

Chapter 6

**POLICE REGULATIONS**

Article 1. Dogs and Cats

**§6-101 DOGS AND CATS; LICENSE REQUIRED.**

(1) Any person who shall own, keep, or harbor a dog or cat within the Municipality shall within thirty (30) days after acquisition of said dog or cat acquire a license for each such dog or cat annually by or before the first (1<sup>st</sup>) day of May of each year. The license fees set forth herein shall be delinquent from and after May thirtieth (30<sup>th</sup>); provided, the possessor of any dog or cat brought into or harbored within the corporate limits subsequent to May first (1<sup>st</sup>) of any year, shall be liable for the payment of the license fee and the same shall be liable for the payment of the license fee and the same shall be delinquent if not paid within thirty (30) days after bringing in or harboring said dog or cat within the corporate limits.

(2) Said license shall not be transferable and no refund will be allowed in case of death, sale, or other disposition of the dog or cat. The owner shall state at the time the application is made and upon printed forms provided for such purpose, his or her name and address, and the name, breed, color, and sex of each dog and cat owned and kept by the applicant. A certificate that the dog or cat has had a rabies shot, effective for the ensuing year of the license, shall be presented when the license is applied for, and no license or tag shall be issued until the certificate is shown.

(3) Dog and/or cat licenses shall be issued by the Municipal Clerk upon payment of the requisite license fee. The license fees hereby established by the Village are as follows:

- (a) Dogs (neutered/spayed) ..... \$5.00 each
- (b) Cats (neutered/spayed) ..... \$5.00 each
- (c) Dogs (not neutered/spayed) ..... \$10.00 each
- (d) Cats (not neutered/spayed) ..... \$10.00 each

(4) The possessor of any dog or cat whose dog or cat has not been licensed within the time period required by this section shall be subject to and assessed a delinquent fee of one hundred dollars (\$100.00), in addition to the license fee.

(5) The total number of cats or dogs or combination of both cannot exceed three (3) maintained or harbored in or on any property within the Municipality; provided, however, that this restriction shall not apply to the extent such dogs and/or cats were properly licensed during the year 2002. (Ref. 17-526, 54-603, 71-4412 RS Neb.)(Ord. No. 157, 5/3/66)(Amended by Ord. NO. 515, 7/8/03)

**§6-101.01 DOG GUIDES, HEARING AID DOGS, AND SERVICE DOGS; EXEMPT FROM LICENSE TAX.** Every service animal shall be licensed as required by the Municipal Code, but no license tax shall be charged. Upon the retirement or discontinuance of the animal as a service animal, the owner of the animal shall be liable for the payment of the required license tax. (Ref. 54-603 RS Neb.)(Ord. No. 440, 11/10/98)

**§6-102 DOGS; LICENSE TAX.** Upon the payment of the license fee, the Municipal Clerk shall issue to the owner of a dog a license certificate and a metallic tag for each dog so licensed. The metallic tags shall be properly attached to the collar or harness of all dogs so licensed and shall entitle the owner to keep or

harbor the said dog until the thirtieth (30<sup>th</sup>) day of April following such licensing. In the event that a license tag is lost and upon satisfactory evidence that the original plate or tag was issued in accordance with the provisions herein. *(Ref. 17-526, 54-603 RS Neb.)*

**§6-103 DOGS; WRONGFUL LICENSE.** It shall be unlawful for the owner, keeper, or harbinger of any dog to permit or allow such dog to wear any license, metallic tag or other Municipal identification than that issued by the Municipal Clerk for dogs, nor shall the owner, keeper, or harbinger wrongfully and knowingly license any unsprayed female dog with a license prescribed for a male or spayed female dog. *(Ref. 17-526, 54-603 RS Neb.)*

**§6-104 DOGS; OWNER DEFINED.** Any person who shall harbor or permit any dog for then (10) days or more in or about his or her house, store, or enclosure, or to remain fed, shall be deemed the owner and possessor of such dog and shall be deemed to be liable for all penalties herein prescribed. *(Ref. 54-606, 71-4401 RS Neb.)*

