



# WASHOE COUNTY

"Dedicated To Excellence in Public Service"

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CM/ACM KS  
Finance LC  
DA JG  
Risk Mgt N/A  
HR N/A  
Other N/A

## STAFF REPORT BOARD MEETING DATE: June 9, 2015

**DATE:** April 22, 2015  
**TO:** Board of County Commissioners  
**FROM:** Robert Smith, Animal Services Manager  
Phone: 775-353-8945; email: [rasmith@washoecounty.us](mailto:rasmith@washoecounty.us)  
**THROUGH:** Shyanne Schull, Animal Services Director  
**SUBJECT:** Introduction and first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial breeders (through a commercial breeding permit) and adding related definitions; and also amending Washoe County Code Chapter 25 by adding the definitions of "breeder" and "commercial breeder", making changes to the definitions of "breeding" and "litter", and specifying that commercial breeders must first obtain a commercial breeding permit from regional animal services before receiving the required business license, and all other matters properly relating thereto; and, if supported, set the public hearing for second reading and possible adoption of the ordinance on June 23, 2015 at 3:00 p.m. (All Commission Districts).

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### SUMMARY

The Washoe County Commission will introduce and hold the first reading of an ordinance amending Washoe County Code Chapter 55 and Chapter 25, by creating provisions regulating commercial breeders (through a commercial breeding permit) within Washoe County.

Washoe County Code Chapter 55 was rewritten to create a unified animal control ordinance which was adopted on June 14, 2005 in accordance with the Interlocal Agreement entered into by the Cities of Reno and Sparks and the County of Washoe to effectuate the consolidation of animal services in the County. In accordance with that Interlocal Agreement and the consolidated ordinances, animal services have been provided on a regional basis now in excess of nine years. It is based on this experience, revision to State Statutes and public input during this time that these amendments to Chapter 55 are being proposed.

In the Legislative session of 2009, amendments were made in NRS 574 cruelty to animals, which require Animal Control Officers to inspect and permit commercial breeding operations within the County. This Amendment requires Washoe County to add a code section to Chapter 55 and Chapter 25.

- NRS 244.189 provides that the board of county commissioners may exercise such powers and may enact such ordinances not in conflict with Nevada statutes for, inter alia, the control and protection of animals.
- NRS 244.359 provides that the board of county commissioners may enact and enforce ordinances fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs on which the license fee is not paid; regulating or prohibiting the running at large and disposal of all kinds of animals; establishing a pound, appointing a pound keeper and prescribing his duties; prohibiting cruelty to animals; and designating an animal as inherently dangerous and requiring the owner of such an animal to obtain a policy of liability insurance for the animal in an amount determined by the board of county commissioners. Any such ordinances may apply throughout the entire county or govern only a limited area within the county.
- The Washoe County Board of Commissioners and the City Councils of the City of Reno and City of Sparks consolidated animal control functions in Washoe County to be on a regional basis. The consolidation of animal control services was accomplished by the adoption of ordinances of the three jurisdictions approving an interlocal agreement among the cities of Reno and Sparks and Washoe County which regionalized all field services, including, but not limited to, licensing, enforcement, rabies control, kennel permitting and related administrative functions relating thereto under the jurisdiction and control of Washoe County. The final step in the consolidation process occurred on June 14, 2005 when the Washoe County Board of Commissioners adopted the ordinance which amended Washoe County Code Chapter 55 in compliance with the interlocal agreement for the consolidation of animal services. Since that date, animal services within Washoe County has been operated and provided on a regional basis. We now have over nine years of regional operational experience.
- It is the intention of this Ordinance to repeal, enact and revise sections to Washoe County Code Chapter 55 based upon that experience and public input.
- The proposed effective date of this ordinance is December 9, 2015, which affords Animal Services the opportunity to work with the Business Licensing Departments of Washoe County, Reno and Sparks to create and implement procedures associated with this code section.

**County priority/goals:** Safe, secure and healthy communities; Public participation and open, transparent communication.

### **PREVIOUS ACTION**

On April 22, 2014 the Washoe County Commission decided to establish Washoe County Regional Animal services as a stand-alone department.

On June 17, 2014 the Washoe County Commission authorized initiation of proceedings to amend Washoe County Code (Chapters 5 and 55) related to the creation of the Department of Regional Animal Services.

