

**ORDINANCE NO. 03-637**

AN ORDINANCE AMENDING SECTION 6-114 OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA; TO ADD PENALTY PROVISIONS FOR THE VIOLATIONS OF SUCH ORDINANCE; 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 6-114 of the Municipal Code of the City of Friend, Nebraska is amended as follows:

**DOGS; BARKING AND OFFENSIVE.** It shall be unlawful for any person to own, keep, or harbor any dog which by loud, continued, or frequent barking, howling, or yelping shall annoy or disturb any neighborhood, or person, or which habitually barks at or chases pedestrians, drivers, or owners of horses or vehicles while they are on any public sidewalks, streets, or alleys in the Municipality. Upon the written complaint of two (2) or more affected persons from different households, filed within any thirty (30) day period with the Municipal Clerk, that any dog owned by the person named in the complaint is an annoyance or disturbance, or otherwise violates the provisions of this section the Municipal Police shall investigate the complaint and, if in their opinion the situation warrants, shall notify the owner to silence and restrain such dog. The provisions of this section shall not be construed to apply to the Municipal Dog Shelter. Any person convicted of violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for a period not to exceed six (6) months or by a fine of not more than \$500.00, recoverable with the costs, or both such fine and imprisonment, except that each person convicted shall be fined in a sum not less than \$50.00 for the first offense; not less than \$75.00 for the second offense; and not less than \$100.00 for the third offense and each offense thereafter.

Section 2. 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prior to the passage of this ordinance and which are in conflict with the provision of this ordinance are hereby repealed.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 3. 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.

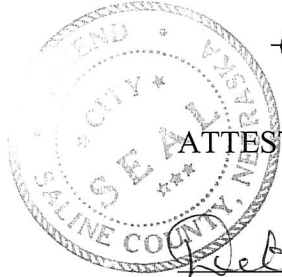
NEBRASKA,

THE CITY OF FRIEND,

  
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ROGER HORNER, Mayor

ATTEST:



  
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DEBBIE GILMER,  
City Clerk/Treasurer