**§6-105 DOGS; PROCLAMATION.** It shall be the duty of the Governing Body whenever in its opinion the danger to the public safety from rabid dogs is great or imminent, to issue a proclamation ordering all persons owning, keeping, or harboring any dog to muzzle the same, or to confine it for a period of not less than thirty (30) days or more than ninety (90) days from the date of such proclamation, or until such danger is passed. The dogs may be harbored by any good and sufficient means in a house, garage, or yard on the premise wherein the said owner may reside. Upon issuing the proclamation it shall be the duty of all persons owning, keeping or harboring any dog to confine the same as herein provided. *(Ref. 17-526 RS Neb.)*

**§6-106 DOGS; UNLICENSED.** All dogs found running at large upon the street and public grounds of the Municipality without a license tag affixed as required in this Article are hereby declared a public nuisance. Unlicensed dogs found running at large shall be impounded in the Municipal Dog Shelter by the Municipal Police. *(Ref. 17-526, 71-4408 RS Neb.)*

**§6-107 DOGS; UNCOLLARED.** All dogs found running at large upon the streets and public grounds of the Municipality without a collar or harness are hereby declared a public nuisance. *(Ref. 54-605 RS Neb.)*

**§6-108 DOGS; RUNNING AT LARGE.** It shall be unlawful for the owner of any dog to allow such dog to run at large at any time within corporate limits of the Municipality. It shall be the duty of the Municipal Police to cause any dog found to be running at large within the Municipality to be taken up and impounded. "Running at Large" shall mean any dog found off the premise of the owner, and not under control of the owner or a responsible person, either by leash, cord, chain, wire, rope, cage or other suitable means of physical restraint. *(Ord. No. 181, 1/10/74)*

**§6-108.01 CATS; RUNNING AT LARGE.** The Village Marshal shall be authorized to take possession of any cat running at large in violation of the provisions of this section and to take said cat to an animal shelter as that term is defined in section 6-119 of the Bertrand Municipal Code; provided, however, that if the

owner of said cat is known as can be located, the Village Marshal may deliver said cat to the owner thereof. The owner of any cat taken to an animal shelter shall be responsible for any and all fees of the shelter.

The owner of any cat running at large in violation of the provisions of this section shall be subject to a fine not to exceed ten dollars (\$10.00) for each offense. *(Formerly §6-208)(Ord. No. 291, 11/10/92)(Amended by Ord. NO. 515, 7/8/03)*

**§6-109 DOGS; CAPTURE IMPOSSIBLE.** The Municipal Police shall have the authority to kill any animals showing vicious tendencies, or characteristics of rabies which make capture impossible because of the danger involved. *(Ref. 54-605 RS Neb.)*

**§6-110 DOGS; VICIOUS.** It shall be unlawful for any person to own, keep, or harbor any dog of a dangerous or ferocious disposition that habitually snaps or manifests a disposition to bite, without the said dog being securely held by a chain not over six feet (6') long. If any vicious or dangerous dog is otherwise held, or allowed to run at large, the Municipal Police shall have the authority to put the dog to death. Upon the written complaint of any affected person, filed with the Municipal Clerk's office, in any thirty (30) day period, that any dog owned by the person named in the complaint is committing injury to persons or property, or is an annoyance, dangerous, offensive or unhealthy, the Chairman shall investigate the complaint and, if in his opinion the situation warrants, shall notify the owner to restrain such dog from running at large, and keep such dog upon the premises of the owner, even though the license has been paid.

**§6-111 DOGS; INTERFERENCE WITH POLICE.** It shall be unlawful for any person to hinder, delay, or interfere with any Municipal Policeman who is performing any duty enjoined upon him by the provisions of this Article, or to break open, or in any manner directly or indirectly aid, counsel, or advise the breaking open of the animal shelter, any ambulance wagon, or other vehicle used for the collecting or conveying of dogs to the shelter. *(Ref. 28-906 RS Neb.)*

**§6-112 DOGS; KILLING AND POISONING.** It shall be unlawful to kill, or to administer, or cause to be administered, poison of any sort to a dog, or in any manner to injure, maim, or destroy any dog that is the property of another person, or to place any poison, or poisoned food where the same is accessible to a dog; provided, that this section shall not apply to Municipal Policemen acting within their power and duty. *(Ref. 28-1002 RS Neb.)*