On July 22, 2014 the Washoe County Commission received an update on the public input process regarding Washoe County Code and commercial breeding.

## **BACKGROUND**

On April 22, 2014, the Washoe County Commission approved establishing Washoe County Regional Animal Services as a stand-alone department. On June 17, 2014, the Board directed the Clerk to submit a request to the District Attorney to initiate proceedings to amend Washoe County Code (Chapters 5 and 55).

The County Managers Office and Washoe County Regional Animal Services (WCRAS) initially met with OnStrategy to plan the public input process for the proposed code amendments. A first step in the public input process was to share proposed revisions with key stakeholder groups including the Cities of Reno and Sparks and major animal groups in our community to include but not limited to the SPCA of Northern Nevada, Nevada Humane Society (NHS), and Pet Network. Through individual meetings with staff, input was received from these groups regarding the proposed code amendments.

An informational kick-off meeting was held for the public on July 15, 2014 in the Washoe County Commission Chambers to outline the procedures for animal ordinance changes and provide information to the community. The process for how an ordinance is amended was also reviewed, including the process that would be used for public input. This meeting was made available online through video-on-demand (Washoe TV).

An online comment process "Open Washoe" was utilized from July 7, 2014 through August 18, 2014 to establish priorities for ordinance workshops to include codes which were most important to the public. Topics identified included dangerous dogs, exotic animals, nuisance, commercial breeding, retail sales, and trap-neuter-release cat programs. General input for the topics through "Open Washoe" was closed on October 3, 2014; however, commercial breeding remained open until October 10, 2014 for comment on the current code draft.

This process was implemented to raise awareness of the community issues and to insure the collection of the widest range of input. The unique feature of this community engagement tool is to allow visitors to the site the ability to read all of the comments posted by their fellow citizens, as well as the ability to agree or disagree. These were posted for additional input to include scheduled workshops by topics, which were held on August 25, 2014 (exotic animals/dangerous dogs), August 27, 2014 (commercial breeding/retail sales), September 29, 2014 (nuisance), and October 1, 2014 (trap-neuter-release cat programs and other topics).

During the public input process there were numerous media releases and targeted email notifications encouraging the public to give input on the amendments as well as several news stories, print articles and radio shows discussing the changes and encouraging public input, which resulted in additional input being received via phone calls and emails. All information was posted to the County's website. At key points during the public input process, new questions regarding the Code revisions were posted and the proposed Code amendments were edited based upon public input and these changes were then posted on "Open Washoe" for citizens to review.

Additionally, links to “Open Washoe” were added to the Animal Services web page and an email account [animalcode@washoecounty.us](mailto:animalcode@washoecounty.us) was created for the public to communicate their comments and concerns specific to proposed Code changes.

As outlined previously, a workshop regarding the proposed ordinance changes was held at the Wilbur D May Museum on August 27, 2014 to discuss Commercial Breeding, promoting an opportunity for the public to ask questions and give input on the proposed amendments.

Approximately forty people spoke on Commercial Breeding. During this workshop, staff had an opportunity to meet one-on-one with many citizens and address concerns as well as receive valuable input. Forty citizens attended the public workshop on Commercial Breeding with six visits through “Open Washoe” and seven comment cards were completed. A summary of the public input received online and through the workshops is attached along with the specific, detailed correspondence provided from all public input.

Additionally, during the public meetings it was proposed to make changes to Washoe County Code Chapter 25.013 Definitions and 25.015 License required for engaging in a business. The public request was to change the criteria of a commercial breeder by reducing the current number of litters a person could have in a calendar year from 5 or more to 3 or more cats or dogs.

The proposed Code changes are recommended based on mandates from the Legislative Session of 2009 that included amendments to NRS 574 Cruelty to Animals, which require animal control officers to inspect and permit commercial breeding operations within the County. The area of Commercial Breeding is separate from current discussions on draft Code amendments on Commercial Animal Permit (retail sales).

