

PAHRUMP TOWN ORDINANCE NO. P-13

PAHRUMP ANIMAL CONTROL ORDINANCE

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13.000 SHORT TITLE.

This ordinance shall be known by the short title of Pahrump Animal Control Ordinance.

13.100 DEFINITIONS.

1. **Sheriff.** The term "Sheriff" shall mean the Sheriff of Nye County or any person designated by him to act herein.
2. **Health Officer.** The term "Health Officer" shall mean the Nye County Health Officer or his representative.
3. **Animal Control Officer.** The term "Animal Control Officer" shall mean any person appointed by the Sheriff of Nye County to act herein.
4. **Veterinarian.** The term "veterinarian" shall mean a graduate doctor of veterinary medicine licensed to practice in the State of Nevada.
5. **County.** The term "County" shall mean those areas of Nye County exclusive of incorporated areas.

6. **Owner.** The term "owner" shall be intended to mean any person owning, keeping or harboring a dog or other animal.
7. **Animal.** The term "animal" shall mean every wild or domesticated living creature, except members of the human race.
8. **At Large.** The term "at large" shall be intended to mean off the property of the owner and off the leash, cord, chain or fence barrier.
9. **Confined.** The term "confined" shall be intended to mean the animal is restricted to the property of the owner by leash, cord, chain or fence barrier.
10. **Animal Pound.** The term "Animal Pound" shall mean any pound currently designated by the Nye County Commissioners to receive animals.
11. **Torture or Cruelty.** The term "torture or cruelty" shall mean every act of omission or commission whereby unjustifiable physical pain, suffering or death is caused or permitted.
12. **Dog.** The term "dog" shall be intended to mean both male and female
13. **Dog Kennel.** The term "dog kennel" shall mean a pack or collection of dogs, four or more in number, over the age of six months, kept or bred for hunting or sale or boarding, but shall not mean merely the house or place where same are kept.
14. **Guide Dog.** The term "guide dog" shall apply to a dog which has been trained and is actually being used to act as a guide for the blind, deaf or handicapped.
15. **Board.** The term "Board" shall mean the Board of Nye County Commissioners.

13.200

LICENSING.

13.201

Dog License Required. Every person keeping, harboring, or having within and under County jurisdiction any dog over the age of six (6) months, shall, within thirty (30) days after said dog attains the said age, or within thirty (30) days after first bringing said dog into Nye County, obtain and thereafter continuously maintain a current and valid dog license issued by Nye County, and shall comply with the vaccination provisions herein, with the exception of animals farmed out to private individuals by the Animal Control Officer due to overcrowded conditions at the shelter.

13.202

Dog License Renewal. Each dog license issued by the County shall be issued for a one (1) year period from the date of issue.

- 13.203 **Responsibility for Licensing.** The licensing functions and duties will be the responsibility of the Nye County Sheriff as prescribed by the Board of Nye County Commissioners.
- 13.204 **License Application.** The owner applying for such dog license shall make application upon a form to be provided by the Sheriff, which application shall state the owner's name and address, the name, breed, color, sex, whether such dog is neutered or spayed, the age and shall require a valid rabies vaccination certificate be attached thereto.
- 13.205 **License Fee.** A fee of \$7.50 shall be paid for each dog unless that dog has been neutered or spayed, and then the fee shall be \$2.50. There shall be a penalty of \$2.00 assessed for each license or renewal of license which is not obtained in a timely manner.
- 13.206 **License Receipts and Tags.** There shall be given to each owner paying the license fee and submitting an application for each dog license, a receipt stating the amount and date of payment, the date of expiration of such license and a brief description of the dog. There shall also be given to said owner a numbered tag of a durable material, which tag shall be securely fastened about the dog's neck on a collar. If said tag shall be lost, it shall be the duty of the owner to procure a new tag and to pay the fee of \$2.00 for that tag.
- 13.207 **License Register.** The Sheriff shall keep a register of all licenses issued, showing the name of the licensee, date of issuance, date of expiration, description of the dog, the number of the tag, and the type and date of vaccination.
- 13.208 **Licensing of Guide Dogs.** A working guide dog shall be duly licensed, but the license fee for that dog shall be waived.
- 13.209 **Security Dog Fee.** Security dogs for hire, trained to guard property and trained by a licensed school shall be licensed for a fee of \$25.00, as opposed to the \$7.50 license fee provided it PTO 13.205.
- 13.210 **Dog Kennel Permit and Fee.** Every person owning, operating or maintaining a dog kennel must first apply for and obtain a permit for same. The permit shall be approved by the Board of Commissioners and shall be subject to planning, zoning and health ordinances of the State and of the county. A quarterly fee of \$15.00 shall be paid for each kennel. All dogs maintained in the kennel over the age of six (6) months shall have a valid rabies vaccination certificate and shall be individually licensed. This section shall not apply to quarters maintained by veterinarians for the purpose of surveillance or treatment of dogs on a temporary basis. All persons with a kennel permit shall permit their premises to be inspected at reasonable times by the Animal Control