**§6-113 DOGS; BARKING AND OFFENSIVE.** It shall be unlawful for any person to own, keep, or harbor any dog which by loud, continued, or frequent barking, howling, or yelping shall annoy or disturb any neighborhood, or person, or which habitually barks at or chases pedestrians, drivers, or owners of horses or vehicles while they are on any public sidewalks, streets, or alleys in the Municipality. Upon the written complaint of any affected person filed within any thirty (30) day period with the Municipal Clerk, that any dog owned by the person named in the complaint is an annoyance or disturbance, or otherwise violates the provisions of this section the Municipal Police shall investigate the complaint and, if in their opinion the situation warrants, shall notify the owner to silence and restrain such dog. The provisions of

this section shall not be construed to apply to the Municipal Dog Shelter. *(Ref. 17-526 RS Neb.)(Ord. No. 124, 6/8/59)*

**§6-114 DOGS; FEMALE IN SEASON.** It is hereby declared unlawful for the owner, keeper, or harbinger of a female dog to permit her to run at large within the Municipality while in season. Any such female dog found running at large in violation of this Section shall be declared to be a public nuisance and as such may be impounded or killed according to the provisions herein. *(Ref. 17-526 RS Neb.)*

**§6-115 DOGS; FIGHTING.** It shall be unlawful for any person, by agreement or otherwise, to set dogs to fighting, or by any gesture or word to encourage the same to fight. *(Ref. 17-526 RS Neb.)*

**§6-116 DOGS; LIABILITY OF OWNER.** It shall be unlawful for any person to allow a dog owned, kept, or harbored by him, or under his charge or control, to injure or destroy any real or personal property of any description belonging to another person. The owner or possessor of any such dog, in addition to the usual judgment upon conviction, may be made to be liable to the persons so injured in an amount equal to the value of the damage so sustained. *(Ref. 54-601, 54-602 RS Neb.)*

**§6-117 DOGS; REMOVAL OF TAGS.** It shall be unlawful for any person to remove or cause to be removed, the collar, harness, or metallic tag from any licensed dog without the consent of the owner, keeper, or possessor thereof. *(Ref. 17-756 RS Neb.)*

**§6-118 DOGS; IMPOUNDING.** It shall be the duty of the Municipal Police to capture, secure, and remove in a humane manner to the Municipal Animal Shelter any dog violating any of the provisions in this Section. The dogs so impounded shall be treated in a humane manner and shall be provided with a sufficient supply of food and fresh water each day. Each impounded dog shall be kept and maintained at the shelter for a period of not less than five (5) days after public notice has been given unless reclaimed earlier by the owner. Notice of impoundment of all animals, including any significant marks or identifications, shall be posted at the office of the Municipal Clerk within twenty-four (24) hours after impoundment as a public notification of such impoundment. Any dog may be reclaimed by its owner during the period of impoundment by payment of a general impoundment fee and daily board fee as set by resolution of the Governing Body and on file in the office of the Municipal Clerk. The owner shall then be required to comply with the licensing and rabies vaccination requirements before the animal will be released. If no owner is located, or if the owner cannot show proof of shots, within twenty-four (24) hours of impoundment, the animal will receive all necessary vaccination shots required by a veterinarian for impoundment. All costs incurred for this process will be the responsibility of the owner. If the dog is not claimed at the end of the required waiting period after public notice has been given, the Municipal Police may dispose of the dog in accordance with the applicable rules and regulations pertaining to the same; provided, that if, in judgement of the Municipal Police, a suitable home can be found for any such dog within the Municipality, the said dog shall be turned over to that person and the new owner shall then be required to pay all fees and meet all licensing and vaccinating requirements provided in this Section. The Municipality shall acquire legal title to any unlicensed dog impounded in the Animal Shelter for a period longer than the required waiting period after giving notice. All dogs shall be destroyed and

buried in the summary and humane manner as prescribed by the Board of Health unless a suitable home can be found for such dog. *(Ref. 17-548, 71-4408 RS Neb.)(Amended by Ord. No. 679, 6/11/19)*

**§6-119 DOGS; ANIMAL SHELTER.** For the purposes of this Code “animal shelter” shall mean any place so designated by the Governing Body where an impounded animal or dog can be kept. Said Animal Shelter shall be safe, suitable, and conveniently located for the impounding, keeping, and destruction of dogs. The said shelter shall be sanitary, ventilated, and lighted. *(Ref. 17-548 RS Neb.)*

**§6-120 DOGS; RABIES SUSPECTED.**

(1)(a) Any animal which is owned by a person and has bitten any person or caused by an abrasion of the skin of any person shall be seized by the rabies control authority for a period of not less than ten (10) days if:

1. The animal is suspected of having rabies, regardless of the species and whether or not the animal has been vaccinated;
2. The animal is not vaccinated and is a dog, cat, or another animal of a species determined by the department to be a rabid species; or
3. The animal is of a species which has been determined by the department to be a rabid species not amenable to rabies protection by immunization, whether or not the animal has been vaccinated.