### **FISCAL IMPACT**

An increase in service levels may occur, which could require additional staff time. Any request for additional staffing following implementation will be brought forward for future Board approval.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial breeders (through a commercial breeding permit) and adding related definitions; and also amending Washoe County Code Chapter 25 by adding the definitions of “breeder” and “commercial breeder”, making changes to the definitions of “breeding” and “litter”, and specifying that commercial breeders must first obtain a commercial breeding permit from regional animal services before receiving the required business license, and all other matters properly relating thereto; and, if supported, set the public hearing for second reading and possible adoption of the ordinance on June 23, 2015 at 3:00 p.m.

### **POSSIBLE MOTION**

Should the Board approve, a possible motion would be: Move to “introduce on behalf of the Board of County Commissioners a first reading of an ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial breeders (through a commercial

breeding permit) and adding related definitions; and also amending Washoe County Code Chapter 25 by adding the definitions of “breeder” and “commercial breeder”, making changes to the definitions of “breeding” and “litter”, and specifying that commercial breeders must first obtain a commercial breeding permit from regional animal services before receiving the required business license, and all other matters properly relating thereto; and, if supported, set the public hearing for second reading and possible adoption of the ordinance on June 23, 2015, at 3:00 p.m.

SUMMARY: An ordinance amending Washoe County Code Chapters 55 and 25 by creating provisions regulating commercial breeders (through a commercial breeding permit) and adding and revising definitions.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY CREATING PROVISIONS REGULATING COMMERCIAL BREEDERS (THROUGH A COMMERCIAL BREEDING PERMIT) AND ADDING RELATED DEFINITIONS; AND ALSO AMENDING WASHOE COUNTY CODE CHAPTER 25 BY ADDING THE DEFINITIONS OF "BREEDER" AND "COMMERCIAL BREEDER", MAKING CHANGES TO THE DEFINITIONS OF "BREEDING" AND "LITTER", AND SPECIFYING THAT COMMERCIAL BREEDERS MUST FIRST OBTAIN A COMMERCIAL BREEDING PERMIT FROM REGIONAL ANIMAL SERVICES BEFORE RECEIVING THE REQUIRED BUSINESS LICENSE.

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

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

**55.795 Commercial Breeding Permit.**

1. Every commercial breeder in Washoe County must apply for and obtain a commercial breeding permit from regional animal services.
2. Regional animal services shall issue a permit to each commercial breeder who:
  - (a) Pays the applicable fee; and
  - (b) Complies with all other permit requirements prescribed by regional animal services.
3. Each permit shall specify the address of the premises at which the person may act as a commercial breeder.
4. The commercial breeder must display the assigned permit number in all advertising in which the breeder offers a dog or cat for sale and on any receipt of sale.
5. A commercial breeder shall not:
  - (a) Sell a dog or cat:
    - (1) Unless the dog or cat has had a registered microchip subcutaneously inserted into the animal;
    - (2) Unless the dog or cat has had all required, age-appropriate rabies vaccinations; and
    - (3) Without providing a written sales contract to the purchaser.
  - (b) Breed a female dog:
    - (1) Before she is 18 months old; or

(2) More than once a year.

6. Any commercial breeder residing within the boundaries of the City of Reno shall maintain a City of Reno business license. Any commercial breeder residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. Any commercial breeder residing within the boundaries of the unincorporated areas of Washoe County shall maintain a Washoe County business license.

(a) Regional animal services shall notify the appropriate jurisdiction(s) of the City of Reno, the City of Sparks and/or Washoe County of the commercial breeding permit status.

(b) If, at any time, the City of Reno, the City of Sparks and/or Washoe County suspends or revokes the business license, the applicable jurisdiction shall notify regional animal services and the commercial breeding permit shall be suspended or revoked.

7. For the purpose of enforcing NRS 574.360 to 574.440, inclusive, as those provisions apply to commercial breeders, any animal control officer may enter and inspect the premises specified on the permit at any reasonable hour. During inspections, the animal control officer must verify that the commercial breeder holds a valid business license. A certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial breeder is in compliance with the local jurisdiction.

8. An animal control officer or peace officer may suspend, revoke or deny a commercial breeding permit for a violation of NRS 574.360 to 574.440, inclusive, or for a violation of any other law of the State of Nevada or ordinance of Washoe County pertaining to animal welfare.

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

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

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

(d) The hearing officer's decision sustaining, reversing, or sustaining with conditions the suspension or revocation shall

include findings of fact and be transmitted in writing to the appellant within 14 working days.

