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ARTICLE VII. - DOGS/CATS

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Sec. 6-141. - Exceptions.

Notwithstanding any other provision herein, the provisions of this article shall not be deemed to apply to, or in any way to interfere with, the ordinary conduct and operation of veterinary clinics, biological laboratories or pet shows, when conducted within the city.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-142. - Number restricted.

- (1) It shall be unlawful to own, keep or harbor at any time more than three dogs and/or five cats over the age of four months per residential or dwelling unit in the city; provided, however, this section shall not apply to kennels and catteries, or holders of pet animal avocation permit.
- (2) The number of animals authorized in section 6-144 shall not be in addition to the total number of animals specified under this section.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-143. - Breeders permit.

- (1) A breeders permit shall be obtained by:
 - (a) Any person who intentionally or accidentally causes or allows the breeding of a cat or dog and;
 - (b) Any person who offers for sale, sells, trades, receives other compensation or gives away one or more dogs or cats from a litter of dogs or cats, produced by a female owned by him or her, except a litter of dogs or cats taken to the authority;
- (2) Such person shall:
 - (a) Furnish the authority with information on the birth of each litter of dogs or cats as may be required by the authority, to register that litter of dogs or cats with the authority, and to be assigned a litter number for each litter;
 - (b) Register with the authority the name, address, and telephone number of each buyer or new owner of any dog or cat sold or transferred within five days after the date of such sale or transfer;
 - (c) Transmit to the new owner or buyer the litter number of the animal acquired, and the breeder's permit number in order that the new owner has assurance and proof that the animal was legally bred;
 - (d) Immunize all cats and dogs offered for sale, trade or other compensation or for free giveaway (except an animal taken to the authority) against common disease; in the case of dogs, against distemper and parvo, and in the case of cats, against distemper and panleukopenia;
 - (e) Not offer a dog or cat under the age of eight weeks for sale, trade, and other compensation or for free giveaway (except a dog or cat or litters of them taken to the authority); and
 - (f) In all advertisements for a litter of dogs or cats, provide the litter number assigned by the authority in the text of such advertisement.
- (3) Any such person is required to obtain an annual breeders permit from the authority and pay a permit fee of \$100.00. Such permit must be obtained prior to the disposition of any dogs or cats. A late fee of \$25.00 shall be charged if obtained after disposition. No permit required should the female and dogs or cats be taken to the authority.
- (4) Should the breeder chose to have the female animal spayed within three months of the birth of the litter and supply proof to the authority, the \$100.00 permit fee shall be reimbursed.
- (5) Such breeders permit is in addition to any other permits required by this chapter.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 36690, § 5, 7-13-04)

Sec. 6-144. - Pet animal avocation permit.

- (1) *Permit required.* A permit is required for any person who shall own, keep, harbor or maintain four or more dogs but no more than five dogs total and/or six or more cats but no more than eight total dogs and cats four months of age or older on the lot on which he or she resides or on a contiguous lot, which lot or lots are not zoned for business.
- (2) *Application for permit; issuance; fee:* Any person desiring a pet animal avocation permit shall file an application with the authority for issuance of the permit. The authority shall inspect for and consider the applicant's compliance with this chapter in determining whether to issue the permit. An initial inspection fee of \$100.00 shall be paid at the time of application. In addition, a permit fee of \$50.00 shall be paid by the applicant annually on the anniversary of the issuance date of the permit. The initial inspection fee required under this subparagraph (2) is waived for animal rescues, provided such are otherwise in compliance with this chapter.
- (3) *License required.* All animals owned, kept, possessed or harbored under a pet animal avocation permit must be licensed as required by [section 6-103](#), except as provided in [section 6-102](#). Proof of individual license on each pet animal must be provided at the time of inspection.
- (4) *Vaccination required.* All animals owned, kept, possessed or harbored under a pet animal avocation permit must be vaccinated against rabies as required by [section 6-201](#). Proof of individual rabies vaccination on each pet animal must be provided at the time of inspection.
- (5) *Duration; renewal of permit; revocation.* Such permit shall allow the applicant to pursue the avocation for a period of one year unless said permit is revoked. Being found guilty, in a court of law, of any violation of this chapter, may constitute sufficient cause for revocation of such permit. Failure to permit inspection pursuant to subsection (6) of this section shall be grounds for immediate revocation of this permit. Such permit shall be renewed annually.
- (6) *Maintenance and inspection of premises and animals.* A vocational premises shall be maintained in a clean and safe condition at all times. Sanitary methods shall be used to prevent or abate any offensive odors. The authority shall have the right to inspect such premises and the animals therein at reasonable hours to ascertain that the premises are kept in the aforementioned conditions and meet the following operational standards and

