

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 18, 2013 AGENDA**

Subject:	Type:	Submitted By:
DISCUSSION - MUNICIPAL CODE § 95.11 MAXIMUM NUMBER OF PETS	RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

La Vista Municipal Code § 95.11 regulates the maximum number of pets allowed per residence in La Vista. A request was made by the Mayor to discuss this item.

FISCAL IMPACT

None

RECOMMENDATION

Discussion

BACKGROUND

Police Chief Bob Lausten was contacted by the Nebraska Humane Society and informed of a situation regarding a resident with three dogs. Having three dogs is a violation of La Vista Municipal Code § 95.11. The maximum number of dogs allowed per residence is two. Further investigation revealed prior to obtaining the third dog, the resident was provided incorrect information from a police employee informing the resident the third dog would be allowable as long as the dogs were not vicious, there are no previous complaints, and the owners were not running a kennel. The resident is in possession of a 5 month old Westie, a 6 year old Short hair Chihuahua and a 4 year old long hair Chihuahua. All dogs are licensed and current on their shots. The resident was provided notice of the violation and given 30 days to comply.

This resident attended the June 4, 2013 La Vista City Council meeting and spoke about this situation under "Comments from the Floor".

La Vista's municipal code § 95.11 was last amended in 1982. The Municipal Code states:

§ 95.11 MAXIMUM NUMBER ALLOWED.

It shall be unlawful for any person to own, keep or harbor at any time more than two adult dogs, two adult cats or adult rabbits per residential or dwelling unit in the city. The total number of adult dogs, adult cats and adult rabbits per residential or dwelling unit in the city shall not exceed four adult animals. For the purpose of this section, an adult dog, cat or rabbit is a dog or cat that is more than four months old or a rabbit that is more than four months old. Provisions of this section shall not apply to catteries, kennels, and pet stores which have been licensed pursuant to § 95.17.

('79 Code, § 6-112) (Ord. 212, passed - -; Am. Ord. 283, passed 4-11-81; Am. Ord. 283, passed 9-1-81; Am. Ord. 296, passed 2-2-82) Penalty, see § 95.99

Below is a comparison of surrounding jurisdiction's "maximum number of pets allowed":

La Vista

Number of animals allowed:

4 animals over 4 months with a maximum of 2 per species of dogs, cats and rabbits.

Omaha

Number of animals allowed: 3 dogs and 5 cats

* may have up to 5 dogs with special permit

Bellevue

Number of animals allowed: 3 animals over 6 months (either species)

Papillion

Number of animals allowed: 4 adult animals (either species)

Unincorporated Sarpy County

Number of animals allowed: 4 dogs, unlimited cats

Ralston

Number of animals allowed: 3 animals with a maximum of 2 per species of dogs or cats