



Affidavit of Publication

STATE OF NEVADA,
County of Washoe—SS.

..... Mary Hefling
being duly sworn, deposes and says that he is the
..... Record Clerk
of The SPARKS TRIBUNE, a weekly newspaper,
published in Sparks, Washoe County, Nevada; that
he has charge of and knows the advertising ap-
pearing in said newspaper, and the

..... Notice of County Ordinance
..... Bill No. 659, Ordinance No. 488

..... of which a copy is hereunto attached, was first
published in said newspaper in its issue dated
..... April 29, 19 81
and was published in each of the following issues
thereafter: May 6, 1981
the date of the last publication being in the issue
of May 6, 19 81

..... *Mary Hefling*
Subscribed and sworn to before me this, the

..... 6th day of May, 19 81

..... *Loretta Dickerson*
Notary Public in and for the County of Washoe,

State of Nevada.

My Commission expires: October 25, 1984

.....

LORETTA DICKERSON
Notary Public - State of Nevada
Washoe County
My Appointment Expires Oct. 25, 1984
.....

NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN THAT BILL No. 659, Ordinance No. 488, amending Ordinance No. 226 entitled, "An Ordinance providing for the licensing and inoculation against rabies of dogs in designated congested areas of the unincorporated area of Washoe County; provides for special permits to maintain in excess of three dogs; prohibits dogs running at large or trespassing on private property; provides for the quarantine of biting animals; provides for the designation of a poundkeeper and the impoundment of animals found in violation of the provisions of this ordinance; providing for regulations for impoundment, destruction and release of animals; prohibits the keeping of noisy animals; provides for the impounding of all dogs endangering private or public property, public safety, themselves, or other animals; provides penalties for non-compliance with the provisions hereof; and other matters properly relating thereto" by imposing minimum enclosure requirements for certain kennels; increasing permit fees paid by operators of those kennels; and providing for impoundment of animals under certain conditions was adopted on April 21, 1981, by Commissioners Farr, Ferrari, Brown, Underwood and Williams.
Typewritten copies of the Ordinance are available for inspection by all interested persons at the Office of the County Clerk.
Judl Bailey,
County Clerk
Pub.: Apr. 29, May 6, 1981.

SUMMARY: Amends County Ordinance No. 226 by imposing minimum enclosure requirements for certain kennels; increasing permit fees paid by operators of those kennels; and providing for impoundment of animals under certain conditions.

BILL NO. 659

ORDINANCE NO. 488

AN ORDINANCE AMENDING "AN ORDINANCE PROVIDING FOR THE LICENSING AND INOCULATION AGAINST RABIES OF DOGS IN DESIGNATED CONGESTED AREAS OF THE UNINCORPORATED AREA OF WASHOE COUNTY; PROVIDES FOR SPECIAL PERMITS TO MAINTAIN IN EXCESS OF THREE DOGS; PROHIBITS DOGS RUNNING AT LARGE OR TRESPASSING ON PRIVATE PROPERTY; PROVIDES FOR THE QUARANTINE OF BITING ANIMALS; PROVIDES FOR THE DESIGNATION OF A POUND-KEEPER AND THE IMPOUNDMENT OF ANIMALS FOUND IN VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR REGULATIONS FOR IMPOUNDMENT, DESTRUCTION AND RELEASE OF ANIMALS; PROHIBITS THE KEEPING OF NOISY ANIMALS; PROVIDES FOR THE IMPOUNDING OF ALL DOGS ENDANGERING PRIVATE OR PUBLIC PROPERTY, PUBLIC SAFETY, THEMSELVES, OR OTHER ANIMALS; PROVIDES PENALTIES FOR NONCOMPLIANCE WITH THE PROVISIONS HEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO" BY IMPOSING MINIMUM ENCLOSURE REQUIREMENTS FOR CERTAIN KENNELS; INCREASING PERMIT FEES PAID BY OPERATORS OF THOSE KENNELS; AND PROVIDING FOR IMPOUNDMENT OF ANIMALS UNDER CERTAIN CONDITIONS.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

SECTION 1. Section 1 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 1. Definitions.

As used in this ordinance, unless the context otherwise requires:

- A. "Animal Control Center" means the facility designated by the Board of County Commissioners for impoundment, care and disposal of animals.
- B. "Animal Control Officer" includes the animal control officer, his deputies and authorized representatives.
- C. "At large" includes every instance in which an animal is found to be beyond the custody and control of its owner or other person responsible therefor. An animal is deemed to be "at large" when it is found off the premises of its owner or other person responsible therefor and not accompanied and under immediate control by physical restraint or by signal or voice.
- D. "Congested area" includes any area of the County so designated by the Board of County Commissioners and described in section 21 of this ordinance.
- E. "County" means Washoe County.
- F. "Kennel" means an enclosure where more than 3 dogs over 6 months of age are kept and maintained.
- G. "Owner" includes any person who owns, keeps or harbors any animal.

