

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by repealing provisions containing metes and bounds descriptions of animal congested areas; by amending provisions related to reporting violations of animal statutes, restraining animals, licensing dogs, rabies vaccinations, "at large" domestic animals, impounded animals and quarantine; and by repealing, adding and revising various definitions.

BILL NO. 1751

ORDINANCE NO. 1569

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONTAINING METES AND BOUNDS DESCRIPTIONS OF ANIMAL CONGESTED AREAS; BY AMENDING PROVISIONS RELATED TO REPORTING VIOLATIONS OF ANIMAL STATUTES, RESTRAINING ANIMALS, LICENSING DOGS, RABIES VACCINATIONS, "AT LARGE" DOMESTIC ANIMALS, IMPOUNDED ANIMALS AND QUARANTINE; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS.

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

SECTION 1. Sections 55.250 through 55.330, inclusive, and section 55.465 of the Washoe County Code are hereby repealed.

SECTION 2. The definitions of "residence" and "stray" contained in section 55.010 of the Washoe County Code are hereby repealed.

SECTION 3. Section 55.010 of the Washoe County Code is hereby amended to add the following new definitions:

"Service animal" means an animal that has been individually trained to perform tasks for people with disabilities in accordance with NRS 426.097 and the Americans with Disabilities Act. Service animals are working animals, not pets.

"Tether" means a cable, chain, rope or other similar device that is used to restrain an animal.

SECTION 4. Section 55.070 of the Washoe County Code is hereby amended as follows:

55.070 Report of violations.

1. Any person who observes a violation of any provision of this chapter may report the suspected violation to regional animal services. A complaint may be oral or written. Any person requesting civil or criminal action to be taken must submit a written complaint of the violation to regional animal services.

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2. In accordance with NRS 207.280, any person who knowingly makes a false complaint to regional animal services that a felony or misdemeanor has been committed is guilty of a misdemeanor.

SECTION 5. Section 55.080 of the Washoe County Code is hereby amended as follows:

55.080 Warning of certain violations of chapter. An animal control officer may issue an oral or written warning to any person suspected of violating the provisions of this chapter or Nevada Revised Statutes. The warning may precede or be issued in lieu of a written citation or notice of civil penalty.

SECTION 6. Section 55.100 of the Washoe County Code is hereby amended as follows:

55.100 Restraining animals.

1. In the congested areas, each person who has the care, custody or control of any livestock, domestic animal or exotic animal, must keep the animal restrained by a fence, cage, coop, chain, tether, leash or other adequate means so that the animal shall not leave the premises upon which it is kept.

2. In the congested areas, it is unlawful for the owner of any dog to allow the dog to be in a public area unless the dog is on a leash. This provision does not apply to special areas that may be designated for training programs, dog shows or dog parks.

SECTION 7. Section 55.230 of the Washoe County Code is hereby amended as follows:

55.230 Determination of congested areas. For the purpose of certain regulations regarding animals in Washoe County, the board will divide the county into areas determined to be congested areas and areas not determined to be congested areas under this chapter. The complete metes and bounds description of each of the congested areas as well as a corresponding map of these congested areas shall be adopted by the board by resolution, which may be amended from time to time by the board.

SECTION 8. Section 55.340 of the Washoe County Code is hereby amended as follows:

55.340 Licensing of dogs in congested areas required; fees; license tags; unlawful to fail to license.

1. Within a congested area, every person keeping or maintaining any dog over the age of 4 months, within 30 days after the dog attains this age, or after first bringing a dog into a congested area to keep and maintain, shall obtain and

thereafter continuously maintain for the dog a current and valid dog license issued by regional animal services and shall comply with the vaccination provisions of section 55.580.

2. Each dog license shall be renewed within 30 days from the expiration date on the certificate. After this date, a penalty fee shall be charged for late licensing.

3. The license fee shall be set by the board of county commissioners.

4. Upon payment of the license fee, regional animal services will issue:

(a) A certificate stating the license period for which the license fee is paid, a description of the dog, the date of payment and the name and address of the person to whom the license is issued.

(b) A metal tag or implanted microchip numbered to correspond with the license.

5. A dog license is not transferable from one dog to another.

6. No refund shall be made on any dog license fee because of death of the dog or the owner moving out of the county before expiration of the license period.

