

## **WASHOE COUNTY CODE CHAPTER 55 REGARDING KENNEL/CATTERY PERMITS**

### **55.400 Permit to keep more than three adult dogs or seven adult cats:**

#### **Applications; inspections; fees.**

1. Application for a permit to keep more than three adult dogs or seven adult cats must be made to the animal services staff. The application for a permit to keep more than three adult dogs must:

(a) Specify the number and breed or breeds of dogs for which the permit is requested;

(b) Be accompanied by construction drawings showing the proposed design and location of the kennel required under section 55.410. If the dogs are to be kept in an existing kennel, a detailed drawing of the kennel must be submitted.

All drawings must specify the type and size of the kennel, the type of material used to construct the kennel and the location of the kennel on the premises; and

(c) Be accompanied by an application fee in the amount established by the board. A releasing agency as defined herein is exempt from the application fee.

2. An application for a permit to keep more than seven adult cats must:

(a) Specify the maximum number of cats for which a permit is requested;

(b) Be accompanied by construction drawings showing the proposed design and location of the cattery required under section 55.415. If the cats are to be kept in an existing cattery, a detailed drawing of the cattery must be submitted.

All drawings must specify the type and size of the cages, the type of material used to construct the cattery and the location of the cattery on the premises; and

(c) Be accompanied by an application fee in the amount established by the board. A releasing agency as defined herein is exempt from the application fee.

3. Upon receipt of the application to keep more than three adult dogs, an animal control officer shall review the drawings of the kennel and inspect the premises for which the application for a permit is made to determine that:

(a) Keeping the dogs at the location specified in the application will not violate any state or local laws or regulations;

(b) The kennel will meet the requirements contained in section 55.410.

(c) Maintenance of the dogs 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 dog therein will not be subject to neglect, cruelty or abuse; and

(e) Keeping and maintaining the dogs will not constitute a nuisance as defined herein.

4. Upon receipt of an application to keep more than seven adult cats, an animal control officer shall review the drawings of the cattery and inspect the premises for which the application for a permit is made to determine that:

(a) Keeping the cats at the location specified in the application will not violate any state or local laws or regulations;

(b) The cattery will meet the requirements contained in section 55.415;

- (c) Maintenance of the cats 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 cat therein will not be subject to neglect, cruelty or abuse; and
- (e) Keeping and maintaining the cats will not constitute a nuisance as defined herein.

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

#### **55.410 Kennel requirements for keeping more than three adult dogs.**

1. The dogs which are the subject of the permit to keep more than three adult dogs must be kept in a kennel or under the immediate supervision of a responsible adult, except when inside the residence.
2. Except as provided in subsection 4, new kennels must:
  - (a) Be not less than 6 feet in width by 10 2 feet in length by 6 feet in height (540 cubic feet) for four small size dogs, such as Toy Poodles, Pekinese and Chihuahuas. The width of the kennel must be increased by 2 feet for each additional dog.
  - (b) 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 Labrador Retrievers, German Shepherds and Collies. The width of the kennel must be increased by 4 feet for each additional dog.
  - (c) 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 must be increased by 6 feet for each additional dog.
3. In addition to the requirements of subsection 2, new kennels must:
  - (a) Be constructed of 11.5 gauge chain link fence or sturdier or of other material of equal strength upon **approval of the animal control officer**;
  - (b) Have a concrete floor. Wood, gravel or dirt flooring is permitted if the posts supporting the kennel walls have concrete footings not less than 24 inches in depth and the perimeter of the kennel has a concrete footing, or material of similar strength upon approval of the animal control officer, at least 6 inches wide and not less than 12 inches deep. The walls of the kennel shall be securely fixed to the concrete floor or footings. When deemed necessary by the animal control officer, the top of the kennel shall be enclosed and shall be securely attached to the walls; and
  - (c) Contain an area sheltered from adverse climatic conditions to which the dogs have access at all times.
4. Width and length of kennels may be altered upon approval of the animal control officer provided that the overall cubic foot size requirements specified in subsection 2 are met for the types and number of dogs kept. The kennel construction requirements of subsection 2 and 3 do not apply to animals to be kept inside the owner's residence.
5. If the dogs will be kept in an existing kennel, an animal control officer shall inspect the kennel to determine that it is adequate or meets the requirements contained in this section. The animal control officer may specify alterations to be made to an existing kennel to meet the requirements of this section.

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

**55.415 Permit: Cattery requirements; specifications.**

The cats which are the subject of the permit must be kept in a cattery. The cattery must conform to the Cat Fancier Association's Cattery Standards, as determined by an animal control officer. If cages are used to house the cats, they must meet the minimum space requirements of 30 cubic feet as specified in the Cat Fancier Associations Cattery Standards. The cattery permit requirements stated in this chapter do not apply to the unincorporated area of Washoe County.

[14, Ord. No. 1269]

**55.420 Approval, disapproval of application to keep more than three adult dogs or seven adult cats; issuance of permit; appeals.**

1. Within 10 days following the inspection of the premises and review and approval of the kennel or cattery, if already existing, or of the drawings for a new kennel or cattery, the animal control officer must notify, in writing, each person residing within 200 feet of the location at which the dogs or cats will be kept or maintained and each person residing on property adjacent to the property for which the permit application has been filed that a kennel or cattery permit application has been filed and the street address of the applicant. If no objection to the application is filed within the time limit and in the manner hereinafter provided, the county shall notify the applicant that he may proceed to construct or remodel the kennel or cattery as the case may be.

