

ORDINANCE NO. 331

AN ORDINANCE ESTABLISHING A PUBLIC POUND; PRESCRIBING THE POWERS AND DUTIES OF THE POUNDMASTER; FIXING THE FEES AND CHARGES TO BE COLLECTED BY HIM, AND DIRECTING THE DISPOSITION THEREOF; PROVIDING FOR THE REGISTRATION OF DOGS AND DOG KENNELS AND FIXING THE FEES THEREFOR; PROVIDING FOR THE VACCINATION OF DOGS AND CATS; PROVIDING FOR THE REDEMPTION, SALE OR OTHER DISPOSITION OF DOGS AND OTHER ANIMALS IMPOUNDED; PROHIBITING CRUELTY TO ANIMALS; PROVIDING A PENALTY FOR THE VIOLATION OF ANY OF THE PROVISIONS THEREOF; REPEALING ORDINANCES NO. 5, 12, 19, 51, 58, 63 AND 101, AND ALL ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF LAS VEGAS IN CONFLICT THEREWITH, AND OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. The following terms, whenever used or referred to in this ordinance, shall have the following meanings, except in those instances where the context clearly indicates otherwise:

(a) The term "animal" shall mean every domesticated and tame living creature, except members of the human race.

(b) The term "torture" or "cruelty" shall mean every act of omission or commission whereby unjustifiable physical pain, suffering or death is caused or permitted.

(c) The term "dog" shall mean female as well as male dogs, irrespective of age.

(d) The word "person" shall mean the plural as well as the singular, and include all persons, corporations, firms and associations.

Section 2. A public pound is hereby authorized and established in the City of Las Vegas.

Section 3. It shall be the duty of the poundmaster to take and have charge of the city pound and it shall be his duty to take up and impound all animals found at large upon any street, sidewalk, lane, alley or other public place or unenclosed place within the City of Las Vegas, except dogs which have been regularly registered, and it shall be his duty to take up and impound all animals found any place within the City of Las Vegas contrary to the provisions of this ordinance.

Section 4. It shall be the duty of the ex-officio license fee collector to register each year, as soon as possible after the first day of January thereof, all dogs in the City of Las Vegas, except dogs under the age of six months which are confined within the private property of their owners or those having the care, custody and control thereof, in a book kept for that purpose to be known and designated as the "Dog Register Book"; such registration shall contain a description sufficient to identify each such dog; and the name and address of the owner, if residing within the City of Las Vegas, and if not, then the person having the care, custody and control thereof, or who has in his possession or harbors said dog, together with the number and date of registration. For each dog so registered, as provided herein, there shall be charged the following sums:

For each female dog	\$5.00
For each spayed female dog	\$2.50
For each male dog	\$2.50

Provided, however, that for each dog kept in or belonging to a kennel, the registration fee shall be One Dollar (\$1.00) for each and every dog in said dog kennel; and provided, further, that the minimum fee for registering said Dog Kennel shall be the sum of Ten Dollars (\$10.00).

Section 5. The registration fee provided in this ordinance shall be due and payable on the first day of January of each year, and the same shall be charged against and be payable by the said owner or person having the care, custody and control, or who has in his possession or harbors, said dog or dogs, as aforesaid. Upon the payment of the registration fee, as provided in Section 4 hereof, there shall be delivered to the person making such payment a metal tag, with the number and year, and the words "Dog Tag, City of Las Vegas," stamped thereon, and such tag, while it is attached to the collar upon the neck of such dog shall exempt same from being impounded during the calendar year designated on said tag, except as hereinafter provided for vicious or dangerous dogs and female dogs in heat.

Section 6. Every person, firm or corporation owning, operating or maintaining a Dog Kennel within the City of Las Vegas must first apply for and obtain a permit from ~~the City Manager~~ of the City of Las Vegas ^{HSR} to so keep and maintain said dog kennel. Such permit when so issued shall be numbered and the number thereof entered in the Dog Register Book, together with other data required to sufficiently describe said dog kennel. A "Dog Kennel" within the meaning of this ordinance shall be a pack or collection of dogs, exceeding three in number, kept and bred for hunting or sale, and does not mean merely the house or place where same are kept.

Section 7. Any animal found trespassing upon any private enclosure in the City of Las Vegas may be taken up by the party owning such enclosure, or his agent, and committed to the poundmaster, who shall hold the same subject to reasonable demand for damages in addition to the fees prescribed in this ordinance.

Section 8. The poundmaster shall keep a true, accurate and complete record of the number and description of all animals taken into his custody, with the hour and date of their impounding and the hour, date and manner of their disposition, and shall keep conspicuously posted at the entrance of the pound, a list of animals detained therein. He shall provide the necessary subsistence for animals while in his custody and shall not alter, nor suffer to be altered, any mark or brand thereon, and shall not suffer cruel treatment thereof.

Section 9. All animals, excepting dogs, taken into the custody of the poundmaster, if not redeemed within twenty-four (24) hours thereafter, may be sold by the poundmaster, after giving at least three (3) days notice of such sale. If no purchaser can be found upon such sale the poundmaster may dispose of the animal by gift, and in the case of a cat or fowl, may destroy the same.