81-631

- H. "Person" includes a natural person, corporation, firm or partnership.

SECTION 2. Section 2 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 2. Authority of Animal Control Officer.
The Animal Control Officer, appointed by the Board of County Commissioners, shall enforce all provisions of this and other ordinances and all laws of the State relating to the care, treatment, impoundment and disposal of animals. The Animal Control Officer may appoint such deputies as may be necessary to carry out the duties imposed by this section.

SECTION 3. Section 4 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 4. Interference with Animal Control Officer and deputies.

It is unlawful for any person to interfere with the Animal Control Officer or his deputies in the performance of their duties.

SECTION 4. Section 5 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 5. Licenses, Permits, Vaccination and Fees.

- A. Except as otherwise provided in this ordinance, it is unlawful for the owner of any dog to keep or maintain the dog in any congested area unless it is licensed as hereinafter provided. Licenses shall be issued and renewed by the Animal Control Officer.
- B. Every owner of a dog in a congested area shall pay to the Animal Control Officer an annual license fee of \$4.00 per dog. The license fee is due and payable on or before the 1st day of July of each year. Any owner of a dog in a congested area who has not obtained or renewed its license on or before July 31st of each year shall be declared delinquent, shall be required to obtain the license and, in addition to the regular license fee herein provided, shall pay a penalty of \$5.00 to the Animal Control Officer. Upon exhibition of the proper certificate of vaccination pursuant to the provisions of Paragraph D of this section and payment of the license fee, the Animal Control Officer shall issue a certificate stating the license year for which the license fee is paid, a description of the dog, the date of payment and the name and residence address of the person to whom the license is issued. The Animal Control Officer shall also issue a metal or plastic tag numbered to correspond with the license or certificate of registry with the license year stamped thereon.
- C. The Animal Control Officer, his deputy or authorized representative shall not issue a license for any dog until:

- (1) The dog has been vaccinated with canine rabies vaccine by a doctor licensed to practice veterinary medicine in the state in which the dog was vaccinated, and the owner of the dog produces a certificate of vaccination with an expiration date which is not sooner than December 31st of the year for which the license is issued. Each certificate of vaccination shall expire as noted on the vaccination certificate, shall set forth the name and address of the owner of the dog, contain sufficient information to identify the dog vaccinated and the date of the vaccination and specify the type and lot of the vaccine used; or
- (2) The owner of the dog furnishes a statement from a doctor of veterinary medicine that the dog should not be vaccinated.
- D. The owner of the dog for which a license has been issued shall attach the tag to a suitable collar around the dog's neck. If such tag is lost the owner shall procure a duplicate tag and pay a fee of \$1.00 therefor. Licensed dogs confined on the premises of the owner are not required to wear a license tag and collar while so confined; however, the owner shall produce evidence of current licensing upon request by the Animal Control Officer.

SECTION 5. Section 6 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 6. Licensing Exemptions.

The licensing provisions of Section 5 of this ordinance do not apply to the owner of any dog which is:

- A. Under 6 months of age if the dog is kept within an enclosure and is not allowed to run at large;
- B. Being trained for use or actually used by a visually handicapped person; however, the dog shall not be permitted to be at large.
- C. Under the care and in the possession of a licensed veterinarian; or
- D. Owned or maintained by a kennel operator pursuant to a special permit issued by the Animal Control Officer; however, the owner shall produce a certificate of vaccination for the dog upon request of the Animal Control Officer or any peace officer.

SECTION 6. Section 8 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 8. Permit to Keep More Than 3 Dogs.

Except as provided in Section 9, no more than 3 dogs over 6 months of age may be kept at any place within a congested area without a special permit therefor, as hereinafter provided.

SECTION 7. Section 9 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 9. Permit Procedure.

- A. Application for a special permit shall be made to the Animal Control Officer. The application shall specify the number of dogs for which a special permit is requested. Upon receipt of the application, the Animal Control Officer shall notify each person residing within 200 feet of the location at which the dogs will be kept or maintained that an application has been received for a special permit. The Animal Control Officer shall also inspect the premises for which the application for a permit is made to determine that:
- (1) Keeping the dogs at the location specified in the application will not violate any ordinance of the County, regulation of the Washoe County District Board of Health or any law of the State of Nevada;
 - (2) The premises contain an adequate enclosure for keeping the dogs;
 - (3) Maintenance of the dogs will not endanger the peace, health or safety of persons residing in Washoe County;
 - (4) The premises are capable of being maintained in a clean and sanitary condition, and any dog therein will not be subject to neglect, cruelty or abuse;
 - (5) Keeping and maintenance of the dogs will not constitute a nuisance as defined in NRS 40.140.
- B. The dogs which are the subject of the special permit must be kept in a kennel. The kennel shall:
- (1) Be not less than 6 feet in width by 10-1/2 feet in length by 6 feet in height (540 cubic feet) for four small size dogs such as toy poodles, pekingese and chihuahuas. The width of the kennel shall be increased by 2 feet for each additional dog.
 - (2) Be not less than 14 feet in width by 12 feet in length by 6 feet in height (1,008 cubic feet) for four medium size dogs such as laborador retrievers, German shepherds and collies. The width of the kennel shall be increased by 4 feet for each additional dog.
 - (3) Be not less than 18 feet in width by 20 feet in length by 6 feet in height (2,160 cubic feet) for four large size dogs such as Saint Bernards and Great Danes. The width of the kennel shall be increased by 6 feet for each additional dog.
 - (4) Be constructed of not less than 11 gauge chain link fence.

