

## ORDINANCE NO. 03-634

AN ORDINANCE AMENDING CERTAIN ANIMAL CONTROL ORDINANCES OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA; TO ELIMINATE REFERENCES TO CATS THEREIN; TO REPEAL CONFLICTING ORDINANCES OR PARTS THEREOF; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. Section 6-106 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**DOGS; CAPTURE IMPOSSIBLE.** The Municipal Police shall have the authority to kill any animal when it is determined that capture is impossible. (Ref. 54-605 RS Neb.)

Section 2. Section 6-112 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**DOGS; INTERFERENCE WITH POLICE.** It shall be unlawful for any person to hinder, delay, or interfere with any Municipal Police Officer 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.)

Section 3. Section 6-113 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**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, or in any manner attempt 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 Police officers acting within their power and duty. This section is not meant to overrule, abrogate or conflict in any manner with other authorization for the destruction of dogs running at large that have damaged or are threatening to damage property, livestock, and fowl of other persons. (Ref. 28-1002 RS Neb.)

Section 4. Section 6-115 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**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 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.)

Section 5. Section 6-118 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**DOGS; VACCINATION AGAINST RABIES REQUIRED; VACCINATION TAG.** Any person within the city owning a dog shall have such dog vaccinated against rabies with a licensed vaccine as approved by the Nebraska State Department of Health. All dogs shall be vaccinated against rabies commencing at three (3) months of age and the vaccination shall be repeated at fifteen (15) months; and a booster vaccination shall be given triennially thereafter. Unvaccinated dogs acquired or moved into the city must be vaccinated within thirty (30) days after purchase or arrival, unless under three months of age. It shall be the duty of every veterinarian, at the time of vaccinating any dog, to provide a copy of the rabies vaccination certificate and to provide a rabies vaccination tag to the owner. The rabies vaccination tag shall be attached to and kept upon the collar or harness of the dog.

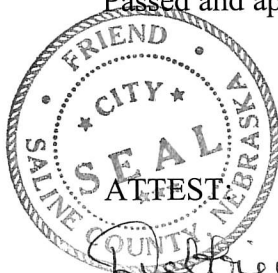
Section 6. Section 6-120 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**DOGS; LIMIT ON THE NUMBER OF DOGS OWNED.** It shall be unlawful for any person to own, keep, harbor, or permit to be kept upon any premises occupied or under such person's charge, more than five (5) dogs over the age of six (6) months. Provided, however, the provisions of this section shall not apply to any humane society; animal shelter; animal research facilities; animal hospitals or boarding kennels operated by veterinarians duly licensed under the laws of the State of Nebraska.

Section 7. All ordinances or parts of ordinances passed and approved prior to the passage of this ordinance and which are in conflict with the provision of this ordinance are hereby repealed.

Section 8. This ordinance shall be in full force and effect and after its passage, approval and publication in pamphlet form as provided by law.

Passed and approved this 1st day of July 2003.



*Debbie Gilmer*

DEBBIE GILMER,  
City Clerk/Treasurer

THE CITY OF FRIEND, NEBRASKA,

*Roger Horner*

ROGER HORNER, Mayor