Section 10. The notice shall describe the animal and shall state the time and place of sale, and shall be posted in three public places in the city, one of which notices shall be posted at the entrance of the pound. At the time advertised, the poundmaster shall sell all of the animals so advertised at public auction to the highest bidder for cash. The proceeds of such sale shall be immediately paid by the poundmaster to the treasurer of the City of Las Vegas, who shall, after first deducting the fees and charges, pay over the surplus proceeds to the owner of such animal sold upon a warrant ordered by the Board of Commissioners of the City of Las Vegas, if claimed within six months thereafter.

Section 11. The owner or person entitled to the possession and control of any animal impounded, may at any time before the sale or other disposition thereof, redeem same by paying the poundmaster all fees and charges thereon, and if a dog, by paying the fee for registration thereof, in addition, if not already paid.

Section 12. The poundmaster shall charge and collect the following fees and charges from persons redeeming animals taken up or impounded:

For taking up and impounding any animal, excepting dogs, weighing up to One Hundred Pounds, the sum of Two Dollars (\$2.00), and for those weighing over One Hundred Pounds, the sum of Five Dollars (\$5.00).

For keeping dogs, cats, birds and fowl, Fifty (50) Cents per day.

For keeping other animals weighing up to One Hundred Pounds, One Dollar (\$1.00) per day, and for those weighing over One Hundred Pounds, Two Dollars (\$2.00) per day.

Section 13. Any person rescuing, or attempting to rescue any animal from the possession of the poundmaster while about to convey the same to the pound, or in any way, directly or indirectly, removing or delivering the same from said pound, or from the possession of said poundmaster, or causing or enabling same to escape therefrom, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided herein.

Section 14. All persons owning or having under their control vicious or dangerous animals or female dogs in heat shall keep same securely inclosed. It shall be the duty of the poundmaster to take up and carry away and impound all vicious and dangerous animals and female dogs in heat not securely inclosed.

Section 15. The poundmaster shall keep all dogs taken up by him for three days thereafter, and if redeemed, shall charge and receive in addition to the registration fee, if not already paid, and all other fees and charges herein provided for, one dollar for each dog, provided, however, that he may charge five dollars for the redemption of a vicious or dangerous dog, or female dog in heat, the first time such dog is taken up, and twenty-five dollars for each and every time thereafter that such dog is taken up. If such dog be not redeemed within three days, he shall dispose of it by sale in the manner and upon notice as provided in Sections 9 and 10 hereof, or by gift, or by destroying it, provided, however, that vicious and dangerous dogs, and dogs unfit for further use or dangerous to be kept impounded by reason of age, disease or other infirmity, may be destroyed at any time after twenty-four (24) hours upon examination and recommendation in writing of the City Health Officer or any responsible Veterinary Surgeon. After such examination and recommendation such dog shall be destroyed and buried by the poundmaster, but no charge for the examination and destruction, or for the burial of any dog shall be made against the City of Las Vegas.

Section 16. All moneys collected under the provisions of this ordinance by the poundmaster and the license fee collector shall be paid by them unto the treasurer of the City of Las Vegas, together with a statement covering the said collection, taking the treasurer's receipt therefor.

Section 17. The actual reasonable operating cost of the public pound by the poundmaster, shall be a proper charge against the general fund of the City of Las Vegas.

Section 18. Monthly reports of the poundmaster showing the amounts collected, the amounts expended, the work performed and general report of the poundmaster shall be furnished by said poundmaster in writing to the City Manager not later than the tenth day of each month.

Section 19. The poundmaster for the purpose of carrying out the provisions of this ordinance shall be appointed by and serve at the pleasure of the City Manager of the City of Las Vegas, and shall receive such salary or compensation as may be fixed and determined by the Board of Commissioners from time to time. He shall, before entering upon the duties of his office, execute a bond payable to the City of Las Vegas in such amount and form as the Board of Commissioners may determine, with good and sufficient sureties, to be approved by the Board of Commissioners, conditioned for the faithful discharge of his duties.

Section 20. Any person owning, possessing, or having the care, custody and control of a dog or dogs who wilfully refuses, fails or neglects to furnish to said poundmaster or license fee collector the required information necessary to properly register said dog or dogs in the Dog Register Book, as provided herein, or who wilfully fails, refuses or neglects to cause said dog or dogs to be registered and pay said registration fee at the time and in the manner herein provided, 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, and any person who shall wilfully resist, interfere with or prevent the poundmaster or any of his assistants in the exercise 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, except as herein otherwise provided, by a fine of not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment in the city jail for not less than five (5) days nor more than fifty (50) days, or by both such fine and imprisonment, and the payment of any fees and charges provided for in this ordinance due and remaining unpaid.

Section 21. Whenever any animal, excepting dogs, is taken up for impounding, which by reason of age, disease or other infirmity is unfit for further use or dangerous to be kept impounded, the poundmaster shall within twenty-four (24) hours thereafter destroy such animal, upon the examination and recommendation in writing of the City Health Officer, or any responsible Veterinary Surgeon, but no charge for such examination and destruction, or for the burial of said animal shall be made against the City of Las Vegas.