Officer or the Public Health Officer.

- 13.211 **License Fees Deposited.** All license fees, impounding fees and other charges specified in this ordinance shall be deposited monthly by the Sheriff to the Nye County Treasurer.
- 13.212 **License - Fees as Debt to the County.** The amount of any license, together with penalties, impounding fees and all other charges specified in this ordinance shall be deemed a debt to the County, and any person liable for the payment thereof shall be liable to any action in the name of the County in any court of competent jurisdiction for the amount thereof and also for the sum of court costs and attorney's fees.
- 13.213 **Licensing Exceptions.** Notwithstanding the foregoing, the provisions relating to licensing shall not apply to dogs under six (6) months of age, provided they are kept within enclosures and are not allowed to run at large.
- 13.300 **VACCINATIONS**
- 13.301 **Dog Vaccination Required.** Every person keeping, harboring or having within and under County jurisdiction any dog over the age of six (6) months, shall, within thirty (30) days after said dog attains such age or within thirty (30) days of first bringing said dog into Nye County, cause said dog to be vaccinated with rabies vaccine, unless a valid rabies certificate is produced indicating a vaccination prior to the expiration of the thirty (30) days.
- 13.302 **Revaccination Required.** All dogs which have been vaccinated with rabies vaccine will be revaccinated pursuant to the recommendation of the vaccine manufacturer, or as recommended by the vaccinating veterinarian.
- 13.303 **Dog-Vaccination Certificate.** Every person keeping, harboring or having a dog shall have a certificate, issued by a licensed and practicing veterinarian of Nevada or California, which states the name and description of the dog, the name and address of the owner, the type, serial number and manufacturer of the rabies vaccine used, the date of vaccination and the date for revaccination. The owner of any dog may obtain an exemption from vaccination provided that an affidavit is issued and practicing veterinarian stating the reason for exemption.
- 13.304 **Certificate Required for Dog License.** No license shall be issued for any dog unless there shall be furnished satisfactory written evidence that such dog shall have been inoculated against rabies.
- 13.305 **Exemption From Vaccination Permit.** The owner of any dog may obtain an exemption from vaccination required under PTO 13.301-13.303 provided that:

- (a) He keeps such dog confined, as defined in PTO 13.109, at all times.
- (b) Facilities for confinement have been inspected and approved by the Animal Control Officer.
- (c) A fee of \$5.00 per animal per year is paid for such permit and inspection.

13.306 **Vaccination of Other Animals.** The same vaccination procedure shall apply to all other animals if the Public Health Officer shall deem this prudent to the safety of the public.

13.400 QUARANTINE

13.401 **Authority to Quarantine Animals When Rabies Exist.** The County Health Officer may, by public notice and proclamation, quarantine dogs or other animals in any area of Nye County where he finds rabies to exist. During such quarantine period and until public notice of its termination has been given by the County Health Officer, all dogs or other designated animals must be securely confined by their owners. Any quarantined animals found at large in such areas during such period must be impounded and may be destroyed if determined by a veterinarian to have rabies.

13.500 IMPOUNDING OF ANIMALS

13.501 **Impounding Dogs Violating Regulations.** Every dog in violation of any section of this ordinance or without a numbered collar or license tag, as required by this ordinance, shall be impounded by the Animal Control Officer for a period of one hundred twenty (120) hours in the dog pound. If the dog has not been claimed within that time, then the dog may be adopted by any person who shall procure the necessary license, vaccination and all fertile animals adopted shall not be taken from the Animal Shelter without first depositing a fee for spaying or neutering. The fee shall be refunded to the owner upon proof of a surgical spay or neuter by a veterinarian.

13.502 **Release Procedure.** A dog may be removed from the pound by the owner upon the payment of \$10.00 for the first offense, and \$25.00 for each offense thereafter, and upon proper proof of licensing, tagging and vaccination.

13.503 **Impounding Female Dogs Running At Large.** It shall be unlawful for the owner or any person having the control or possession of any female dog to suffer or permit said dog to run at large while said dog is in the copulating season. Every female dog so found running at large shall be impounded in the dog pound. The charge for impounding such dog shall be \$25.00 for the first offense and \$35.00 for each offense thereafter.

13.504 **Impounded Dog With Suspected Rabies.** If the Animal Control

Officer suspects that any animal impounded has rabies, the animal shall be held for inspection by a veterinarian. If the animal does have rabies, it shall be disposed of in a humane manner as determined by the veterinarian or Animal Control Officer.

13.505 **Dog Bites.** Any dog biting a person shall be seized on or off the premises of the person owning, keeping or harboring such dog by the Animal Control Officer and impounded for a period of ten (10) days if the animal has not been vaccinated. If the Public Health Officer or a veterinarian determines that the animal is diseased, he shall notify the Animal Control Officer to destroy the dog. If it is determined that the dog has a current license and a current vaccination, the animal shall be returned to its owner for fees.

13.600 **ANIMAL PROTECTION.**

13.601 **Cruelty to Animals.** It shall be unlawful for any person to overdrive, overload, torture or cruelly beat, unjustifiably injure, maim, mutilate or kill any animal, whether belonging to himself or another, or to deprive any animal of necessary sustenance, food, drink or shelter, or to wilfully instigate, engage in or in any way further an act of cruelty to any animal, or in any act to produce such cruelty. Nothing herein contained shall be construed to prohibit or interfere with the Animal Control Officer in the exercise and performance of the powers and duties set forth in this ordinance and by law.

13.602 **Animal Fighting.** It is unlawful for any person to keep or use, or be in any manner connected with or interested in the management of, or receive money or other things of value for the admission of any person to a house, apartment, pit or place for the baiting and fighting of birds or animals, and it is unlawful for any owner or occupant of a house, apartment, pit or place to wilfully procure or permit the same to be used or occupied for such baiting or fighting, or to instigate, promote, arrange or carry on, or do any act as assistant, umpire, principal, spectator or otherwise, in aid or calculated to encourage or further any fight between birds or animals.

13.603 **Exhibition of Wild or Exotic Animals.** No wild or exotic animal as defined by the U. S. Department of Agriculture shall be exhibited in public or kept anywhere unless and until the owner or person having care, custody or control thereof shall obtain a permit from the Sheriff to do so. Such permit shall not be issued until an investigation has been made to ascertain the conditions under which the animal is controlled so that the animal's health and safety and general welfare of the public are protected.

13.604 **Abandoning Injured Animals.** It shall be unlawful for any person owning, possessing or having the care, custody and

control of a maimed, disabled or infirm animal, to abandon same, or leave it to die in a public street, road, alley, or another public place or upon the private property of himself or another, more than one hour after he receives notice that it is left disabled.

13.605 **Poisoning Animals.** It shall be unlawful for any person to administer any poisonous drug or substance to any animal, or unjustifiably to expose any such drug or substance with intent that the same shall be taken by any animal, whether such animal be the property of himself or another.

13.700 ANIMAL CONTROL

13.701 **Powers of the Board.** The Board of Nye County Commissioners, acting as the Board of Trustees of the unincorporated Town of Pahrump, Nye County, Nevada, is hereby empowered to enact ordinances for the town of Pahrump when so requested, and the enactment of this ordinance is at the request of the Town Advisory Board of Pahrump, Nevada.

13.800 ENFORCEMENT

13.801 **Enforcement Duties.** It shall be the duty of the Sheriff and the Animal Control Officer to enforce the provisions of this ordinance, and it shall be the duty of every deputy sheriff in Nye County while on duty, to enforce the provisions of this ordinance.

No part of this ordinance shall be enforced until the following conditions exist:

- (a) local County animal shelter; and
- (b) local County Animal Control Officer.

13.802 **Records and Reports of Bites.** It shall be the duty of the Animal Control Officer to keep an accurate record of all reports of dog bites. Each such case shall be investigated and the animal properly quarantined, impounded or released, in accordance with the provisions of this ordinance.

