

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 6.08 of the Lincoln Municipal Code relating
2 to Dogs by amending Sections 6.08.130 and 6.08.260 of the Lincoln Municipal Code to increase the
3 fee for the release of a dog held or impounded in the animal shelter; and repealing Sections 6.08.130
4 and 6.08.260 of the Lincoln Municipal Code as hitherto existing.

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

6 Section 1. That Section 6.08.130 of the Lincoln Municipal Code be amended to read
7 as follows:

8 **6.08.130 Dogs Running at Large.**

9 It shall be unlawful for the owner of any dog to let such dog run at large, whether licensed
10 or not, at any time within the city, and any dog found to be running at large may be impounded by
11 the Director as in this chapter provided, or if the residence of the owner of such dog is determined
12 by the capturing animal control officer before such dog is delivered to the animal shelter, such dog
13 may be delivered to the owner upon said owner’s written acceptance of delivery upon a form to be
14 provided by the Director. If such dog is so delivered to the owner, an impoundment fee of ~~twenty~~
15 ~~dollars~~ as required by Section 6.08.260 shall be paid by the owner to the Director within five days
16 of delivery, and failure to pay said fee shall constitute a separate violation of this section.

17 The Director shall not release any such dog from being impounded until the owner of said
18 dog shall have obtained a license as provided in this chapter.

19 Section 2. That Section 6.08.260 of the Lincoln Municipal Code be amended to read
20 as follows:

1 **6.08.260 Shelter Fee; Release from Shelter.**

2 Any dog held or impounded in the animal shelter because of a violation of any of the
3 provisions of this chapter shall be released to the owner thereof by the Director upon presentation
4 of the following:

5 (a) Proof of ownership of such dog;

6 (b) A license for the current year showing that such dog has been properly licensed;

7 (c) Proof either in the form of a certificate issued and signed by a licensed veterinarian,
8 or other person authorized by law to administer rabies inoculation, that such dog has been properly
9 inoculated for rabies as required by Section 6.08.040, or by depositing a rabies vaccination fee with
10 the Director to be forwarded to the veterinarian upon presentment of a valid rabies vaccination
11 certificate for such dog, in which case the owner's failure to obtain a valid rabies vaccination
12 certificate and tag within five days shall constitute a violation of this section; and

13 (d) Payment of the daily boarding cost plus the impoundment fee as set out below:

14 First impoundment per animal ~~\$20.00~~ 35.00;

15 Second impoundment per animal within 12 months
16 of the first impoundment ~~\$30.00~~ 50.00;

17 Third impoundment per animal within 12 months
18 of the first impoundment ~~\$35.00~~ 75.00;

19 Fourth and all ensuing impoundments
20 per animal within 12 months of the
21 first impoundment ~~\$45.00~~ 25.00 times
22 each prior and subsequent impoundment;

23 (e) In addition, the Director shall require proof of surgical sterilization or a deposit to
24 secure sterilization for any one dog that has been impounded ~~three~~ two or more times for violations

1 of this chapter ~~within the past thirty-six months~~ according to Animal Control records. Such proof
2 or deposit shall be provided prior to the release of the impounded dog as follows: (1) for proof of
3 surgical sterilization, the owner shall provide a current written statement signed by a licensed
4 veterinarian that the dog so impounded is surgically sterile; (2) for a deposit to secure sterilization,
5 the owner shall provide a spaying or neutering deposit to the Director ~~in an amount not to exceed~~
6 ~~sixty dollars~~ accompanied by forms provided by the Director. The Director shall release the deposit
7 only upon proof in the form of a written statement signed by a licensed veterinarian that the dog so
8 impounded has been surgically spayed or neutered within fifteen days from the date of the deposit.
9 The Director may release the deposit to the veterinarian who performed the surgical sterilization
10 upon the signature of the owner expressly authorizing such release. If the owner shall fail to have
11 such dog spayed or neutered within fifteen days from the date of the deposit, such deposit shall be
12 forfeited.

13 The owner shall remain responsible for all penalties for violation of any of the provisions
14 of this chapter. All dogs which have remained in the shelter seventy-two hours without being
15 claimed Section 4. That Sections 6.08.130 and 6.08.260 of the Lincoln Municipal
16 Code as hitherto existing be and the same are hereby repealed.

17 Section 5. That this ordinance shall take effect and be in force from and after its
18 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2005:

Mayor