Section 22. It shall be the duty of the poundmaster upon the request of any owner or possessor of any dead animal, to forthwith bury or destroy the same, in such manner as the Health Officer may prescribe and, in the case of dead dogs or cats, only after examination by the Health Officer where there is no record in his department that such dog or cat has been previously vaccinated as in Section 25 hereof provided, for which services the poundmaster shall charge and collect the following fees:

For burying or destroying horses, oxen, bulls, or cows, per head	\$5.00
For burying or destroying jacks, mules, steer or colts, per head	\$5.00
For burying sheep, goats or calves, per head	\$2.50
For burying dogs, cats, or other animals not enumerated, each	\$1.50

Section 23. It shall be the duty of the poundmaster whenever it comes to his knowledge that any dead animal is upon any of the public streets, alleys, sidewalks, lanes or other public or unenclosed place within the City of Las Vegas, to promptly dispose of the same, in the manner and upon examination as provided by Section 22 hereof, charging and collecting therefor from the owner or person formerly having had the possession or control thereof, if same can be ascertained, the fees provided in said Section 22.

Section 24. Whenever a dog tag issued for the current year has been lost or taken or stolen by parties unknown to the owner or person having the care, custody or control of the dog for which same was issued, such owner or person having said care, custody or control of such dog may, upon the payment of fifty (50) cents and on making and subscribing to an affidavit alleging the loss of such tag, receive from the license collector a duplicate tag for the remaining portion of the year for which the original dog tag was issued.

Section 25. Every person owning, possessing, harboring or having the care, custody and control of a dog or cat, over the age of six weeks, shall cause the same to be vaccinated against rabies, each year immediately after the first day of January thereof, by the Health Officer of the City of Las Vegas Department of Health upon the payment of the fee of One Dollar (\$1.00) to said Department, or the Health Officer of the Clark County Department of Health, or by a licensed veterinarian of the City of Las Vegas or the County of Clark, State of Nevada, who shall have been registered by the Board of Veterinary Medical Examiners of the State of Nevada, and obtain a certificate from such veterinarian or Health Officer, as the case may be, in the form prescribed by the City of Las Vegas Department of Health, certifying that said animal has been so vaccinated. Every person bringing a dog or cat, over the age of six weeks, into the City of Las Vegas, except those traveling through the city and keeping such animal securely enclosed in a conveyance, shall immediately upon entry into the City cause said animal to be so vaccinated and obtain a certificate as herein provided, provided, however, that any certificate issued by a duly licensed veterinarian or duly constituted Health Officer of any jurisdiction outside of the County of Clark, State of Nevada, shall be deemed sufficient for a period of six months from the date that the vaccination is stated on the certificate to have taken place, but in no event beyond the first day of January next ensuing the date of such vaccination. The certificate provided for herein shall be filed in the City of Las Vegas Department of Health within five days from the date of such vaccination or the date such animal is brought into the City, and at the time any dog is registered as herein provided, the person owning, possessing, harboring or having the care, custody and control of such dog, with respect to which such certificate has been obtained and filed, shall furnish proof thereof to the license fee collector who shall enter such information in the Dog Register Book.

Section 26. Whenever any animal is taken up for impounding, the poundmaster shall, upon the sale or redemption thereof, in all cases of dogs and cats where there is no record on file in the City of Las Vegas Department of Health that such dog or cat has been vaccinated and a certificate issued therefor and filed as provided in Section 25 hereof, and in cases of other animals upon the recommendation of the City Health Officer, cause the same to be vaccinated by said Health Officer against rabies obtaining and filing the certificate therefor as provided in said Section 25 hereof, and thereupon shall charge and receive in addition to all other fees and charges herein mentioned the fee of One Dollar (\$1.00) for such vaccination which shall be paid over by him to the City of Las Vegas Department of Health.

Section 27. No dead dog or cat shall be buried or otherwise disposed of by the poundmaster or any other person unless and until the City Health Officer has examined the same, where there is no record in the files of the City of Las Vegas Department of Health that such dog or cat has been previously vaccinated as in Section 25 hereof provided, but no charge for such examination and burial or disposal shall be made against the City of Las Vegas.

Section 28. It shall be 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 thing 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 shall be unlawful for any owner or occupant of a house, apartment, pit or place to willfully procure or permit the same to be used or occupied for such baiting or fighting.

Section 29. It shall be unlawful for any person to instigate, promote, arrange or carry on, or do any act as assistant, umpire, principal, spectator, or otherwise, in aid of or calculated to encourage or further, any fight between birds or animals.

Section 30. It shall be unlawful for any person to overdrive, overload, torture or cruelly beat, or unjustifiably injure, maim, mutilate or kill any animal, whether belonging to himself or to another, or deprive any animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance, food or drink, or cause, procure or permit any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary sustenance, food or drink, or wilfully instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty.

Nothing herein contained shall be construed to prohibit or interfere with the poundmaster or City Health Officer in the exercise and performance of the powers and duties in this ordinance set forth as to them, and any properly conducted scientific experiments or investigations performed only under the authority and direction of the faculty of any regularly incorporated medical college or university of the State of Nevada.

