



City of Omaha  
Jim Suttle, Mayor

19 SEP 29 4:10:29

## Law Department

Omaha/Douglas Civic Center  
1819 Farnam Street, Suite 804  
Omaha, Nebraska 68183-0804  
(402) 444-5115  
Telefax (402) 444-5125

**Paul D. Kratz**  
City Attorney

Honorable President

and Members of the City Council,

The purpose of the attached Resolution, prepared at the request of Council President Garry Gernandt, is to receive from the Nebraska Humane Society its September 23, 2010 report providing statistical data and an evaluation of the effectiveness of the requirements of Section 6-163 of the Omaha Municipal Code in reducing bites and other incidents involving dogs covered by the section. This report is required to be submitted to the Council on or before October 1, 2010 by Section 6-164 O.M.C.

Respectfully submitted,

Jo A. Cavel  
Deputy City Attorney

# CITY OF OMAHA

LEGISLATIVE CHAMBER

Omaha, Nebraska

RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

WHEREAS, Section 6-164 of the Omaha Municipal Code requires the Animal Control Authority to submit to the City Council on or before October 1, 2010 a report providing statistical data and an evaluation of the effectiveness of the requirements of Section 6-163 O.M.C. in reducing bites and other incidents involving dogs covered by the section; and,

WHEREAS, attached hereto is a report prepared by the Nebraska Humane Society pursuant to such ordinance; and,

WHEREAS, the ordinance requires that such report be received by the Council by resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

THAT, the attached September 23, 2010 report of the Nebraska Humane Society prepared pursuant to Section 6-164 of the Omaha Municipal Code evaluating the effectiveness of the requirements of Section 6-163 O.M.C. in reducing bites and other incidents involving dogs covered by the section is hereby received.

APPROVED AS TO FORM:

	9-27-10
DEPUTY CITY ATTORNEY	DATE

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By.....  
Councilmember

Adopted.....  
.....  
City Clerk

Approved.....  
Mayor

# Nebraska Humane Society

Join the Humane Race.

September 23, 2010

Omaha City Council President Garry Gernandt  
Omaha-Douglas Civic Center  
1819 Farnam Street  
Omaha, Ne. 68183

Dear Council President Gernandt;

Pursuant to Omaha City Ordinance 6-164 the Nebraska Humane Society submits the attached report which provides relevant statistical data on the effectiveness of Omaha City ordinance 6-163 entitled "Pit bulls—Leash and muzzle required".

It is the position of the Nebraska Humane Society that this ordinance has been effective in reducing bites involving dogs defined as "Pit bulls" in the ordinance.

Please contact me with any questions and/or concerns.

Thank you.

Sincerely,



Judy Varner  
President and CEO

	TO	CY
ALL CM'S		<input checked="" type="checkbox"/>
DIST. #1		
DIST. #2		
DIST. #3		
DIST. #4	<input checked="" type="checkbox"/>	
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CH. OF STAFF		<input checked="" type="checkbox"/>
STAFF		<input checked="" type="checkbox"/>
CITY CLERK		
LOBBYIST		

SEP 23 '10

TIME 11:30 *JD*



**Sec. 6-163. Pit bulls--Leash and muzzle required.**

It shall be unlawful for any person owning, harboring or having the care of a pit bull to permit such animal to be outdoors unless confined in a securely fenced yard or unless the animal is under the control of a person 19 years of age or older, restrained securely by a harness and leash no longer than six feet and properly muzzled to reasonably prevent the animal from biting.

For purposes of this section, pit bull shall be defined as any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, Dogo Argentina, Presa Canario, Cane Corso, American Bulldog, or any dog displaying the majority of physical traits of any one or more of the above breeds (more so than any other breed), or any dog exhibiting those distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds. The A.K.C. and U.K.C. standards for the above breeds are on file in the office of the animal control authority.

Provided that a pit bull which is a participant in an organized dog event approved by the authority shall not be required to be leashed and muzzled while outdoors and being shown or otherwise actively competing in such event.

(Ord. No. 38257, § 17, 9-30-08)

**Editor's note:** Section 22 of Ord. No. 38257 states that § 17 of the ordinance, entitled "Pit bulls--Leash and muzzle required," and codified herein as § 6-163, shall not be effective until January 1, 2009.

Total number of citation for 6-163 for 2009: **151**

Total number of citations for 6-163 for 2010 (YTD): **54**

Bite Data:

NHS categorizes severity of dog bites by bite levels. Level 1 is the least serious, with level 6 being death.

Below is a description of the varying bite levels:

- Level 1:** Snap and miss (not tracked by NHS)
- Level 2:** Single bite, enough pressure to bruise or scrape
- Level 3:** Single bite, one to four punctures from the teeth, could have caused tearing by pulling away (most bites fall here)
- Level 4:** Single bite, holds on and shakes, or single bite, leaves, bites again more than once, or multiple bites with the jaws moving quickly (unable to count how many)
- Level 5:** Level 4 bite with mutilation or missing parts
- Level 6:** Death

Below is a comparison of Pit Bull bites from 2008-2009, and 2010 through August:

2008 Pit Bull bites: **121 Total**

Level 2: 52  
Level 3: 58  
Level 4: 8  
Level 5: 3

2009 Pit Bull bites: **73 Total**

Level 2: 49  
Level 3: 17  
Level 4: 4  
Level 5: 3

2010 (through August) Pit Bull bites: **28 Total**

Level 2: 19  
Level 3: 6  
Level 4: 2  
Level 5: 1

# REQUEST TO LAW DEPARTMENT

TO: Paul Kratz, City Attorney

DATE: September 23, 2010

## For Law Department Use Only

Log Book #: \_\_\_\_\_  
Date Assigned: \_\_\_\_\_  
Assigned to: \_\_\_\_\_  
Answered/Sent Out: \_\_\_\_\_  
Withdrawn: \_\_\_\_\_

REQUEST BEING MADE BY: On behalf of Council President Garry Gernandt

Jim Dowding, Council Staff Assistant  
(Name)    City Council    6298  
(Department)    (Phone)

TIME LINE (Due Date): October 5, 2010 Council Agenda  
(12 Working Days from Date Received by Law Department)

REQUEST FOR Resolution  
(State Specifically What You Are Requesting)

DETAILS: (Do Not State "See Attached")

Council President Garry Gernandt requests a resolution to accept the attached report from the Nebraska Humane Society. This report is submitted to the Council pursuant to Sec. 6-164, which required the Humane Society to provide its evaluation of the effectiveness of Sec. 6-163. Sec. 6-163 is an ordinance adopted September 30, 2008 and effective January 1, 2009 requiring pit bulls and similar breeds to be confined in a securely fenced yard or to be restrained by a harness, leash and muzzle.

INFORMATION ATTACHED: YES X NO \_\_\_\_\_ NONE AVAILABLE \_\_\_\_\_

jd

c: Councilmembers  
Steve Oltmans, Mayor's Office  
Alex Hayes, Chief of Police  
Buster Brown, City Clerk  
Council Staff

W