

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 6 of the Lincoln Municipal Code relating to
2 Animals, by amending Section 6.08.020 to set minimum penalties for violations of rabies
3 vaccination requirements for dogs; amending Section 6.08.060 to increase license fees for
4 dogs due to increased administrative costs; amending Section 6.10.040 to increase registration
5 fees for dangerous and potentially dangerous dogs due to increased administrative costs;
6 amending Section 6.10.100 to refer to definitions in Chapter 6.02; amending Section 6.12.020
7 to set minimum penalties for violations of rabies vaccination requirements for cats; amending
8 Section 6.12.120 to increase license fees for cats due to increased administrative costs; and
9 repealing Sections 6.08.020, 6.08.060, 6.10.040, 6.10.100, 6.12.020, and 6.12.120 of the
10 Lincoln Municipal Code as hitherto existing.

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

12 Section 1. That Section 6.08.020 of the Lincoln Municipal Code be amended
13 to read as follows:

14 **6.08.020 Vaccination Against Rabies Required; Vaccination Tag.**

15 Any person within the city owning a dog shall have such dog vaccinated against rabies
16 with a licensed vaccine as approved by the Nebraska State Department of Health. All dogs
17 shall be vaccinated against rabies commencing at three months of age and the vaccination
18 shall be repeated at fifteen months; and a booster vaccination shall be given triennially
19 thereafter. Unvaccinated dogs acquired or moved into the City of Lincoln must be vaccinated
20 within thirty days after purchase or arrival, unless under three months of age. It shall be the
21 duty of every veterinarian, at the time of vaccinating any dog, to provide a copy of the rabies
22 vaccination certificate to the Director and to provide a rabies vaccination tag to the owner.
23 The rabies vaccination tag shall be attached to and kept upon the collar or harness of the dog.

1 Any person convicted of violating this provision shall be deemed guilty of a
2 misdemeanor and upon conviction thereof shall be punished by imprisonment in the county
3 jail for a period not to exceed six months or by a fine in a sum not more than \$500.00,
4 recoverable with costs, or both such fine and imprisonment, except that each person so
5 convicted shall be fined in a sum of not less than \$50.00 for the first offense; not less than
6 \$75.00 for a second offense; and not less than \$100.00 for the third offense and each offense
7 thereafter.

8 Section 2. That Section 6.08.060 of the Lincoln Municipal Code be amended
9 to read as follows:

10 **6.08.060 License Fee.**

11 (a) The license fee for all dogs shall be the sum of thirty dollars; provided, however,
12 the license fee for all spayed female dogs and neutered male dogs shall be the sum of ~~twelve~~
13 fifteen dollars each. Further provided, the license fee for a dog owned by an individual sixty-
14 two years of age or older shall be the sum of twenty-five dollars, or ~~nine~~ twelve dollars if the
15 dog is a spayed female or a neutered male. Unless previously licensed as spayed or neutered,
16 a dog shall be so licensed only if the license fee is accompanied by a statement signed by a
17 veterinarian describing such dog and verifying the fact that such dog has been spayed or
18 neutered.

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

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|--|---------|
| 22 Received later than thirty days after license expiration, | |
| 23 but before sixty days | \$ 5.00 |
| 24 Received sixty days or more after license expiration, | |
| 25 but before ninety days | \$10.00 |
| 26 Received ninety days or more after license expiration | \$15.00 |

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

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

7 Section 3. That Section 6.10.040 of the Lincoln Municipal Code be amended
8 to read as follows:

9 **6.10.040 Registration Requirements; Dangerous Dogs.**

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

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

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

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

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

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

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

3 (b) Upon satisfactory completion of all the requirements of this section the Chief
4 Animal Control Officer shall issue a registration certificate which shall be used to assign the
5 dog a permanent number. At the time of registration the Chief Animal Control Officer shall
6 either order the owner to have any dangerous dog tattooed by a licensed veterinarian per-
7 manently marking the number assigned herein by tattoo upon the inner side of the dangerous
8 dog's right ear or order the owner to have a microchip inserted in any dangerous dog by a
9 licensed veterinarian within thirty days of the date of registration. The owner shall provide
10 Animal Control with the animal's microchip number within thirty days of the date of the
11 registration. It shall be unlawful for any owner of such dangerous dog to fail to so mark,
12 tattoo, or microchip such dangerous dog as provided herein. It shall be unlawful for any
13 person other than a licensed veterinarian to remove any tattoo, microchip, or any other
14 marking used for identification.