Section 31. It shall be unlawful for any person owning, possessing or having the care, custody and control of a maimed, diseased, disabled or infirm animal, to abandon the same, or leave it to die in a public street, road, alley or other public place, or upon the private property of another, or allow it to lie in a public street, road, alley or other public place, or upon the private property of another, more than three hours after he receives notice that it is left disabled.

Section 32. It shall be unlawful for any person to unjustifiably administer any poisonous or noxious drug or substance to any animal, other than a horse, mule or domestic cattle, or to unjustifiably expose any such drug or substance with intent that the same shall be taken by an animal, other than a horse, mule or domestic cattle, whether such animal be the property of himself or another; provided, that nothing herein contained shall be construed to prevent or restrict the poundmaster and City Health Officer in the exercise and performance of the powers and duties in this ordinance set forth as to them, and any properly conducted scientific experiments or investigations performed only under the authority and direction of the faculty of any regularly incorporated medical college or university of the State of Nevada.

Section 33. It shall be unlawful for any person to wilfully throw, drop or place, or cause to be thrown, dropped or placed upon any road, highway, street, alley or public place, or upon the private property of another, any glass, nails, pieces of metal or other substance which might wound, disable or injure any animal, or to drop, place or throw or cause to be dropped, placed or thrown any substance or device upon his own property with intent to wound, disable or injure any animal.

Section 34. It shall be unlawful for any person to carry or cause to be carried in or upon any vehicle, enclosed device, or otherwise, any animal in a cruel or inhuman manner, or so as to produce torture.

Section 35. Any person who violates any of the provisions of Sections 28, 29, 30, 31, 32, 33 and 34 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), or by imprisonment in the city jail for not more than six (6) months, or by both such fine and imprisonment.

Section 36. Ordinance No. 5 entitled "An Ordinance to Prohibit Stock Running at Large," approved July 18, 1911, Ordinance No. 12 entitled "An Ordinance Providing for the Collection of a Dog License or Tax," approved September 6, 1911, Ordinance No. 19 entitled "An Ordinance Amending Ordinance No. 12 of the City of Las Vegas entitled 'An Ordinance Providing for the Collection of a Dog License or Tax'," approved November 1, 1911, Ordinance No. 51 entitled "An Ordinance Prohibiting Dogs From Running at Large in the Streets, Alleys or Public Places of the City of Las Vegas and Repealing Ordinance No. 19, Entitled 'An Ordinance Amending Ordinance No. 12 of the City of Las Vegas, Entitled, 'An Ordinance Providing for the Collection of a Dog License or Tax' and all Ordinances and Parts of Ordinances in Conflict Herewith'," approved January 7, 1914, Ordinance No. 58 entitled "An Ordinance Providing for the Collection of a Dog Tax or License," approved October 7, 1914, Ordinance No. 63 entitled "An Ordinance Prohibiting Dogs from Running at Large Within the Limits of the City of Las Vegas, in the County of Clark, State of Nevada, and Requiring all Persons Owning, Keeping or Harboring any Dog or Dogs Within the Limits of the City of Las Vegas to Keep Said Dog or Dogs on Their Premises and at all Times to Wear a Dog Muzzle," approved March 11, 1916, and Ordinance No. 101 entitled "An Ordinance Providing for a City Pound; Appointment of a Pound Master and Deputy Pound Master; Providing Rules and Regulations for the Government of Same; Prohibiting Animals Running at Large Within the City and Providing for the Custody and Sale of Same and Matters Relating Thereto; Fixing the Fees to be Charged by the Pound Master, His Salary and His Duties; Fixing a Penalty for the Violation of Any of the Provisions Hereof, and Repealing all Ordinances or Parts of Ordinances in Conflict Herewith, and Specifically Repealing Ordinance No. 5 of the City of Las Vegas, Entitled 'An Ordinance to Prohibit Stock Running at Large'," approved July 3, 1923, and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 37. The provisions of this ordinance shall be severable, and if any of the provisions thereof shall be held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any of the remaining provisions of this ordinance. It is hereby declared as the intent of the Board of Commissioners that this ordinance would have been adopted had such invalid or unconstitutional provision not been included therein.

Section 38. This ordinance shall be in full force and effect upon its publication, as in the next section provided, and final passage.

Section 39. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this Ordinance to be published once a week for two successive weeks immediately following its first reading and adoption, in the Las Vegas Evening Review Journal, a daily newspaper published in the City of Las Vegas.

E. W. Cragin
Mayor

ATTEST:

Helen Scott Reed
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of City Commissioners on the 9th day of May, 1947, and referred to the following committee composed of Commissioners

Baskin and Clark for recommendation; thereafter the said committee reported favorably on the said Ordinance on the 22nd day of May, 1947, which was the next regular meeting of said Board of City Commissioners; that at said regular meeting held on the 22nd day of May, 1947, the proposed Ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Baskin, Clark, Corradetti
& His Honor Mayor E. W. Cragin

Voting "Nay": None

Absent: None

APPROVED:

E. W. Cragin
Mayor

ATTEST:

Helen Scott Reed
City Clerk

The above and foregoing Ordinance was thereafter read aloud to the said Board of City Commissioners for a second time at a regular meeting of the said Board held on the 6th day of June, 1947, and passed by the following vote:

Voting "Aye": Commissioners Baskin, Clark, Corradetti
Moore, Whipple & His Honor E. W. Cragin

Voting "Nay": None

Absent: None

APPROVED:

E. W. Cragin
Mayor

ATTEST:

Helen Scott Reed
City Clerk

ORDINANCE NO. 331
 AN ORDINANCE ESTABLISHING A PUBLIC POUND; PRESCRIBING THE POWERS AND DUTIES OF THE POUNDMASTER; FIXING THE FEES AND CHARGES TO BE COLLECTED BY HIM, AND DIRECTING THE DISPOSITION THEREOF; PROVIDING FOR THE REGISTRATION OF DOGS AND DOG KENNELS AND FIXING THE FEES THEREFOR; PROVIDING FOR THE REDEMPTION, SALE OR OTHER DISPOSITION OF DOGS AND OTHER ANIMALS IMPOUNDED; PROHIBITING CRUELTY TO ANIMALS; PROVIDING A PENALTY FOR THE VIOLATION OF ANY OF THE PROVISIONS THEREOF; REPEALING ORDINANCES NO. 5, 12, 19, 51, 58, 63 AND 101, AND ALL ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF LAS VEGAS IN CONFLICTING THERewith, AND OTHER MATTERS PROPERLY RELATING THERETO.
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(c) The term "dog" shall mean female as well as male dogs, irrespective of age.

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Section 4. It shall be the duty of the ex-officio license fee collector to register each year, as soon as possible after the first day of January thereof, all dogs in the City of Las Vegas, except dogs under the age of six months which are confined within the private property of their owners or those having the care, custody and control thereof, in a book kept for that purpose to be known and designated as the "Dog Register Book"; such registration shall contain a description sufficient to identify each such dog; and the name and address of the owner, if residing within the City of Las Vegas, and if not, then the person having the care, custody and control thereof, or who has in his possession or harbors said dog, together with the number and date of registration. For each dog so registered, as provided herein, there shall be charged the following sums:

For each female dog.....\$5.00
 For each spayed female dog.....\$2.50
 For each male dog.....\$2.50
 Provided, however, that for each dog kept in or belonging to a kennel, the registration fee shall be One Dollar (\$1.00) for each and every dog in said dog kennel; and provided, further, that the minimum fee for registering said Dog Kennel shall be the sum of Ten Dollars (\$10.00).

of age, disease or other infirmity, may be destroyed at any time after twenty-four (24) hours upon examination and recommendation in writing of the City Health Officer or any responsible Veterinary Surgeon. After such examination and recommendation such dog shall be destroyed and buried by the poundmaster, but no charge for the examination and destruction, or for the burial of any dog shall be made against the City of Las Vegas.

Section 16. All moneys collected under the provisions of this ordinance by the poundmaster and the license fee collector shall be paid by them unto the treasurer of the City of Las Vegas, together with a statement covering the said collection, taking the treasurer's receipt therefor.

Section 17. The actual reasonable operating cost of the public pound by the poundmaster, shall be a proper charge against the general fund of the City of Las Vegas.

Section 18. Monthly reports of the poundmaster showing the amounts collected, the amounts expended, the work performed and general report of the poundmaster shall be furnished by said poundmaster in writing to the City Manager not later than the tenth day of each month.

Section 19. The poundmaster for the purpose of carrying out the provisions of this ordinance shall be appointed by and serve at the pleasure of the City Manager of the City of Las Vegas, and shall receive such salary or compensation as may be fixed and determined by the Board of Commissioners from time to time. He shall, before entering upon the duties of his office, execute a bond payable to the City of Las Vegas in such amount and form as the Board of Commissioners may determine, with good and sufficient sureties, to be approved by the Board of Commissioners, conditioned for the faithful discharge of his duties.

Section 20. Any person owning, possessing, or having the care, custody and control of a dog or dogs who wilfully refuses, fails or neglects to furnish to said poundmaster or license fee collector the required information necessary to properly register said dog or dogs in the Dog Register Book, as provided herein, or who wilfully fails, refuses or neglects to cause said dog or dogs to be registered and pay said registration fee at the time and in the manner herein provided, 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, and any person who shall wilfully resist, interfere with or prevent the poundmaster or any of his assistants in the exercise 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, except as herein otherwise provided, by a fine of not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment in the city jail for not less than five (5) days nor more than fifty (50) days, or by both such fine and imprisonment, and the payment of any fees and charges provided for in this ordinance due and remaining unpaid.

AFFIDAVIT OF PUBLICATION

ADA, }
 LARK } ss.

W. L. Lark, being first duly sworn,

deposes and says: That he is *Foreman* of the **EVENING REVIEW-JOURNAL**, a daily newspaper, of general circulation, printed and published at Las Vegas, in the County of Nevada, and that the attached was continuously published

therefor for a period of *Two weeks* beginning on *May 26, 1947* to *June 2nd 1947*

on the issues of said newspaper for the following dates, to-wit: *May 26 - June 2nd* 1947. Said newspaper was regularly issued and circulated on each of the *dates* stated.