The animal control officer shall not authorize the issuance of a permit to keep more than three adult dogs or seven adult cats unless the officer can make the findings set forth in section 55.400(3) for a kennel permit, or section 55.400(4) for a cattery permit. In addition, the animal control officer may specify additional conditions on the issuance of the permit.

2. If any person notified pursuant to subsection 1, objects to the issuance of the permit, he may, within 15 days after receipt of notification, file a written objection to the animal services staff. When a written objection is filed, the animal services staff shall notify the applicant of the filing of the written objection and the date on which the matter will be heard by the animal control board.

3. If the applicant for the permit objects to the animal control officer's recommendations concerning construction or remodeling of the kennel or cattery, objects to other conditions imposed by the animal control officer on the permit, or wishes to appeal a denial of a permit, the applicant may file an appeal with the county for a hearing before the animal control board. Any such appeal must be filed within 30 days of the animal control officer's decision regarding the kennel or cattery or denial of the permit.

4. All proceedings of the animal control board shall be conducted in accordance with the provisions of Chapter 241 of the NRS. At the hearing, the animal control board will consider all objections filed and other evidence presented and may approve or prohibit the keeping of more than three adult dogs or seven adult cats on the premises. In taking action on the appeal, the animal control board may add to or modify conditions it deems necessary or advisable to the permit.

5. If the applicant is required to construct or remodel the kennel or the cattery, he must apply to the building department in the jurisdiction where the kennel or cattery is to be located for the appropriate permits if required, within 15 days of receipt of notice that authorization is granted.

The kennel or cattery must be constructed or remodeled within 60 days of the animal control board authorization and in compliance with the plans reviewed by the county, including any conditions imposed thereon by the animal control officer and/or the animal control board. In case of demonstrated hardship or for other good cause, the animal control officer may permit a longer period of time in which to construct or remodel the kennel or cattery.

**6.** Upon completion of the construction or remodeling of the kennel or cattery in accordance with requirements established by the animal control officer and/or the animal control board, the county shall issue the kennel or cattery permit.

**7.** If the applicant is unable to comply with the kennel or cattery remodel or construction requirements of Chapter 55 or any condition imposed on the permit by the animal control officer or animal control board, the applicant may re apply for a permit to the animal control board for appropriate relief.

**8.** If the animal control board denies the appeal thereby prohibiting the keeping of more than three adult dogs or seven adult cats on the premises, the applicant must comply with the provisions of section 55.390 within 30 days of the board's action. If the kennel or cattery is not constructed or remodeled within the time limit specified in subsection 5, the applicant must immediately comply with the provisions of section 55.390 or reapply to the Washoe County animal control board for appropriate relief.

**9.** The decision of the animal control board is final and a person aggrieved by the decision 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.

**10.** Failure of the county to take action on the kennel or cattery application within 120 days from the date of application will constitute approval of the issuance of the permit.

**11.** As a condition of approval of a kennel or cattery 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. Special inspection requests will be considered.

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

### **55.430 Kennel or cattery permit not required; circumstances.**

**1.** A permit to keep more than three adult dogs or seven adult cats is not required and the provisions of sections

55.390 to 55.420, inclusive, do not apply to:

- (a)** Kennels or catteries used to board animals owned by other persons and operated pursuant to a duly issued business license;
- (b)** Kennels used by a member of a public law enforcement agency for dogs in the service of that agency;
- (c)** Dogs or cats under the age of 4 months if kept within a sufficient enclosure;
- (d)** Dogs or cats held by or in the custody or in the control of persons who are nonresidents of the county and who are temporarily in the county for a period not to exceed 30 days;
- (e)** Dogs or cats brought to the county for participation in any dog or cat show or exhibition;

(f) Dogs or cats belonging to activated military personnel that are being cared for by a resident of the county for the period of the activation, but in no event for a period greater than 12 months; and

(g) Service animals.

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

**55.440 Permit fees; exemptions.**

1. A person owning or operating a kennel pursuant to a permit shall pay an annual permit fee set by the board of county commissioners. The fee shall be paid each year not later than one year from the date on which the initial fee was paid.

2. A person owning or operating a cattery pursuant to a permit shall pay an annual permit fee set by the board of county commissioners. The fee shall be paid each year not later than one year from the date on which the initial fee was paid.

3. The fee required under section 55.400 will not be charged if the principal purpose of operating the kennel is to keep and maintain helping dogs, hearing dogs, guide dogs, or a releasing agency as defined by 55.010.

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

**55.450 Suspension; revocation of permit; appeal to animal control board; hearing.**

1. The holder of a kennel or cattery permit is subject to continued compliance with the provisions of sections 55.400 to

55.420, inclusive, and to any conditions imposed on the kennel or cattery permit. A kennel or cattery permit issued under sections 55.400 to 55.420, inclusive, may be suspended or revoked for failure of the permittee to comply with the provisions of sections 55.400 to 55.420, 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 55.400 to 55.420, inclusive, or with any conditions imposed on the permit, the animal control officer may suspend or revoke the kennel or cattery permit. If the animal control officer suspends or revokes a kennel or cattery permit, the permittee shall be advised in writing of the reason or reasons therefor and may file an appeal of that decision to the animal control board not later than 14 days after receiving the written 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. Upon an appeal being filed, the animal control board shall, within 30 days, hold a hearing on the appeal.

4. 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.

5. 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 to the applicant within 10 working days.

6. 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, the kennel

or cattery permit shall be continued until a decision is rendered by the district court.  
[49, Ord. No. 1207; A Ord. No. 1269]