

**GENERAL PROVISIONS****§ 93.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL.** Any vertebrate member of the animal kingdom other than an uncaptured wild creature.

**ANIMAL CONTROL OFFICER.** Any person authorized by law or employed or appointed for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensing, control, seizure, or impoundment of animals.

**OWNER.** Any person who owns, possesses, keeps, harbors, or has charge, custody, or control of an animal or permits an animal to habitually remain or be lodged or fed within his or her house, store, building, enclosure, yard, lot, grounds, or premises. **OWNER** does not include any veterinarian or kennel operator temporarily maintaining on his or her premises an animal owned by another person for not more than 30 days.

**RUN AT LARGE.** Not being under the actual control of the owner by means of:

(a) A leash, cord, chain, or other suitable means of physical restraint which is securely fastened or tethered in a manner sufficient to keep the animal on the premises where tethered;

(b) A leash, cord, chain, or other suitable means of physical restraint of 6 feet or less in length physically held by the owner;

(c) Being confined within a cage, receptacle, enclosed vehicle, fenced enclosure, or shelter;  
or

(d) Being within the real property limits of the owner and in the owner's presence and under direct and effective voice or other control.

**§ 93.02 RUNNING AT LARGE; TETHERING.**

(A) It shall be unlawful for the owner of any cow, hog, horse, mule, sheep, goat, dog, chicken, turkey, goose, or other animal except a cat to permit the animal to run at large at any time on any of the public ways and property or the property of another in the village or to be tethered or staked out in such a manner so as to allow the animal to reach or pass into any public way or property or any property of another.

(B) The owner of a cat may permit the cat to run at large within the corporate limits subject to any restrictions or prohibitions otherwise imposed by the Board of Trustees.

(C) Any animal found running at large or tethered or staked out in violation of this section is a public nuisance and may be impounded or destroyed as provided in this chapter.

(D) Nothing in this section shall be construed to permit anyone to own an animal in the corporate limits of the village that is prohibited by the Board of Trustees.

Penalty, see § 10.99

*Statutory reference:*

*Authority to regulate, see Neb. RS 17-526 and 17-547*

*Fine for permitting collarless dog to run at large, see Neb. RS 54-607*

*Cross reference:*

*Restrictions on cats; prohibited animals, see Title XVII*

### § 93.03 WILD ANIMALS.

No wild animals may be kept within the corporate limits except wild animals kept for exhibition purposes by circuses and educational institutions.

Penalty, see § 10.99

### § 93.04 KILLING, POISONING, AND INJURING.

It shall be unlawful for any person to kill, administer or cause to be administered poison of any sort to, or in any manner injure, maim, or destroy or attempt to injure, maim, or destroy any animal or to place any poison or poisoned food where it is accessible to an animal, except that:

(A) This section shall not apply to any law enforcement officer or animal control officer acting within his or her power and duty;

(B) This section shall not apply if the animal is vicious, dangerous, or showing characteristics of rabies and cannot be captured without danger to the persons attempting to effect a capture of the animal; and

(C) Any owner of a dog that he or she wishes to be destroyed may place the dog in an animal pound or shelter or with a licensed veterinarian to be humanely destroyed and disposed of according to the provisions in this chapter or other provisions of law.

Penalty, see § 10.99

### § 93.05 ENCLOSURES.

All pens, cages, sheds, yards, or any other area or enclosure for the confinement of animals not specifically barred within the corporate limits shall be kept in a clean and orderly manner so as not to become a menace or nuisance to the neighborhood in which the enclosure is located.

Penalty, see § 10.99