Signed *W. L. Lark*

sworn to before me this *2nd* day of *June* 1947

W. L. Lark
 Notary Public in and for Clark County, Nevada.

Expires *12 1951*

Section 5. The registration fee provided in this ordinance shall be due and payable on the first day of January of each year, and the same shall be charged against and be payable by the said owner or person having the care, custody and control, or who has in his possession or harbors, said dog or dogs, as aforesaid. Upon the payment of the registration fee, as provided in section 4 hereof, there shall be delivered to the person making such payment a metal tag, with the number and year, and the words "Dog Tag, City of Las Vegas," stamped thereon, and such tag, while it is attached to the collar upon the neck of such dog shall exempt same from being impounded during the calendar year designated on said tag, except as hereinafter provided for vicious or dangerous dogs and female dogs in heat.

Section 6. Every person, firm or corporation owning, operating or maintaining a Dog Kennel within the City of Las Vegas must first apply for and obtain a permit from the City of Las Vegas to so keep and maintain said dog kennel. Such permit when so issued shall be numbered and the number thereof entered in the Dog Register Book, together with other data required to sufficiently describe said dog kennel. A "Dog Kennel" within the meaning of this ordinance shall be a pack or collection of dogs, exceeding three in number, kept and bred for hunting or sale, and does not mean merely the house or place where same are kept.

Section 7. Any animal found trespassing upon any private enclosure in the City of Las Vegas may be taken up by the party owning such enclosure, or his agent, and committed to the poundmaster, who shall hold the same subject to reasonable demand for damages in addition to the fees prescribed in this ordinance.

Section 8. The poundmaster shall keep a true, accurate and complete record of the number and description of all animals taken into his custody, with the hour and date of their impounding and the hour, date and manner of their disposition, and shall keep conspicuously posted at the entrance of the pound, a list of animals detained therein. He shall provide the necessary subsistence for animals while in his custody and shall not alter, nor suffer to be altered, any mark or brand thereon, and shall not suffer cruel treatment thereof.

Section 9. All animals, excepting dogs, taken into the custody of the poundmaster, if not redeemed within twenty-four (24) hours thereafter, may be sold by the poundmaster, after giving at least three (3) days notice of such sale. If no purchaser can be found upon such sale the poundmaster may dispose of the animal by gift, and in the case of a cat or fowl, may destroy the same.

Section 10. The notice shall describe the animal and shall state the time and place of sale, and shall be posted in three public places in the city, one of which notices shall be posted at the entrance of the pound. At the time advertised, the poundmaster shall sell all of the animals so advertised at public auction to the highest bidder for cash. The proceeds of such sale shall be immediately paid by the poundmaster to the treasurer of the City of Las Vegas, who shall, after first deducting the fees and charges, pay over the surplus proceeds to the owner of such animal sold upon a warrant ordered by the Board of Commissioners of the City of Las Vegas, if claimed within six months thereafter.

Section 11. The owner or person entitled to the possession and control of any animal impounded, may at any time before the sale or other disposition thereof, redeem same by paying the poundmaster all fees and charges thereon, and if a dog, by paying the fee for registration thereof, in addition, if not already paid.

Section 12. The poundmaster shall charge and collect the following fees and charges from persons redeeming animals taken up or impounded:

For taking up and impounding any animal, excepting dogs, weighing up to One Hundred Pounds, the sum of Two Dollars (\$2.00), and for those weighing over One Hundred Pounds, the sum of Five Dollars (\$5.00).

For keeping dogs, cats, birds and fowl, Fifty (50) Cents per day.

For keeping other animals weighing up to One Hundred Pounds, One Dollar (\$1.00) per day, and for those weighing over One Hundred Pounds, Two Dollars (\$2.00) per day.

Section 13. Any person rescuing, or attempting to rescue any animal from the possession of the poundmaster while about to convey the same to the pound, or in any way, directly or indirectly, removing or delivering the same from said pound, or from the possession of said poundmaster, or causing or enabling same to escape therefrom, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided herein.

Section 14. All persons owning or having under their control vicious or dangerous animals or female dogs in heat shall keep same securely inclosed. It shall be the duty of the poundmaster to take up and carry away and impound all vicious and dangerous animals and female dogs in heat not securely inclosed.

Section 15. The poundmaster shall keep all dogs taken up by him for three days thereafter, and if redeemed, shall charge and receive in addition to the registration fee, if not already paid, and all other fees and charges herein provided for, one dollar for each dog, provided, however, that he may charge five dollars for the redemption of a vicious or dangerous dog, or female dog in heat, the first time such dog is taken up, and twenty-five dollars for each and every time thereafter that such dog is taken up. If such dog be not redeemed within three days, he shall dispose of it by sale in the manner and upon notice as provided in Sections 9 and 10 hereof, or by gift, or by destroying it, provided, however, that vicious and dangerous dogs, and dogs unfit for further use or dangerous to be kept impounded by reason

Section 21. Whenever any animal, excepting dogs, is taken up for impounding, which by reason of age, disease or other infirmity is unfit for further use or dangerous to be kept impounded, the poundmaster shall within twenty-four (24) hours thereafter destroy such animal, upon the examination and recommendation in writing of the City Health Officer, or any responsible Veterinary Surgeon, but no charge for such examination and destruction, or for the burial of said animal shall be made against the City of Las Vegas.

