

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit) and revising definitions.

BILL NO. 1760

ORDINANCE NO. 1576

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY CREATING PROVISIONS REGULATING COMMERCIAL ANIMAL ESTABLISHMENTS (THROUGH AN ANIMAL WELFARE PERMIT); BY ADDING RELATED DEFINITIONS; AND BY MAKING CHANGES TO THE DEFINITION OF "COUNTY".

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

SECTION 1. Chapter 55 of the Washoe County Code is hereby amended by adding thereto the following new section which shall read as follows:

55.455 Commercial animal welfare permit.

1. Commercial animal establishments must obtain a welfare permit from regional animal services.

(a) No commercial animal welfare permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.

(b) A commercial animal establishment must maintain a welfare permit for each individual location.

(c) Upon a commercial animal establishment's change of ownership or location, a new inspection and welfare permit is required.

(d) A commercial animal establishment shall house and care for its animals in accordance with the American Veterinary Medical Association's Animal Welfare Principles and related policies, and the provisions of this section.

(e) A commercial animal establishment shall comply with regional animal service's rules and records retention requirements, including, but not limited to, maintaining proof of insurance, health records, and other conditions necessary to preserve the health and safety of the animals and the public.

(f) The commercial animal welfare permit must be displayed in a conspicuous place within the commercial animal establishment.

(g) Veterinarians and/or veterinary hospitals are regulated by the Nevada State Board of Veterinary Medical Examiners and are exempt from this section.

2. All commercial animal establishments shall submit an application for a commercial animal welfare permit to regional animal services.

3. Regional animal services shall review the application and certify that the commercial animal establishment has been inspected and is in compliance with all animal welfare permit requirements. Regional animal services shall also notify the appropriate jurisdiction(s) of Washoe County, the City of Reno and/or the City of Sparks of the welfare permit status.

4. Regional animal services shall inspect each commercial animal establishment annually, and shall verify that the commercial animal establishment holds a valid business license.

(a) A certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction's licensing requirements.

5. All commercial animal establishments shall renew their welfare permit(s) annually.

6. In addition to the requirements set forth in NRS 574.360 through 574.510, inclusive, which outline the duties of operators, retailers and dealers, a commercial animal establishment shall:

(a) Maintain records for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat identified by the record, which records shall be readily available for inspection by any animal control officer.

(b) Allow animal control officers to enter the premises for unscheduled inspections during normal business hours.

(c) Ensure that the walls and floors of enclosures are constructed of nonabsorbent, nonporous material impervious to moisture, and are adequate to support the animal without sagging and to prevent injury.

(d) Ensure that all dogs and cats are kept in an isolation room or isolation area for a minimum of 72 hours before being released to a purchaser.

(e) Observe each animal daily in order to identify general symptoms of injury, illness or disease.

(f) Ensure that any dog or cat that exhibits symptoms of injury, illness or disease is kept in an isolation room or isolation area and treated by a veterinarian. The veterinarian shall verify that the dog or cat is healthy before such dog or cat can be offered for sale.

(g) Ensure that each dog or cat over the age of 3 months is not sold without a valid rabies vaccination.

(h) Establish and maintain a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate

oversight of the facility's care and use of animals. The PVC must include method(s) of euthanasia, which should be consistent with the current American Veterinary Medical Association's Guidelines on Euthanasia.

(i) Provide a hand sanitizer and require members of the public to sanitize their hands prior to and after handling any animals in order to reduce the risks of transmission of disease.

(j) Dispose of animal carcasses in accordance with NRS 571.200 and NAC 571.200.

7. Revocation of commercial animal welfare permit. If a permittee violates this section or any other law of the State of Nevada or ordinance of Washoe County pertaining to animal welfare, regional animal services may revoke the commercial animal welfare permit in accordance with the procedures and penalties set forth in section 55.800.

(a) A commercial animal establishment located within the boundaries of the City of Reno shall maintain a City of Reno business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(b) A commercial animal establishment located within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(c) If the permittee fails to comply with any conditions imposed on the welfare permit, regional animal services may suspend or revoke the permit. If regional animal services suspends or revokes a welfare permit, the permittee shall be advised in writing of the reason(s) therefor and may appeal that decision to the administrative hearing office no later than 14 days after receiving the written notice. A failure to appeal the suspension or revocation within 14 days precludes further administrative or judicial review.

