

WASHOE COUNTY CODE CHAPTER 55 REGARDING EXOTIC ANIMAL PERMITS

55.650 Exotic animals; application for permit to keep.

1. It is unlawful for any person to keep any exotic animal within the county without a permit therefor approved by the animal control board.
2. Application to keep an exotic animal must be filed with the county and must:
 - (a) Specify the exotic animal or animals for which the permit is requested; and
 - (b) Be accompanied by construction drawings showing the proposed design and location of the appropriate enclosure required under section 55.680, 55.690, 55.700, 55.710 or 55.720. If the animal or animals are to be kept in an existing enclosure, a detailed drawing of the enclosure must be submitted. All drawings must specify the type and size of the enclosure, the type of material used to construct the enclosure and the location of the enclosure on the premises.
3. Upon receipt of the application, the county will review the drawings of the enclosure and provide for an animal control officer to inspect the premises for which the application for a permit is made to determine that:
 - (a) Keeping the animal or animals at the location specified in the application will not violate any state or local laws or regulations;
 - (b) The enclosure will meet the requirements of section 55.680, 55.690, 55.700, 55.710 or 55.720;
 - (c) Maintenance of the animal or animals will not endanger the peace, health or safety of persons residing in the county;
 - (d) The premises are capable of being maintained in a clean and sanitary condition, and any animal or animals therein will not be subject to neglect, cruelty or abuse;
 - (e) Keeping and maintaining the animal or animals will not constitute a nuisance as defined herein and by state law; and
 - (f) If an exotic animal is to be imported into the county, a copy of the written approval received from the department of wildlife pursuant to NRS 503.597 must accompany the application.
4. Each application shall be accompanied by a nonrefundable fee set by the board of county commissioners.

[‘67, Ord. No. 1207; A Ord. No. 1269]

55.660 Approval, disapproval of application to keep exotic animal; issuance of permit; appeals.

1. Upon receipt of the completed application and within 10 days following the inspection of the premises, the county will set a date for a hearing before the animal control board. The county will notify any person residing within 200 feet of the location at which the exotic animal will be kept or maintained and each person residing on property adjacent to the property for which the permit application has been filed. The notification will indicate the type of animal for which the permit is sought, the address of the applicant, and the date of the hearing.

- 2.** Any person notified pursuant to subsection 1, may file a written objection within 15 days of receipt of the notification. The written objection must be filed with the county.
 - 3.** All proceedings of the animal control board shall be conducted in accordance with the provisions of Chapter 241 of the NRS. At the time and place set for the hearing, the animal control board will consider all objections filed and other evidence presented and may approve or prohibit the keeping of the exotic animal. The animal control board shall not approve a permit to keep an exotic animal unless the board can make the findings set forth in section 55.650(3).
 - 4.** In taking action at the hearing to approve the permit, the animal control board may impose conditions it deems necessary or advisable to the permit, including, but not limited to at what times and under what conditions the animal may be removed from its enclosure. In considering removal of the animal from its enclosure, the animal control board shall consider, among other things, and in the following order of priority:
 - (a)** The effect on public health and safety if such removal is allowed;
 - (b)** Whether the need exists for secure restraint of the animal by leash or other device, while the animal is removed from the enclosure;
 - (c)** Whether, and by what method, the animal will be transported to other areas within or without the county; and
 - (d)** Whether the method of transportation of the animal is adequate to insure public health and safety.Except in cases of emergency wherein the life, health or safety of the exotic animal is threatened or immediate medical treatment is required, the owner thereof shall strictly adhere to each condition imposed by the animal control board pursuant to this section. Failure to do so constitutes cause for immediate suspension and revocation of the permit to keep the animal.
 - 5.** If the applicant is required to construct or remodel an enclosure, he must immediately apply to the building department in the jurisdiction where the enclosure is to be located for the appropriate permits. The enclosure must be constructed or remodeled within 60 days of issuance of the building permit and in strict compliance with the provisions this chapter, including any conditions imposed by the animal control board.
 - 6.** Upon completion of the construction or remodeling of the enclosure, the county shall issue the exotic animal permit.
 - 7.** If the animal control board denies the exotic animal permit or the applicant disagrees with a condition of approval of the permit, the applicant may seek judicial review thereof and must file a petition for writ of mandamus within 30 days of the animal control board's decision at its meeting.
 - 8.** As a condition of approval of an exotic animal permit, the permittee agrees to allow an animal control officer to inspect the premises that are the subject of the permit upon reasonable notice at a reasonable time.
 - 9.** Except as otherwise provided in this chapter, a permit obtained under this section is valid for as long as the permittee owns the animal; however, when the permittee's address or the location where the animal is kept changes, the permit automatically becomes void and a new application must be submitted to the county.
- [68, Ord. No. 1207]