Section 22. It shall be the duty of the poundmaster upon the request of any owner or possessor of any dead animal, to forthwith bury or destroy the same, in such manner as the Health Officer may prescribe and, in the case of dead dogs or cats, only after examination by the Health Officer where there is no record in his department that such dog or cat has been previously vaccinated as in Section 25 hereof provided, for which services the poundmaster shall charge and collect the following fees:

For burying or destroying horses, oxen, bulls, or cows, per head	\$5.00
For burying or destroying jacks, mules, steers or colts, per head	\$5.00
For burying sheep, goats or calves, per head	\$2.50
For burying dogs, cats, or other animals not enumerated, each	\$1.50

Section 23. It shall be the duty of the poundmaster whenever it comes to his knowledge that any dead animal is upon any of the public streets, alleys, sidewalks, lanes or other public or unenclosed place within the City of Las Vegas, to promptly dispose of the same, in the manner and upon examination as provided by Section 22 hereof, charging and collecting therefor from the owner or person formerly having had the possession or control thereof, if same can be ascertained, the fees provided in said Section 22.

Section 24. Whenever a dog tag issued for the current year has been lost or taken or stolen by parties unknown to the owner or person having the care, custody or control of the dog for which same was issued, such owner or person having said care, custody or control of such dog may, upon the payment of fifty (50) cents and on making and subscribing to an affidavit alleging the loss of such tag, receive from the license collector a duplicate tag for the remaining portion of the year for which the original dog tag was issued.

Section 25. Every person owning, possessing, harboring or having the care, custody and control of a dog or cat, over the age of six weeks, shall cause the same to be vaccinated against rabies, each year immediately after the first day of January thereof, by the Health Officer of the City of Las Vegas Department of Health upon the payment of the fee of One Dollar (\$1.00) to said Department, or the Health Officer of the Clark County Department of Health, or by a licensed veterinarian of the City of Las Vegas or the County of Clark, State of Nevada, who shall have been registered by the Board of Veterinary Medical Examiners of the State of Nevada, and obtain a certificate from such veterinarian or Health Officer, as the case may be, in the form prescribed by the City of Las Vegas Department of Health, certifying that said animal has been so vaccinated. Every person bringing a dog or cat, over the age of six weeks, into the City of Las Vegas, except those traveling through the city and keeping such animal securely enclosed in a conveyance, shall immediately upon entry into the city cause said animal to be so vaccinated and obtain a certificate as herein provided, provided, however, that any certificate issued by a duly licensed veterinarian or duly constituted Health Officer of any jurisdiction outside of the County of Clark, State of Nevada, shall be deemed sufficient for a period of six months from the date that the vaccination is stated on the certificate to have taken place, but in no event beyond the first day of January next ensuing the date of such vaccination. The certificate provided for herein shall be filed in the City of Las Vegas Department of Health within five days from the date of such vaccination or the date such animal is brought into the City, and at the time any dog is registered as herein provided, the person owning, possessing, harboring or having the care, custody and control of such dog, with respect to which such certificate has been obtained and filed, shall furnish proof thereof to the license fee collector who shall enter such information in the Dog Register Book.

Section 26. Whenever any animal is taken up for impounding, the poundmaster shall, upon the sale or redemption thereof, in all cases of dogs and cats where there is no record on file in the City of Las Vegas Department of Health that such dog or cat has been vaccinated and a certificate issued therefor and filed as provided in Section 25 hereof, and in cases of other animals upon the recommendation of the City Health Officer, cause the same to be vaccinated by said Health Officer against rabies obtaining and filing the certificate therefor as provided in said Section 25 hereof, and thereupon shall charge and receive in addition to all other fees and charges herein mentioned the fee of One Dollar (\$1.00) for such vaccination which shall be paid over by him to the City of Las Vegas Department of Health.

Section 27. No dead dog or cat shall be buried or otherwise disposed of by the poundmaster or any other person unless and until the City Health Officer has examined the

same, where there is no record in the files of the City of Las Vegas Department of Health that such dog or cat has been previously vaccinated as in Section 25 hereof provided, but no charge for such examination and burial or disposal shall be made against the City of Las Vegas.

Section 28. It shall be 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 thing 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 shall be 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.

Section 29. It shall be unlawful for any person to instigate, promote, arrange or carry on, or do any act as assistant, umpire, principal, spectator, or otherwise, in aid of or calculated to encourage or further, any fight between birds or animals.

Section 30. It shall be unlawful for any person to overdrive, overload, torture or cruelly beat, or unjustifiably injure, maim, mutilate or kill any animal, whether belonging to himself or to another, or deprive any animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance, food or drink, or cause, procure or permit any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary sustenance, food or drink, or wilfully instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty.

Nothing herein contained shall be construed to prohibit or interfere with the poundmaster or City Health Officer in the exercise and performance of the powers and duties in this ordinance set forth as to them, and any properly conducted scientific experiments or investigations performed only under the authority and direction of the faculty of any regularly incorporated medical college or university of the State of Nevada.

