

ORDINANCE NO. 2025-03

OF THE CITY OF PERU, NEMAHA COUNTY, NEBRASKA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERU, NEBRASKA, AMENDING THE ORIGINAL CHAPTER 93 OF THE MUNICIPAL CODE OF THE CITY OF PERU, NEBRASKA CODE OF ORDINANCES BY ADDING AN ADDITIONAL SECTION WHICH SHALL BE ENTITLED “93.11 KEEPING OF LIVESTOCK”; CREATING POLICIES FOR KEEPING LIVESTOCK WITHIN CITY LIMITS; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT MATTER HEREIN; SETTING AN EFFECTIVE DATE HEREOF AND ORDERING THE PUBLICATION OR POSTING OF THE ORDINANCE.

WHEREAS, the City of Peru, Nebraska Code of Ordinances (“Code”) §93 entitled “Animals” Defines Livestock but is silent as to the restrictions and limitations of keeping Livestock within the City Limits of Peru, Nebraska.

WHEREAS, definite statements need to be made in order to establish a policy pertaining to keeping livestock within the City limits to provide standards and ensure conformity in keeping livestock within the City limits, for the benefit of the City of Peru and its residents.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PERU, NEBRASKA;

SECTION 1. That Section 93, of the City of Peru, Nebraska Municipal Code shall be amended, adding Section 93.11 “Keeping of Livestock”, which shall read:

§93.11 Keeping of Livestock

- A. It shall be unlawful for any person to keep or maintain within the corporate limits any livestock animal. Provided, however, that livestock shall be permissible in areas where livestock animal units are permissible under the City of Peru’s zoning regulations.
- B. If any person should wish to obtain a special use permit to keep or maintain livestock within the corporate limits of the City of Peru, an application for a Special Use Permit may be filed with the City Clerk. The application shall include the following information:
 - i. The name and address of the applicant;
 - ii. The record title owner, the address, legal description, and dimensions of the premises in which the applicant desires to keep or maintain livestock upon; and,
 - iii. The maximum number of animals to be pastured or stabled on said premises.

The planning and Zoning Commission, following proper notice, shall hold a public hearing on each Special Use Permit application, and following such public hearing, shall make recommendation to the City Council. The City Council, after publication and public hearing, shall act on the Special Use Permit. A majority vote of those members either elected or appointed to the City Council is required for approval. The City Council may, at its discretion, apply a Special Use Permit to a specific owner or applicant, and place whatever limitations and conditions upon the permit as the Council deems necessary to

protect the health, safety, peace, and dignity of the residents of the City of Peru, Nebraska. All permits issued hereunder shall expire two years after its effective date. Permits will be renewed upon permit holder's request without requiring the matter to go back to the Planning and Zoning Commission or City Council for hearing. Provided, however, that any interested party may file objections to the renewal of said permit, in which event, the matter shall go through the initial procedure described above for applying for a Special Use Permit. The City Council may revoke a Special Use Permit should the operation of the use subject to such permit violate the conditions under which the permit was granted or, if the City Council shall find upon hearing that the holder of said permit has allowed the premises to become injurious to the public health, safety, or welfare. Notice of the hearing for revocation of a permit shall be given in writing by mail to the holder at least ten (10) days prior to said hearing.

- C. The owner of such livestock shall:
- i. Keep livestock in a sanitary manner, remove or dispose of all offal, manure, and waste material accumulating from such livestock at least once every thirty days.
 - ii. No person keeping or maintaining livestock shall permit such livestock to go loose or run at large. In the event that any livestock is found running at large creating a hazard to the safety of other or another person's property, such livestock shall be impounded and sold to discharge the cost and penalties provided for the violation and the expense of impounding and keeping such animals and of such sales. The City shall not be required to give notice to the owner of the livestock prior to its impoundment and sale.
 - iii. The keeping of any Livestock, which by causing frequent or long, continued noise shall disturb the comfort or repose of any person in the vicinity shall be a violation of City Code and deemed a public nuisance.
- D. Permitting any of the foregoing conditions on any such lot or parcel of ground is hereby declared to be a public nuisance.

Penalty, see §10.99.

Cross reference:

General Penalty, see §10.99

Defining nuisance, see §91.20

State Statutory References, see §17-547

Section 2. All other sections of Chapter 93 of the Municipal Code of the City of Peru, Nebraska, shall remain in full force and effect herein.

Section 3. Any other Ordinance or section passed and approved to passage, approval, and publication of this Ordinance and in conflict with its provisions shall be repealed.

Section 4. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting in pamphlet form as required by law.

Passed and approved this ___ day of _____ 2025, by the following votes.

Josh Whisler	Aye: _____	Nay: _____	Absent: _____	Abstain: _____
Theresa Westfall	Aye: _____	Nay: _____	Absent: _____	Abstain: _____
Quentin Kieler	Aye: _____	Nay: _____	Absent: _____	Abstain: _____
Rachel Snyder	Aye: _____	Nay: _____	Absent: _____	Abstain: _____
Katy Novak (Mayor) (on tie breaker)	Aye: _____	Nay: _____	Absent: _____	Abstain: _____

SUSPEND
READINGS _____
(3/4 VOTE)

FIRST READING 3-17-25
SECOND READING 4-21-25
THIRD READING 5-19-25

Katy Novak
Katy Novak, Mayor of the City
of Peru, Nebraska

ATTEST:

Traci A. Rille
Clerk of the City of Peru, Nebraska

(Seal)