SECTION 9. Section 55.350 of the Washoe County Code is hereby amended as follows:

55.350 Rabies vaccination required.

1. It is unlawful to own or possess a dog, cat or ferret which is not appropriately vaccinated against rabies. Rabies vaccinations must be given by a veterinarian licensed to practice veterinary medicine in the state in which the animal was vaccinated. Each rabies vaccination shall expire as noted on the vaccination certificate, and shall include the information specified in section 55.590.

2. This section does not apply to an animal that for medical reasons should not be vaccinated, provided the owner furnishes such a statement from a licensed veterinarian.

SECTION 10. Section 55.380 of the Washoe County Code is hereby amended as follows:

55.380 Licensing exemptions. The licensing provisions of this chapter to not apply to a dog which is used by a public law enforcement agency, or which is in the temporary care and custody of a releasing agency approved by regional animal services.

SECTION 11. Section 55.460 of the Washoe County Code is hereby amended as follows:

55.460 Unlawful for domestic animals, except cats, to be at large in congested areas; damage by animals; capture and

impoundment by individuals.

1. It is unlawful for any domestic animal, except a cat, to be at large within the congested areas.
2. It is unlawful for any domestic animal to endanger property, public safety or any other animal.
3. A violation of subsection 1 or 2 is committed by the owner or person having custody, control or possession of the animal.
4. A member of regional animal services' staff or any other person may take up and impound at the animal services center:
  - (a) Any domestic animal, except a cat, which is found at large within a congested area;
  - (b) Any domestic animal which is trespassing on that persons property; and
  - (c) Any domestic animal, which is endangering property, public safety or any other animal.

SECTION 12. Section 55.485 of the Washoe County Code is hereby amended as follows:

55.485 Rules regarding impounded animals.

1. The Director of regional animal services or his or her designee may promulgate reasonable rules related to animals. These rules may include, but are not limited to:
  - (a) Charging owners or persons having the care, custody or possession of impounded animals for all costs and maintenance incurred by regional animal services, including special assessments.
  - (b) Euthanizing impounded animals in a humane manner where the animals have been left unredeemed beyond the specified impoundment period.
  - (c) Euthanizing impounded animals which may not be kept due to dangerous behavior, disease, age or injury.
  - (d) Transferring impounded, unredeemed animals.
  - (e) Redeeming animals upon payment of all costs as outlined herein and upon licensing or relicensing and vaccination of such animals.
  - (f) Providing for the periodic inspection of the regional animal services center.

SECTION 13. Section 55.490 of the Washoe County Code is hereby amended as follows:

55.490 Period of impoundment; notice of impoundment; disposition of unclaimed animals.

1. Except in the case of livestock, an animal impounded at the animal services center will be kept for a period of five days, unless redeemed earlier by its owner.
2. If regional animal services knows or discovers the identity of the owner of an impounded animal regional animal services staff shall attempt to provide notice of the animal's

impoundment. If the identity of the owner is ascertained and notice is given, the owner may redeem the animal in accordance with section 55.500. If the owner does not redeem the animal within the time period specified by regional animal services, the impounded animal may be euthanized as provided in subsection 3 below.

3. Regional animal services may euthanize an impounded animal in a humane manner after the end of the five day impoundment period. In lieu of euthanasia, regional animal services may transfer any unredeemed animal to an authorized releasing agency requesting the animal.

SECTION 14. Section 55.500 of the Washoe County Code is hereby amended as follows:

55.500 Redeeming impounded animals. The owner or person entitled to possess any impounded animal may redeem such animal by:

1. Presenting proof of a current license if the animal is of a type that must be licensed;
2. Paying the license fee, if the animal is a dog and was unlicensed;
3. Requesting implantation of a microchip, if the animal is a dog or cat;
4. Paying fees for impoundment, boarding, care and any medical treatment provided to the animal; and
5. Providing proof of rabies vaccination if the animal is a type that can be vaccinated. If such animal has not been vaccinated, regional animal services shall issue a temporary license if one is required, and shall notify the owner regarding compliance with section 55.350. The owner of said animal must provide proof of rabies vaccination within 14 days of redemption.

SECTION 15. Section 55.630 of the Washoe County Code is hereby amended as follows:

55.630 Quarantine fees. Quarantine fees shall be the responsibility of the owner. Quarantine fees shall be set by the board of county commissioners.

SECTION 16. Section 55.010 of the Washoe County Code is hereby amended as follows:

At large@ means every instance in which a domestic animal, except a cat, is physically off the premises of its owner, handler or keeper, unless physically restrained by a leash and under the control of a person within the congested areas designated by the board of county commissioners. "At large" does not include a dog exhibited in dog shows, trials, or obedience training; or a dog which is safely and securely

confined within or upon any vehicle; or a dog under control in a designated off-leash area; or dogs used by law enforcement agencies.