Section 31. It shall be unlawful for any person owning, possessing or having the care, custody and control of a maimed, diseased, disabled or infirm animal, to abandon the same, or leave it to die in a public street, road, alley or other public place, or upon the private property of another, or allow it to lie in a public street, road, alley or other public place, or upon the private property of another, more than three hours after he receives notice that it is left disabled.

Section 32. It shall be unlawful for any person to unjustifiably administer any poisonous or noxious drug or substance to any animal, other than a horse, mule or domestic cattle, or to unjustifiably expose any such drug or substance with intent that the same shall be taken by an animal, other than a horse, mule or domestic cattle, whether such animal be the property of himself or another; provided, that nothing herein contained shall be construed to prevent or restrict the poundmaster and City Health Officer in the exercise and performance of the powers and duties in this ordinance set forth as to them, and any properly conducted scientific experiments or investigations performed only under the authority and direction of the faculty of any regularly incorporated medical college or university of the State of Nevada.

Section 33. It shall be unlawful for any person to wilfully throw, drop or place, or cause to be thrown, dropped or placed upon any road, highway, street, alley or public place, or upon the private property of another, any glass, nails, pieces of metal or other substance which might wound, disable or injure any animal, or to drop, place or throw or cause to be dropped, placed or thrown any substance or device upon his own property with intent to wound, disable or injure any animal.

Section 34. It shall be unlawful for any person to carry or cause to be carried in or upon any vehicle, enclosed device, or otherwise, any animal in a cruel or inhuman manner, or so as to produce torture.

Section 35. Any person who violates any of the provisions of Sections 28, 29, 30, 31, 32, 33 and 34 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), or by imprisonment in the city jail for not more than six (6) months, or by both such fine and imprisonment.

Section 36. Ordinance No. 5 entitled "An Ordinance to Prohibit Stock Running at Large," approved July 18, 1911, Ordinance No. 12 entitled "An Ordinance Providing for the Collection of a Dog License or Tax," approved September 6, 1911, Ordinance No. 19 entitled "An Ordinance Amending Ordinance No. 12 of the City of Las Vegas entitled 'An Ordinance Providing for the Collection of a Dog License or Tax,'" approved November 1, 1911, Ordinance No. 51 entitled "An Ordinance Prohibiting Dogs From Running at Large in the Streets, Alleys or Public Places of the City of Las Vegas and Repealing Ordinance No. 19, entitled 'An Ordinance Amending Ordinance No. 12 of the City of Las Vegas, Entitled, 'An Ordinance Providing for the Collection of a Dog License or Tax' and all Ordinances and Parts of Ordinances in Conflict Herewith,'" approved January 7, 1914, Ordinance No. 58 entitled "An Ordinance Providing for the Collection of a Dog Tax or License," approved October 7, 1914, Ordinance No. 63 entitled "An Ordinance Prohibiting Dogs from Running at Large Within the Limits of the City of Las Vegas, in the County of Clark, State of Nevada, and Requiring all Persons Owning, Keeping or Harboring any Dog or Dogs Within the Limits of the City of Las Vegas to Keep Said Dog or Dogs on Their Premises and at all Times to Wear a Dog Muzzle," approved March 11, 1916, and Ordinance No. 101 entitled "An Ordinance Providing for a City Pound; Appointment of a Pound Master and Deputy Pound Master; Providing Rules and Regulations for the Government of Same; Prohibiting Animals Running at Large Within the City and Providing for the Custody and Sale of Same and Matters Relating Thereto; Fixing the Fees to be Charged by the Pound Master, His Salary and His Duties; Fixing a Penalty for the Violation of Any of the Provisions Hereof, and Repealing all Ordinances or Parts of Ordinances in Conflict Herewith, and Specifically Repealing Ordinance No. 5 of the City of Las Vegas, Entitled 'An Ordinance to Prohibit Stock Running at Large,'" approved July 3, 1923, and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 37. The provisions of this ordinance shall be severable, and if any of the provisions thereof shall be held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any of the remaining provisions of this ordinance. It is hereby declared as the intent of the Board of Commissioners that this ordinance would have been adopted had such invalid or unconstitutional provision not been included therein.

Section 38. This ordinance shall be in full force and effect upon its publication, as in the next section provided, and final passage.

Section 39. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this Ordinance to be published once a week for two successive weeks immediately following its first reading and adoption, in the Las Vegas Evening Review-Journal, a daily newspaper published in the City of Las Vegas.

(Seal) E. W. CRAGIN,
Attest: Mayor.
HELEN SCOTT REED,
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of City Commissioners on the 9th day of May, 1947, and referred to the following committee composed of Commissioners Baskin & Clark, for recommendation; thereafter the said committee reported favorably on the said Ordinance on the 22nd day of May, 1947, which was the next regular meeting of said Board of City Commissioners; that at said regular meeting held on the 22nd day of May, 1947, the proposed Ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:
Voting "Aye": Commissioners Baskin, Clark, Corradetti, and His Honor Mayor Cragin.
Voting "Nay": None.
Absent: None.

APPROVED:

(Seal) E. W. CRAGIN,
Attest: Mayor.

HELEN SCOTT REED,
City Clerk.

May 26 June 2