

Ordinance No 101

1 An Ordinance Providing for a City Pound; Appointment of a
2 Pound Master and Deputy Pound Master; Providing Rules and Regu-
3 lations for the Government of Same; Prohibiting Animals Running
4 at Large Within the City and Providing for the Custody and
5 Sale of Same and Matters relating Thereto; Fixing the fees to
6 be charged by the Pound Master, His Salary and His Duties; Fix-
7 ing a Penalty for the violation of Any of the Provisions hereof,
8 and repealing All Ordinances or parts of Ordinances in conflict
9 Herewith, and specifically repealing Ordinance No 5 of the
10 City of Las Vegas, entitled "An Ordinance to Prohibit Stock
11 Running at Large.

12 The Board of Commissioners of the City of Las Vegas do
13 Ordain, as follows:

14 Sec. 1. A Public pound is hereby provided and established,
15 and the same shall be located at such place in the City of
16 Las Vegas as shall be fixed by the Pound Master, by and with
17 the consent of the Board of City Commissioners.

18 Sec. 2. The City Marshal of the City of Las Vegas shall
19 be ex-Officio Pound Master, and may appoint a Deputy, by and
20 with the consent of the Board of City Commissioners, who shall
21 have police power, and devote his entire time, or such time
22 as may be designated by the Board of City Commissioners from
23 time to time, to the duties of the office of Deputy Pound
24 Master. The Deputy Pound Master shall receive such salary
25 or compensation as may be fixed or determined by the Board
26 of City Commissioners from time to time, and he shall not be
27 allowed fees or any other compensation than that fixes by such
28 Board of City Commissioners, and he shall hold office during
29 the pleasure of the Board of City Commissioners. The Deputy
30 Pound Master before entering upon his office, shall execute
31 a sufficient bond to the City of Las Vegas, to be approved by
32 the Mayor, in the penal sum of Five Hundred dollars, for the
faithful performance of the duties of the office.

Sec. 3. It shall be the duty of the Deputy Pound Master
or any police officer to take up, seize and impound all
horses, mules, burros, asses, goats, cows, bulls, calves,
sheep, swine, fowls, or other domestic animals, or any thereof,
running at large in the City of Las Vegas, and take up,
seize and impound any of such animals herded in charge of
any person, or staked, or in any manner grazing, or being
grazed or fed, upon any public street, alley, sidewalk,
square, park, or public grounds in said City, or any of said
animals which is upon or being led or driven upon any side-
walk in said City.

Sec. 4. Any animal or fowl found trespassing upon any
private grounds or premises in said City may be taken up by any
person and committed to the custody of the Pound Master, or
Deputy Pound Master, who shall hold the same subject to
reasonable demands and charges for actual damages done by
said animal or fowl, in addition to the fees hereinafter
prescribed.

Sec. 5. The Deputy Pound Master shall keep a true and
complete record of the number and description of all animals
and fowls taken into his custody, with the date of their
receipt, and the date and manner of their disposal, with the
fees and charges collected on account of said animals and
fowls, and the disposition thereof. Said record to be kept
in a book or books provided for that purpose, which shall
be the record book or books of the office of the Pound Master,
and shall not be removed therefrom. He shall also keep
conspicuously posted at the entrance of the pound, and on
a bulletin board at the entrance of the office of the City
Marshal a list of all animals and fowls impounded and detained
by him. He shall also provide necessary subsistence for all

animals and fowls while in his custody.

Sec. 6 All fowls and animals, taken into the custody of the Pound Master, if not reclaimed within five (5) days thereafter, shall be advertised for sale by written notices conspicuously posted on the pound gate, and on the bulletin board at the entrance of the office of the City Marshal. Said notices shall be substantially in the following form:

NOTICE OF CITY POUNDMASTER'S SALE.

notice is hereby given to the owner or owners of the animals and fowls hereinafter described, and to whomsoever it may concern; that there are impounded at the present time in the City pound the following described animals and fowls:

Kind of animal or fowl, and number

Full description by color, age, marks, brands, etc.

