

W.C.C. 55.750 Dangerous Dog Determination

1. As used in this section a dog is:

(a) Dangerous@ if:

(1) It is so declared pursuant to subsections 2 or 3;

(2) Without provocation, on 2 separate occasions within 18 months, it behaved menacingly, to a degree that would lead a reasonable person to defend himself against substantial bodily harm, when the dog was off the premises of its owner;;

(3) Without provocation, it killed or inflicted substantial bodily harm upon a human being on public or private property; whether on or off the property of its owner; or

(4) Without provocation, it killed or injured any domestic animal while the offending dog was off its owner's property.

2. A dog may be declared dangerous by a law enforcement agency if it is used in the commission of a crime by its owner or keeper.

3. Dangerous dog determination.

(a) Any person who has been attacked by a dog, or an authorized representative of such person, or any law enforcement officer or animal control officer, may make a complaint before an administrative hearing officer approved by the Washoe County Board of County Commissioners, or a judge having jurisdiction over the matter, requesting the dog be determined dangerous.

(b) Any person whose domestic animal has been attacked by a dog, without provocation, and which has been killed or injured by said dog may make a complaint before an administrative hearing officer approved by the Washoe County Board of County Commissioners, or a judge having jurisdiction over the matter, requesting the dog be determined dangerous.

(c) The hearing officer or judge in such action may make a determination that the dog is a dangerous dog based upon evidence of the dog's history or propensity to attack without provocation as provided herein.

(d) In the interests of public safety, regional animal services may require a dog pending a dangerous dog determination to be kept in a completely enclosed and locked enclosure, approved by regional animal services.

4. A dog may not be found dangerous:

(a) based solely on the dog's breed; or

(b) because of a defensive act against a person who was committing or attempting to commit a crime; or

(c) because a person provoked the dog by physically abusing, tormenting, teasing, assaulting, or attacking the subject animal.

5. This section shall not apply to animal shelters, commercial animal facilities, rescue/sanctuary animal facilities which have qualified as commercial animal facilities, or licensed veterinary clinics. This section shall not apply to dogs which are utilized by any law enforcement officer during the performance of his or her duties.

6. An owner or possessor of a dangerous dog shall not:

(a) Introduce the dog into or relocate the dog within Washoe County without 30 days written notice to regional animal services. The notice must include:

(1) a description of the dog;

(2) a copy of the dangerous dog determination order;

- (3) the dog's current address and proposed new address;
 - (b) Introduce the dog into or relocate the dog within Washoe County without prior approval from regional animal services. The dog's owner must submit a new application and fee for property inspection and enclosure approval by regional animal services.
 - (c) Remove from Washoe County any dog declared dangerous or which has a dangerous dog determination pending without 30 days written notice to regional animal services.
7. If a hearing officer or judge has found a dog to be dangerous, the hearing officer or judge shall report that determination to regional animal services. If a law enforcement agency has made the declaration under subsection 2, the agency shall report to regional animal services.
8. Upon receipt of the determination from the hearing officer or judge or declaration from a law enforcement officer that a dog is dangerous, regional animal services shall notify the owner of the dog that he must comply with the provisions of section 55.760.