such other standards as promulgated by the authority.

- (a) Each animal shall at suitable intervals and at least once every 24 hours, receive a quantity of wholesome foodstuff suitable for the species' physical condition and age, sufficient to maintain an adequate level of nutrition for the animal;
 - (b) Each animal shall have available at all times an adequate supply of clean, fresh, potable water. If water pans or dishes are used, such pans or dishes shall have weighted bottoms or be mounted or secured in a manner that prevents tipping;
 - (c) Indoor housing shall provide for adequate ventilation, lighting, temperature control, and construction so as to provide for the safety and comfort of the animals;
 - (d) Each animal shall receive care and medical treatment for debilitating injuries, parasites, and disease, sufficient to maintain the animal in good health and to minimize suffering;
 - (e) Animals maintained pursuant to a vocational permit shall be predominantly maintained indoors. Premises where a vocational permit includes dogs shall provide a fenced enclosure sufficient to contain any dogs while outside.
 - (f) All areas of the premises inspected for a vocational permit shall be made open and available for inspection by the authority.
- (7) *Non-commercial catteries.* Any person possessing a valid non-commercial cattery permit at the time of enactment of this section, without lapse in such cattery permit, must reduce the total number of cats owned, kept, possessed or harbored on or before December 31, 2017 so as to meet the eight animal limit.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 36690, § 6, 7-13-04)

Sec. 6-145. - Unlawful use of a dog or cat.

It shall be unlawful for a person to make use of a dog or cat in the commission or furtherance of any criminal act in the city.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-146. - Running at large—Dog.

It shall be unlawful for any person to allow or permit any dog which is owned, kept, possessed or harbored by him or her to run or be at large in or upon the private premises of others or upon the streets, highways and other public places of the city, unless as a participant in an organized dog event approved by the authority or while contained in an authorized fenced off leash dog area as designated by the city provided that no dog which has been deemed a dangerous animal may run or be at large at such an organized dog event or in such an authorized off leash area. The authority and the city shall not be held liable for claims arising from such approved events.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-147. - Restraint—Dog.

It shall be unlawful for the owner of any dog within the city to fail to keep his dog securely restrained or otherwise confined in or upon his premises in an enclosure sufficient to contain the dog.

Each animal shall be separately tethered. That no animal shall be tethered outdoors in excess of 15 minutes at any one time unless an owner, custodian or person responsible for the animal, 19 years of age or older, is present in the same yard in which the animal is tethered. The tether shall be at least five times the length of the animal's body as measured from the tip of the nose to the base of the tail, terminates at each end with a swivel, weighs no more than one-eighth of the animal's weight, is free of tangles, prevents strangulation or injury and prevents the animal from being within 15 feet from the edge of any public street or sidewalk. Provided, that if the tethering method is a trolley system, at least 15 feet in length and less than seven feet above ground, and meets the foregoing tether requirements, the animal may be tethered outdoors for up to one hour with an owner, custodian or person responsible for the animal, 19 years of age or older, is in the same yard in which the animal is tethered.