Damage appraised

Cost of impounding, fees, and expenses of feeding, sale and advertising

Amount required to redeem

If said animal, animals or fowls are not claimed, and all amounts due thereon paid, and said animal, animals or fowls taken away within five (5) days from the date of this notice, they will be sold by the City Pound Master or Deputy Pound Master at public sale at _____ (A. M. or P. M.) ~~and~~ _____ in this city at the hour of _____ to the highest bidder.

Dated _____, 19____

City pound Master

By

Deputy pound Master.

Sec. 7. Unless said animal, animals or fowls are claimed by the owner or his agent, and ownership proved, and all costs and damages paid on or before the day and hour named for the sale, the pound Master must sell such animal, animals or fowls to the highest bidder for cash, at the place, day and hour set; but in no case shall a sale be made for less than the damages, fees and costs of detention and expense of sale. And in the event of no bids being made for any animal, animals or fowls for the full amount due, they shall be bid in by the pound Master for, and sold to the city, for the amount of damages, fees and costs accrued and accruing against the same.

Sec. 8. The net proceeds of the sale of all animals and fowls as herein provided shall be paid into the City Treasury, subject to the order of the owners of said animals or fowls, if applied for within six months from the date of sale; if the same is not applied for within that time the City Treasurer shall cover the amount into the general fund of the City.

Sec. 9 The pound Master shall have power to purchase all necessary forage or feed for impounded animals and fowls, on the credit of the City of Las Vegas, and shall certify to all accounts therefor, which, upon presentation to the Board of City Commissioners, if found correct, shall be ordered paid.

Sec. 10. All damages done by any animal, animals or fowls trespassing shall, upon the request of the person damaged be forthwith appraised by any disinterested person appointed by the pound Master, who shall make a reasonable charge for such service, and shall set forth in such appraisal in writing, the time and place of damage, the amount of damages, together with his charges, the name of the owner of the animal, animals or fowls, if known, the name of the person so damaged, also the

1 kind and description of the animal, animals or fowls, which
2 appraisal, if not paid or satisfactorily arranged for by the
3 owner, or if the owner be not found, shall together with the
4 animal, animals or fowls, be delivered to the city pound
5 Master; provided that if the owner deems the appraisal of
6 damages too high, said owner may choose another appraiser, who
7 with the first, together with the Pound Master or deputy
8 Pound Master, may make a new appraisal; and the three may
9 proceed to make a final appraisal.

10 Sec. 11. Any animal, animals or fowls found doing
11 damage, or trespassing on private property or premises in the
12 city, may be taken up by any person, and if the owner cannot
13 be readily found, or if found, shall refuse to pay all costs
14 and damages occasioned by said animal, animals or fowls, they
15 may be taken forthwith to the city pound and delivered to
16 the keeper thereof, and may be held and sold as hereinbefore
17 provided, unless previously redeemed; provided, however, that
18 it shall be unlawful for any person other than the City Pound
19 Master or deputy pound Master to take up any animal or fowl
20 under the provisions of this ordinance, and retain it more
21 than eighteen (18) hours.

22 Sec. 12. It shall be unlawful for any person to maliciously
23 or mischievously secrete or impound the animal, animals or
24 fowls of another or to knowingly aid or abet therein.

25 Sec. 13. The pound Master for impounding and posting up
26 notices shall on all animals collect fees for his services
27 as follows: One Dollar per head for horses, mules, bur-
28 ros, asses or cattle; fifty cents per head for calves, goats,
29 sheep and swine, and ten cents per head for all fowls; for
30 reeding horses, mules, burros, asses and cattle
31 One Dollar per day; for calves, goats, sheep
32 and swine, One dollar per day, and for fowls, ten
33 cents per day, per head. Fees for advertising and sale
34 shall be One dollar dollar ~~xxx~~ each for horses,
35 mules, burros, asses and cattle; fifty each
36 for goats, sheep, calves and swine, and thirty cents each
37 for fowls.

