

Chapter 6

POLICE REGULATIONS

Article 2. Animals Generally

§6-201 ANIMALS; CONTROLLED WITHIN MUNICIPALITY. It shall be unlawful for any person to keep or maintain within the corporate limits, except for veterinary purposes, any horse, mule, sheep, cow, goat, swine or other livestock within three hundred feet (300') of any dwelling unit within the corporate limits. (*Ref. 17-207, 17-526 RS Neb.*)(*Ord. No. 230, 4/8/86*)

§6-202 ANIMALS; ABANDONMENT, NEGLECT, AND MISTREATMENT; DEFINITIONS. For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDON. To leave an animal in one's care, whether as owner or custodian, for any length of time without making effective provision for its food, water, or other care as is reasonably necessary for the animal's health.

ANIMAL. Any vertebrate member of the animal kingdom. ANIMAL does not include an uncaptured wild creature or a livestock animal as defined in this section.

BOVINE. A cox, an ox, or a bison.

CRUELLY MISTREAT. To knowingly and intentionally kill, maim, disfigure, torture, beat, mutilate, burn, scald, or otherwise inflict harm upon any animal.

CRUELLY NEGLECT. To fail to provide any animal in one's care, whether as owner or custodian, with food, water, or other care as is reasonable necessary for the animal's health.

HUMANE KILLING. The destruction of an animal by a method which causes the animal a minimum of pain and suffering.

LAW ENFORCEMENT OFFICER. Any member of the Nebraska State Patrol, and county or deputy sheriff, any member of the police force of the municipality or any other city or village, or any other public official authorized by the municipality or any other city or village to enforce state or local animal control laws, rules, regulations, or ordinances.

LIVESTOCK ANIMAL. Any bovine, equine, swine, sheep, goats, domesticated cervine animals, ratire birds, or poultry.

OWNER OR CUSTODIAN. Any person owning, keeping, possessing, harboring, or knowingly permitting an animal to remain on or about any premises owned or occupied by such person.

POLICE ANIMAL. A horse or dog owned or controlled by the state of any county, city, or village for the purpose of assisting a law enforcement officer in the performance of his or her official enforcement duties. (*Ref. 28-1008 RS Neb.*)(*Ord. No. 273, 12/11/90*)(*Amended by Ord. No. 633, 5/12/14; 647, 12/8/15*)

§6-203 ANIMALS; ABANDONMENT, NEGLECT, AND CRUELTY; LAW ENFORCEMENT OFFICER; POWERS; IMMUNITY.

(A) A law enforcement officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may seek a warrant authorizing entry upon private property to inspect, care for, or impound the animal.

(B) A law enforcement officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated may issue a citation to the owner or custodian as prescribed in sections 29-422 to 19-429 RS Neb.

(C) Any law enforcement officer acting under this section shall not be liable for damage to property if such damage is not the result of the officer's negligence. *(Ref. 28-1012 RS Neb.)(Ord. No. 273, 12/11/90)(Amended by Ord. Nos. 633, 5/12/14; 647, 12/8/15)*

§6-204 ANIMALS; ABANDONMENT, NEGLECT, AND CRUELTY; PENALTY.

(A) A person who intentionally, knowingly, or recklessly abandons, cruelly neglects, or cruelly mistreats an animal is guilty of an offense.

(B) A person commits harassment of a police animal if he or she knowingly and intentionally teases or harasses a police animal in order to distract, agitate, or harm the police animal for the purpose of preventing such animal from performing its legitimate official duties. *(Ref. 28-1009 RS Neb.)(Ord. No. 273, 12/11/90)(Amended by Ord. Nos. 633, 5/12/14; 647, 12/8/15)*

§6-204.01 ANIMALS; EQUINE; BOVINE; PROHIBITED ACTS.

(1)(a) No person shall intentionally trip or cause to fall, or lasso or rope the legs of any require by any means for the purpose of entertainment, sport, practice, or consent.

(b) The intentional tripping or causing to fall, or lassoing or roping the legs of, any equine by any means for the purpose of entertainment, sport, practice, or contest shall not be considered a commonly accepted practice occurring in conjunction with sanctioned rodeos, animal racing, or pulling contests. *(Ref. 54-911 RS Neb.)*

(2)(a) No person shall intentionally trip, cause to fall, or drag any bovine by its tail by any means for the purpose of entertainment, sport, practice, or contest.

(b) The intentional tripping, causing to fall, or dragging of any bovine by its tail by any means for the purpose of entertainment, sport, practice, or contest shall not be considered a commonly accepted practice occurring in conjunction with sanctioned rodeos, animal racing, or pulling contests. *(Ref. 54-912)*

§6-205 ANIMALS; PITTING; DEFINITIONS. *(Ord. No. 274, 12/11/90)(Repealed by Ord. No. 661, 12/8/15)*

§6-206 ANIMALS; PITTING; PROHIBITED. *(Repealed by Ord. No. 661, 12/8/15)*

§6-207 ANIMALS; PITTING; SPECTATORS PROHIBITED. *(Repealed by Ord. No. 661, 12/8/15)*

§6-208 CATS; REGISTRATION REQUIRED; PUBLIC NUISANCE. *(Transferred to Chapter 6, Article 1. The material on licensing is now contained in §6-101. The material on running at large is now contained in §6-108.01)*