

Potentially Dangerous Breeds

Ordinance Summary:

A potentially dangerous breed shall include the following: A pit bull, which is defined as any dog that is an American pit bull terrier, a Staffordshire terrier, or American Staffordshire terrier, and any dog of mixed breeding that has the primary characteristics of an American pit bull terrier, a Staffordshire terrier, or an American Staffordshire terrier. The American Kennel Club and United Kennel Club standards for the above breeds shall be on file for viewing at the city's animal shelter.

Within **ten (10) days** after acquiring a potentially dangerous breed, or after moving to the city limits owner must **register the dog with Animal Control**. And on an annual basis, obtain a **potentially dangerous breed permit** and a **window sticker**. As a condition of registration, the owner shall provide sufficient evidence that they are in compliance with the following:

Permit: A potentially dangerous breed may be kept within the city limits only so long as the registered owner complies with the requirements of the potentially dangerous breed permit.

Permit Fee: Annual fee of \$150.00

Rabies Vaccination: Owner must provide proof of annual rabies vaccination.

Current City License: The owner must purchase an annual city license for the dog, and the dog must wear the city license tag on its collar at all times.

Microchip: The dog must be identified by means of a microchip that is injected under its skin by a licensed veterinarian and maintained.

Photo: Owner must bring dog to City Hall to have its photo taken with the owner.

Sterilized: The owner must provide documentary proof from a licensed veterinarian that their dog has been spayed or neutered. This requirement shall not apply if: (see code for full explanation).

PERMIT CONDITIONS

Place of Confinement: A potentially dangerous breed must reside at the owner's residence or place of business. 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 be no less than **10 inches by 12 inches**, contain the words **"Warning; Potentially Dangerous Animal"**, in high contrast lettering on a black background in **English**, and lettering must be **no less than three inches high**.

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Confinement: A potentially dangerous dog shall be confined indoors or by a fence that is of adequate height and construction to prevent the dog's escape. Potentially dangerous dogs shall not be confined with an electronic containment device, or invisible fence.

Leash, Harness and Muzzle: Any person owning, harboring or having the care of a potentially dangerous animal shall not permit such dog to go beyond the property unless the dog 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.

Liability Insurance: Owner must provide evidence of a current and effective minimum \$100,000.00 public liability insurance policy to be maintained for the period of such designation or throughout the life of the potentially dangerous breed.

No Transfer of Permit: A potentially dangerous breed permit shall not transfer to a new owner residing in the city limits. The new owner must meet all registration requirements within ten (10) days of acquiring the dog.

Relocation Reported: The owner of a potentially dangerous breed may relocate the dog to owner's new Carter Lake residence or business. Notify the Animal Control Officer of new address and obtain a new window sticker. The new window sticker must be posted within thirty (30) days of the move.

Maximum number: The number of dogs kept at one residence shall not exceed two.

Dangerous breed regulation violations: Failure to comply with any potentially dangerous breed registration requirement or permit condition within the allotted ten (10) day time period shall constitute a violation of this chapter and may result in the issuance of a citation and a warrant to seize the owner's dog.

Non-cruelty violations: Permits to keep a potentially dangerous breed may be revoked by Animal Control upon the owner's second conviction for violation of the city's non-cruelty animal code provisions. If the permit(s) is revoked, a warrant to seize the potentially dangerous breed may be served on the owner if the dog is not removed from the city limits. In addition, the owner shall lose their right to register any potentially dangerous breed within the city for a period of two (2) years.

Cruelty Violations: Upon conviction for any animal cruelty charge, the owner of a potentially dangerous breed shall lose their potentially dangerous breed permit(s) and shall lose their right to register any potentially dangerous breed within the city for a period of

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ten (10) years. A warrant may be obtained to seize the owner's potentially dangerous breed dog(s) pending adjudication of the cruelty violation citation. Upon conviction for animal cruelty and revocation of the potentially dangerous breed permit, the owner's potentially dangerous breed dog(s) must be removed from the city limits or surrendered to the Nebraska Humane Society in Omaha, NE.

Authority to Euthanize: If a potentially dangerous breed is declared to be a vicious animal pursuant to the provisions of subsection 85.10, the dog shall be euthanized within 72 hours of the final vicious dog declaration.