In addition to the sanctions which may be imposed by law, any person who fails to keep his dog securely restrained or otherwise confined as required by this section shall pay the following penalties:

- (a) For the first violation, a penalty in the sum of \$100.00.
- (b) For the second violation within 24 months of the first violation, a penalty in the sum of \$250.00.
- (c) For the third violation within 24 months of the first violation, and each subsequent violation thereafter, a

penalty in the sum of \$500.00.

Such penalties shall be paid to the animal control authority and shall be used solely for enforcement activities.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38257, § 8, 9-30-08)

Sec. 6-148. - Dogs or cats damaging property of others.

It shall be unlawful for the owner of a dog or cat to allow or permit his dog or cat to damage the property of others or to cause bodily injury. If the owner is adjudged guilty of a violation of this section, the court may, in addition to the penalty provided for the violation of this Code, order such disposition or destruction of the offending dog/cat as may seem reasonable and proper.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-149. - Dangerous and potentially dangerous animals generally.

- (1) No person shall own, keep or harbor, or allow to be in or upon any premises occupied by him, or under his charge or control, any dangerous animal or potentially dangerous animal without complying with the requirements of this chapter regarding dangerous or potentially dangerous animals.
- (2) A dangerous animal is defined as one who meets one or more of the following conditions:
 - (a) Any animal which attacks, snaps at, bites, or has a history of attacking a human being or other domestic animal one or more times, without provocation.
 - (b) Any animal engaging in or found to have been trained to engage in exhibitions of fighting.
 - (c) Any animal previously declared a potentially dangerous animal that bites a human being without provocation.
- (3) A potentially dangerous animal is defined as one who meets one or more of the following conditions:
 - (a) Any animal that when unprovoked: (i) inflicts an injury on a human being that does not require medical treatment, (ii) injures a domestic animal, or (iii) chases or approaches a person upon streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or
 - (b) Any specific animal with a known propensity, tendency, or disposition to attack when unprovoked, to cause injury, or to threaten the safety of humans or domestic animals.
- (4) No animal may be declared dangerous or potentially dangerous that inflicts injury or damage on a person committing a willful trespass or other tort upon premises occupied by the owner or lessee of the animal, or committing or attempting to commit a crime. No animal may be declared dangerous or potentially dangerous for taking any action to defend or protect a human being within the immediate vicinity of the animal from an unjustified attack or assault. No animal used in connection with lawful activities of law enforcement officials shall be declared a dangerous or potentially dangerous animal.

The court may, in addition to any other fine or judgment, order the animal control authority to forthwith put the animal to death by removing the same to the animal shelter for such purpose. Any person found guilty of violating this section shall pay all expenses, including shelter, food, veterinary expenses for identification or certification of the animal, boarding and veterinary expenses necessitated by the seizure of any animal for the protection of the public and such other expenses as may be required for the destruction of any such animal.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38257, § 9, 9-30-08)

Sec. 6-150. - Judicially excluded animals.

It shall be unlawful for any person to bring any animal into the city, which has, in another jurisdiction been judicially determined to be a dangerous, potentially dangerous, vicious, a nuisance, or a threat to the health or safety of human beings.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-151. - Impoundment of certain animals during enforcement proceedings.

If there is reasonable cause shown that the offending animal under [section 6-148](#) or [6-149](#) may constitute a hazard to the safety of the public at large during the pendency of any action commenced thereunder, the court may order such animal or animals impounded pending the outcome of such proceedings. Any person who owns, keeps, harbors, maintains, or controls any animal involved in such impoundment shall pay all expenses, including shelter, food, veterinary expenses, boarding, or other expenses, necessitated by the impoundment of the animal for the

