

SUMMARY: Amends Washoe County Code by implementing the required provisions of SB191 regarding pet crematories, and other matters properly relating thereto.

BILL NO. 1662

ORDINANCE NO. 1481

AN ORDINANCE FOR TECHNICAL REVISION AND AMENDMENT OF THE WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) AT SECTION 110.304.25(C) (4) TO IMPLEMENT THE REQUIRED PROVISIONS OF SB191, ADOPTED BY THE NEVADA STATE SENATE ON JUNE 20, 2011, REGARDING PET CREMATORIES.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DOES ORDAIN:

SECTION 1 Recitals

WHEREAS:

A. On June 6, 2011, the Nevada Legislature adopted SB 191 (Statutes of Nevada, 2011, Chapter 532) imposing certain new requirements for persons operating pet crematoriums including a reduction in the required lot size for such facilities. Washoe County Development Code must be changed to reflect the new statutory requirements.

B. As this ordinance must be adopted to comply with a state statute, the provisions of NRS 237.010 through 237.150 do not apply.

SECTION 2 Amendment to Washoe County Development Code.

Washoe County Development Code at 110.304.25(C) (4) is hereby amended to read as follows:

Section 110.304.25 Commercial Use Types. Commercial use types include the distribution and sale or rental of goods, and the provision of services other than those classified as civic or industrial use types. All permanent commercial uses are required to operate from a commercial structure.

- (c) **Animal Sales and Services.** Animal sales and services use type refers to establishments or places of business primarily engaged in animal-related sales and services. Animals kept as domestic pets or as accessory uses to a residential use are regulated by the

accessory use provisions of Article 330, Domestic Pets and Livestock. The following are animal sales and services use types:

- (4) Pet Cemeteries. Pet cemeteries refers to services involving the preparation of dead animals for burial and the keeping of animal bodies on cemetery grounds as well as cremation of dead animals. Regardless of the regulatory zone in which it is located a pet cemetery must be located on a parcel at least 2.5 acres in size. Cremation of dead animals shall take place in an area designated only for the cremation of pets and which complies with any applicable federal or state statute or regulation or local ordinance.

SECTION 3 General Terms .

1. This ordinance shall be in effect from and after its publication as required by NRS 244.100.

2. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.

3. The Chairman of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The County Clerk is authorized to make non-substantive edits and corrections to this Ordinance.

4. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

5. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

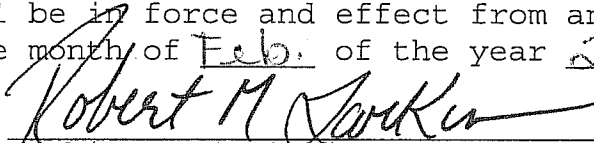
Passage and Effective Date

This ordinance was proposed on 12-13-11 by
Commissioner Larkin.

This ordinance was passed on 1-24-12.

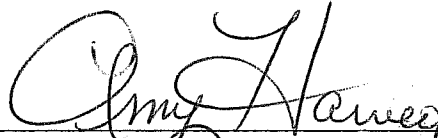
Those voting "aye" were LARKIN-Jung-Weber-Breternitz-Humke
Those voting "nay" were none.
Those absent were none.
Those abstaining were none.

This ordinance shall be in force and effect from and after
the 3 day of the month of Feb. of the year 2012.



Robert M. Larkin, Chairman
Board of County Commissioners
Washoe, County, Nevada

ATTEST:



Amy Harvey
County Clerk

