

ORDINANCE NO. 2023-14

AN ORDINANCE AUTHORIZING SUSPENSION OF RULES; AMENDING MUNICIPAL CODE OF THE CITY OF PERU, NEBRASKA SECTION 93.40 RELATING TO PET LICENSES AND TAXES REQUIRED; EXEMPTIONS; AND TAGS; REPEALING THE ORIGINAL SECTION 93.40 OF THE MUNICIPAL CODE OF PERU, NEBRASKA; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND ORDERING THE PUBLICATION OR POSTING OF THE ORDINANCE.

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

SECTION 1. The City Council by three-fourths (3/4th) vote of the majority or greater hereby suspends the rules to allow this Ordinance to be read aloud and moved for final passage at the same meeting.

SECTION 2. That “Chapter 93: Animals” of the City of Peru, Nebraska Code of Ordinances is amended, consistent with Code §10.17, to be read as follows:

DOGS AND CATS

§93.40 LICENSE AND TAX REQUIRED; EXEMPTION; TAGS

(A) Any owner of a dog or cat over the age of 6 months within the city shall, within 30 days after acquisition of the dog or cat, acquire a license for the animal annually by or before January 1 of each year. Licenses shall be issued by the City Clerk upon payment of a license tax in the amount established by the City council, plus the \$1.25 fee required under Neb. RS 54-603(3). It shall be unlawful for the owner of a dog or cat to wrongfully and knowingly license an unspayed female dog or cat as a male or spayed female dog or cat if the Council has established different license taxes for such animals.

(B) The license tax shall be delinquent from and after January 31. The owner of any dog or cat brought into or harbored within the corporate limits subsequent to January 1 of any year shall be liable for payment of the license tax, and such tax shall be delinquent if not paid within 10 days thereafter. The license shall not be transferable, and no refund will be allowed in case of death, sale, or other disposition of the licensed dog or cat.

(C) The owner shall state, at the time the application is made and upon printed forms provided for such purpose, his or her name and address and the name, breed, color, and sex of each dog or cat owned by him or her. A certificate of rabies vaccination, effective for the ensuing year of the license, shall be presented when application for a license is made, and no license or tag shall be issued until the certificate is shown.

(D) Every service animal shall be licensed as required by this section, but no license tax shall be charged. Upon the retirement or discontinuance of the animal as a service animal, the owner of the animal shall be liable for the payment of the required license tax.

(Neb. RS 54-603)

(E) (1) Upon the payment of the license tax, the Clerk shall issue to the owner of the dog or cat a license certificate and a metallic tag, which shall be valid until December 31 following such licensing. The Clerk shall issue tags of a suitable design that are different in appearance each year.

(2) The metallic tag and the rabies tag shall be properly attached to the collar or harness of the dog or cat. It shall be unlawful for the owner of any dog or cat to permit or allow such animal to wear any licensing identification other than the metallic tag issued by the Clerk.

(3) If a license tag is lost, upon satisfactory evidence that the original tag was issued in accordance with the provisions of this section, the Clerk shall issue a duplicate or new tag for the balance of the year for which the license tax has been paid and shall charge and collect a fee established by the City Council for each duplicate or new tag so issued.

(F) All license taxes, fees, and other collections shall be credited to the general fund of the city, except as otherwise provided by Neb. RS 54-603.

Penalty, see §10.99

Statutory reference:

Authority to impose license tax, require rabies certificate, and destroy unlicensed dogs, see Neb. RS 17-526, 54603, and 71-4412

SECTION 3. That all other sections of Chapter 93 of the Municipal Code of the City of Peru, Nebraska not in conflict herewith, shall remain in full force and effect.

SECTION 4. That any other ordinance or section thereof passed or approved prior to the passage, approval, and publication or posting of this ordinance that is in direct conflict herewith is hereby repealed.

SECTION 5. This ordinance shall take effect and be in full force and effect from and after its passage, approval, and publication or posting as required by law.

Passed and Approved by City Council on this ___ Day of _____ 2023, by the following votes:

Theresa Westfall	Aye: <input checked="" type="checkbox"/>	Nay: <input type="checkbox"/>	Absent: <input type="checkbox"/>	Abstain: <input type="checkbox"/>
Quentin Kieler	Aye: <input checked="" type="checkbox"/>	Nay: <input type="checkbox"/>	Absent: <input type="checkbox"/>	Abstain: <input type="checkbox"/>
Marty Peregoy (seat vacant)	Aye: <input type="checkbox"/>	Nay: <input type="checkbox"/>	Absent: <input type="checkbox"/>	Abstain: <input type="checkbox"/>
Cate Wyekoff (seat vacant)	Aye: <input type="checkbox"/>	Nay: <input type="checkbox"/>	Absent: <input type="checkbox"/>	Abstain: <input type="checkbox"/>
Dave Pease (Mayor) (on tie breaker)	Aye: <input checked="" type="checkbox"/>	Nay: <input type="checkbox"/>	Absent: <input type="checkbox"/>	Abstain: <input type="checkbox"/>

SUSPEND
READINGS 11/20/23
(3/4 VOTE)

FIRST READING _____
SECOND READING _____
THIRD READING _____

ATTEST:

Clerk of the City of Peru, Nebraska
(Seal)

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Dave Pease, Mayor of the City
of Peru, Nebraska