protection of the public and other expenses as may be required. The authority may require such person to pay, prior to expiration of ten days after the date of impoundment, an amount sufficient to pay all reasonable expenses incurred in caring and providing for the animal, including estimated medical care, for 30 days, inclusive of the date on which the animal was impounded. If such payment is not made prior to expiration of this ten-day period, the animal shall become the property of the authority to be disposed of as the authority deems appropriate. Such payment shall be required for each succeeding 30-day period. If any such payment is not made prior to the end of each succeeding 30-day period, the animal shall become the property of the authority to be disposed of as the authority deems appropriate. The amount of the payment shall be determined by the authority based on the current rate for board at the animal shelter and the condition of the animal after examination of the animal by a veterinarian acting for the authority. Any such payment received by the authority in excess of the amount determined by the authority to be due for the board and care of the animal shall be refunded by the authority upon expiration of the order of impoundment. Notwithstanding the foregoing, if the owner or custodian is found not guilty of animal neglect or cruelty, the owner or custodian shall only be required to pay the veterinary expenses and one-half of the board and care fees determined by the authority to be due.

Notwithstanding the foregoing, if it is determined by a veterinarian acting for the authority that such animal is diseased or disabled beyond any useful purpose, the animal shall immediately become the property of the authority to be humanely disposed of as the authority deems appropriate.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-152. - Dangerous or potentially dangerous animals—Spaying or neutering: microchip identification and license required.

Any animal judicially determined to be dangerous or administratively determined to be potentially dangerous shall be spayed or neutered and implanted with microchip identification by a licensed veterinarian at the owner's expense no less than 30 days after such determination is entered with written proof of spaying or neutering and the microchip identification number being provided to the animal control authority within 72 hours of the procedure being completed. In addition such dangerous or potentially dangerous animal shall be required to be licensed as a dangerous or potentially dangerous dog within 30 days of the determination.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38257, § 10, 9-30-08)

Sec. 6-153. - Same—Classes required.

The owner of any animal judicially determined to be dangerous or administratively determined to be potentially dangerous shall be required to attend, at the owner's expense, within 90 days after such determination is entered, a responsible pet ownership class approved by the animal control authority and, at the discretion and direction of the animal control authority, a dog behavior class provided or approved by the animal control authority.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38257, § 11, 9-30-08)

Sec. 6-154. - Same—Warning signs required.

Any property wherein a dangerous animal is kept, harbored or confined shall be posted with warning signs visible from all areas of public access.

The warning signs must:

- (1) Be no less than ten inches by 12 inches in size,
- (2) Contain the words "Warning; Dangerous Animal" in high contrast lettering on a black background in English, and
- (3) Lettering must be no less than three inches high.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 37716, § 5, 5-1-07)

Sec. 6-155. - Confinement of dangerous animals.

No person owning, harboring or having the care of a dangerous animal shall permit such animal to go unconfined on the premises of such person. A dangerous animal is unconfined as the term is used in this section if such animal is not:

- (a) Confined indoors; or
- (b) Confined outdoors in an enclosed and locked pen or structure upon the premises of the person described above; provided the existence of such a pen or structure is permitted by zoning regulations. Maintenance of a dangerous animal is not permitted in areas where such structures or pens are not authorized by zoning regulations. If permitted, such pen or structure shall be:

Size of Animal	Square ft. of pen
Extra large (over 26 inches at withers or over 75 lbs.)	48
Large (over 20 inches and up to 26 inches at withers or not over 75 lbs.)	40
Medium (over 12 inches and up to 20 inches at withers or not over 50 lbs.)	32
Small (12 inches or less at withers or not over 20 lbs.)	24

The pen must be constructed with chain link fencing for all four sides and the top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded in the ground no less than one foot, or have a concrete pad for the bottom. The pen or structure shall be set back at least ten feet from the nearest property line.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-156. - Dangerous or potentially dangerous animals—leash and harness required.

It shall be unlawful for any person owning, harboring or having the care of a dangerous or potentially dangerous animal to permit such animal to go beyond the property of such person unless the animal is under the control of a person 19 years of age or older and restrained securely by a harness and leash no longer than six feet and properly muzzled to reasonably prevent the animal from biting.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38257, § 12, 9-30-08)

Sec. 6-157. - Proof of insurance for dangerous animals, potentially dangerous animals and pit bulls.

