

**ORDINANCE NO. 1298**

**AN ORDINANCE AMENDING SECTIONS OF ARTICLE 2 AND ARTICLE 5 OF CHAPTER 6 OF THE RALSTON MUNICIPAL CODE; ADDING A NEW ARTICLE 12, CHAPTER 6, REGULATION OF MINI-PIGS TO THE RALSTON MUNICIPAL CODE; TO REPEAL ALL PROVISIONS OF THE RALSTON MUNICIPAL CODE WHICH ARE IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE; AND TO AUTHORIZE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RALSTON, NEBRASKA.

That on the 18<sup>th</sup> day of January, 2022, the Ralston City Council conducted a regularly scheduled public hearing at which it considered amending §6-201, §6-202 and §6-503 of the Ralston Municipal Code and adding a new Article 12 - Regulation of Mini-Pigs to the Ralston Municipal Code. Upon consideration of such amendments and additions, the Ralston City Council approved said amendments and additions so that after passage of this ordinance said sections shall read:

**§ 6-201 NONDOMESTICATED ANIMALS; DEFINED.**

For the purposes of this Article, "nondomesticated animal" means any horse, bovine, swine, sheep, goat, mule, doggie, burrow, chicken, turkey, duck, goose, guinea, pea fowl, swan or other animal or fowl commonly kept for commercial or agricultural purposes. This section shall not pertain to mini-pigs.

**§ 6-202 NONDOMESTICATED ANIMALS; PROHIBITED.**

It is unlawful for any person, persons, firm, corporation or other entity to keep or maintain any nondomesticated animal within the City limits. This section shall not pertain to mini-pigs.

**§ 6-503. KENNELS; KEEPING MORE DOGS OR CATS OR MINI-PIG OR COMBINATION THAN PERMITTED.**

It is unlawful for any owner, as defined, to keep, house, confine, harbor or maintain more than a combination of three animals in any place in the City other than a licensed kennel; provided, however, only one mini-pig is allowed per dwelling unit within the City limits. For the purposes of this Chapter, a litter of puppies or a litter of kittens less than four months of age shall not be included in computing the number of dogs or cats or combination thereof permitted under the provisions of this Section.

**Article XII  
Regulation of Mini-Pigs**

**§ 6-1201. NUMBER AND SIZE RESTRICTIONS.**

It shall be unlawful for any person to own, keep, or harbor at any time more than one mini-pig

per dwelling unit within the city limits. Further, it shall be unlawful for any person to own, keep or harbor any mini-pig reaching a size greater than 150 pounds in weight or 24 inches in height within the city limits.

**§ 6-1202. SPAYING; NEUTERING.**

It shall be unlawful to own, keep or harbor a mini-pig within the city limits that is not spayed or neutered within 30 days of acquiring the pig. If the pig is not yet three months old, it must be spayed or neutered within 30 days of attaining the age of three months.

**§ 6-1203. RUNNING AT LARGE.**

It shall be unlawful for any person to allow or permit any mini-pig which is owned, kept, or harbored by him to run or be at large in or upon the private premises of others or upon the streets, highways and other public places of the city.

**§ 6-1204. RESTRAINT.**

It shall be unlawful for the owner of any mini-pig within the city to fail to keep his mini-pig securely restrained by a chain or otherwise confined in or upon his premises in an enclosure sufficient to contain the mini-pig.

**§ 6-1205. MINI-PIGS DAMAGING PROPERTY OF OTHERS.**

It shall be unlawful for the owner of a mini-pig to allow or permit their mini-pig to damage property of others or cause bodily injury. If the owner is adjudged guilty of a violation of this section, the court may, in addition to the penalty provided for the violation of this Code, order such disposition or destruction of the offending mini-pig as may seem reasonable and proper.

**§ 6-1206. DISTURBANCE OF THE PEACE.**

It shall be unlawful for any person who owns, keeps, harbors, maintains, or permits on any parcel of land or premises under their control any mini-pig which by loud, continued, or frequent oinking, squealing, or grunting shall annoy or disturb the peace and comfort of the inhabitants of any neighborhood or interfere with any person or persons in the reasonable and comfortable enjoyment of life or property; provided, however, this section shall not apply to the animal shelter, veterinarians, and medical laboratories.