(d) Upon the filing of an appeal, the administrative hearing office shall hold a hearing on the appeal as soon as practicable.

(e) The administrative hearing officer may hear any testimony and admit any evidence he or she deems necessary. All proceedings shall be conducted in accordance with WCC 55.800(6) through 55.800(17), inclusive.

(f) The hearing officer's decision sustaining, reversing, or sustaining with conditions the suspension or revocation shall be transmitted in writing to the appellant within 14 working days.

(g) Any permittee aggrieved by the hearing officer's decision

may appeal that decision by filing a petition for judicial review in the district court within 30 days of the hearing officer's decision. The commercial animal welfare permit shall remain in place until a decision is rendered by the district court.

SECTION 2. Section 55.010 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

"Ambient Temperature" means the temperature of the environment immediately surrounding the animal.

"Commercial animal establishment" means any pet store, kennel or boarding facility used for the business of buying, selling or boarding animals.

"Dealer" has the meaning as described in NRS 574.260, and as it may be amended from time to time.

"Isolation area" means a location where potentially infected animals can be separated from other animals for the period of time to control disease transmission, under such conditions as to prevent direct or indirect conveyance of the infectious agent from spreading to other animals.

"Isolation room" means a separate room in which conditions are established to control and contain the transmission of disease, such as, but not limited to, contamination from feces and bodily secretions, mites, and arthropod vectors, and which has a separate air supply with ventilation to the outside with no admixture in the general circulation.

"Operator" has the meaning as described in NRS 574.290, and as it may be amended from time to time.

"Retailer" has the meaning as described in NRS 574.320, and as it may be amended from time to time.

SECTION 3. Washoe County Code 55.010 is hereby amended by changing the definition of "County" as follows:

County means all the area of Washoe County as defined by NRS 243.0430, and as it may be amended from time to time.

[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 23<sup>rd</sup> day of February, 2016.

Proposed by Commissioner Berkbigler.

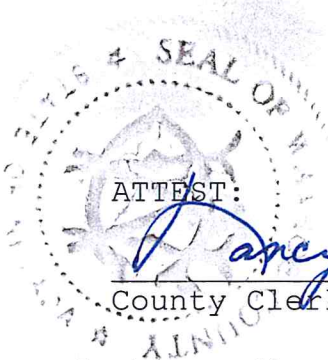
Passed on the 8<sup>th</sup> day of March, 2016.

Vote:

Ayes: Kitty Jung, Marsha Berkbigler, Vaughn Hartung

Nays: Jeanne Herman

Absent: none



ATTEST:

Nancy L. Parent  
County Clerk

Kitty Jung  
Chairman  
Washoe County Commission

This ordinance shall be in force and effect from and after March 18, 2016.

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STATE OF NEVADA  
COUNTY OF WASHOE

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: **3/11/2016 - 3/18/2016**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: \_\_\_\_\_

*Kim Bnd*

*[Signature]*  
AMERICA ACEVEDO  
NOTARY PUBLIC - STATE OF NEVADA  
My Commission Expires: 06-26-2018  
Certificate No: 14-14488-2

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1576 BILL NO. 1760  
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 February 23, 2016 by Commissioner Berkgigler and was passed and adopted without amendment at a regular meeting held on March 8, 2016 by the following vote of the Board of County Commissioners: AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY CREATING PROVISIONS REGULATING COMMERCIAL ANIMAL ESTABLISHMENTS (THROUGH AN ANIMAL WELFARE PERMIT); BY ADDING RELATED DEFINITIONS; AND BY MAKING CHANGES TO THE DEFINITION OF "COUNTY". (BILL NO. 1760) Those Voting Aye: Kitty Jung, Marsha Berkgigler and Vaughn Hartung Those Absent: None. This Ordinance shall be in full force and effect from and after March 18, 2016. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED March 8,

1576

✓

2016. Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners  
No 70643 March 11, 18, 2016

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WASHOE COUNTY ORDINANCE NO. 1576  
BILL NO. 1760**

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Those Absent: None.

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DATED March 8, 2016.

Nancy Parent, Washoe County Clerk and  
Clerk of the Board of County Commissioners

No . 70643                      March 11, 18, 2016