(e) Any permittee aggrieved by the hearing officer's decision may appeal that decision by filing a petition for judicial review in the district court within 30 days of the hearing officer's decision. The commercial breeding permit shall remain in place until a decision is rendered by the district court.

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

**"Breeder"** means a dealer, operator or other person who is responsible for the operation of a commercial animal establishment engaged in the business of breeding.

**"Breeding"** means producing the offspring of dogs or cats, called a litter.

**"Commercial breeder"** means a dealer, operator or other person who is responsible for the operation of a commercial animal establishment which engages in the breeding of three or more litters of cats or dogs in a calendar year to sell, trade or give away to others.

**"Microchip"** means a radio frequency identification device that is implanted into an animal.

**"Shelter"** means a structure which promotes the retention of body heat during cold weather, which promotes cooling and provides sun protection in hot weather, which allows an animal to remain dry during wet weather, and which is appropriate to the season and the species.

SECTION 3. Section 25.013 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

**"Breeder"** means a dealer, operator or other person who is responsible for the operation of a commercial animal establishment engaged in the business of breeding.

**"Commercial breeder"** means a dealer, operator or other person who is responsible for the operation of a commercial animal establishment which engages in the breeding of three or more litters of cats or dogs in a calendar year to sell, trade or give away to others.

SECTION 4. Section 25.013 of the Washoe County Code is hereby amended by changing the definitions of "Breeding" and "Litter" as follows:



"Breeding" means producing the offspring of ~~cats or dogs~~ **dogs or cats**, called a litter, ~~to sell, trade, or give away to others.~~

"Litter" means ~~2 or more~~ live offspring ~~at 4 weeks of age or older~~ from one birth of a cat or dog.

SECTION 5. Section 25.015 of the Washoe County Code is hereby amended as follows:

25.015 License required for engaging in business; exceptions.

1. Except as provided in this section, it is unlawful for any person to engage in any business, trade, calling, industry, occupation or profession in the county, outside of the limits of incorporated cities and towns in the county, without first procuring a license therefor from the county. A person is subject to this requirement if by himself or through an agent, employee or partner he:

- (a) Holds himself forth as being engaged in the business, trade, calling, industry, occupation or profession;
- (b) Solicits patronage therefor, actively or passively; or
- (c) Performs or attempts to perform any part of such business, trade, calling, industry, occupation or profession.
- (d) Rents, leases, or sub-leases
  - (1) any commercial or industrial property, or
  - (2) three or more residential dwelling units on one parcel of land.
- (e) Conducts a garage and/or yard sale that exceeds 72 hours in duration or occurs on the same property more than twice in any six-month period.

(f) Engages in breeding ~~five or more litters of cats or dogs in a calendar year~~ **activity as a commercial breeder. Commercial breeders must first obtain a commercial breeding permit from regional animal services pursuant to Chapter 55 of this Code.**

2. The following activities do not constitute engaging in a business, trade, calling, industry, occupation or profession and no business license is required:

- (a) Providing of child care in private homes to six or fewer children.
- (b) Garage and/or yard sales that do not exceed 72 hours in duration or do not occur on the same property more than twice in any six-month period.
- (c) Telecommuting from home by employees of businesses located elsewhere.
- (d) Informal, casual, or seasonal work performed by minors acting as individuals, including, without limitation, babysitting and lawn mowing.
- (e) Parades and processions.

SECTION 6. Effective date. Sections 1 through 5 of this

**ordinance shall be effective on December 9, 2015.**

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the \_\_\_\_ day of \_\_\_\_\_, 2015.

Proposed by Commissioner \_\_\_\_\_.

Passed on the \_\_\_\_ day of \_\_\_\_\_, 2015.

Vote:

Ayes:

Nays:

Absent:

\_\_\_\_\_  
Chairman  
Washoe County Commission

ATTEST:

\_\_\_\_\_  
County Clerk

This ordinance shall be in force and effect from and after the  
\_\_\_\_ day of \_\_\_\_\_, 2015.