Any animal that has been determined to be a dangerous animal by a court determination, any animal administratively determined to be a potentially dangerous animal, and any pit bull as defined in [section 6-163](#) that is required to be licensed under this chapter cannot be licensed unless the person having custody, ownership or control of such dog or other animal first presents written proof of public liability insurance of not less than \$100,000.00 to the animal control authority. Such insurance shall be maintained in effect for the period such dangerous or potentially dangerous animal is so designated, provided, that insurance for a pit bull as defined in [section 6-163](#) shall be maintained in effect for the life of the pit bull.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38257, § 13, 9-30-08)

Sec. 6-158. - Dangerous and potentially dangerous animals—Impoundment.

Any animal that has been determined to be a dangerous animal or a potentially dangerous animal that, without provocation, bites a human being, may be immediately impounded by an animal control officer, if in violation of this chapter. The owner shall be responsible for the reasonable costs incurred for the care of such impounded dangerous animal.

(Ord. No. 36463, § 2, 12-16-03; Ord. No. 38527, § 14, 9-30-08)

Sec. 6-159. - Destruction of dangerous animals at large.

In the event that an animal that has been determined to be dangerous as defined in [section 6-150](#) is found at large and unattended upon public property, park property, or a public right-of-way, or upon the property of someone other than its owner, thereby creating a hazard to person or property, such animal may, in the discretion of the chief of police or authorized designee, be destroyed if it cannot be confined or captured. The city shall be under no duty to attempt the confinement or capture of a dangerous animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-160. - Registry of dangerous animal.

The owner of any animal that has been determined to be dangerous as defined in [section 6-150](#), or previously determined to be dangerous under this chapter shall register such animal with the authority within thirty (30) days of such determination or within thirty (30) days of enactment of this section if previously determined to be dangerous. Such registration shall include the following information:

- (a) The name of the current owner of the animal;
- (b) The address where the animal is harbored;
- (c) A description of the animal, including name, breed, sex, and coloring;
- (d) The current license number for the animal;
- (e) The carrier and policy number for public liability insurance as required in [section 6-157](#)
- (f) Microchip manufacturer and microchip identification number.

At least once per calendar year, the authority shall publish in the local newspaper a list of animals on the above registry, providing the name of the owner, the address where the animal is harbored, and a description of the animal including name and breed.

Any person who has registered an animal pursuant to this section shall have a continuing obligation to provide updated registration information to the authority and shall, within thirty (30) days of the sale or transfer of such animal, provide to the authority the date of such sale or transfer, the name of the new owner, and the address where the animal will be harbored.

(Ord. No. 36463, § 2, 12-16-03)

Sec. 6-161. - Feral cat colony caretaker permit.