55.670 Suspension; revocation of exotic animal permit; appeal to animal control board; hearing.

1. The holder of an exotic animal permit is subject to continued compliance with the provisions of sections 55.650 to 55.730, inclusive, and to any conditions imposed on the permit. An exotic animal permit issued under sections 55.650 to 55.730, inclusive, may be suspended or revoked for failure of the permittee to comply with the provisions of sections 55.650 to 55.730, inclusive, or with any condition(s) imposed on the permit.
 2. If an animal control officer becomes aware that a permittee is not complying with the provisions of sections 55.650 to 55.730, inclusive, or with any conditions imposed on the permit, the animal control officer may serve notice of suspension or revocation on the permittee. The notice must advise the permittee in writing of the reason or reasons for the suspension or revocation, and the permittee may appeal that decision to the animal control board not later than 14 days after receiving the notice. A failure to appeal the decision of the animal control officer within 14 days constitutes an admission that the decision is well founded and precludes further administrative or judicial review.
 3. In cases where an animal control officer believes that the health and safety of the public or the animal is in jeopardy, the animal control officer may take action to suspend immediately the permit and take appropriate action to protect the health and safety of the public or the animal, including, but not limited to, the removal of the animal from the premises.
 4. Upon an appeal being filed, the animal control board shall, within 30 days, hold a hearing on the appeal.
 5. The animal control board may take any testimony and evidence it deems necessary. All proceedings shall be conducted in accordance with the provisions of Chapter 241 of the NRS.
 6. The decision of the animal control board sustaining, reversing, or sustaining with conditions the action of the animal control officer shall include findings of fact and be transmitted in writing within 10 working days.
 7. The permittee aggrieved by the decision of the animal control board may seek judicial review thereof and must file a petition for writ of mandamus within 30 days of the animal control board's decision at its meeting. During the course of judicial review, any exotic animal permit shall be continued until a decision is rendered by the district court.
 8. If a permit is revoked, the owner of the animal which is the subject of the permit shall transfer ownership of the animal by sale or gift to another person who is capable of compliance with this chapter, or shall remove it from the county. If ownership of the animal is transferred, the transferee shall immediately apply for a permit to be issued not later than 60 days from the date of transfer of ownership. If a permit is not obtained by the end of the 60-day period, the animal shall be removed from the county.
- [69, Ord. No. 1207]

55.680 Enclosures for primates; minimum structural requirements.

1. The minimum enclosure and shelter requirements specified in subsections 2 to 8 inclusive, shall be adhered to before a primate may be kept pursuant to a permit issued under the provisions of section 55.660.

2. Enclosures for small size primates, such as marmosets and squirrel monkeys, shall be not less than 3 feet by 4 feet (48 cubic feet) for two or less of such primates. The size of the enclosure shall be increased by not less than 1 foot by 3 feet by 4 feet (12 cubic feet) for each additional small size primate.
 3. Enclosures for medium size primates, such as capuchins, shall be not less than 6 feet by 6 feet by 6 feet (216 cubic feet) for two or less of such primates. The size of the enclosure shall be increased by 2 feet by 4 feet by 6 feet (48 cubic feet) for each additional medium size primate.
 4. Enclosures for large size primates, such as spider monkeys, woolies and macaques, shall be not less than 10 feet by 10 feet by 8 feet (800 cubic feet) for two or less of such primates. The size of the enclosure shall be increased to 10 feet by 20 feet by 8 feet (1,600 cubic feet) when there are more than two but less than five of such primates. The size of the enclosure shall be increased by 4 feet by 10 feet by 8 feet (320 cubic feet) for each additional large size primate thereafter.
 5. Enclosures for large size primates, such as chimpanzees, gorillas, orangutans and gibbons, shall meet zoo specifications unless the animal control board determines, under the circumstances, that other specifications are appropriate.
 6. Enclosures for small and medium size primates shall be constructed of not less than 11 gauge chain link or heavy wrapped wire. The floor of such enclosures shall consist of concrete, wood or gravel. All enclosures shall have a secure top.
 7. All primates shall have access at all times to an area sheltered from adverse climatic conditions. The sheltered area shall be heated during winter months.
 8. The animal control board may require security fencing surrounding any primate enclosure if it determines, under the circumstances, that such fencing is warranted.
- [70, Ord. No. 1207]

