

ORDINANCE NO. _____

1 AN ORDINANCE amending Sections 6.02.300, 6.12.045, 6.12.130, 6.12.132,
 2 6.12.136, 6.12.140, and 6.12.145 of the Lincoln Municipal Code relating to Cats to delete the words
 3 “hobby kennel” as it is an obsolete and duplicative term; and repealing Sections 6.02.300, 6.12.045,
 4 6.12.130, 6.12.132, 6.12.136, 6.12.140, and 6.12.145 of the Lincoln Municipal Code as hitherto
 5 existing.

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

7 Section 1. That Section 6.02.300 of the Lincoln Municipal Code be amended to read
 8 as follows:

9 **6.02.300 Hobby Kennel or Cattery.**

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

15 Section 2. That Section 6.12.045 of the Lincoln Municipal Code be amended to read
 16 as follows:

17 **6.12.045 Limit on Number of Cats Owned.**

18 It shall be unlawful for any person to own, keep, harbor or permit to be kept upon any
 19 premises occupied or under such person’s charge, more than five cats over six months of age.
 20 Provided, however, the provisions of this section shall not apply to persons with a multi-cat

1 household, ~~hobby kennel~~, or cattery permit; humane society; animal shelters; animal research
2 facilities; zoos; or to animal hospitals operated by veterinarians duly licensed under the laws of the
3 State of Nebraska.

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

7 Section 3. That Section 6.12.130 of the Lincoln Municipal Code be amended to read
8 as follows:

9 **6.12.130 Hobby Kennel or Cattery Permit.**

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

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

- 17 (a) Permits are not transferable from one person to another person or place.
- 18 (b) A permit holder shall notify the Director of any change in operations which may
19 affect the status of said permit and shall keep the Director apprised of any change in name or location
20 of the permit holder's kennel.
- 21 (c) The ~~hobby kennel~~ or cattery permit shall expire December thirty-first of each calendar
22 year for which issued. All permits shall be due January first of each year and shall expire on
23 December thirty-first following.

1 (d) The permit fee shall be fifty dollars plus the cat license fee for each cat, as required
2 by Section 6.12.120.

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

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

9 Section 4. That Section 6.12.132 of the Lincoln Municipal Code be amended to read
10 as follows:

11 **6.12.132 Multi-Cat Household; Permit.**

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

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

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

18 (b) The permit shall be \$30.00 in addition to the licensing fee for each cat as required in
19 Section 6.12.030 or 6.12.120.

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

1 Section 5. That Section 6.12.136 of the Lincoln Municipal Code be amended to read
2 as follows:

3 **6.12.136 Multi-Cat Household, ~~Hobby Kennel~~, or Cattery Permit; Nonconforming.**

4 Any person who owns more than fifteen cats at the time of adoption of this ordinance or at
5 time of annexation into the corporate limits of the City shall be allowed to obtain a multi-cat
6 household, ~~hobby kennel~~, or cattery permit for the said number of cats owned until the time of death
7 or transfer of ownership of the cats, thus reducing the number of cats possessed to come into
8 conformance with the limits herein provided in this chapter. Permit holders must meet all other
9 requirements of the multi-cat household, ~~hobby kennel~~, or cattery permits.

10 Section 6. That Section 6.12.140 of the Lincoln Municipal Code be amended to read
11 as follows:

12 **6.12.140 Minimum Standards of Sanitation, Care, and Adequate Housing of Cats in**
13 **~~Hobby Kennel or Cattery or Multi-Cat Household.~~**

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

17 (b) (1) Animals maintained in pens, cages, or runs for periods exceeding twenty-four
18 hours shall be provided with adequate space to prevent overcrowding and to maintain normal
19 exercise according to species. Cages are to be of material and construction that permit cleaning and
20 sanitizing.

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

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

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

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

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

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

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

18 Section 7. That Section 6.12.145 of the Lincoln Municipal Code be amended to read
19 as follows:

20 **6.12.145 ~~Hobby Kennel or Cattery or Multi-Cat Households; Cats Running at Large.~~**

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

1 Section 8. That Sections 6.02.300, 6.12.045, 6.12.130, 6.12.132, 6.12.136, 6.12.140,
2 and 6.12.145 of the Lincoln Municipal Code as hitherto existing be and the same are hereby
3 repealed.

4 Section 9. That this ordinance shall take effect and be in force from and after passage
5 and publication in one issue of a daily or weekly newspaper of general circulation in the City,
6 according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2013: _____ Mayor
