500.00, recoverable with costs, or both such fine and
3 imprisonment, except that each person so convicted shall be fined in a sum of not less than
4 \$50.00 for the first offense; not less than \$75.00 for a second offense; and not less than
5 \$100.00 for the third offense and each offense thereafter.

6 Section 76. That Section 6.12 of the Lincoln Municipal Code to be amended
7 by adding a new section numbered 6.12.045 to read as follows:

8 **6.12.045 Limit on Number of Cats Owned.**

9 It shall be unlawful for any person to own, keep, harbor or permit to be kept upon any
10 premises occupied or under such person's charge, more than five cats over six months of age.
11 Provided, however, the provisions of this section shall not apply to persons with a multi-cat
12 household, hobby kennel, or cattery permit; humane society; animal shelters; animal research
13 facilities; zoos; or to animal hospitals operated by veterinarians duly licensed under the laws
14 of the State of Nebraska.

15 It shall be unlawful for any person with a multi-cat household, hobby kennel or cattery
16 permit to own, keep, harbor or permit to be kept upon any premises occupied or under such
17 person's charge, more than fifteen cats over six months of age.

18 Section 77. That Section 6.12.120 of the Lincoln Municipal Code be amended
19 to read as follows:

20 **6.12.120 License Fee.**

21 (a) The license fee for all cats shall be the sum of ~~twenty-four~~ five dollars; provided,
22 however, the license fee for all spayed female cats and neutered male cats shall be the sum
23 of ~~twelve~~ fifteen dollars. Further provided, the license fee for a cat owned by an individual
24 sixty-two years of age or older shall be the sum of ~~eighteen~~ nineteen dollars. However, the
25 license fee shall be ~~nine~~ eleven dollars if the cat is a spayed female or a neutered male. Unless
26 previously licensed as spayed or neutered, a cat shall be so licensed only if the license fee is

1 accompanied by a statement signed by a veterinarian describing such cat and verifying the fact
2 that such cat has been spayed or neutered.

3 (b) In addition to the license fee, any expired license which is renewed later than
4 the expiration date shall not be renewed or issued until the following late fee penalty has been
5 paid by the owner:

6 Received later than thirty days after license expiration,
7 but before sixty days \$ 5.00

8 Received sixty days or more after license expiration,
9 but before ninety days \$10.00

10 Received ninety days or more after license expiration \$15.00

11 For new licenses, the owner shall be liable for a late fee according to the above
12 schedule if the owner fails to license the animal within thirty days of the date the animal
13 attains the age of six months.

14 No late fee shall be charged on new licenses if the owner submits proof of purchase
15 or acquisition of the cat within the preceding thirty days; or the owner has moved into the city
16 within the preceding thirty days.

17 Section 78 That Section 6.12.130 of the Lincoln Municipal Code be amended
18 to read as follows:

19 **6.12.130 Hobby Kennel or Cattery Permit.**

20 It shall be unlawful for any person to have or maintain a hobby kennel or cattery within
21 the City of Lincoln without first having obtained such hobby kennel or cattery permit from the
22 Director as herein provided.

23 Any person having a hobby kennel or cattery shall make application to the Director for
24 said permit. The Director shall issue the permit upon finding that the premises are in
25 compliance with the law, the permit fee has been paid, each cat has been properly licensed
26 and vaccinated against rabies, and upon compliance with the following conditions:

1 (a) Permits are not transferable from one person to another person or place.

2 (b) A permit holder shall notify the Director of any change in operations which may
3 affect the status of said permit and shall keep the Director apprised of any change in name or
4 location of the permit holder's kennel.

5 (c) The hobby kennel or cattery permit shall expire December thirty-first of each
6 calendar year for which issued. All permits shall be due January first of each year and shall
7 expire on December thirty-first following.

8 (d) The permit fee shall be ~~fifty~~ seventy-five dollars plus ~~twelve dollars per cat~~
9 ~~licensing fee~~ the cat license fee for each cat, as required by 6.12.120.

10 (e) Failure to maintain the premises in compliance with the law, or failure to make
11 payment of the permit fee, or failure to maintain proof showing that each cat has been
12 properly licensed and vaccinated against rabies may result in the immediate termination of the
13 hobby kennel or cattery permit by the Director.

