

**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

**RESOLUTION ADOPTING AND ENACTING ANIMAL CONTROL REGULATIONS
FOR DOGS AT LARGE IN SARPY COUNTY**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate power; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Neb. Rev. Stat. §54-614 empowers the County to regulate or prohibit the running at large of dogs; and,

WHEREAS, Neb. Rev. Stat. §54-608, prohibits the running at large of dogs in counties having a population of 80,000 inhabitants or more; and,

WHEREAS, Neb. Rev. Stat. §54-610, empowers the pound master of such counties to take such dogs running at large into custody and file complaints against the owner or owners of said dog in county court; and,

WHEREAS, the County has previously entered into a contract dated August 22, 2000, as well as several subsequent amendments to that contract, with the Nebraska Humane Society (NHS) for Animal Control Services; and,

WHEREAS, Neb. Rev. Stat. §54-611 empowers the County to order disposition of dogs found to be in violation of Neb. Rev. Stat. §54-608 in ways that seem reasonable and proper; and,

WHEREAS, Neb. Rev. Stat. §54-613 provides for the failure to follow the provisions of Neb. Rev. Stat. §54-608; and,

WHEREAS, it is in the best interests of the health, safety, and welfare of the citizens of Sarpy County to adopt a resolution which clearly defines “dogs at large” and provides for enforcement of regulations to prevent such actions.

THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners, that under and pursuant to the above cited authority, that this Board does hereby adopt and enact the following regulations regarding dogs running at large in Sarpy County, Nebraska, and outside the limits of any incorporated city or village in said Sarpy County:

**Section 1
Dog Defined**

The term “dog,” whenever used in this Regulation, shall mean any canine animal, male or female, intact or spayed or neutered (altered).

Section 2

Who Deemed Owner

The term “owner” shall mean any person possessing, keeping, harboring, or having charge or control of, or permitting any dog to habitually be or remain on, or be lodged or fed within, such person’s house, yard, or premises for a period of ten (10) days or more, shall be liable to the penalties herein prescribed for the violation of this regulation. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs owned by other persons for a period of not more than thirty (30) days.

Section 3

Dogs, When at Large

A dog shall be found to be at large if the owner or harborer of such dog allows it to run out of such owner or harborer’s control, even if such dog is properly licensed.

Section 4

Pound Master, Duties and Powers

It shall be the duty of NHS to act as pound master within Sarpy County and to investigate any complaint received of a dog running at large in the county.

If such complaint is founded upon facts, it shall be the duty of the pound master to impound such dog and he, she, or it may file or cause to be filed in Sarpy County Court a complaint against the owner or harborer of such dog. Such complaint may alternatively be filed by the Sarpy County Sheriff. The owner or harborer shall be liable for the reasonable costs associated with said impoundment.

Section 5

Disposition of Dogs Running at Large

If the owner or harborer of a dog is adjudged guilty of having a dog run at large in Sarpy County the court may, in addition to a possible monetary penalty as outlined in Section 6 below, require for the disposition of the offending dog as may seem reasonable and proper.

Disposition may include sterilization, seizure, or permanent assignment of such dog to a court-approved animal shelter or animal rescue. Reasonable costs of such disposition shall be the responsibility of the owner or harborer.

Section 6

Violation of Resolution, Penalty

Failure to comply with this resolution shall constitute a violation of Nebraska Revised Statute §54-608. Pursuant to Nebraska Revised Statute §54-613, said violation is a Class IV misdemeanor, and is subject to a fine of up to \$500.

BE IT FURTHER RESOLVED that any provisions of prior resolutions of the Sarpy County Board of Commissioners which are in conflict with the provisions of this Resolution are hereby repealed.

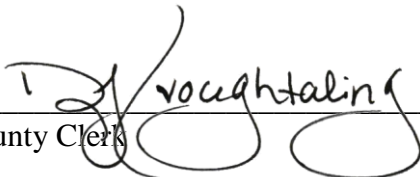
The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 19th day of June, 2018.

Attest:



SEAL


Sarpy County Board Chairman


County Clerk