(b) If, after observation and examination by a veterinarian, at the end of the 10-day period the animal shows no clinical signs of rabies, the animal may be released to its owner.

(2)(a) Except as provided in division (2)(b) of this section, whenever any person has been bitten or has an abrasion of the skin caused by an animal owned by another person, which animal has been vaccinated in accordance with sections 71-4402, 71-4404 and 71-4405 RS Neb. or if such an injury to a person is caused by an owned dog, cat, or other animal determined by the department to be a rabid species amenable to rabies protection by immunization which has been vaccinated, the animal shall be confined by the owner or other responsible person as required by the rabies control authority for a period of at least ten (10) days and shall be observed and examined by a veterinarian at the end of the 10-day period. If no clinical signs of rabies are found by the veterinarian, the animal may be released from confinement.

(b) A vaccinated animal owned by a law enforcement or governmental military agency which bites or causes an abrasion of the skin of any person during training or the performance of the animal's duties may be confined as provided in division (2)(a) of this section. The agency shall maintain ownership of and shall control and supervise the actions of the animal for a period of fifteen (15) days following the injury. If during such period the death of the animal occurs for any reason, a veterinarian shall within twenty-four (24) hours of the death examine the tissues of the animal for clinical signs of rabies.

(3) Any dog, cat, or other animal of a rabid species which has bitten a person or caused an abrasion of the skin of a person and which is unowned or the ownership of which cannot be determined within seventy-two (72) hours of the time of the bite or abrasion shall be immediately subject to any tests which the department believes are necessary to determine whether the animal is afflicted with rabies. The 72-hour period shall include holidays and weekends shall not be extended for any reason. The tests required by this subsection may include tests which require the animal to be destroyed. *(Ref. 71-4406 RS Neb.)*

**§6-121 DOGS; DANGEROUS; POTENTIALLY DANGEROUS.** Will apply within corporate limits and will apply to one (1) mile jurisdiction of Bertrand, Nebraska.

(1) *Definitions.* (Exception: The following definition will not apply to any dogs utilized by law enforcement officers in the performance of their official duties)

1. Dangerous Dog means a dog that, according to the records of either the Village or any law enforcement agency has:
  - a. Killed a human being;
  - b. Inflicted injury on a human being that requires medical treatment;
    - i. A dog shall not be defined as a dangerous dog under this subdivision if the individual was tormenting, abusing, or assaulting the dog at the time of the injury or has, in the past, been observed or reported to have tormented, abused or assaulted the dog;
  - c. Killed a domestic animal without provocation;
  - d. Is a dog trained or has been used primarily or in part for the purpose of dog fighting; or
  - e. Been previously determined to be a potentially dangerous dog by an Animal Control Authority, the owner has received notice of such determination, and the dog inflicts an injury on a human being that does not require medical treatment, injures a domestic animal, or threatens the safety of humans or domestic animals.
    - i. A dog shall not be defined as a dangerous dog under this subdivision if the injury, damage, or threat was sustained by an individual who, at the time, was committing a willful trespass, was committing any other tort upon the property of the owner of the dog, was tormenting, abusing, or assaulting the dog, or has in the past been observed or reported to have tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime.
2. Potentially Dangerous Dog means any dog that when unprovoked:
  - a. Inflicts an injury on a human being that does not require medical treatment;
  - b. Injures a domestic animal;
  - c. Chases or approaches a person upon streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or
  - d. Any specific dog with a known propensity, tendency, or disposition to attack when unprovoked, to cause injury, or to threaten the safety of humans or domestic animals.
3. Village Animal Control Officer / Animal Control Authority used in this section shall mean either the Law Enforcement Officer in the employ of the Village or the Law Enforcement Agency contracted by the Village for that duty.
4. Medical Treatment means treatment administered by a physician or other licensed health care professional.
5. Owner means any person, firm corporation, organization, political subdivision, or department possessing harboring, keeping, or having control or custody of a dog.