**§ 6-1207. APPLICABILITY OF ARTICLE.**

The provisions of this article shall be applicable and controlling within the corporate limits of the city regardless of when a mini-pig was acquired by the owner or when it was brought into the city limits.

**§ 6-1208. EXCEPTIONS.**

Notwithstanding any other provision herein, the provisions of this article shall not be deemed to apply to, or in any to interfere with, the ordinary conduct and operation of veterinary clinics, biological laboratories or pet shows, when conducted within the city.

**§ 6-1209. LICENSE REQUIRED.**

It shall be unlawful for any person to own, keep or harbor any mini-pig within the city limits unless such mini-pig has been licensed by the license authority as required by the provisions of this article; provided, however, that this article shall not apply to any mini-pig which has not reached the age of eight weeks.

**§ 6-1210. APPLICATION.**

Written application for a license required by the provisions of this article shall be made to the license authority, and the applicant shall:

1. State the name and address of the owner of the mini-pig;
2. State the color, age, and sex of the mini-pig;
3. Submit documentation signed by a licensed veterinarian indicated that, upon reaching the age of four months, the mini-pig has been neutered or spayed; and
4. Provide such other information as may identify the mini-pig.

The applicant shall certify to the information contained in such application under penalty of law for the willful making of any untrue statement.

**§ 6-1211. DATE FOR OBTAINING LICENSE.**

Licenses required by the provisions of this article shall be procured on or before January 1st of each year, provided:

1. If a mini-pig is acquired by an owner after such date, such license shall be acquired within 30 days after the date of acquisition of such mini-pig;
2. If the owner becomes a resident of the city after March 15, the owner shall acquire such license within 30 days after the owner establishes residency in the city.

**§ 6-1212. FEES GENERALLY.**

The annual fee for a license required by the provisions of this article shall be as listed in the Master Fee Schedule.

**§ 6-1213. ISSUANCE; TAG.**

1. Upon payment of the required fee, the license authority or its designee shall issue a numbered receipt and tag to the owner for the mini-pig licensed.
2. Such license receipt shall contain the owner's name and address and such description of the mini-pig as may be required for purposes of identification, and the number of the tag issued therefor.
3. Such tag shall be in such form and description as the license authority or its designee shall determine from time to time.

§ 6-1214. **SEPARATE LICENSE AND TAG REQUIRED FOR EACH MINI-PIG.**

A separate license and tag is required under the provisions of this article for each mini-pig owned, kept or harbored by any person.

§ 6-1215. **WEARING OF COLLAR AND TAG OR OTHER IDENTIFICATION.**

Upon receiving a tag under the provisions of this article, it shall be the duty of the owner or other person keeping a mini-pig to ensure that the mini-pig bears a permanent means of identification at all times such as an implanted micro-chip or such tag attached to a durable collar or harness worn at all times.

§ 6-1216. **RECORDS.**

The license authority shall keep a record of the name and address of each owner obtaining a license under the provisions of this division and the number of the license and tag issued.

§ 6-1217. **EXPIRATION.**

Licenses issued under the provisions of this article shall be valid until January 1<sup>st</sup> of the succeeding year.

§ 6-1218. **MISUSE OF TAG.**

No owner shall permit or allow their mini-pig to wear any license tag other than the one issued for such mini-pig and for the period of the license year hereinbefore mentioned.

§ 6-1219. **REMOVAL OF TAG.**

No person shall remove, or cause to be removed, the collar or tag from any licensed mini-pig without the consent of the owner, keeper, or harbinger thereof.


Any and all Ordinances or portions thereof, which are in conflict herewith are hereby repealed.

This Ordinance becomes effective upon passage by the Mayor and City Council of the City Council of the City of Ralston, Nebraska and upon its publication as provided by law.

DATED this 18<sup>th</sup> day of January, 2022.



CITY OF RALSTON, NEBRASKA

  
Donald A. Groesser, Mayor

ATTEST:



Maura Kelly, City Clerk

Approved as to form:



Donald F. Ficenec, City Attorney