14 Any decision of the Director under the provisions of this section may be appealed to
15 the District Court as provided by law.

16 Section 79. That Chapter 6.12 of the Lincoln Municipal Code be amended by
17 adding a new section numbered 6.12.132 to read as follows:

18 **6.12.132 Multi-Cat Household: Permit.**

19 It shall be unlawful for any person to have or maintain a multi-cat household within the
20 City of Lincoln without first having obtained such a permit from the Director.

21 Any person having a multi-cat household shall make application to the Director for said
22 permit. The following shall be submitted with the application:

23 (a) Proof of current licenses and rabies vaccination for each cat to be kept or
24 harbored on the premises.

25 (b) The permit shall be \$50.00 in addition to the licensing fee for each cat as
26 required in Section 6.12.030 or 6.12.120.

1 Upon a finding by the Director that the premises are in compliance with the terms of
2 the permit and the law, said permit will be issued. Only one permit per premise shall be
3 issued. A permit shall not be granted if permit holder possesses a current cattery or hobby
4 kennel permit on the same premises.

5 Section 80. That Chapter 6.12 of the Lincoln Municipal Code be amended by
6 adding a new section numbered 6.12.134 to read as follows:

7 **6.12.134 Multi-Cat Household Permit: Terms and Requirements.**

8 (a) Permit is not transferable to another person or premise.

9 (b) Permit shall be voided when the number of cats is reduced to the legal limit of
10 five cats over the age of six months or the owner receives a cattery permit.

11 (c) All cats shall be spayed and neutered. There shall be no breeding of cats
12 permitted under this permit.

13 (d) The multi-cat household permit shall expire December 31st of each calendar
14 year for which issued. All permits shall be renewed by January 1st of the following year.

15 (e) All cats shall be kept confined on the permit owner's property and it shall be
16 unlawful to allow any cat under such permit holder's charge, custody or control to run at
17 large.

18 (f) Any odor or unsanitary conditions caused by the cats shall not interfere with an
19 adjoining property owner's use and peaceful enjoyment of his/her property.

20 (g) A permit holder shall notify the Director of any change in ownership or death
21 of cats, property, or any other change which may affect the status of said permit and shall keep
22 the Director apprised of any change in name or location of multi-cat household.

23 (h) No cat shall be kept under conditions or circumstances prohibited by Sections
24 6.04.310, Cruelty to Animals, or 6.04.315, Animal Neglect. Violation of these provisions may
25 result in termination of the multi-cat household permit.

1 (i) Failure to maintain the premises in compliance with the law, to make payment
2 of the permit fee, or maintain proof showing that each cat has been properly licensed and
3 vaccinated against rabies may result in the immediate termination of the multi-cat household
4 permit by the Director.

5 (j) All permit holders shall allow an Animal Control Officer to inspect or investigate
6 their premises. Failure to permit an Animal Control Officer to investigate or inspect their
7 premises may result in the termination of the multi-cat household permit.

8 Section 81. That Chapter 6.12 of the Lincoln Municipal Code be amended by
9 adding a new section numbered 6.12.136 to read as follows:

10 **6.12.136 Multi-Cat Household, Hobby Kennel, or Cattery Permit: Nonconforming.**

11 Any person who owns more than fifteen cats at the time of adoption of this ordinance
12 or at time of annexation into the corporate limits of the City shall be allowed to obtain a multi-
13 cat household, hobby kennel, or cattery permit for the said number of cats owned until the
14 time of death or transfer of ownership of the cats. Thus, reducing the number of cats
15 possessed to come into conformance with the limits herein provided in this chapter. Permit
16 holders must meet all other requirements of the multi-cat household, hobby kennel, or cattery
17 permits.

18 Section 82. That Section 6.12.140 of the Lincoln Municipal Code be amended
19 to read as follows:

20 **6.12.140 Minimum Standards of Sanitation, Care, and Adequate Housing of Cats**
21 **in Hobby Kennel or Cattery or Multi-Cat Household.**

22 (a) Animal housing facilities shall be constructed of nontoxic materials and in a
23 structurally sound design. The facility shall be kept in good repair and kept clean and sanitary
24 at all times, so as to protect animals from disease and injury.