38 Sec. 14. It shall be the duty of the City pound Master
39 to make monthly and file with the City Clerk on or before the
40 date of the regular monthly meeting of the Board of City
41 Commissioners each month, a sworn statement of the business
42 transacted by him in connection with the city pound, showing in
43 detail all animals and fowls received, sold, advertised or
44 handled by him, together with a detailed statement under oath
45 of all moneys received and expended by him, and it shall be
46 his duty to turn into the City Treasury on or before said last
47 mentioned date each month all moneys received by him in virtue
48 of said office, during the preceding month.

49 Sec. 15. It shall be unlawful for any person to take his
50 own animal or fowl, or that of any other person out of the
51 custody of a person holding the same for damages done by it, or
52 out of the City Pound by stealth, by fraud, or by force; and
53 it shall be unlawful for any person to interrupt or hinder any
54 one while in the discharge of his duty under the provisions
55 of this ordinance.

56 Sec. 16. Any person violating any of the provisions of this
57 ordinance, shall be deemed guilty of a misdemeanor and upon
58 conviction thereof, shall be punished by a fine of not less
59 than five dollars, or more than One Hundred Dollars, or by
60 imprisonment in the City Jail not less than two and one-half
61 days, or more than Fifty days, or by both such fine and im-
62 prisonment.

63 Sec. 17. All Ordinances or parts of ordinances in conflict

1 with this Ordinance, are hereby repealed, so far as the same
2 may conflict therewith; provided, the term "animal" used herein
3 shall not be deemed to include dogs, and this Ordinance shall
4 not be deemed to affect or repeal any Ordinance of the City of
5 Las Vegas relating to dogs. Ordinance No. 5 of the City of
6 Las Vegas, entitled "An Ordinance to prohibit Stock Running at
7 Large" is hereby specifically repealed.

8 Sec. 18. This Ordinance shall take effect and be in
9 force from and after its passage and adoption and publication
10 for one week (one issue) in Las Vegas Age,
11 a weekly newspaper published in said City of Las Vegas.

12 Sec. 19. The City Clerk of the City of Las Vegas is
13 hereby authorized and directed to have this Ordinance No
14 published one week (one issue) in Las Vegas Age,
15 a weekly newspaper published in the City of Las Vegas.

16 Passed and adopted this 3rd day of July,
17 1923, by the following vote: Commissioners Anderson

18 Arnold, Eversell and Shields His Honor
19 1 voting aye. Noes None the Mayor

20 First reading June 19, 1923.

21 Second reading July 3rd, 1923.

22 Approved this 3 day of July, 1923.

23 W. E. Eversell
24 Mayor of the City of Las Vegas

25 Attest:

26 Florence S. Doherty
27 City Clerk
28 (Seal)

ORDINANCE NO. 101

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."

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

Sec. 1. A public Pound is hereby provided and established, and the same shall be located at such place in the City of Las Vegas as shall be fixed by the Pound Master, by and with the consent of the Board of City Commissioners.

Sec. 2. The City Marshal of the City of Las Vegas shall be ex-Officio Pound Master, and may appoint a Deputy, by and with the consent of the Board of City Commissioners, who shall have police power, and devote his entire time, or such time as may be designated by the Board of City Commissioners from time to time, to the duties of the office of Deputy Pound Master. The Deputy Pound Master shall receive such salary or compensation as may be fixed or determined by the Board of City Commissioners from time to time, and he shall not be allowed fees or any other compensation than that fixed by such Board of City Commissioners, and he shall hold office during the pleasure of the Board of City Commissioners. The Deputy Pound Master before entering upon his office, shall execute a sufficient bond to the City of Las Vegas, to be approved by the Mayor, in the penal sum of Five Hundred Dollars, for the faithful performance of the duties of the office.

It shall be the duty of the Deputy Pound Master or any police officer to take up, seize and impound all horses, mules, burros, asses, goats, cows, bulls, calves, sheep, swine, fowls, or other domestic animals or any thereof, running at large in the City of Las Vegas, and take up, seize and impound any of such animals herded in charge of any person, or staked, or in any manner grazing, or being grazed or fed, upon any public street, alley, sidewalk, square, park, or public grounds in said City, or any of said animals which is upon or being led or driven upon any sidewalk in said City.

