

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Chapter 6.12 of the Lincoln Municipal Code relating  
2 to Cats by amending Sections 6.12.100 and 6.12.220 of the Lincoln Municipal Code to increase the  
3 fee for the release of a cat held or impounded in the animal shelter; ; and repealing Sections 6.12.100  
4 and 6.12.220 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 6.12.100 of the Lincoln Municipal Code be amended to read  
7 as follows:

8 **6.12.100 Public Nuisance.**

9 Any cat running at large in violation of the provisions of Sections 6.12.070 hereof is declared  
10 to be a public nuisance, and shall be impounded by the Director as in this chapter provided, or if the  
11 residence of the owner of such cat is determined by the capturing animal control officer before such  
12 cat is delivered to the animal shelter, such cat may be delivered to the owner upon said owner's  
13 written acceptance of delivery upon a form to be provided by the Director. If such cat is so  
14 delivered to the owner, an impoundment fee of ~~twenty dollars~~ as required by Section 6.12.220 shall  
15 be paid by the owner to the Director within five days of delivery, and failure to pay said fee shall  
16 constitute a separate violation of this section.

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

19 Section 2. That Section 6.12.220 of the Lincoln Municipal Code be amended to read  
20 as follows:

21 **6.12.220 Shelter Fee; Release from Shelter.**

22 Any cat held or impounded in the animal shelter because of the violation of any of the  
23 provisions of this chapter by its owner, shall be released to the owner thereof by the Director upon  
24 presentation of the following:

- 1 (a) Proof of ownership of such cat;
- 2 (b) A license for the current year showing that such cat has been properly licensed;
- 3 (c) Proof either in the form of a certificate issued and signed by a licensed veterinarian,
- 4 or other person authorized by law to administer rabies inoculation, that such cat has been properly
- 5 inoculated for rabies as required by Section 6.12.050, or by depositing a rabies vaccination fee with
- 6 the Director to be forwarded to the veterinarian upon presentment of a valid rabies vaccination
- 7 certificate for such cat, in which case the owner's failure to obtain a valid rabies vaccination
- 8 certificate and tag within five days shall constitute a violation of this section; and

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

11	First impoundment per animal . . . . .	<del>\$20.00</del> <u>35.00</u> ;
12	Second impoundment per animal <u>within 12 months</u>	
13	<u>of the first impoundment</u> . . . . .	<del>\$30.00</del> <u>50.00</u> ;
14	Third impoundment per animal <u>within 12 months</u>	
15	<u>of the first impoundment</u> . . . . .	<del>\$35.00</del> <u>75.00</u> ;
16	Fourth and all ensuing impoundments	
17	per animal <u>within 12 months of the</u>	
18	<u>first impoundment</u> . . . . .	<del>\$45.00</del> <u>25.00 times</u>
19		<u>each prior and subsequent impoundment</u> ;

20 (e) In addition, the Director shall require proof of surgical sterilization or a deposit to  
 21 secure sterilization for any one cat that has been impounded. Such proof or deposit shall be  
 22 provided prior to the release of the impounded cat as follows: (1) for proof of surgical sterilization,  
 23 the owner shall provide a current written statement signed by a licensed veterinarian that the cat so  
 24 impounded is surgically sterile; (2) for a deposit to secure sterilization, the owner shall provide a  
 25 spaying or neutering deposit to the Director ~~in an amount not to exceed sixty dollars~~ accompanied  
 26 by forms provided by the Director. The Director shall release the deposit only upon proof in the

1 form of a written statement signed by a licensed veterinarian that the cat so impounded has been  
2 surgically spayed or neutered within fifteen days from the date of the deposit. The Director may  
3 release the deposit to the veterinarian who performed the surgical sterilization upon the signature  
4 of the owner expressly authorizing such release. If the owner shall fail to have such cat spayed or  
5 neutered within fifteen days from the date of the deposit, such deposit shall be forfeited.

6 (f) It shall be unlawful for any owner to fail to have a cat spayed or neutered after being  
7 impounded.

8 The owner shall remain responsible for all penalties for violation of any of the provisions  
9 of this chapter. All cats which shall have remained in the shelter seventy-two hours without being  
10 claimed or released may be destroyed in a humane manner, except as otherwise provided in this  
11 chapter.

12 Section 3. That Sections 6.12.100 and 6.12.220 of the Lincoln Municipal Code as  
13 hitherto existing be and the same are hereby repealed.

14 Section 4 That this ordinance shall take effect and be in force from and after its  
15 passage and publication according to law.

Introduced by:  

---

Approved as to Form & Legality:

---

City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2005:

---

Mayor