

## **Excerpt of December 9, 2014, meeting**

- 10. KENNEL PERMIT APPEAL HEARING** [For possible action] – *A review discussion and possible action to approve, deny or otherwise modify a kennel permit to allow John and Debra Jones to keep five (5) dogs at 2145 Probasco Way, Sparks, Nevada (City of Sparks).*

Lead Animal Control Officer Nancy Ueda outlined the request and subsequent inspection report dated September 9, 2014. The kennel plan submitted meets Washoe County Code requirements with the dogs having full use of the majority of the residence. Additionally, the applicant is aware that the dogs cannot be left outside without adult supervision. The dogs appeared to be well maintained with no evidence of odor or other clutter. Officer Ueda then outlined the calls for service at the address including a noise complaint that resulted in a notice to reduce, which prompted the application for a kennel permit. The most recent complaint was received October 17, 2014 with others dating back to 2013.

Vice-chair Simmonds opened public comment noting that the applicants were not present.

Charles Donohue spoke in opposition to the kennel permit noting that the barking had been going on for more than a year. The only time the barking stops is when the dogs go inside the house. At no time has he ever heard anyone tell the dogs to stop barking and the one time he asked them to quiet the dogs the response had been to put a loudspeaker outside the home and turn it up. Mr. Donohue noted that the applicants had not appeared at the Administrative Hearing on December 5, 2014. It is Mr. Donohue's belief that this is an example of "poor dog ownership."

Teresa Croy expressed her strong opposition to the kennel permit noting that there are no bad dogs only bad owners. Ms. Croy also stated that she has never heard any attempt at discipline when the dogs bark for hours on end. Although the noise levels have improved somewhat the entire neighborhood can hear the barking.

Vice-chair Simmonds pointed out that in the absence of a kennel permit the applicant will have to reduce to not more than three (3) dogs with the ACB (Animal Control Board) having no further jurisdiction. However, if the kennel permit is approved the dogs could not be outside unless supervised by an adult.

Ms. Croy noted that in the past ten (10) years the applicants have not demonstrated that they are responsible pet owners. Although she suspects that they may be breeding dogs, she has never seen puppies.

Mr. Donohue commented that he had seen a cardboard sign with a telephone number offering puppies for sale.

Vice-chair Simmonds closed the public hearing.

Members Church, Hass and Forbes commented that they could not support the request and pointed out that the applicants did not seem to care if the application was or approved or not by their absence.

***It was moved by Member Forbes, seconded by Member Church, to deny the kennel permit to allow John and Debra Jones to keep five (5) dogs at 2145 Probasco Way, Sparks, Nevada (City of Sparks). Member Forbes stated she could not make the applicable Findings in Washoe County Code 55.400(3) and 55.420 based on the absence of the applicants. The motion carried: Members Church, Forbes, Hass and Vice-chair Simmonds assenting; Member Davis absent, and two positions vacant.***

Vice-chair Simmonds read the appeal process into the record.