- (1) Purpose of Permit. The purpose of providing for the permitting of feral cat colony caretakers is to decrease the number of feral cats and feral cat colonies through the humane methods of trap, neuter and release (TNR), attrition, and relocation.
- (2) *Permit required.* A permit is required for any person who cares for, but does not own feral cats that are part of a feral cat colony.
- (3) *Application for permit; issuance; fee:* Any person over the age of 18 desiring a feral cat colony caretaker permit shall file an application with the authority for issuance of the permit. The authority shall inspect for and consider the applicant's compliance with this chapter in determining whether to issue the permit. Conviction of a violation of this Chapter within the past ten years shall be grounds for denial of a permit. The applicant must present (a) a detailed description of each feral cat in the colony; (b) proof that such feral cats in the colony have been sterilized, ear-tipped, and vaccinated against rabies, or are being actively trapped to perform sterilization, ear-tipping and vaccination; (c) the address of the private property at which the colony is maintained; (d) written proof of permission from the private property owner to maintain the colony at such address; (e) contact information for the applicant; and (f) such other information as may be required by the animal control authority. A permit fee/initial inspection fee of \$25.00 shall be paid at the time of application. In addition, a permit/inspection fee of \$25.00 shall be paid by the applicant biennially on the anniversary of the issuance date of the permit. The authority shall have the right to inspect the address of the private property at which the colony is maintained at reasonable hours from time to time to ascertain that the premises are suitable for feral cat colony caretaking. No feral cat colony caretaker permit shall be issued for an address located on public property.
- (4) *Duration; renewal of permit; revocation.* Such feral cat colony caretaker permit shall allow the applicant to maintain the feral cat colony for a period of up to two years unless said permit is revoked. Such permit shall be renewed biennially. The following shall constitute cause for revocation of such permit: (a) conviction, in a court of law, of any violation of this chapter, (b) failure to permit biennial or other inspections of the address at which the feral cat colony is maintained, (c) inability of the caretaker to provide care for the feral cat colony, (d) failure of the caretaker to actively work toward decreasing the number of feral cats within the colony through the humane method of trap, neuter and release (TNR), the continual presence of kittens in the feral cat colony and/or failure to sterilize and relocate adult cats who become members of the colony, or (e) failure of the caretaker to actively work toward the relocation of the feral cat colony. Within 60 days of revocation, the holder of the revoked caretaker permit must relocate the feral cats within the colony to the care of one or more other feral cat colony caretaker permit holders.
- (5) *Reclamation from animal control authority.* The holder of feral cat colony caretaker permit may reclaim from the animal control authority a feral cat, belonging to the colony for which the permit is issued and which has been described on the permit application, without proof of ownership. The fees specified in sections [6-48](#) and [6-50](#) shall not be required for the return of feral cats from a registered colony.

- (6) *Colony size.* The holder of a feral cat colony caretaker permit may maintain a feral cat colony of:
- (a) no more than 20 adult feral cats at an address in areas zoned residential, provided, that if such colony is composed of more than ten adult feral cats, the permit holder must reduce the number of such cats to ten prior to renewal of the permit; or
 - (b) no more than 30 adult feral cats at an address in areas zoned commercial, provided, that if such colony is composed of more than 15 adult feral cats, the permit holder must reduce the number of such cats to 15 prior to renewal of the permit.

(Ord. No. 37716, § 6, 5-1-07)

Sec. 6-162. - Determination of potentially dangerous animal.

The animal control authority shall initiate administrative proceedings to determine an animal to be a potentially dangerous animal if it meets the definition of potentially dangerous animal under [section 6-149](#), by service of a notice, in writing, upon such animal's owner either by certified and regular mail to the owner's last known address or personally. The notice shall contain:

- (a) The name and address of the owner whose animal is subject to such determination;
- (b) The name, description and license number of the animal who is subject to such determination;
- (c) A description of the facts which form the basis of such determination;
- (d) A summary of the effects of such determination, including the requirements for sections [6-152](#), [6-153](#), [6-156](#), and [6-157](#) and state that noncompliance will result in an owner being declared a reckless owner by the animal control authority;
- (e) The date of proposed entry of the determination which shall be not less than ten days after the date of mailing or personal service of the notice; and,
- (f) Notification of the availability of an appeal if the owner objects to such determination, within ten days of the date of mailing or personal service of the notice.

An owner whose animal is determined to be a potentially dangerous animal shall be required to comply with [section 6-156](#) immediately, sections [6-152](#) and [6-157](#) within 30 days of the date of entry of the determination order, and shall be required to comply with [section 6-153](#) within 90 days of the date of entry of the determination order, unless a notice of appeal of the order is filed with the animal control authority, provided, non-compliance with any of the sections set forth above in this paragraph shall result in the owner being declared a reckless owner by the animal control authority under [section 6-87](#).

An appeal of such determination order shall be heard by a hearing officer designated by the animal control authority within ten days of the date of the filing of the notice of appeal, and shall provide an opportunity for the owner to appear and offer evidence to dispute the determination order. The filing fee for each notice of appeal shall be \$100.00. A decision to affirm or reverse such order shall be entered by the hearing officer within ten days of the date of the hearing.

