



City of Grand Island

Tuesday, March 25, 2014

Council Session (Corrected)

Item I-5

#2014-71 - Consideration of Approving the Approved Animal List

Staff Contact: Stacy Nonhof, Assistant City Attorney

Council Agenda Memo

From: Stacy R. Nonhof, Assistant City Attorney
Meeting: March 25, 2014
Subject: Approved Animal List
Item #'s: I-5
Presenter(s): Stacy R. Nonhof, Assistant City Attorney

Background

Periodically the City Of Grand Island takes an in-depth look at the Code to determine if any changes need to be made. Over the past year, the Legal Department has been looking in-depth at Chapter 5 Animals. The purpose of this analysis was to determine what provisions of the Code work effectively and what needs to be modified. During this review, it was discovered that the Approved Animal List that is required under Section 5-40 of City Code has not been updated since February 1998. It was determined that while a review was being done of Chapter 5, this list should be reviewed also. The Legal Department worked closely with the Central Nebraska Humane Society to analyze the way the Code is enforced and what issues the Animal Control Officers are encountering. After numerous drafts, the proposed changes were presented by the Legal Department to the Animal Advisory Board. The Animal Advisory Board then met to discuss the proposed changes and to either approve or disapprove proposed changes. What is before the Council tonight are the changes approved by the Animal Advisory Board.

Discussion

Two Study Sessions were held on March 4 and 18, 2014 to discuss the proposed changes in detail. The goal of the proposed changes is to provide more definition where needed and to increase the enforceability of these regulations. The proposed changes aim to improve the living conditions of the animals of Grand Island. Numerous discussions regarding enforcement of the Code were held prior to these proposed changes. These changes are a result of those discussions and the discussions that took place at the prior Study Sessions. The proposed List is one that sets out what animals citizens of Grand Island may legally own. The List covers animals that would otherwise be considered “wild animals” and thus prohibited pursuant to City Code.

The goal is to not only educate the citizens of Grand Island as to what types of animals they may legally own, but also to help the Animal Control Authority to know what types of animals are out there. Having this list and knowing if any of these animals are within the city limits of Grand Island helps the Animal Control Authority to be prepared. The Animal Control Authority will be able to identify if they are equipped to deal with any of these animals if they know the animals are within the city limits.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve Resolution 2014-71 adopting the revised Approved Animal List.

Sample Motion

Move to approve Resolution 2014-71.

RESOLUTION 2014-71

WHEREAS, pursuant to City Code §5-40 the Animal Advisory Board develops an Approved Animal List to be adopted by the City Council; and

WHEREAS, the last time this list was updated was February 16, 1998; and

WHEREAS, the Animal Advisory Board has recommended changes to the Approved Animal List; and

WHEREAS, it is necessary to adopt the new Approved Animal List, as identified on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, it would be beneficial to the City of Grand Island to adopt the new Approved Animal List.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Approved Animal List be modified and the changes incorporated as identified on Exhibit "A" City of Grand Island Approved Animal List.

Adopted by the City Council of the City of Grand Island, Nebraska, March 25, 2014.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
March 23, 2014	☐ City Attorney

EXHIBIT A

City of Grand Island **Approved Animal List**

This list is prepared in accordance with Section 5-40 of the Grand Island City Code. The following animals are acceptable to be kept within the city limits of Grand Island, Nebraska. Residence must obtain a permit, and pay applicable fees for each animal identified below.

Amphibians and Reptiles – General

Non-toxic amphibians and non-venomous reptiles under the length of six (6.0) feet may be kept within the City as long as they remain confined within an owner's dwelling unit, or escape-proof enclosure compatible with the animal's welfare, and provided that all species non-native to Nebraska that will reach twelve (12.0) inches or more in length at maturity are registered with the Humane Society.

Amphibians

All must be non-toxic:

- Frogs
- Toads
- Newts
- Salamanders
- Caecilians

Reptiles

- Turtles and tortoises: (federal law requires that the trade in turtles and tortoises be over four (4) inches in carapace (upper shell) length)
- Tortoises:
 - Yellow-foot
 - Red-foot
 - African hinge-back
 - African forest
- Box Turtles
 - Several American eastern
 - Western species
 - Gulf species
 - Asian hinge species
- Aquatic turtles (limited to many fresh water species)
 - Mud
 - Spotted
 - Side-necked
 - Painted

Lizards

- Anoles (15 species of New World anoles)
- Bearded dragons (Australian species)
- Chameleons (true chameleons of Africa)
- Geckos (all Old World species)
- Iguanas (limited to New World common pet store species)
- Skinks (both Old and New World species)
- Spiny Lizards (both Old and New World species)
- Swifts (both native and sub-tropic species)
- Water dragons (Asian species)

(Special NOTE: Monitor Lizards are NOT included as acceptable species although common in the pet industry. Monitor (Varanids) can be very large and dangerous)

Snakes:

- Boas (true Central and South American boas from the species Boa. (NO Old World or insular forms)
- Python (only two (2) species of true python:
 - Burmese Python (Python molurus bivittatus)
 - Royal or Ball Python (Python regius)
- Colubrid snakes (from the genus Colubridae)-(all New and Old World forms)-
(Exception-rear-fanged venomous species)

Mammals:

- Rabbits
- Guinea pigs
- Gerbils
- Hamster
- Ferrets (**Exception:** No Black-footed)
- Chinchillas
- Hedge hogs
- Sugar gliders