55.690 Enclosures for felines; minimum structural requirements.

1. The minimum enclosure and shelter requirements specified in subsection 2 to 7 inclusive, shall be adhered to before a feline may be kept pursuant to a permit issued under the provisions of section 55.660.
2. Enclosures for small size felines, such as margays, servals and ocelots, shall be not less than 10 feet by 10 feet by 6 feet (600 cubic feet) for two or less of such felines. The size of the enclosure shall be increased by 6 feet by 6 feet by 6 feet (216 cubic feet) for each additional small size feline.
3. Enclosures for large size felines, such as cougars, leopards and jaguars, shall be not less than 10 feet by 20 feet by 8 feet (1,600 cubic feet) for one of such felines. The size of the enclosure shall be increased to 20 feet by 8 feet (3,200 cubic feet) when there is more than one but less than four of such felines. The size of the enclosure for four or more of such felines shall be established by the animal control board on a case-by-case basis.
4. Enclosures for lions shall be not less than 15 feet by 20 feet by 8 feet (2,400 cubic feet) for each lion. No more than one lion may be housed in each enclosure. When more than one lion is kept, each additional enclosure may adjoin the primary enclosure.
5. Enclosures for tigers shall be not less than 15 feet by 20 feet by 10 feet (3,000 cubic feet) for each tiger. No more than one tiger may be housed in each enclosure. When

more than one tiger is kept, each additional enclosure may adjoin the primary enclosure.

6. Enclosures for small size felines shall be constructed of not less than 11 gauge chain link or heavy wrapped wire.

Enclosures for large size felines shall be constructed of not less than 9 gauge chain link. The floor of all enclosures for felines shall consist of concrete or wood. Gravel or dirt flooring may be used if the enclosure is properly secured against escape by such felines through digging. All enclosures must have a secure top.

7. All felines shall have access at all times to an area sheltered from adverse climatic conditions.

8. The enclosure requirements for felines set forth in subsections 2 to 7, inclusive, may be waived by the animal control board if it finds that the size and disposition of the feline are such that the feline poses no danger to public health and safety. [71, Ord. No. 1207]

55.700 Enclosures for canines; minimum structural requirements.

1. The minimum enclosure and shelter requirements specified in subsection 2 to 5, inclusive, shall be adhered to before a canine may be kept pursuant to a permit issued under the provisions of section 55.660.

2. Enclosures for canines, such as wolves and coyotes, shall be not less than 10 feet by 20 feet by 6 feet (1,200 cubic feet) for one of such canines. The size of the enclosure shall be increased to 20 feet by 20 feet by 6 feet (2,400 cubic feet) when there is more than one but less than five of such canines. The size of the enclosure for five or more of such canines shall be established by the animal control board on a case-by-case basis.

3. Enclosures for canines shall be constructed of not less than 9 gauge chain link. The floor of such enclosures shall consist of concrete or wood. Gravel or dirt flooring may be used if the enclosure is properly secured against escape by such canines through digging. All enclosures shall have a secure top.

4. Canines may be kept in areas other than enclosures of the type described in subsections 2 and 3 if approved by the animal control board, however, the area shall be fenced to a height of not less than 6 feet by at least 11 gauge chain link.

5. All canines shall have access at all times to an area sheltered from adverse climatic conditions.

[72, Ord. No. 1207]

55.710 Enclosures for reptiles; minimum structural requirements.

1. The minimum enclosure and shelter requirements specified in subsections 2 to 4, inclusive, shall be adhered to before a reptile may be kept pursuant to a permit issued under the provisions of section 55.660.