An owner may request termination of the determination order if there are no incidents of the type specified in [section 6-149](#)(3) for at least two years following the date of the determination order. Such request for termination shall be heard, by a hearing officer designated by the animal control authority, within ten days of the date of the filing of the request for termination, and shall provide an opportunity for the owner to appear and offer evidence to support termination of the determination order. The owner must provide documented evidence that the animal's behavior has changed due to environment, health, age, training, neutering or other relevant factor. The filing fee for each request for termination shall be \$200.00. A decision to continue or terminate such determination order shall be entered by the hearing officer within ten days of the date of the hearing.

(Ord. No. 38257, § 16, 9-30-08)

Sec. 6-163. - Pit bulls—Leash and muzzle required.

It shall be unlawful for any person owning, harboring or having the care of a pit bull to permit such animal to be outdoors unless confined in a securely fenced yard or unless the animal is under the control of a person 19 years of age or older, restrained securely by a harness and leash no longer than six feet and properly muzzled to reasonably prevent the animal from biting, provided that the harness and muzzle requirements apply only to those pit bulls six months of age or older.

For purposes of this section, pit bull shall be defined as any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, Dogo Argentina, Presa Canario, Cane Corso, American Bulldog, or any

dog displaying the majority of physical traits of any one or more of the above breeds (more so than any other breed), or any dog exhibiting those distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds. The A.K.C. and U.K.C. standards for the above breeds are on file in the office of the animal control authority.

Provided that a pit bull which is a participant in an organized dog event approved by the authority shall not be required to be leashed and muzzled while outdoors and being shown or otherwise actively competing in such event.

(Ord. No. 38257, § 17, 9-30-08; Ord. No. 38867, § 2, 11-2-10)

Editor's note—

Section 22 of Ord. No. 38257 states that § 17 of the ordinance, entitled "Pit bulls—Leash and muzzle required," and codified herein as § 6-163, shall not be effective until January 1, 2009.

Sec. 6-164. - Report to council.

The ACA shall submit to the city council on or before October 1, 2010, a report, which shall provide relevant statistical data and an evaluation of the effectiveness of the requirements of section 6-163 entitled "Pit bulls—Leash and muzzle required" in reducing bites and other incidents involving dogs covered by such section. Such report shall be received by resolution of the city council.

(Ord. No. 38257, § 18, 9-30-08)

Sec. 6-165. - Breed ambassador.

An owner of a pit bull as defined in section 6-163 may obtain a designation of "breed ambassador" for such pit bull from the animal control authority by (a) completing an application form, (b) payment of a fee of \$25.00, (c) providing proof of (i) sterilization, (ii) micro-chipping, including microchip number, (iii) insurance in compliance with section 6-157, (iv) vaccination and license in compliance with sections 6-201 and 6-103, and (v) successful completion of a responsible pet ownership class approved by the animal control authority and an American Kennel Club Canine Good Citizenship test administered by the animal control authority, and (d) demonstrating no history of violations of chapter 6 by the owner involving such pit bull. Any expense associated with compliance with (c) shall be borne by the owner.

Such designation shall be in effect for one year and may be renewed annually upon meeting each of the foregoing requirements, except that the responsible pet ownership class shall be required only once in any five-year period, and provided, that conviction of the owner of such a pit bull for a violation of chapter 6 involving such pit bull shall result in termination of the designation effective upon the date of conviction.

The owner of a pit bull which has been designated a "breed ambassador" shall ensure, when such pit bull is not confined in a securely fenced yard, that such pit bull (a) wears a vest provided by the animal control authority, at the owner's expense, with the words "breed ambassador" and the breed ambassador number assigned to such pit bull by the animal control authority affixed on the vest and (b) is under the control of a person 19 years of age or older and is restrained by a leash no longer than six feet and by a harness and a collar joined with a connector attached to the leash in such a way as to provide a redundant restraint system, but such owner shall not be required to comply with the muzzle requirement of section 6-163 for such pit bull.

(Ord. No. 38257, § 19, 9-30-08)

Secs. 6-166—6-200. - Reserved.