

ORDINANCE NO. 1992

CITY OF LEXINGTON, NEBRASKA

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AN ORDINANCE TO AMEND SECTIONS 5-5 AND 5-6 OF THE LEXINGTON CITY CODE; TO PROHIBIT SLAUGHTER OF ANIMALS IN RESIDENTIAL AREAS OF THE CITY; TO REPEAL ORIGINAL SECTIONS 5-5 AND 5-6, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. That Section 5-5 of the Lexington City Code is hereby amended to read as follows:

Sec. 5-5 Keeping Animals and Beehives in Proximity to Dwellings.

It is hereby declared to be unlawful for any person, either by himself, his agents, servants or employees, to own, harbor, or have under such person's control, care or custody, any beehive or livestock animal, including but not limited to horses, cattle, hogs, sheep or goats, at any place within the City which is within 600 feet of any dwelling house in the City.

Section 2. That Section 5-6 of the Lexington City Code is hereby amended to read as follows:

Sec. 5-6 Cruelty to Animals Prohibited.

It shall be unlawful for any person within the City, to cruelly, inhumanely or unnecessarily beat, injure, overload or to insufficiently shelter or feed, or to otherwise abuse any horse, mule or other animal or to cause, encourage or urge any dogs or other animals to fight within the City.

- (a) Physical abuse. It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, beat with stick, chain, club or other object, mutilate, burn or scald with any substance, or cruelly set upon any animal except that reasonable force may be employed to drive off vicious or trespassing animals.
- (b) Care and maintenance. It is unlawful for any person to fail, refuse or neglect to provide any animal in his or her charge or custody, as owner or otherwise, with proper food, drink, shade, shelter or veterinary care as may be necessary for diseased or injured animals. Any animal habitually kept outside shall be provided with a structurally sound moisture proof and wind proof shelter large enough to accommodate and keep the animal reasonably clean, dry and comfortable.
- (c) Leaving Animals in an Unattended Vehicle. It is unlawful for any person to place or confine or allow such animal to be confined in such a manner that it must remain in a motor vehicle or trailer under such conditions or for such periods of time as may endanger the health or well being of the

animal due to heat, lack of food or water or any circumstances which might cause suffering, disability or death.

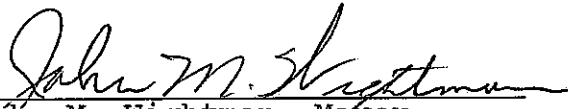
- (d) Abandonment of Animals. It is unlawful for any person to abandon or dump any animal within the City of Lexington.
- (e) Owner's cost. Any person violating this section, in addition to prosecution, shall bear full cost and expenses incurred by the City in the care, medical treatment, impoundment cost, and disposal of said animals, including removal from a vehicle.
- (f) Trapping of Animals. It shall be unlawful for any person to trap animals within the city limits unless given permission by the City Manager.
- (g) Animal's health. If an animal's health is in immediate danger, the animal warden or police officer shall impound the animal and the animal shall be treated at the owner's expense.
- (h) Animals for Slaughter. Within the area of the City zoned for residential purposes, or upon property predominantly used for residential purposes, it shall be unlawful to slaughter any livestock animal, including but not limited to horses, cattle, hogs, sheep or goats, or to confine or impound any such animal prior to slaughter. This

Section 5-6 shall not apply to animals impounded or confined for slaughter at a properly zoned commercial slaughter house.

Section 3. That original Sections 5-5 and 5-6, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

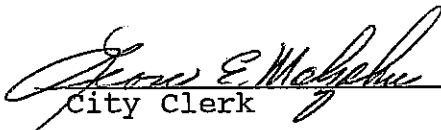
Section 4. That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this 11th day of January, 1994.



John M. Wightman, Mayor

Attest:



City Clerk