Sec. 4. Any animal or fowl found trespassing upon any private grounds or premises in said City may be taken up by any person and committed to the custody of the Pound Master, or Deputy Pound Master, who shall hold the same subject to reasonable demands and charges for actual damages done by said animal or fowl, in addition to the fees hereinafter prescribed.

Sec. 5. The Deputy Pound Master, or in case one is not acting, the Pound Master, shall keep a true and complete record of the number and description of all animals and fowls taken into his custody, with the date of their receipt, and the date and manner of their disposal, with the fees and charges collected on account of said animals and fowls, and the disposition thereof. Said record to be kept in a book or books provided for that purpose, which shall be the record book or books of the office of the Pound Master, and shall not be removed therefrom. He shall also keep conspicuously posted at the entrance to the pound, and on a bulletin board at the entrance of the office of the City Marshal a list of all animals and fowls impounded and detained by him. He shall also provide necessary subsistence for all animals and fowls while in his custody.

Sec. 6. All fowls and animals, taken into the custody of the Pound Master, if not reclaimed within five (5) days thereafter, shall be advertised for sale by written notices conspicuously posted on the pound gate, and on the bulletin board at the entrance of the office of the City Marshal. Said notices shall be substantially in the following form:

NOTICE OF CITY POUND MASTER'S SALE

Notice is hereby given to the owner of the animals and fowls hereinafter described, and to whomsoever it may concern, that there are impounded at the present time in the City pound the following described animals and fowls:

Kind of animal or fowl, and number	
Full description by color, age, marks, brands, etc.	
Damage appraised	
Cost of impounding, fees, and expenses of feeding, sale and advertising	
Amount required to redeem	

If said animal, animals or fowls are not claimed, and all amounts due thereon paid, and said animal, animals or fowls taken away within five (5) days from the date of this notice, they will be sold by the City Pound Master or Deputy Pound Master at public sale at..... (A. M. or P. M.)..... 19.... to the highest bidder.

Dated....., 19....

City Pound Master.

By.....
Deputy Pound Master.

Sec. 7. Unless said animal, animals or fowls are claimed by the owner or his agent, and ownership proved, and all costs and damages paid on or before the day and hour named for the sale, the Pound Master must sell such animal, animals or fowls to the highest bidder for cash, at the place, day and hour set; but in no case shall a sale be made for less than the damages, fees and costs of detention and expense of sale. And in the event of no bids being made for any animal, animals or fowls for the

full amount due, they shall be bid in by the Pound Master for, and sold to the City, for the amount of damages, fees and costs accrued and accruing against the same.

Sec. 8. The net proceeds of the sale of all animals and fowls as herein provided shall be paid into the City Treasury, subject to the order of the owners of said animals or fowls, if applied for within six months from the date of sale; if the same is not applied for within that time the City Treasurer shall cover the amount into the General Fund of the City.

Sec. 9. The Pound Master shall have power to purchase all necessary forage or feed for impounded animals and fowls, on the credit of the City of Las Vegas, and shall certify to all accounts therefor, which, upon presentation to the Board of City Commissioners, if found correct, shall be ordered paid.

Sec. 10. All damages done by any animal, animals or fowls trespassing shall, upon the request of the person damaged be forthwith appraised by any disinterested person appointed by the Pound Master, who shall make a reasonable charge for such service, and shall set forth in such appraisal in writing, the time and place of damage, the amount of damages, together with his charges, the name of the owner of the animal, animals or fowls, if known, the name of the person so damaged, also the kind and description of the animal, animals or fowls, which appraised, if not paid or satisfactorily arranged for by the owner, or if the owner be not found, shall together with the animal, animals or fowls, be delivered to the City Pound Master; provided that if the owner deems the appraised of damages too high, said owner may choose another appraiser, who with the first, together with the Pound Master, may make a new appraisal; and the three may proceed to make a final appraisal.

