

CITY OF CRETE, NEBRASKA  
CITY COUNCIL REGULAR MEETING

March 16, 2021

Notice of the meeting was given by posting and publishing in The Crete News, the appointed method for giving notice as shown by the Proof of Publication attached to the minutes. Advance notice of the meeting was also given to the Mayor and City Council. Pursuant to Section 84-1412(8) of the Nebraska Open Meetings Act, the City has posted a current copy of the Open Meetings Act, Laws of the State of Nebraska in the back of the Council Chambers. Additional copies are available to read. The City may consider items listed on the agenda in random order. All proceedings shown were taken while the meeting was open to the attendance of the public.

Those in attendance pledged allegiance to the flag.

1. Open Meeting

Committee Chair Ryan Hinz called the meeting to order at 5:22pm.

2. Roll Call

Kyle Frans: Present

Ryan Hinz: Present

Jack

Oelschlager: Present

Present: 3.

3. Items of Business

A. Discuss and provide a recommendation to the City Council on Ordinance 2121: An ordinance relating to animal regulations.

Recommend City Council approve Ordinance 2121 amending City Code related to animal regulations.

Carried with a motion by Jack Oelschlager and a second by Kyle Frans.

Kyle Frans: Aye, Ryan Hinz: Aye, Jack Oelschlager: Aye

Aye: 3, No: 0

The ordinance specifies several changes including adding the Code Enforcement Officer as an eligible animal control officer and refining definition of several allowable activities.

4. Officers' Reports

5. Adjournment

The meeting was adjourned at 5:26pm.

Mayor

(SEAL)

City Clerk

I, Judi Meyer, City Clerk for the City of Crete, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council. I hereby certify that a copy of the Open Meetings Act was posted in the back of the Council Chambers. I certify that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk. I certify that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting and that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public. I certify that the minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of the City Council. I certify that all news media requesting notification concerning meetings of the City Council were provided with advance notification of the time and place of said meeting and the subjects to be discussed.

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City Clerk

(S E A L)

## ORDINANCE NO. 2121

**AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO ANIMAL REGULATIONS; TO AMEND SECTIONS 6-102.02, 6-103, AND 6-106 OF THE CRETE MUNICIPAL CODE; TO CHANGE THE DEFINITION OF ANIMAL CONTROL OFFICER; AND TO ADD AN EDUCATION EXCEPTION TO THE PROHIBITION OF LIVESTOCK.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:**

**Section 1.** That Chapter 6, Article 1, Section 6-102.02 of the Crete Municipal Code shall be amended as follows:

### **6-102.02 Animal Control Authority; Animal Control Officers.**

~~Police officers and community service officers employed by the City~~ Any person authorized by law to enforce this Article or any other law relating to the regulation of animals shall have the responsibilities and authorities of animal control officers within the Municipality City and its extraterritorial zoning jurisdiction. All animal control officers, as ~~described within this Article~~ defined in section 6-103, shall have the authority and duty to enforce ~~any all~~ provisions within of this Article or of any other law relating to the regulation of animals.

**Section 2.** That Chapter 6, Article 1, Section 6-103 of the Crete Municipal Code shall be amended as follows:

### **6-103 Animal Regulations; terms; defined.**

For the purposes of this Article, the following words and phrases shall have the following meanings respectively ascribed to them unless the context otherwise requires:

[ . . . ]

- (5) **Animal Control Officer:** ~~Any police officer and community service officer employed by the City and assigned to the Animal Control Authority and~~ Any state, county, or local law enforcement officer or any other City employee whose temporary or full-time duties, in whole or in part, include the enforcement of any provisions within of this Article or of any other law relating to the regulation of animals.

[ . . . ]

**Section 3.** That Chapter 6, Article 1, Section 6-106 of the Crete Municipal Code shall be amended as follows:

### **6-106 Livestock; prohibited; exceptions.**

- (1) It shall be unlawful for any ~~owner person~~ person to possess, harbor, keep, or maintain control or custody of livestock ~~in within the Municipality corporate limits of the City, except for the expedient transportation of such animals through the City or as otherwise provided in this section.~~ Exceptions include:

- ~~(1) The expedient transportation of such animals through the City or to destinations described within~~

~~this section;~~

- ~~(2) Livestock animals temporarily held for sale upon commercially zoned lots operated by a veterinarian;~~
  - ~~(3) Livestock animals temporarily held within the confines of Tuxedo Park associated with events approved by the City Council to include, but not be limited to, the Saline County Fair, rodeos, circuses, demonstrations, and shows;~~
  - ~~(4) Horses participating in parades approved by the City Council;~~
  - ~~(5) Livestock animals participating in any activity of no more than eight (8) hours in duration through permit by the City Clerk and with the approval of the City Administrator; and,~~
  - ~~(6) Birds of the family Anatidae owned by and harbored upon properties owned by Doane University.~~
- (2) Subsection (1) shall not apply to the following situations if a valid permit has been issued by the City:
- (a) Livestock animals temporarily held for sale on commercially zoned lots that are used as a veterinary clinic.
  - (b) Livestock animals used in or associated with short-term activities of no more than eight hours in duration that have been approved by the City Administrator.
  - (c) Livestock animals used in or associated with temporary events that have been approved by the City Council, including, but not limited to, fairs, rodeos, circuses, demonstrations, parades, and shows.
  - (d) Birds of the family Anatidae that are owned by and kept upon property owned by Doane University.
  - (e) Livestock animals used for educational purposes that are kept within educational institutions.
- (3) The City Administrator may prescribe rules and regulations relating to the issuance of permits under this section.

**Section 4.** That the changes specified in the above sections shall be codified as part of the Crete Municipal Code as stated herein.

**Section 5.** That all ordinances, parts of ordinances, or code provisions in conflict herewith shall be repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

**Section 6.** That this ordinance shall be published in pamphlet or book form and shall take effect and be in full force and effect from and after its passage, approval, and publication, as provided by law.

PASSED AND ENACTED this 16th day of March 2021.

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Mayor

ATTEST:

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City Clerk