(2) *Procedure for Declaring a Dog Dangerous/Potentially Dangerous.*

1. The Village Animal Control Officer or any adult person may request that a dog be classified as dangerous/potentially dangerous as defined above by submitting a sworn, written complaint on a form approved by the Village. Upon receipt of such complaint, the Village Clerk shall notify the owner of the dog that a complaint has been filed and that an investigation into the allegations as set forth in the complaint will be conducted.

2. At the conclusion of any investigation, the Village Animal Control may:
  - a. Determine that the dog is not dangerous/potentially dangerous and if the dog was impounded, waive any impoundment fees incurred and release the dog to its owner;
  - b. Determine that the dog is Potentially Dangerous and order the owner to pay the following fees:
    - i. A twenty-five (\$25.00) fine to the Village of Bertrand;
    - ii. All fees incurred for any impoundment of the animal;
    - iii. If the dog is not currently licensed with the Village, the owner shall secure such license with the Village Clerk and pay any appropriate fees as provided in 6-101(3);
    - iv. Vaccination for rabies as required by law if not already in compliance therewith; and
    - v. Any medical care costs expended for any injury of a domestic animal.
  - c. Determine that the dog is Dangerous and order the owner to comply with the requirements for keeping Dangerous Dogs set forth herein within thirty (30) days of the determination and pay the following fees. If all fees have not been paid within ten (10) business days after a final determination, the dog shall become property of the Village and the Village shall have the power to give away such dog to a reputable person for adoption or to cause such dog to be humanely euthanized.
    - i. A fifty (\$50.00) dollar fine to the Village of Bertrand;
    - ii. All fees incurred for any impoundment of the animal;
    - iii. If the dog is not currently licensed with the Village, the owner shall secure such license with the Village Clerk and pay any appropriate fees as provided in 6-101(3);
    - iv. Vaccination for rabies as required by law if not already in compliance therewith;
    - v. Any medical costs expended for any injury on a human being or the death of a domestic animal; and
    - vi. Any costs incurred if the dog has to be euthanized.

(3) *Notification of Dangerous/Potentially Dangerous Dog*

1. Within five (5) business days after declaring a dog Dangerous / Potentially Dangerous, the Village Clerk shall notify the owner by certified mail of the dog's designation as a dangerous or potentially dangerous dog and any specific restrictions and conditions for keeping the dog, as set forth in this section. The Village Clerk also shall notify the Village Board Chairman and the Phelps County Sheriff's Office of the designation of any dog designated as a dangerous or potentially dangerous dog. Such notification shall describe the dog and specify any particular requirements or conditions places upon the dog owner.
2. The notice shall inform the dog owner that he/she may request, in writing, a hearing to contest the Village Animal Control Officer's finding and designation within five (5) business days after delivery of the dangerous dog/potentially dangerous dog declaration notice.
3. If the Village Clerk and the Animal Control Officer cannot, with due diligence, locate the owner of a dog that has been seized pursuant to this section, the Village Animal Control Officer shall cause the dog to be impounded for not less than five (5) business days. If after five (5) business days, the owner fails to claim the dog, the dog shall become property of the Village and the Village shall have the power to give way such dog to a reputable person for adoption or to cause such dog to be humanely euthanized.

(4) *Hearing on Dangerous/Potentially Dangerous Dog Declaration.*

1. The Village Board Chairman and Village Board shall hold a hearing within fifteen (15) business days after receiving the dog owner's written request for such hearing. The Village Clerk shall provide notice of the date, time and location of the hearing to the dog owner by certified mail and to the complainant by regular mail.
2. At the hearing, all interested persons shall be given the opportunity to present evidence on the issue of the dog's dangerousness/potential dangerousness. Issues to be considered in a hearing required by this section shall include but not be limited to the following:
  - a. Provocation;
  - b. Severity of attack or injury to a person or domestic animal;
  - c. Previous aggressive history of the dog;
  - d. Observable behavior of the dog;
  - e. Site and circumstances of the incident; and
  - f. Statements and/or testimony from interested parties.
3. A determination at a hearing that the dog is in fact a dangerous/potentially dangerous dog as defined herein shall subject the dog and its owner to the provisions of this section.
4. Failure if the dog owner to requires a hearing shall result in the dog being fully declared a dangerous/potentially dangerous dog and shall subject the dog and its owner to the provisions of this section.