2. Enclosures for reptiles shall be of an escape-proof design with sufficient area to insure that the reptile obtains necessary exercise. Enclosures shall be constructed in such a manner as to produce as closely as possible the temperature, humidity and other conditions found in the reptile's native environment.

3. Enclosures for venomous reptiles shall not be constructed of screen wire unless the wire is at least 2 layers thick with a space of not less than 1 inch between layers.

4. Enclosures for potentially dangerous or venomous reptiles shall have an appropriate warning sign affixed thereto and shall be equipped with a locking device.

[73, Ord. No. 1207]

55.720 Enclosures for bears, hoofed animals, marsupials and raptors; minimum structural requirements.

1. The minimum structural enclosure and shelter requirements specified in subsection 2 and 3 shall be adhered to before a bear, hoofed animal, marsupial or raptor may be kept pursuant to a permit issued under the provisions of section 55.660.
2. The size of enclosures for bears, hoofed animals, marsupials and raptors shall be established by the animal control board on a case-by-case basis. The animal control board may require that the enclosures be at least equal in size to county, state or federal zoo enclosures for such animals.
3. Raptors shall be kept in accordance with all applicable provisions and standards therefor which are found in the falconry regulations (Commission General Regulation No. 15) of the board of wildlife commissioners.

[74, Ord. No. 1207]

55.730 Additional standards.

Notwithstanding any other provisions of this chapter, the animal control board may require that security fencing and double gates be installed with any enclosure if it determines that such fencing and gates are warranted.

[75, Ord. No. 1207]

55.740 Impoundment of exotic animals.

1. Any exotic animal which is kept by any person in contravention of section 55.650 to 55.730, inclusive, may be taken up and impounded by an animal control officer for the protection of public health and safety as well as for the protection and health of the animal. Whenever possible, the animal control officer shall take up and impound the animal in the presence of the owner.
2. If an animal is impounded pursuant to subsection 1, the owner shall be notified of that fact by the animal control officer either in person or, if the owner is not present when impoundment occurs, by certified mail, return receipt requested. Notification shall be considered completed on the date that the owner of the animal is personally notified, or if notified by certified mail, on the date indicated on the return receipt. Notice of impoundment may be accompanied by notice of immediate suspension and revocation.
3. Any animal impounded pursuant to this section shall be cared for at the expense of the owner for a period of not more than 30 days, or if the animal is being held pending a hearing on revocation of the permit pursuant to section 55.670, until the hearing and any appeal is concluded.
4. At the end of the impoundment period, or sooner if the animal has been abandoned by its owner, the animal may be sold by the county to the highest bidder capable of caring for the animal and all money received from the sale may be applied toward the payment of the expenses of the animal's impoundment. Each person who bids on the animal shall submit his bid in writing to the county and shall submit an application for a permit to keep the animal pursuant to section 55.650. Application fees shall be refunded to all unsuccessful bidders. If the amount of the highest bid exceeds the expenses of impoundment, the excess shall be refunded to the former owner of the animal if the

owner's identity and whereabouts is known. If the owner's identity or whereabouts is not known, all money received shall be retained by the county.

5. If the impounded animal is sold, the county shall notify the buyer of the permit and other requirements of sections

55.650 to 55.730, inclusive, and shall insure that the buyer has complied or is in the process of complying with such requirements before releasing the animal to his custody.

6. If the animal is not sold during the impoundment period, the county shall publish notice in the classified section where animals are advertised of a newspaper of general circulation in the county that the animal is available for purchase at the animal services center. The advertisement shall appear daily in the newspaper for a period of not less than 2 weeks. The county shall sell the animal to the highest bidder capable of caring for the animal at the end of the 2- week period in the same manner prescribed in subsections 4 and 5 hereof.

7. If the county is unable to sell the animal, the animal may be destroyed in a humane manner or the county may give the animal to any person who is capable of caring for the animal and complying with section 55.650 to 55.730, inclusive.

[76, Ord. No. 1207; A Ord. No. 1269]