

ORDINANCE NO. 2016-8

AN ORDINANCE AMENDING CHAPTER 14 ANIMALS, ARTICLE II DOGS, SECTION 14-52 BARKING AND OFFENSIVE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 14, Article II, Section 14-52 of the Wayne Municipal Code is hereby amended to read as follows:

14-52 BARKING AND OFFENSIVE.

- (a) It shall be unlawful for any person to own, keep or harbor any dog, which by loud, continued or frequent barking, howling or yelping, shall annoy or disturb any neighborhood or person, or which habitually barks at or chases pedestrians, drivers or owners of horses or vehicles while they are on any public sidewalks, streets or alleys in the city. The provisions of this section shall not be construed to apply to the designated animal shelter.
- (b) The phrase "annoy or disturb the neighborhood" shall include, but not be limited to, the creation of any noise constituting a nuisance by any animal which can be heard by any person, including a law enforcement officer, from a location outside of the building or premises where the animal is being kept and which animal noise occurs repeatedly over at least a ~~ten~~ **three**-minute period of time with one minute or less lapse or time between each animal noise during the ~~ten~~ **three**-minute period.
- (c) **The penalty for violating Subsections (a) and (b) above shall be \$25.00 for the first offense, \$100 for the second offense, and \$200 for the third or subsequent offense, and may be paid by waiver.**

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 7th day of June, 2016.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk