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**BILL NO. 2002-76**

**ORDINANCE NO. 5497**

AN ORDINANCE TO AMEND VARIOUS ANIMAL CONTROL REGULATIONS AND PROCEDURES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Michael Sheldon,  
Director of Detention and Enforcement

Summary: Amends various animal control regulations and procedures.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
AS FOLLOWS:

SECTION 1: Title 7, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 75, reading as follows:

**7.08.075:** In addition to the license fees set forth in Section 7.08.060, the City is authorized to charge a late fee of five dollars in connection with the issuance of a license that was not obtained within the thirty-day period described in Section 7.08.010.

SECTION 2: Title 7, Chapter 8, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**7.08.100:** Each dog, cat or ferret license issued by the City shall be effective for one year following its issuance or until there is a change in ownership of the animal, in which case the new owner has thirty days from the date of the transfer of possession to obtain a new annual license, and to pay all applicable fees. In addition to the license fees set forth in Section 7.08.060, the City is authorized to charge a late fee of five dollars in connection with the issuance of a license that was not obtained within thirty days after a license has expired or ownership of an animal has been transferred.

SECTION 3: Title 7, Chapter 16, Section 30 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition is hereby amended to read as follows:

**7.16.030:** Any animal which is declared to be dangerous by the Animal Regulation Officer may be kept within the City, provided that:

(A) Within fourteen days after the owner or keeper is notified of the declaration, the area in which the owner or keeper intends to keep the animal must pass an inspection by the



1 Animal Regulation Officer, and the owner or keeper must obtain from the Animal Regulation Officer  
2 a permit to keep the animal, based upon such terms and conditions as the Animal Regulation Officer  
3 deems appropriate. A nonrefundable inspection fee of fifty dollars will be charged the owner or  
4 keeper. For purposes of this Subsection (A), notice of the declaration shall be deemed complete if it  
5 is served personally, or upon mailing by certified mail, return receipt requested, sent to the last known  
6 address of the owner or keeper.

7 (B) The animal shall be kept, confined or housed within an enclosure:

8 (1) That will ensure the animal's retention and comfort, is of a size to permit  
9 the animal stand upright, and is of a dimension deemed adequate by the Animal Regulation Officer;  
10 and

11 (2) That is secure enough so that the animal cannot bite, harm or injure  
12 anyone by overreaching the top of the fence or other enclosure.

13 (C) At no time shall the animal be allowed to leave the private property confines  
14 of the owner or person in charge of the animal unless it is muzzled, leashed and under the effective  
15 control of an adult.

16 (D) The private property shall be adequately and properly posted with conspicuous  
17 warning signs, with a listing of name and telephone number of the owner of the animal.

18 (E) The animal must be sterilized by a licensed veterinarian. The owner or keeper  
19 shall maintain all sterilization records, including the type of animal sterilized, the name of the  
20 veterinarian performing the procedure, and the date the sterilization was performed.

21 (F) The animal shall be implanted with an electronic microchip from a  
22 manufacturer approved by the Animal Regulation Officer. The implantation must be performed by  
23 a licensed veterinarian and must conform to procedures recommended by the manufacturer. The  
24 owner or keeper shall register the microchip number in a national database in accordance with  
25 instructions from the manufacturer, and shall provide the number to the Animal Control Officer.

26 (G) The owner or keeper shall obtain and maintain in effect a policy of liability  
27 insurance in the amount of not less than fifty thousand dollars insuring against possible injuries  
28 inflicted by the dangerous animal. The liability insurance shall be maintained in effect as long as the

1 owner or keeper maintains possession of the dangerous animal.

2 [(E)] (H) The owner of a dangerous animal may not sell, relocate or give away the animal  
3 without first obtaining prior written approval from an Animal Control Officer. If such a transaction  
4 is approved, the owner or transferee shall pay a nonrefundable inspection fee of fifty dollars for  
5 inspection of the new location for the animal. The owner or transferee shall also have the national  
6 microchip number updated in the national database to reflect the change in ownership, and shall  
7 provide evidence of the update to the Animal Control Officer.

8 SECTION 4: Title 7, Chapter 24, Section 20, of the Municipal Code of the City of  
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **7.24.020:** [It shall be the duty of anyone with knowledge of a human being having been bitten  
11 by any animal] Any person, including the owner of an animal, who has knowledge that the animal has  
12 bitten a human being has a duty to promptly report the same to the Health Officer or the Animal  
13 [Regulation] Control Officer, and to provide all pertinent information requested by them.

14 SECTION 5: Title 7, Chapter 24, Section 30, of the Municipal Code of the City of  
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **7.24.030:** (A) A home confinement may be approved by the Animal Control Officer. If the  
17 biting animal has been properly vaccinated against rabies, it shall be the duty of the person owning,  
18 possessing or having the care, custody and control of said animal to confine such animal separately  
19 and securely in an enclosed building or lot for a period of ten days, [in keeping with directions from]  
20 and shall comply with the terms and conditions of the home confinement approval by the Animal  
21 Control Officer. If the [animal] biting animal is considered vicious by the Animal Control Officer,  
22 the owner shall immediately relinquish custody of the animal upon demand by the Animal Control  
23 Officer, and the animal will be impounded at the Animal Control Center. In the event such animal  
24 develops any illness during such period of time, the owner or person having the care, custody, and  
25 control must promptly notify a veterinarian, who shall make such examination as he deems necessary  
26 and report to the Animal Control Officer in the event said animal is deemed to have rabies, and said  
27 animal shall be handled in accordance with the provisions hereof.

28 (B) The maximum period of confinement for observation of the vaccinated animal

1 confined at the Animal Control Center shall be ten days, even if said animal is obtained from any other  
2 governmental entity, including, but not limited to, the State, the County, the City of North Las Vegas,  
3 the City of Henderson, and the City of Boulder City. If the animal is not released after the maximum  
4 ten-day period, as provided by law, it may be destroyed thereafter, except when the animal has a hold  
5 on it.

6 SECTION 6: Title 7, Chapter 28, Section 10, of the Municipal Code of the City of  
7 Las Vegas, Nevada, 1983 Edition is hereby amended to read as follows:

8 **7.28.010:** The City Council is hereby authorized and empowered to establish or designate a clinic  
9 to perform low-cost spays, neuters and health inoculations on, and administer birth-control drugs or  
10 devices to, animals belonging to the general public, [or to administer a birth-control drug or device  
11 thereto, upon payment of fees as established by the City Council from time to time.] The clinic is  
12 authorized to charge reasonable fees for those services in amounts established:

13 (A) By the Animal Regulation Officer, if the clinic is operated by the City; or

14 (B) Otherwise, in accordance with an agreement between the City and the operator  
15 of the clinic.

16 SECTION 7: Title 7, Chapter 32, Section 10, of the Municipal Code of the City of  
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **7.32.010:** It shall be unlawful for any person owning, possessing or having the care, custody and  
19 control of any animal, living or dead, to go away and leave without adequate care and control the same  
20 in a public street, road, alley, or any other public place, or upon the private property of himself or  
21 another. [An animal shall be considered to be abandoned when not claimed on or by the agreed upon  
22 time after having been boarded, groomed, trained, handled or cared for by any professional animal  
23 handler or veterinarian.]

24 SECTION 8: Title 7, Chapter 32, Section 90, of the Municipal Code of the City of  
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **7.32.090:** Each person who [shall take] takes custody of any [lost, abandoned animal, or animal]  
27 animal that is lost, abandoned or apparently running at large, shall report the same to the Las Vegas  
28 Animal Control Center immediately after taking custody thereof. For purposes of this Section, an

1 animal shall be considered to be abandoned if:

2           (A) The person having care, custody or control of the animal leaves the animal  
3 without adequate care or control on public or private property; or

4           (B) The animal has not been claimed by the agreed-upon time after having been  
5 boarded, groomed, trained, handled or cared for by a professional animal handler or veterinarian.

6           SECTION 9: Title 7, Chapter 38, Section 10, of the Municipal Code of the City of  
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **7.38.010:**    (A) No wild animal shall be exhibited in public or private or kept anywhere within  
9 the City unless and until the owner thereof has obtained a wild animal permit from the Animal  
10 Regulation Officer.

11           (B) Such wild animal permit shall not be issued for the keeping or exhibiting of a  
12 wild animal until an investigation has been made to ascertain what precautions shall be reasonable and  
13 necessary to protect the health, safety and general welfare of the public and of the animal.

14           (C) The Animal Regulation Officer may issue a permit for each wild animal or  
15 reptile that meets the below listed conditions. The application for permit shall have attached thereto  
16 a veterinarian's certificate, certifying that said animal is properly vaccinated and possesses no health  
17 hazard to itself, other animals, or the general public, for each animal to be covered by the permit.  
18 Each permit application shall contain the following information and documentation:

19                   (1) Type of animal(s) to be covered by the permit;

20                   (2) Purpose of keeping such animals, with particular emphasis on the  
21 knowledge of such person about the animals in question, and the experience of such person in  
22 handling the animals in question;

23                   (3) Period and location for which the permit is requested;

24                   (4) Description of the quarters in which the animal will be kept and/or  
25 exhibited, including plans and specifications, where appropriate;

26                   (5) Documentation from the City's Planning and Development Department  
27 that the location in question complies with zoning regulations and requirements applicable to the  
28 keeping of wild animals;

1 (6) Circumstances, if any, under which the animal will be removed from  
2 quarters;

3 (7) Name and address of applicant and any other person to be placed in  
4 charge of the animal; and

5 (8) Any other conditions or restrictions as set forth by the Animal  
6 Regulation Officer.

7 (D) After a review of all available information, including the permit application,  
8 the criteria or standards of recognized societies or groups dealing with the animal in question, and any  
9 citizen input, the Animal Regulation Officer may issue a permit for the keeping or exhibiting of such  
10 animal if, in his considered judgment, such animal does not constitute a danger or nuisance to the  
11 general public.

12 (E) A permit to keep one or more wild animals, with no exhibition intended, may  
13 be issued for the period prescribed by the Animal Regulation Officer upon payment of a twenty-five-  
14 dollar fee and a favorable inspection by an Animal Control Officer. The permit authorizes the keeping  
15 of the animal(s) only, in accordance with the conditions and restrictions imposed thereon, and does  
16 not authorize exhibition. A new application and a new fee is required in order to extend the time  
17 period or to change or remove any condition or restriction. The quarters for the animals must be  
18 adequate to ensure public safety and the safety, health and welfare of the animals. The owner or  
19 keeper of a wild animal not intended for exhibition shall:

20 (1) Have the animal implanted with an electronic microchip from a  
21 manufacturer approved by the Animal Regulation Officer. The implantation must be performed by  
22 a licensed veterinarian and must conform to procedures recommended by the manufacturer. The  
23 owner or keeper shall register the microchip number in a national database in accordance with  
24 instructions from the manufacturer, and shall provide the number to the Animal Control Officer.

25 (2) Obtain and maintain in effect a policy of liability insurance in the  
26 amount of not less than one hundred thousand dollars insuring against possible injuries inflicted by  
27 the wild animal. The liability insurance shall be maintained in effect as long as the owner or keeper  
28 maintains possession of the wild animal.

1 (F) A permit to exhibit one or more wild animals may be issued for the period  
2 prescribed by the Animal Regulation Officer upon payment of a twenty-five-dollar fee and a favorable  
3 inspection by an Animal Control Officer. The permit authorizes the keeping and exhibiting of the  
4 animal in accordance with this Section and with the conditions and restrictions imposed upon the  
5 permit. The twenty-five-dollar fee includes an inspection of one location and the animals to be  
6 exhibited at that location. If the permittee proposes to change the location or to exhibit additional  
7 animals, the Animal Regulation Officer is authorized to require an additional inspection and an  
8 additional twenty-five-dollar fee. The exhibit site, the quarters for the animals and the exhibition  
9 facilities must be adequate to ensure public safety and the safety, health and welfare of the animals.  
10 Before and with respect to the period of any exhibition, the permittee must obtain and maintain in  
11 effect liability insurance coverage for the exhibition in an amount not less than one million dollars.

12 SECTION 10: Title 7, Chapter 44, Section 40, of the Municipal Code of the City of  
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **7.44.040:** (A) Any person owning, possessing or having the care, custody and control of any  
15 animal, who:

16 [(A)] (1) Wilfully refuses, fails or neglects to furnish to the Animal Regulation  
17 Officer the information required under this Title;

18 [(B)] (2) Wilfully refuses, fails or neglects to cause said animals to be registered  
19 and pay said registration fee at the time and in the manner herein provided;

20 [(C)] (3) Wilfully refuses, fails or neglects to perform any act or pay any other  
21 fee or charge required by this Title to be performed or paid;

22 [(D)] (4) Resists, interferes with or prevents the Animal Regulation Officer or  
23 any of his assistants in the exercise of their duties; or

24 [(E)] (5) Violates any of the provisions of Chapters 7.04 to 7.44,  
25 [shall be deemed] is guilty of a misdemeanor, [and may result in impoundment of his or her animal.]

26 (B) Any person who violates any provision of Section 7.32.010, Section 7.32.030,  
27 Section 7.32.120 or Section 7.32.130 is guilty of a misdemeanor and:

28 (1) For the first offense within the immediately preceding seven years, shall

1 be sentenced to imprisonment for not a term of not less than two days nor more than six months; the  
2 performance of community service of not less than forty-eight hours nor more than one hundred  
3 twenty hours, and a fine of not less than two hundred dollars nor more than one thousand dollars. A  
4 term of imprisonment imposed pursuant to this paragraph may be served intermittently at the  
5 discretion of the judge, except that each period of confinement must be not less than four consecutive  
6 hours and must occur at a time when the person is not required to be at his place of employment or  
7 on a weekend;

8 (2) For the second offense or subsequent offense within the immediately  
9 preceding seven years, shall be sentenced to imprisonment for not a term of not less than ten days nor  
10 more than six months; the performance of community service of not less than one hundred hours nor  
11 more than two hundred hours, and a fine of not less than five hundred dollars nor more than one  
12 thousand dollars.

13 (C) In addition to any other fine or penalty provided in Subsection (B), a person  
14 who violates any provision of Section 7.32.010 or Section 7.32.130 shall be ordered to pay restitution  
15 for all costs associated with the care and impoundment of any mistreated animal, including without  
16 limitation money expended for veterinary treatment, feed and housing.

17 (D) In connection with the imposition of any sentence pursuant to this Section, the  
18 court may order the defendant to surrender ownership or possession of the mistreated animal.

19 (E) If a person who owns, possesses or has custody, care and control of an animal  
20 resists, interferes with or prevents the Animal Regulation Officer or any of his assistants in the  
21 exercise of their duties, or violates any of the provisions of Chapters 7.04 to 7.44, inclusive, the animal  
22 may be impounded in accordance with the provisions of this Title.

23 SECTION 11: If any section, subsection, subdivision, paragraph, sentence, clause or  
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
25 ineffective by any Court of competent jurisdiction, such decision shall not affect the validity or  
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
27 City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection,  
28 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more

1 section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional,  
2 invalid or ineffective.

3 SECTION 12: Whenever in this ordinance any act is prohibited or is made or declared  
4 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
5 required or the failure to do any act is made or declared to be unlawful or an offense or a  
6 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
7 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
8 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
9 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

10 SECTION 13: All ordinances or parts of ordinances, sections, subsections, phrases,  
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
12 1983 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this 17<sup>th</sup> day of July, 2002.

14 APPROVED:

15 By   
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

18   
19 BARBARA J. RONEMUS, City Clerk

20 By: Beverly K. Bridges  
Chief Deputy City Clerk

21 APPROVED AS TO FORM:

22 Valstead 6-5-02  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 19<sup>th</sup> day of June, 2002, and referred to a committee for recommendation; thereafter the  
3 committee reported favorably on said ordinance on the 17<sup>th</sup> day of July, 2002, which was a  
4 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by  
5 title to the City Council as first read by the following vote:

6 VOTING "AYE": Mayor Goodman, Councilmembers Reese, M. McDonald, Brown, L.B.  
McDonald, and Weekly

7 VOTING "NAY": None


8 EXCUSED: Councilman Mack

9 ABSTAINED: None

10 APPROVED:

11   
12 \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

13 ATTEST:

14   
15 \_\_\_\_\_  
By: Beverly K. Bridges  
16 Chief Deputy City Clerk

15 BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
2289624

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/05/2002 to 07/05/2002, on the following days: JULY 5, 2002

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10

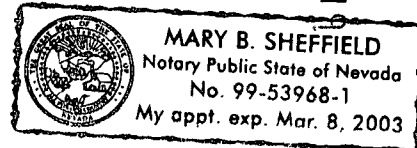
day of July 2002

Mary B. Sheffield

Notary Public

2002 JUL 15 A 10:10

RECEIVED  
CITY CLERK



BILL NO. 2002-76

AN ORDINANCE TO AMEND VARIOUS ANIMAL CONTROL REGULATIONS AND PROCEDURES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Michael Sheldon, Director of Oeention and Enforcement.  
Summary: Amends various animal control regulations and procedures.

At the City Council meeting of JUNE 19, 2002

BILL NO. 2002-76 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA. PUB: July 5, 2002 LV Review-Journal

AFFP DISTRICT COURT  
Clark County, Nevada  
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:  
That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
2312166

2296311LV

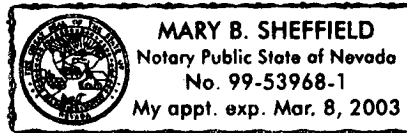
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/20/2002 to 07/20/2002, on the following days: JULY 20, 2002

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 23

day of July 2002

Mary B. Sheffield  
Notary Public



RECEIVED  
CITY CLERK  
2002 JUL 25 A 10:50

BILL NO. 2002-76  
ORDINANCE NO. 5497

AN ORDINANCE TO AMEND VARIOUS ANIMAL CONTROL REGULATIONS AND PROCEDURES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Michael Sheldon, Director of Detention and Enforcement  
Summary: Amends various animal control regulations and procedures.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of June, 2002, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 17th day of July, 2002, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown, L. B. McDonald and Weekly  
VOTING "NAY": NONE  
EXCUSED: Councilman Mack

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.  
PUB: July 20, 2002  
LV Review-Journal