

ORDINANCE 858

AN ORDINANCE ADOPTED BY THE CITY OF CENTRAL CITY, NEBRASKA TO AMEND SECTION 2-311 OF ARTICLE III RELATING TO DOGS AND TO ADD SECTION 2-325 RELATING TO IMPOUNDMENT; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1) That Section 2-301 (b) of Article III be amended to read as follows:

2-301 (b) Animal Control Authority
Animal Control Authority shall be the Chief of Police, the City Zoning Administrator, and a person to be appointed by the Mayor.

Section 2) That Section 2-311 of Article III be amended to read as follows:

2-311 DANGEROUS DOGS; IMPOUNDMENT, DESTRUCTION
In addition to any other penalty, the Animal Control Authority shall order the city animal shelter to dispose of a dangerous dog in a humane manner. Notice of impoundment of all animals, including any significant marks or identification, shall be posted at the office of the Central City Veterinary Clinic, Lone Tree Veterinary Services, or other authorized impound facility, as public notification of such impoundment. The Animal Control Authority shall schedule the matter to be heard at a special or regular meeting of the Animal Control Authority, within seven days of impoundment, at which time the owner must present clear and convincing evidence that the dog will not present a present nor future threat to the safety of the public or to public property. The Animal Control Authority shall not be bound by the Nebraska Rules of Evidence. Upon such proof to the satisfaction of the Animal Control Authority, the dog may be returned to the owner after the owner pays all costs of confinement, board, medical treatment, food and care for the dog. If the foregoing costs are not paid within 7 days of the hearing, the dog shall be destroyed.

Section 3) That Section 2-325 of Article III be adopted to read as follows:

2-325 IMPOUNDMENT OF DOGS

Except for dangerous dogs, dogs impounded by the animal control officer shall be released to the owner upon proof of current rabies vaccination and license and payment of impoundment fees.

Any dog not so released to its owner after seven days shall be deemed abandoned and a public nuisance and may be destroyed.

Section 4) That all ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

Section 5) That this ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 8th day of November, 2004.

CITY OF CENTRAL CITY, NEBRASKA

By: _____
Clayton Erickson, Mayor

Attest:

David Rish, City Clerk

(SEAL)