- (5) Have a concrete floor. Wood, gravel or dirt flooring is permitted if the kennel walls have concrete footings not less than 24 inches in depth. The walls of the kennel shall be securely fixed to the concrete floor or footings and the top of the kennel shall be securely attached to the walls.
- (6) Contain an area sheltered from adverse climatic conditions to which the dogs have access at all times.

Width and length of kennels may be altered upon approval of the Animal Control Officer provided that the overall cubic foot size requirements specified above are met.

- C. Within 10 days following the inspection of the premises, the Animal Control Officer shall approve, conditionally approve, or disapprove the application for the special permit. If the application is conditionally approved, the Animal Control Officer shall specify in writing those conditions upon which the special permit will be issued.
- D. If the applicant or any person notified pursuant to Paragraph A of this Section is dissatisfied with any decision of the Animal Control Officer, he may, within 15 days after the decision, appeal it to the Board of County Commissioners. The Board shall consider such evidence as is presented relating to the decision of the Animal Control Officer and may reverse, approve or modify the decision of the Animal Control Officer by a simple majority vote.
- E. If an application for a special permit is disapproved or the Board of County Commissioners reverses the decision of the Animal Control Officer to approve the permit, the applicant, within 30 days of the disapproval or reversal, shall comply with the provisions contained in Section 8 of this ordinance.
- F. Failure of the Animal Control Officer to render a decision within 90 days from the date of application shall constitute approval of the application for a special permit.
- G. A special permit is not required and the provisions of Paragraph B, above, do not apply to kennels used to board animals owned by other persons and operated pursuant to a business license issued by the Board of County Commissioners.

SECTION 8. Section 10 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 10. Special Permit Fee.

- A. A person owning or operating a kennel pursuant to a special permit need not license each dog contained therein but shall pay an annual permit fee of \$4 per dog to the Animal Control Officer. The fee shall be used to defray costs of inspection of

the kennel by the Animal Control Officer and shall be paid each year not later than the date on which the initial fee was paid.

- B. A fee shall not be charged if the principal purpose in operating a kennel is to keep and maintain dogs which are being trained as guides for the visually handicapped.

SECTION 9. Section 11 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 11. Revocation of Special Permit.

A special permit issued pursuant to Section 9 of this ordinance may be suspended or revoked for failure of the permittee to comply with the provisions of this ordinance or with any condition imposed on the permit. The permit may not be suspended or revoked by the Board of County Commissioners until after a hearing thereon before the Board if requested by the permittee. No permit may be suspended or revoked on the basis of any complaint which cannot be verified by the Animal Control Officer.

SECTION 10. Section 12 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 12. Premises Inspections.

As a condition of approval of a special permit, the permittee agrees to allow the Animal Control Officer to inspect the premises which are the subject of the permit at any reasonable time.

SECTION 11. Section 13 of Washoe County Ordinance No. 226 is hereby amended to read as follows:

SECTION 13. Prohibits Animals from Being at Large and Provides for the Impounding of Animals Endangering or Causing Damage to Themselves, any Property, Public Safety or any other Animal.

- A. It is unlawful for the owner of any animal except a domestic cat to permit the animal to be at large within any congested area.
- B. It is unlawful for the owner of any animal to permit the animal to endanger or cause damage to itself, any property, public safety or any other animal.
- C. Any person may take up and impound at the animal control center:
1. Any animal except a domestic cat which is found at large within a congested area;
 2. Any animal which is trespassing on that person's property; and
 3. Any animal which is endangering or causing damage to itself, any property, public safety or any other animal.

SECTION 12. Section 29 of Washoe County Ordinance No. 226 is hereby repealed.

Proposed on the 14 day of April, 1981.

Proposed by Commissioner Brown

Passed on the 21st day of April, 1981.

Vote:

Ayes: Commissioners: Farr, Ferrari, Underwood, Brown, & Williams

Nays: Commissioners: None

Absent: Commissioners: None

Bill Farr
Chairman of the Board

ATTEST:

Judi Bailey
County Clerk

This ordinance shall be in force and effect from and after the 6th day of May, 1981.