Sec. 11. Any animal, animals or fowls found doing damage, or trespassing on private property or premises in the city, may be taken up by any person, and if the owner cannot be readily found, or if found, shall refuse to pay all costs and damages occasioned by said animal, animals or fowls, they may be taken forthwith to the City Pound and delivered to the keeper thereof, and may be held and sold as hereinbefore provided, unless previously redeemed; provided, however, that it shall be unlawful for any person other than the City Pound Master or Deputy Pound Master to take up any animal or fowl under the provisions of this ordinance, and retain it more than eighteen (18) hours.

Sec. 12. It shall be unlawful for any person to maliciously or mischievously secrete or impound the animal, animals or fowls of another or to knowingly aid or abet therein.

Sec. 13. The Pound Master for impounding and posting up notices shall on all animals collect fees for his services as follows: One Dollar per head for horses, mules, burros, asses or cattle; Fifty Cents per head for calves, goats, sheep and swine; and Ten Cents per head for all fowls; for feeding horses, mules, burros, asses and cattle One Dollar per day; for calves, goats, sheep and swine, One Dollar per day, and for fowls, Ten Cents per day, per head. Fees for advertising and sale shall be One Dollar each for horses, mules, burros, asses and cattle; Fifty Cents each for goats, sheep, calves and swine, and Ten Cents each for fowls.

Sec. 14. It shall be the duty of the City Pound Master to make monthly and file with the City Clerk on or before the date of the regular monthly meeting of the Board of City Commissioners each month, a sworn statement of the business transacted by him in connection with the City Pound, showing in detail all animals and fowls received, sold, advertised, or handled by him, together with a detailed statement under oath of all moneys received and expended by him, and it shall be his duty to turn into the City Treasury on or before said last mentioned date each month all moneys received by him in virtue of said office, during the preceeding month.

Sec. 15. It shall be unlawful for any person to take his own animal or fowl, or that of any other person out of the custody of a person holding the same for damages done by it, or out of the City Pound by stealth, by fraud, or by force; and it shall be unlawful for any person to interrupt or hinder any one while in the discharge of his duty under the provisions of this Ordinance.

Sec. 16. Any person violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine or not less than Five Dollars, or more than One Hundred Dollars, or by imprisonment in the City Jail not less than two and one-half days, or more than fifty days, or by both such fine and imprisonment.

Sec. 17. All Ordinances or parts of Ordinances in conflict with this Ordinance, are hereby repealed, so far as the same may conflict therewith; provided, the term "animal" used herein shall not be deemed to include dogs, and this Ordinance shall not be deemed to affect or repeal any Ordinance of the City of Las Vegas relating to dogs. Ordinance No. 5 of the City of Las Vegas, entitled "An Ordinance to Prohibit Stock Running at Large" is hereby specifically repealed.

Sec. 18. This Ordinance shall take effect and be in force from and after its passage and adoption and publication for one week (one issue) in Las Vegas Age, a weekly newspaper published in said City of Las Vegas.

Sec. 19. The City Clerk of the City of Las Vegas is hereby authorized and directed to have this Ordinance No. 191 published one week (one issue) in Las Vegas Age, a weekly newspaper published in the City of Las Vegas.

Passed and adopted this 3rd day of June, 1923, by the following vote: Commissioners Anderson, Arnold, Elwell and Shield and His Honor the Mayor, voting aye. Noes, None.

First reading June 19, 1923.

Second Reading July 3rd, 1923.

Approved this 3rd day of July, 1923.

W. C. GERMAN,

Mayor of the City of Las Vegas.

(SEAL)

Attest:

FLORENCE S. DOHERTY,
City Clerk.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA
County of Clark ss.

CHAS. P. SQUIRES, being first duly sworn, deposes and says: That he is publisher of the LAS VEGAS AGE, a weekly newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached

Ordinance No. 101 of the City of Las Vegas, Nevada,
was continuously published in said newspaper for a period of One Week

~~from~~

~~to~~

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 7, 1923

That said newspaper was regularly issued and circulated on each of the dates above named. That the charge for publishing the same was \$

Signed: *Chas P. Squires*

Subscribed and sworn to before me this 11th
day of August 1923

Florence S. Roberts
Notary Public in and for Clark County, Nevada.

Countess
City Clerk, Las Vegas
Nevada