13.803 **Records and Reports of Impoundment.** The Animal control Officer shall keep a permanent record in which he shall list all dogs impounded, giving such information as the county may require, which records shall include all charges and receipts of all money.

13.804 **Impounding of Licensed Dogs.** The Animal Control Officer or a deputy sheriff shall attempt to notify the owner of any dog licensed in the County when such dog is seized, but the attempt shall be not later than one (1) day after impounding. A record shall be kept of the notification attempt, including date, time and method of notification attempt.

- 13.805 **Forms and Records of Citations.** The sheriff shall provide books of citation forms for violation of the provisions of this ordinance for notifying alleged violators to appear and answer to the violation charged in the justice court of the township where the violation occurred. The books shall include serially numbered sets of citations, in triplicate, in the form prescribed and approved by the Nye County District Attorney. The Sheriff shall maintain a record of every book issued.
- 13.806 **Notice to Appear.** Whenever a person is cited for a violation of this ordinance and such person is not immediately taken before a court as hereinabove required, the Animal Control Officer shall prepare in triplicate, written notice to appear in court, containing the name and address of such person. The time specified in said notice must be at least five (5) days after the citation is issued, unless the person cited shall demand an earlier or later hearing.
- In order to secure a release after being cited for a violation of this ordinance, said person must give his written promise to appear in court by signing at least one copy of the written notice prepared by the officer. Thereupon, the officer shall forthwith release the person.
- 13.807 **Failure to Obey Citation.** It shall be unlawful for any person to violate his written promise to appear in court. In the event a person fails to comply with the citation given to such person, the Sheriff or any of his deputies shall secure and issue a warrant of arrest.
- 13.808 **Resisting Authorized Personnel Unlawful.** No person shall interfere with or oppose or resist the Sheriff or any of his deputies, Animal Control Officer or the Public Health Officer while engaged in the performance of the duties pertaining to the enforcement of this ordinance, all of which said officers, members and employees are hereby empowered to enforce all of the provisions of this ordinance.
- 13.900 **PENALTIES; CONSTITUTIONALITY; REPEAL**
- 13.901 **Penalties for Violations.** Any person owning, possessing or having the care, custody, control of an animal, who wilfully refuses, fails or neglects to furnish to the Animal Control Office or license fee collector the required information as required herein, or who wilfully fails, refuses or neglects to perform any act or pay any other fee or charge required by this ordinance to be performed or paid, any person who shall wilfully resist, interfere with or prevent the Animal Control Officer or any assistant in the exercises of their duties, or who wilfully violates any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) nor less than five dollars (\$5.00), or by imprisonment in the County jail for

not more than six (6) months, or by both such fine and imprisonment.

13.902 **Constitutionality.** If any one or more sections, clauses or parts of this ordinance shall be declared invalid, void or unconstitutional, such judgement shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, clauses or parts held invalid, void or unconstitutional.

13.903 **Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

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NOTICE OF PROPOSAL
BILL NO. 83-2, PAHRUMP TOWN ORDINANCE P-13
PAHRUMP ANIMAL CONTROL ORDINANCE

NOTICE IS HEREBY GIVEN that Bill No. 83-2, Pahrump Town Ordinance P-13, Pahrump Animal Control Ordinance, in summary an ordinance to protect animals and to license dogs; to require vaccination with rabies vaccine; to provide guidelines for the regulation and control of animals within the unincorporated area of Pahrump, Nye County, Nevada; and all other matters relating thereto, was proposed and read by title to the Board of Nye County Commissioners, acting as the Board of Trustees of the unincorporated Town of Pahrump, Nye County, Nevada, at their meeting held the 15th day of NOVEMBER, 1983.

A copy of said ordinance has been filed with the Nye County Clerk, Ex-Officio Clerk of said Board, and is available for public inspection at the office of said County Clerk, Courthouse, Tonopah, Nevada, and at the Pahrump Complex, Pahrump Nevada.

A public hearing on the said ordinance will be held on TUESDAY, the 6th day of DECEMBER, 1983 at the hour of 11 o'clock, A.m., in the Commissioners' Chambers, Nye County Courthouse, Tonopah, Nevada, at which time further discussion regarding said ordinance, including public comments, will be held.

DATED this 15th day of NOVEMBER, 1983.

Karen Quilter
KAREN QUILTER
NYE COUNTY CLERK

Publish: Pahrump Valley Times

Dates: 11/25/83

Dates: _____