(5) *Appeal from Dangerous/Potentially Dangerous Dog Declaration.* If the Village board determines that a dog is Dangerous/Potentially Dangerous at the conclusion of a hearing conducted under Section 6-121(4), that decision shall be final unless the dog owner applies to a court of competent jurisdiction for any remedies that may be available within thirty (30) days after receiving notice that the dog has been finally declared dangerous/potentially dangerous. The appeal must be a trail de novo and shall be a civil proceeding for the purpose of affirming or reversing the Village Board Chairman and Village Board's determination of dangerousness.

(6) *Requirements for a Dangerous Dog.*

1. While on the owner's property, a dangerous dog must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children, and designed to prevent the animal from escaping. Such pen or structure must have a minimum dimension of five (5) feet by ten (10) feet and must have secure sides and a secure top. If it has no bottom secured to the sides, the sides must be securely imbedded into the ground no less than two (2) feet. The enclosure must also provide protection from the elements for the dog. Such enclosure must be inspected by the Animal Control Officer.
2. The owner of a dangerous dog shall post warning signs on the property where the dog is kept that are clearly visible from all areas of public access and that inform persons that a dangerous dog is on the property. Each sign shall be no less than ten (10) inches by twelve (12) inches and shall contain the words warning and dangerous animal in high-contrast lettering at least three inches high on a black background.
3. A dangerous dog may be off the owner's premises if it is muzzled and restrained by an approved lead or chain not exceeding three (3) feet in length and is under the control of an adult, able bodied person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or its respiration but must prevent it from biting any person or animal.



4. The owner of a dangerous dog must have and maintain at least \$500,000 in liability insurance covering any type of damage done by the dog. Annual proof of liability coverage will be required at the time of annual dog license application.
5. If, upon the trail of any offense mention in this section, the judge may order the Phelps County Sheriff to destroy the dog and for such purposes obtain physical possession of said dog, any law enforcement officer may enter upon private property or may use such reasonable and necessary force to carry into effect the order of the court.(Ord. No. 257, 11/14/89)(Amended by Ord. Nos. 576, 7/8/08; 675, 3/12/19; 676, 5/14/19)

**§6-122 DANGEROUS DOGS; RESTRAINED.** No owner of a dangerous dog shall permit the dog to go beyond the property of the owner unless the dog is restrained securely by a chain or leash. (Ref. 54-618 RS Neb.)(Ord. NO. 257, 11/14/89)

**§6-123 DANGEROUS DOGS; CONFINED.** While unattended on the owner's property, a dangerous dog shall be securely confined, in a humane manner, indoors or in a securely enclosed and locked pen or structure suitably designed to prevent the entry of young children and to prevent the dog from escaping. The pen or structure shall have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides shall be embedded into the ground. The pen or structure shall also protect the dog from the elements. The owner of a dangerous dog shall post a warning sign on the property where the dog is kept that is clearly visible and that informs persons that a dangerous dog is on the property. (Ref. 54-619 RS Neb.)(Ord. No. 257, 11/14/89)

**§6-124 DANGEROUS DOGS; FAILURE TO COMPLY.** Any dangerous dog may be immediately confiscated by an animal control officer if the owner is in violation of this article. The owner shall be responsible for the reasonable costs incurred by the animal control authority for the care of a dangerous dog confiscated by an animal control officer or for the destruction of any dangerous dog if the action by the animal control authority is pursuant to law and if the owner violated this article. In addition to any other penalty, a court may order the animal control authority to dispose of a dangerous dog in an expeditious and humane manner. (Ref. 54-620 RS Neb.)(Ord. No. 257, 11/14/89)

**§6-125 DANGEROUS DOGS; ADDITIONAL REGULATIONS.** Nothing in this article shall be construed to restrict or prohibit any governing body of the municipality from establishing and enforcing laws or ordinances at least as stringent as the provisions of this article. (Ref. 54-624 RS Neb.)(Ord. No. 257, 11/14/89)