Animal congested area" herein described as "congested area@ includes those areas of Washoe County so designated by the board of county commissioners and listed herein as follows:

1. Incorporated City of Reno;
2. Incorporated City of Sparks;
3. Greater Truckee Meadows and surrounding environs;
4. Woodland Village area;
5. Pebble Creek area;
6. Eagles Nest area;
7. Spring Ridge area;
8. Arrow Creek/Southwest Vistas area;
9. Timberline area;
10. Pleasant Valley area;
11. Sunridge/Reindeer area;
12. Saint James Village area;
13. Old Washoe City area;
14. New Washoe City area;
15. Incline Village area;
16. Franktown area;
17. Gerlach area;
18. Empire area;
19. Spanish Springs area; and
20. Wadsworth and Stampmill Estates Subdivision area.

Confined@ means the animal is restricted to the property by leash, cord, tether, chain, wall or fence barrier.

Dog@ means any domestic canine animal.

Domestic animal@ includes, but is not limited to, the following: any dog, cat or other animal that is kept by a person primarily for personal enjoyment. Domestic animal does not include any exotic animal or an animal that is kept in connection with farming or agriculture or drawing heavy loads.

Hoofed animal@ includes any ungulate animal not customarily domesticated by man except alternative livestock as defined in NRS 501.003.

Own@ means to keep, harbor or have charge of, or have the care, custody or control of an animal, or permit an animal to be or remain on, or be lodged or fed within, such person's house, yard or premises.

Quarantine@ means the placement of a biting animal, an animal exposed to a rabid animal or to a high-risk species in isolation at a veterinary hospital, animal shelter or other location in a manner such that the animal can be carefully observed for signs of illness or abnormal behavior.

Rabies control authority@ means the district health officer or his designee.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 13<sup>th</sup> day of October, 2015.

Proposed by Commissioner Lucey.

Passed on the 10<sup>th</sup> day of November, 2015.

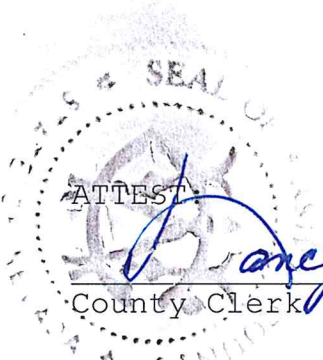
Vote:

Ayes: Berkbigler, Hartung and Herman

Nays: none

Absent: Jung and Lucey

Monika Berkbigler  
Chairman  
Washoe County Commission



Dorey L. Paul  
County Clerk

This ordinance shall be in force and effect from and after the 20<sup>th</sup> day of November, 2015.



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STATE OF NEVADA  
COUNTY OF WASHOE

MCCOMP NOV30\*1510\*05

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **11/13/2015 - 11/20/2015**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *Kim Bond*



**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1569 BILL NO. 1751 NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on October 13, 2015 by Commissioner Lucey and was passed and adopted at a regular meeting held on November 10, 2015 by the following vote of the Board of County Commissioners: AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONTAINING METES AND BOUNDS DESCRIPTIONS OF ANIMAL CONGESTED AREAS; BY AMENDING PROVISIONS RELATED TO REPORTING VIOLATIONS OF ANIMAL STATUTES, RESTRAINING ANIMALS, LICENSING DOGS, RABIES VACCINATIONS, "AT LARGE" DOMESTIC ANIMALS, IMPOUNDED ANIMALS AND QUARANTINE; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS. Those Voting Aye: Marsha Berkgigler, Vaughn Hartung, and Jeanne Herman. Those Absent: Kitty Jung and Bob Lucey. This Ordinance shall be in full force and effect from and after November 20, 2015. IN WITNESS WHEREOF, the Board of County

Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED November 10, 2015 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No 65451 November 13, 20, 2015

| LEGALS  | LEGALS                |
|---|-----------------------|
| <b>NOTICE OF ADOPTION<br/>WASHOE COUNTY ORDINANCE NO. 1569<br/>BILL NO. 1751</b>  |                       |
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| <p>DATED November 10, 2015</p>  |                       |
| <p>Nancy Parent, Washoe County Clerk and<br/>Clerk of the Board of County Commissioners</p>   |                       |
| No 65451  | November 13, 20, 2015 |