SUMMARY: An ordinance amending Washoe County Code Chapters 55 and 25 by creating provisions regulating commercial breeders (through a commercial breeding permit) and adding and revising definitions.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

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  - (a) Pays the applicable fee; and
  - (b) Complies with all other permit requirements prescribed by regional animal services.
3. Each permit shall specify the address of the premises at which the person may act as a commercial breeder.
4. The commercial breeder must display the assigned permit number in all advertising in which the breeder offers a dog or cat for sale and on any receipt of sale.
5. A commercial breeder shall not:
  - (a) Sell a dog or cat:
    - (1) Unless the dog or cat has had a registered microchip subcutaneously inserted into the animal;
    - (2) Unless the dog or cat has had all required, age-appropriate rabies vaccinations; and
    - (3) Without providing a written sales contract to the purchaser.
  - (b) Breed a female dog:
    - (1) Before she is 18 months old; or

(2) More than once a year.

6. Any commercial breeder residing within the boundaries of the City of Reno shall maintain a City of Reno business license. Any commercial breeder residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. Any commercial breeder residing within the boundaries of the unincorporated areas of Washoe County shall maintain a Washoe County business license.

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7. For the purpose of enforcing NRS 574.360 to 574.440, inclusive, as those provisions apply to commercial breeders, any animal control officer may enter and inspect the premises specified on the permit at any reasonable hour. During inspections, the animal control officer must verify that the commercial breeder holds a valid business license. A certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial breeder is in compliance with the local jurisdiction.

8. An animal control officer or peace officer may suspend, revoke or deny a commercial breeding permit for a violation of NRS 574.360 to 574.440, inclusive, or for a violation of any other law of the State of Nevada or ordinance of Washoe County pertaining to animal welfare.

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

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

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

(d) The hearing officer's decision sustaining, reversing, or sustaining with conditions the suspension or revocation shall

include findings of fact and be transmitted in writing to the appellant within 14 working days.

(e) Any permittee aggrieved by the hearing officer's decision may appeal that decision by filing a petition for judicial review in the district court within 30 days of the hearing officer's decision. The commercial breeding permit shall remain in place until a decision is rendered by the district court.

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"Microchip" means a radio frequency identification device that is implanted into an animal.

"Shelter" means a structure which promotes the retention of body heat during cold weather, which promotes cooling and provides sun protection in hot weather, which allows an animal to remain dry during wet weather, and which is appropriate to the season and the species.

SECTION 3. Section 25.013 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

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SECTION 4. Section 25.013 of the Washoe County Code is hereby amended by changing the definitions of "Breeding" and "Litter" as follows:

"Breeding" means producing the offspring of dogs or cats, called a litter.

"Litter" means live offspring from one birth of a cat or dog.

SECTION 5. Section 25.015 of the Washoe County Code is hereby amended as follows:

25.015 License required for engaging in business; exceptions.

1. Except as provided in this section, it is unlawful for any person to engage in any business, trade, calling, industry, occupation or profession in the county, outside of the limits of incorporated cities and towns in the county, without first procuring a license therefor from the county. A person is subject to this requirement if by himself or through an agent, employee or partner he:

- (a) Holds himself forth as being engaged in the business, trade, calling, industry, occupation or profession;
- (b) Solicits patronage therefor, actively or passively; or
- (c) Performs or attempts to perform any part of such business, trade, calling, industry, occupation or profession.
- (d) Rents, leases, or sub-leases
  - (1) any commercial or industrial property, or
  - (2) three or more residential dwelling units on one parcel of land.
- (e) Conducts a garage and/or yard sale that exceeds 72 hours in duration or occurs on the same property more than twice in any six-month period.
- (f) Engages in breeding activity as a commercial breeder. Commercial breeders must first obtain a commercial breeding permit from regional animal services pursuant to Chapter 55 of this Code.

2. The following activities do not constitute engaging in a business, trade, calling, industry, occupation or profession and no business license is required:

- (a) Providing of child care in private homes to six or fewer children.
- (b) Garage and/or yard sales that do not exceed 72 hours in duration or do not occur on the same property more than twice in any six-month period.
- (c) Telecommuting from home by employees of businesses located elsewhere.
- (d) Informal, casual, or seasonal work performed by minors acting as individuals, including, without limitation, babysitting and lawn mowing.
- (e) Parades and processions.

SECTION 6. Effective date. Sections 1 through 5 of this ordinance shall be effective on December 9, 2015.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Proposed by Commissioner \_\_\_\_\_.

Passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Vote:

Ayes:

Nays:

Absent:

\_\_\_\_\_  
Chairman  
Washoe County Commission

ATTEST:

\_\_\_\_\_  
County Clerk

This ordinance shall be in force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

## **Commercial Breeding Public Workshop Notes:**

### **Themes:**

- Support that the dog must be at least 18 months old to be bred.
- Support limiting the number of litters to 5.
- Support revoking permits if in violation.
- Do not support 5 litters being enough.
- Clarity needed on what type of animals restricted for commercial breeding.
- Clarity of time and infractions for permits.
- Would support if permitting was required for breeding of all mammals.
- 

### **Support:**

- Support creating regulations since none exist now
- Support requiring address on permit
- Inspections (ongoing)
- One litter per dog per year
- Dog must be at least 18 months old
- Revoke permit is in violation
- 5 litters is not restrictive enough, but if it mimics NRS
- Space of residence- rural or urban
- As proposed in language
- Support if done right
- Support if permit fee is reasonable
- Code should address, support and encourage for “local” as economic growth and diversification
- 30 day limit to get permit from Washoe County
- Limiting number of litters at 5
- Support minimum age for breeder
- Requirement of USDA license
- Requiring vaccines
- Revoking permits if in violation
- Revenue from license fee
- Should have mandatory inspection – 2 times a year
- Agree that 5 litters or more for commercial breeder
- Should get permit
- Rabies shots if old enough
- Micro-chipping
- Breeding only 1 time a year
- Should not be able to breed before 18 months



### **Don't Support:**

- 5 litters a year is not enough for non-cats and dogs
- No to anything not required by NRS
- Mandatory micro-chipping
- Need all requirements defined (55.795.2b)
- That animals control officers can deny or revoke permits without due process
- Require addresses on permit for breeders- danger
- Litter volume inconsistent (by breed)
- 5 is low
- Confidentiality and safety of registered commercial breeders and animals
- No money to support
- Delete USDA as licensed dealers—use only rescue/humane breeders
- Need additional language for delineation of other species
- Hobby versus commercial thresholds not defined
- Inspections during “business” or reasonable operation time
- Does code address all animal breeding?
- USDA dealer
- Isolation requirement
- Should be checked by vet
- Definition of breeding animal
- Does not go far enough – should restrict all commercial breeding
- Only USDA violations that affect the welfare of animals should be grounds for revoking a license
- Needs to address inbreeding/genetics
- Should address space requirements
- Should impose tighter standards than USDA
- If you ban breeding, what happens?
- Breeding effects health and welfare of animal by breed and how do we account for that?
- What are proper breeding protocols to track via vet? What is this cost of the public?
- Why is the process so specific?
- If we allow commercial restrictions to support, animal welfare needs to be more strict
- Not enforceable
- Want higher- 6 or more litters
- 2b- disagree completely with
- Disagree with only being able to breed once a year

### **Support If.../Recommendations:**

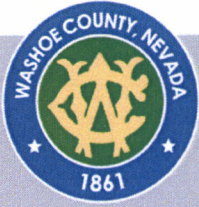
- Indicate compliance with other agency requirements needed (USDA, NDOW)
- Best place for these requirements is NRS
- Exemptions for animals already fed lic.
- Able to breed “not more than 2 times/18 months” instead of 1 times a year.
- Limitations on fees imposed

- Clarify species
- Be specific about time required for permit process
- Define “puppy mills”
- Clarify number of infractions that will revoke permit
- Minor/Misdemeanor or what?—violations?
- Should require vet certificate for each animal (IZ records)
- USDA delete 55.45 8b- delete USDA
- Add all mammals
- Separate limit for hobby breeders: 2 females, 2 male dogs and 2 cats
- Commercial breeder limit—specific number of intact dogs and cats
- Mandatory unannounced inspections for commercial breeders
- Commercial breeder in compliance with NRS 574.390
- Mandatory exercise for animals—20 minutes outside of age daily
- Add rabbits and all mammals
- More regulations on breeding standards

