

ORDINANCE NO. 4836

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 6-223 OF THE OFFICIAL HASTINGS CITY CODE; TO PROVIDE THAT ANY ORDINANCES OR PROVISIONS INCONSISTENT HERewith ARE HEREBY REPEALED; PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA AS FOLLOWS:

Section 1. That Section 6-223 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

Sec. 6-223. – Cruelty to Animals

1. Definitions

- a) Shade: Protection from the direct rays of the sun
- b) Shelter: A moisture-proof structure of suitable size to accommodate the dog and allow retention of body heat, made of durable material with a solid floor raised at least two (2) inches from the ground, with the entrance covered by a flexible, wind-proof material.
- c) Living Quarters: Any indoor dwelling or outdoor enclosure, pen, or tethered area where an animal is kept or harbored
- d) Tether: Rope or chain used to secure animal to a stationary object

2. Prohibited Acts of Cruelty

It shall be unlawful for any person to:

- a) Physically abuse any animal by willfully or maliciously inflicting unnecessary cruelty or torture or to abuse, beat, strike, torment, or tease any animal;
- b) Cause or inflict any unnecessary or unjustifiable pain, suffering, injury, or death to any animal through any act of neglect;
- c) Cause, instigate, or permit any combat between animals, or between animals and humans;
- d) Abandon any animal; any unwanted animals should be delivered to an animal control officer for proper disposal.

3. Sanitary Standards for Living Quarters

- a) No owner or custodian of any animal shall fail to maintain both indoor and outdoor living quarters in a sanitary condition
- b) Outdoor Living Quarters:
 - i. Waste Removal: At least once daily, owners shall remove and dispose of bedding, offal, manure, and waste materials in a sanitary manner for household pets

- ii. Pest and Odor Control: All outdoor structures must be cleaned and disinfected regularly to prevent the breeding of flies, ticks, fleas, and other insects, and to prevent the emission of offensive odors
 - iii. Tethers: Any tether for an animal must be at least six (6) feet long, secured to a flat collar or harness, swivel at both ends to prevent tangling, and restrict animal from accessing public or private property outside the property at which the animal resides
- c) Indoor Living Quarters
 - i. Hygiene: Indoor areas must be kept clean and free of accumulated waste and excrement to maintain air quality
 - ii. Ventilation and Safety: Animals shall not be confined in an indoor dwelling or trailer under conditions that endanger well-being due to lack of ventilation, extremes of heat or cold, or the presence of hazardous materials
 - iii. Bedding: Indoor bedding must be maintained in a clean, dry, and sanitary condition
- d) Owners' Duty of Care

Owners or custodians of any animal within the city shall provide, at minimum

 - i. Food of sufficient quantity and nutritive value to meet daily requirements, and fresh, clean, potable water in containers designed to preclude tipping or spilling
 - ii. Appropriate veterinary care for injuries, parasites, and disease; and grooming necessary to keep the animal free from dangerous matting and skin disease
 - iii. A tethered area or enclosure free from vermin-harboring debris, junk, contaminated materials, or chemicals dangerous to the health of the animal
 - iv. Access to shade and shelter during cold weather, excessive heat, inclement, or stormy weather. Dog shelters must include a sufficient quantity of suitable bedding for insulation
- e) Enforcement and Seizure
 - i. Any agent of the Animal Control Authority or police officer is empowered to enter any premises to examine an animal and may take possession of said animal if, in their observation and opinion, the animal requires humane treatment
 - ii. Officers may seek a warrant to enter private property to inspect, care for, or impound an animal believed to be abandoned or neglected
 - iii. Officers may take immediate custody of an animal for treatment or impoundment. The custodian is responsible for all costs of impoundment, treatment, or humane destruction if deemed necessary by a veterinarian

- iv. Officers acting under this section shall not be liable for property damage, provide such damage is not the result of negligence

Section 2. Any Ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This Ordinance shall be published in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval, and publication in electronic form.

Section 4. The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

PASSED AND APPROVED this 27th day of July, 2025.

CITY OF HASTINGS, NEBRASKA

By: _____

George J.J. Beckby, Mayor

ATTEST:

By: _____

Tyler Ficken, Clerk



Approved as to form: _____

Jesse Oswald, City Attorney