

ORDINANCE NO. 652

AN ORDINANCE RELATING TO Animals; defining owner of dogs; imposing a license tax upon the owners of dogs and to enforce the collection of the same; impounding and killing of dogs; to control dogs; abandonment of animals; preventing the killing, injuring and poisoning of dogs and cats, or leaving poisons or poisoned articles with intent to poison dogs or cats; providing the reporting of injuries or killing of dogs by operators of vehicles; prevent dogs running in packs; controlling stray and vicious dogs; make the owners of dogs liable in civil damages for injuries and damages; providing for the City Manager to make contracts for the impounding and care of injured dogs and dogs impounded by provisions of this ordinance; to keep records thereof; to provide notices to owners of impounded animals; to provide for disposition of animals impounded and payment for impoundment; to provide for penalties for violations of the provisions of this ordinance; to Amend Section 3, Article III, Chapter I of the Minicipal Code; to Repeal Article I, Chapter I of the Municipal Code and all ordinances and parts of ordinances in conflict therewith.

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1: LICENSE TAX--That a license tax of One Dollar (\$1.00) on male dogs and on all sterilized female dogs, and of Two Dollars (\$2.00) on all other female dogs is hereby imposed on the owner of any such dog within the corporate limits of the City of Lexington, Nebraska.

Section 2: TAX PAID, WHEN--That such tax shall be paid to the City Treasurer annually before the first day of May.

Section 3: LICENSE TAG--That any person paying such tax on any dog, shall place on said dog a collar or harness to which shall be fastened a tag bearing the number of the license issued on account of such payment, and a correct record of such licenses and numbers shall be kept by the City Treasurer. That the person paying such tax shall be responsible that such license tag be displayed at all times and should said tag be lost said person shall apply for an receive a replacement from the City Clerk.

Section 4: HARBORING, NO LICENSE, UNLAWFUL—That hereafter it shall be unlawful for any person, persons, firm or corporation to own, keep or harbor a dog within the corporate limits of said city, on which the tax required by the ordinances thereof has not been paid.

Section 5: That it shall be unlawful for the owner of any vicious dog or of any dog known to have bitten or intimidated a person to allow such dog off of the owner's premises except on leash, and under control of such owner. The owner of any dog known to have bitten a person shall keep such dog penned, housed or tied in such a manner as to prevent further biting for a period of 15 days until a determination of rabies can be made. Said owner shall immediately notify Police of the biting and restricting action. Any such dog off of the owner's premises, except on leash and under control of such owner, shall be impounded as provided in Section 7 hereof.

Section 6: That an owner of any female dog shall keep such dog enclosed within a building during any mating season of such dog. Such female dog found not enclosed shall be impounded as provided in Section 7 hereof.

Section 7: That all dogs running at large in packs, all stray dogs, all dogs without licenses for the current year, other dogs for which impoundment is herein provided shall be impounded by the police of the City of Lexington, Nebraska, or by any employee of the City of Lexington, employed for that purpose. The owner of any dog shall, on demand, surrender to the police of the City of Lexington any dog required to be impounded under the provisions of this ordinance.

Section 8: That the City Manager shall provide by contract or otherwise for adequate shelter and food for any dog impounded under the provisions of the Ordinances of the City of Lexington. The City Manager shall give notice of such impoundment to the known owner of such impounded dog. Such notice shall be in writing and delivered to the residence of such owner of such impounded animal if such owner resides in the City limits or by mail if such owner resides outside of the City limits.

Section 9: That within three days after the notice is given or mailed as provided in Section 8, the owner of any such impounded animal may reclaim such animal by paying any fine assessed against him for violation of any section of this ordinance, paying an impounding fee of \$5.00, paying the cost of any medical care expended by the City for such impounded animal, and any license tax that may be due.

Section 10: That the City Manager shall cause all impounded dogs not reclaimed as provided in Section 9 hereof, ~~shall~~^{to} be disposed of as the City Manager may deem proper, including the power to cause such dogs to be put to death and the bodies of all such dead animals shall be immediately taken to a rendering plant, cremated, or buried.

Section 11: The owner of any dog shall be liable in damages for any injuries, nuisances, or damages to property caused by any dog within the limits of the City of Lexington, which injuries, nuisances, or damages were not the result of the negligence or wrong doing of the person damaged.

Section 12: For the purposes of this ordinance owner shall include a harborer of a dog and the parent of any minor who owns or harbors a dog.

Section 13: That it shall be unlawful for any person to abandon any dog, cat, or other animal within the limits of the City of Lexington, Nebraska.

Section 14: That it shall be unlawful for any person to wilfully kill, poison, or injure any dog, cat or other animal or place poison or poison food or poison articles at places with the intent of such person to poison any dog, cat or other animal.

Section 15: That it shall be unlawful for the operator of any vehicle after knowingly hitting an animal to leave the scene of the collision without notifying the police or the owner of such animal if the owner of such animal can be ascertained.

Section 16: That any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and on conviction thereof for the first offense shall be fined in a sum not exceeding Twenty-five Dollars (\$25.00) and for the second offense shall be fined in a sum not exceeding One Hundred Dollars (\$100.00) and shall be committed to the City Jail until such fine and the costs of prosecution are fully paid.

Section 17: That all of Article I, Chapter I of Municipal Code of the City of Lexington, Nebraska, and all Ordinances or parts of Ordinances in conflict therewith are hereby repealed.


Section 18: That Section 3 of Article III, Chapter I of Municipal Code of the City of Lexington, Nebraska, be amended to read as follows:

Section 3: RUNNING AT LARGE, PROHIBITED, etc. That it shall be unlawful for any person to permit or cause to run at large, within

the corporate limits of said City, any cattle, hogs, horses,
mules, sheep, and goats.

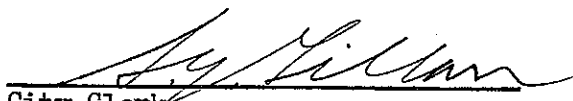
Section 19: That original Section 3, Article III, Chapter I of
the Municipal Code of the City of Lexington, Nebraska, be and the same is
hereby repealed.

Passed and approved this 24th day of February, 1953.



President of the Council.

Attest:



City Clerk