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

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

20 Section 4. That Section 6.10.100 of the Lincoln Municipal Code be amended
21 to read as follows:

22 **6.10.100 Bites Unlawful.**

23 It shall be unlawful for the owner of any dangerous or potentially dangerous dog
24 required to be registered under this chapter to permit or allow such dog to kill, bite, chase,
25 attack, injure, wound, or endanger in such a way that the dog may be considered either a
26 dangerous dog or a potentially dangerous dog as defined in ~~Section 6.10.010~~ Chapter 6.02.

1 In addition, any such dangerous dog required to be registered under this chapter shall be
2 immediately confiscated by an Animal Control Officer, placed in quarantine for the proper
3 length of time, and thereafter destroyed in an expeditious and humane manner.

4 Section 5. That Section 6.12.020 of the Lincoln Municipal Code be amended
5 to read as follows:

6 **6.12.020 Vaccination Against Rabies Required; Vaccination Tag.**

7 Any person within the city owning a cat shall have such cat vaccinated against rabies
8 with a licensed vaccine as approved by the Nebraska State Department of Health. All cats
9 shall be vaccinated against rabies commencing at three months of age and the vaccination
10 shall be repeated at fifteen months; and a booster vaccination shall be given triennially
11 thereafter. Unvaccinated cats acquired or moved into the City of Lincoln must be vaccinated
12 within thirty days after purchase or arrival, unless under three months of age. It shall be the
13 duty of every veterinarian, at the time of vaccinating any cat, to provide a copy of the rabies
14 vaccination certificate to the Director and to provide a rabies vaccination tag to the owner.
15 The rabies vaccination tag shall be attached to and kept upon the collar or harness of the cat.

16 Any person convicted of violating this provision shall be deemed guilty of a
17 misdemeanor and upon conviction thereof shall be punished by imprisonment in the county
18 jail for a period not to exceed six months or by a fine in a sum not more than \$500.00,
19 recoverable with costs, or both such fine and imprisonment, except that each person so
20 convicted shall be fined in a sum of not less than \$50.00 for the first offense; not less than
21 \$75.00 for a second offense; and not less than \$100.00 for the third offense and each offense
22 thereafter.

23 Section 6. That Section 6.12.120 of the Lincoln Municipal Code be amended
24 to read as follows:

1 **6.12.120 License Fee.**

2 (a) The license fee for all cats shall be the sum of thirty dollars; provided, however,
3 the license fee for all spayed female cats and neutered male cats shall be the sum of ~~twelve~~
4 fifteen dollars. Further provided, the license fee for a cat owned by an individual sixty-two
5 years of age or older shall be the sum of twenty-five dollars. However, the license fee shall be
6 ~~nine~~ twelve dollars if the cat is a spayed female or a neutered male. Unless previously licensed
7 as spayed or neutered, a cat shall be so licensed only if the license fee is accompanied by a
8 statement signed by a veterinarian describing such cat and verifying the fact that such cat has
9 been spayed or neutered.

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

| | |
|---|---------|
| 13 Received later than thirty days after license expiration, | |
| 14 but before sixty days | \$ 5.00 |
| 15 Received sixty days or more after license expiration, | |
| 16 but before ninety days | \$10.00 |
| 17 Received ninety days or more after license expiration | \$15.00 |

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

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

24 Section 7. That Sections 6.08.020, 6.08.060, 6.10.040, 6.10.100, 6.12.020, and
25 6.12.120 of the Lincoln Municipal Code as hitherto existing be and the same are hereby
26 repealed.

1 Section 8. That this ordinance shall take effect and be in force from and after
2 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003:

Mayor