25 (b) (1) Animals maintained in pens, cages, or runs for periods exceeding twenty-
26 four hours shall be provided with adequate space to prevent overcrowding and to maintain

1 normal exercise according to species. Cages are to be of material and construction that permit
2 cleaning and sanitizing.

3 (2) Indoor housing. These facilities shall be sufficiently temperature
4 controlled and ventilated to provide for the animal's comfort and health. Sufficient lighting
5 shall be provided by either artificial or natural means.

6 (3) Outside housing or enclosures shall allow adequate protection against
7 weather extremes. Floors of buildings, runs, and walls shall be of an impervious material to
8 permit proper cleaning and disinfecting. Outside runs must be within another fenced yard and
9 screened from view by either plantings or the other fence.

10 (c) Provisions shall be made for the removal and proper disposal of animal and
11 food waste, bedding, dead animals, and debris. Disposal facilities shall be provided and so
12 operated as to minimize vermin infestation, odors, and disease hazards.

13 (d) All animal quarters and runs are to be kept clean, dry, and in a sanitary
14 condition.

15 (e) The food shall be free from contamination, wholesome, palatable, and of
16 sufficient quantity and nutritive value to meet the normal daily requirements for the condition
17 and size of the animal.

18 (f) All animals shall have fresh water available at all times. Water vessels shall
19 have weighted bottoms or be mounted or secured in a manner that prevents tipping and be
20 of the removable type.

21 (g) Each cat shall be observed daily by the cat caretaker in charge or the caretaker's
22 representative. Sick, diseased, injured, lame, or blind animals shall be provided with proper
23 veterinary care.

24 Section 83. That Section 6.12.145 of the Lincoln Municipal Code be amended
25 to read as follows:

1 **6.12.145 Hobby Kennel or Cattery or Multi-Cat Households; Cats Running at Large.**

2 It shall be unlawful for any person holding a hobby kennel or cattery or multi-cat
3 household permit to allow any cat under such person's charge, custody, care, or control to run
4 at large.

5 Section 84. That Section 6.12.290 of the Lincoln Municipal Code be amended
6 to read as follows:

7 **6.12.290 Penalty for Violations.**

8 Any person upon whom a duty is placed by the provisions of this chapter who shall
9 fail, neglect, or refuse to perform such duty, or who shall violate any of the provisions of this
10 chapter, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be
11 punished by imprisonment in the county jail for a period not to exceed three months or by a
12 fine in a sum not to exceed \$500.00, recoverable with costs, or both, except that each person
13 so convicted shall be fined not less than \$35.00 for the first offense, and not less than \$50.00
14 for a second offense, and not less than \$100.00 for the third offense and each offense
15 thereafter.

16 If upon the trial of the offense mentioned in this section it shall appear to the county
17 judge that the person be guilty as charged in said complaint, said county judge may, in
18 addition to the usual judgment of conviction, declare said violation a public nuisance, order
19 the party or parties so convicted to abate said nuisance forthwith, and in the event the party
20 or parties convicted shall fail to do so, order the Health Director or the Chief of Police to
21 remove to the animal shelter said cat or cats so kept and harbored in violation of this section,
22 there to be impounded and disposed of in accordance with the terms of this chapter. The cost
23 of such impoundment and disposal shall be borne by the convicted person.

24 Each day that a violation of any section in this chapter continues shall constitute a
25 separate and distinct offense and shall be punishable as such. The penalties herein provided

1 shall be cumulative with and in addition to any penalty or forfeiture elsewhere in this chapter
2 provided.

3 Section 85. That Sections 1 through 56 hereof be codified in the Lincoln
4 Municipal Code as Chapter 6.02, Definitions.

5 Section 86. That Sections 6.04.090, 6.04.160, 6.08.030, 6.08.060, 6.08.310,
6 6.10.040, 6.10.120, 6.12.030, 6.12.120, 6.12.130, 6.12.140, 6.12.145, and 6.12.290 of the
7 Lincoln Municipal Code as hitherto existing be and the same are hereby repealed.

8 Section 87. Pursuant to Article VII, Section 7 of the City Charter, this ordinance
9 shall be posted on the official bulletin board of the City in lieu of and in place of newspaper
10 publication with notice of passage and such posting to be given by publication one time in
11 the official newspaper by the City Clerk. This ordinance shall take effect and be in force from
12 and after its passage and publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2002:

Mayor