



Nebraska Revised Statute 54-626

Revised Statutes Chapter 54 54-626

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Chapter 54 Section 626

54-626.

Terms, defined.

For purposes of the Commercial Dog and Cat Operator Inspection Act:

- (1) Animal control facility means a facility operated by or under contract with the state or any political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted animals;
- (2) Animal rescue means a person or group of persons who hold themselves out as an animal rescue, accept or solicit for dogs or cats with the intention of finding permanent adoptive homes or providing lifelong care for such dogs or cats, or who use foster homes as the primary means of housing dogs or cats;
- (3) Animal shelter means a facility used to house or contain dogs or cats and owned, operated, or maintained by an incorporated humane society, an animal welfare society, a society for the prevention of cruelty to animals, or another nonprofit organization devoted to the welfare, protection, and humane treatment of such animals;
- (4) Boarding kennel means a facility which is primarily used to house or contain dogs or cats owned by persons other than the operator of such facility. The primary function of a boarding kennel is to temporarily harbor dogs or cats when the owner of the dogs or cats is unable to do so or to provide training, grooming, or other nonveterinary service for consideration before returning the dogs or cats to the owner. A facility which provides such training, grooming, or other nonveterinary service is not a boarding kennel for the purposes of the act unless dogs or cats owned by persons other than the operator of such facility are housed at such facility overnight. Veterinary clinics, animal control facilities, animal rescues, and nonprofit animal shelters are not boarding kennels for the purposes of the act;
- (5) Breeding dog means any sexually intact male or female dog six months of age or older owned or harbored by a commercial dog breeder;
- (6) Cat means any animal which is wholly or in part of the species *Felis domesticus*;
- (7) Commercial cat breeder means a person engaged in the business of breeding cats:
 - (a) Who sells, exchanges, leases, or in any way transfers or offers to sell, exchange, lease, or transfer thirty-one or more cats in a twelve-month period beginning on April 1 of each year;

- (b) Who owns or harbors four or more cats, intended for breeding, in a twelve-month period beginning on April 1 of each year;
- (c) Whose cats produce a total of four or more litters within a twelve-month period beginning on April 1 of each year; or
- (d) Who knowingly sells, exchanges, or leases cats for later retail sale or brokered trading;
- (8) Commercial dog breeder means a person engaged in the business of breeding dogs:
- (a) Who sells, exchanges, leases, or in any way transfers or offers to sell, exchange, lease, or transfer thirty-one or more dogs in a twelve-month period beginning on April 1 of each year;
- (b) Who owns or harbors four or more dogs, intended for breeding, in a twelve-month period beginning on April 1 of each year;
- (c) Whose dogs produce a total of four or more litters within a twelve-month period beginning on April 1 of each year; or
- (d) Who knowingly sells, exchanges, or leases dogs for later retail sale or brokered trading;
- (9) Dealer means any person who is not a commercial dog or cat breeder or a pet shop but is engaged in the business of buying for resale or selling or exchanging dogs or cats as a principal or agent or who claims to be so engaged. A person who purchases, sells, exchanges, or leases thirty or fewer dogs or cats in a twelve-month period is not a dealer;
- (10) Department means the Bureau of Animal Industry of the Department of Agriculture with the State Veterinarian in charge, subordinate only to the director;
- (11) Director means the Director of Agriculture or his or her designated employee;
- (12) Dog means any animal which is wholly or in part of the species *Canis familiaris*;
- (13) Foster home means any person who provides temporary housing for twenty or fewer dogs or cats that are six months of age or older in any twelve-month period and is affiliated with a person operating as an animal rescue that uses foster homes as its primary housing of dogs or cats. To be considered a foster home, a person shall not participate in the acquisition of the dogs or cats for which temporary care is provided. Any foster home which houses more than twenty dogs or cats that are six months of age or older in any twelve-month period or who participates in the acquisition of dogs or cats shall be licensed as an animal rescue;
- (14) Harbor means:
- (a) Providing shelter or housing for a dog or cat regulated under the act; or
- (b) Maintaining the care, supervision, or control of a dog or cat regulated under the act;
- (15) Housing facility means any room, building, or areas used to contain a primary enclosure;
- (16) Inspector means any person who is employed by the department and who is authorized to perform inspections pursuant to the act;
- (17) Licensee means a person who has qualified for and received a license from the department pursuant to the act;
- (18) Normal business hours means daily between 7 a.m. and 7 p.m. unless an applicant, a licensee, or any other person the department has reasonable cause to believe is required by the act to be licensed provides in writing to the department a description of his or her own normal business hours which reasonably allows the department to make inspections;
- (19) Operator means a person performing the activities of an animal control facility, an animal rescue, an animal shelter, a boarding kennel, a commercial cat breeder, a commercial dog breeder, a dealer, or a pet shop;
- (20) Pet animal means an animal kept as a household pet for the purpose of companionship, which includes, but is not limited to, dogs, cats, birds, fish, rabbits, rodents, amphibians, and reptiles;
- (21) Pet shop means a retail establishment which sells pet animals and related supplies;

(22) Premises means all public or private buildings, vehicles, equipment, containers, kennels, pens, and cages used by an operator and the public or private ground upon which an operator's facility is located if such buildings, vehicles, equipment, containers, kennels, pens, cages, or ground are used by the owner or operator in the usual course of business;

(23) Primary enclosure means any structure used to immediately restrict a dog or cat to a limited amount of space, such as a room, pen, cage, or compartment;

(24) Secretary of Agriculture means the Secretary of Agriculture of the United States Department of Agriculture;

(25) Significant threat to the health or safety of dogs or cats means:

(a) Not providing shelter or protection from extreme weather resulting in life-threatening conditions predisposing to hyperthermia or hypothermia in dogs or cats that are not acclimated to the temperature;

(b) Acute injuries involving potentially life-threatening medical emergencies in which the owner refuses to seek immediate veterinary care;

(c) Not providing food or water resulting in conditions of potential starvation or severe dehydration;

(d) Egregious human abuse such as trauma from beating, torturing, mutilating, burning, or scalding; or

(e) Failing to maintain sanitation resulting in egregious situations where a dog or cat cannot avoid walking, lying, or standing in feces;

(26) Stop-movement order means a directive preventing the movement of any dog or cat onto or from the premises; and

(27) Unaltered means any male or female dog or cat which has not been neutered or spayed or otherwise rendered incapable of reproduction.

Source

Laws 2000, LB 825, § 2;
Laws 2003, LB 233, § 1;
Laws 2003, LB 274, § 2;
Laws 2004, LB 1002, § 1;
Laws 2009, LB241, § 2;
Laws 2010, LB910, § 5;
Laws 2012, LB427, § 2;
Laws 2015, LB360, § 14.

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