

An Ordinance providing for the determination of the ownership of all dogs found running at large within the corporate limits of the City of Gothenburg, Nebraska; prohibiting the running at large of any or all fierce and dangerous dogs therein after their nature and disposition has been ascertained; prohibiting the running at large of female dogs; prohibiting the running at large of any dog during times hereinafter specified, whether licensed or not; providing for inoculation or vaccination of dogs; providing for the killing of dogs found to be running at large without a license or tag or when dangerous, and impounding when in heat; providing for the penalties for the violation thereof; prescribing the time when this ordinance shall be in full force and effect; providing the penalty for interference with the police officers or other officers designated by the Mayor or City Council in attempting to enforce any act in violation of the several provisions thereof; and providing for the repeal of all ordinances or parts of ordinances in conflict herewith:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA:

SECTION 1. Dog Defined. The term "dog", whenever used in this ordinance shall be held to apply to both male and female dogs one month old or older.

SECTION 2. Who Deemed Owner. Any person who shall permit any dog to be for ten (10) days or more or let the same habitually remain and be fed for the period of ten (10) days or more in or about his or her house, store or enclosure shall be deemed the owner and possessor of such dog, and shall be liable to the penalties therein described for the violation of this ordinance.

SECTION 3. Dangerous Dogs At Large. If the owner or possessor of a fierce or dangerous dog, after its disposition and nature has been ascertained, permits the same to run at large in

the City to the danger or annoyance of the citizens, he shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not exceeding \$25.00 and shall stand committed to the City jail until such fine and costs be paid or otherwise discharged according to law. The police officers of the City, or other officer designated by the Mayor and City Council, is hereby authorized to kill such dog if found running at large. The prudent use of fire arms by any police officer of the City or such other officer, for this purpose or for any purpose required by this ordinance shall be not considered a violation of the ordinances of the City of Gothenburg, Nebraska.

SECTION 4. Female Dogs. The owner or possessor of any female dog that permits such to run at large while in heat shall on conviction thereof, be fined in any sum not exceeding \$25.00 and shall stand committed to the City jail until such fine and cost be paid or otherwise discharged according to law. Any police officer of the City or other officer designated by the Mayor and City Council, is hereby required to take up and impound such dog if found running at large in such condition.

SECTION 5. Tags. It shall be unlawful for any dog to run at large within the City unless such dog shall have a collar with a brass metallic plate or tag fastened upon it. Each and every such tag or plate shall be plainly engraved or stamped with the year for which the same was given and the number, which shall represent the number of such plate or tag; PROVIDED, that the shape and appearance of the same shall be different each year. Each year they shall be numbered from 1 upwards.

SECTION 6. Issuance of Tags. Any person who may desire that his dog shall run at large, must procure annually from the City Clerk, a license or tag as described in Section Five hereof. To obtain said license or tag, said person must furnish a certificate from a veterinarian, authorized to practice in the

State of Nebraska, that the dog to be licensed or tagged has been vaccinated for rabies within the immediate preceding one calendar year, and shall pay to the City Clerk, the sum of \$5.00 as the annual license fee. It shall be the duty of the City Clerk to keep a book in which shall be recorded the name of the owner, the description and sex of each dog upon which the license fee has been paid and the number thereof of the license issued.

SECTION 7. Killing of Dogs. It shall be the duty of any police officer of the City, or other officer designated by the Mayor and City Council, to kill any and all dogs, male or female, found running at large within the corporate limits thereof after the first day of February in each year, and not having about their necks the tag or plates provided for in Section Five of this ordinance, and for each and every dog so killed or disposed of, the police officer or other officer shall receive in addition to his salary the sum of \$1.00, payable out of the general fund.

SECTION 8. Periodic Prohibition of The Running At Large Of Any Dog. It shall be unlawful for any Dog, whether or not wearing the plate or tag described in Section Five of this ordinance, to run at large within the corporate limits of said City during the first week of April and the first week of September of each year. Any dog so found running at large, and having a collar with said metallic plate or tag fastened on it, shall be impounded. It shall be the duty of the police officers of this City, or any other officer appointed by the Mayor and City Council, to take up and impound all such dogs known by them to be running at large within the City contrary to this Section. When any such dog found running at large in this City shall be impounded, the officer taking up and impounding such dog, shall within twenty-four hours notify the owner thereof. If the owner thereof cannot be found, said officer shall post or cause to be

posted in three of the most public places in the City, written or printed notices, which shall bear his signature, shall contain a description of the dog impounded, and shall set forth that unless said animal is claimed, and the expenses of taking up, keeping, and posting notices, be paid within ten days from the date of said notice, such dog shall be killed. If the owner or keeper of any dog impounded aforesaid, after having been notified as above provided, shall fail or refuse to claim such dog and pay all the expenses of impounding and serving notice, together with any fine and costs that may have been adjudged against him for suffering such animal to run at large, the officer taking up such animal shall, kill such dog.

SECTION 9. Fees and Charges of Impounding. The officer taking up any dog under the provisions of this ordinance, shall be entitled to charge one dollar for the taking up of each animal impounded; one dollar for serving or posting of notices; and one dollar per day for each day the dog is impounded.

SECTION 10. Establishing Pound. Until the City shall have established a pound, any animal taken up under the provisions of this ordinance may be impounded in any suitable pen, yard or barn in this City.

SECTION 11. Violations. Any person who shall permit his dog to run at large, without a plate or tag as provided in this ordinance, shall, on conviction thereof, be fined in any sum not exceeding \$25.00 and shall stand committed to the City Jail until such fine and costs be paid or otherwise discharged according to law.

SECTION 12. Violations. The owner or possessor of any dog wearing a plate or tag as provided in Section Five of this ordinance, that permits such to run at large during the first week of April and the first week of September in each year, shall, on conviction thereof, be fined in any sum not exceeding

\$25.00 and shall stand committed to the City jail until such fine and costs be paid or otherwise discharged according to law.

SECTION 13. Interference With Officer. Any person who shall interfere with a police officer or other officer in his endeavor to carry into effect any provision of this ordinance shall be deemed guilty of a misdemeanor, and, on conviction thereof shall be fined a sum not exceeding Fifty Dollars (\$50.00) and shall stand committed to the City jail until such fine and costs be paid or otherwise satisfied according to law.

SECTION 14. Repeal of Prior Ordinances in Conflict. All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance in conflict therewith are hereby repealed.

SECTION 14. When Operative. 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 2nd day of May, 1960.

Attest:

Melvin Ballman
City Clerk

Robert H. New
Mayor