<b>Support</b>	<b>Don't Support</b>	<b>Support If...</b>
15	12	15

## Commercial Breeding Comment Cards:

- Animal permit board: The clause: “no board member may be engaged in hobby or commercial breeding” is counterproductive if either animal welfare or public safety are the objective. It would make more sense to say: “No board member may have prior convictions or an adjudicated citations for deliberate animal mistreatment or animal abuse.” Further, a majority of the board should have expertise in animal welfare, animal care, and/or animal safety. It would not be beneficial to have animal rights activists on the board. (Bill Maggiora, [lbillm@earthlink.net](mailto:lbillm@earthlink.net) 775-852-4008)
- I support 55.795- permit to be revoked if establishment is in violation. However, due to current situation with pet stores and animal control, I want to know that this will actually happen as I don't feel like it is happening now. They are breaking rules left and right, getting complaints and nothing is being done. (Jennifer)
- Breeders required to exercise each animal minimum 20 minutes outside the cage every day. (Billy Howard)
- No limit on hobby breeding. (775-322-1427)
- Please delete under 55.455 commercial animal B- USDA licensed dealers. (Mariva Dimitriadis)
- I think the guidelines for the code on commercial breeding and retail sales are on the right track. Keep on with animal sales, retail and residential.
- Concurrent change to chapter 25. Limit the number of intact dogs and have mandatory unannounced inspections.



WASHOE COUNTY

# ANIMAL CODE UPDATE

COMMERCIAL BREEDING OF ANIMALS



## WCC 55.795 Commercial Breeding Permit (New Code)

### Current Code:

- Currently there are no regulations within WCC 55 that address commercial breeding.
- Commercial breeding is covered in WCC 25 for business licensing.

### Proposed Code (55.795):

- The proposed code is in response to legislation and language added to NRS 574. The proposed language will address the health, safety and welfare of all animals in large scale breeding operations.
- Inspections will be required to obtain a welfare permit prior to obtaining a business license.
- Permits can be revoked if the establishment is found in violation.

### Operational and Legal Implications:

- Increase workload on Animal Services.
- Improve health, safety and welfare inspection capabilities and enforcement.
- Washoe County is required to implement this code.

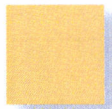
### Summary of Public Input:

- Permit system would hurt local organizations from breeding animals by being too expensive and difficult.
- Would like to see an exception for hobby breeders.
- Need more specificity on the revocation of permit.



## **Washoe County Animal Code Public Input Report**

Topic: Commercial Breeding - Washoe County Code 55.795

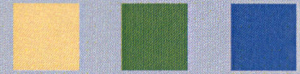






# PUBLIC INPUT REPORT

Washoe County Code 55.795



## Topic: Commercial Breeding - Washoe County Code 55.795

The Public Input Report lists constituent feedback under the heading “Major Topics”. The input is placed into categories and referenced to code for ease of use. For each statement, the amount of support received for this item (high, medium, low), the legal and operational implications are noted in separate columns. The amount of support received was determined by the number of people submitting similar topics/items. The legal and operation implications include any changes necessary to meet the request. Proposed changes resulting from the feedback that were incorporated into the proposed County Code are indicated in the column “Proposed Code Changes”. Public comment often brings up healthy discussions. Statements that don’t necessarily necessitate code changes are marked with “NA” under proposed code changes. Those comments have been captured to allow for future consideration by policy makers and staff.

- Number of Citizens at Public Workshop: 40
- Number of Responses from Open Washoe (as of 9/25/14): 6
- Number of comment cards: 7

Major Topics	Citizen Support	Legal Implications	Operational Implications	Proposed Code Changes
<b>AGE LIMITATIONS</b>				
Support that the dog must be at least 18 months old to be bred.	High	Legislative re-requirement	Increase AS staff costs	55.795 (7) (2a)
<b>NUMBER OF LITTERS</b>				
Support limiting the number of litters to 5.	High	NA	None	Not in Chapter 55, legal implication sits in Chapter 25.
Do not support 5 litters being enough.	Med	NA	None	
Support regulating one litter per dog per year.	Med	Legislative re-requirement	Increase AS staff costs	55.795 (7) (2b)
Do not support regulating one litter per dog per year.	Low	NA	None	
<b>PERMITS</b>				
Support revoking permits if in violation.	Med	Insures animal welfare	Increased AS staff costs	55.795 (6)
Need more specificity on the revocation of permit.	Low	NA	None	Added in
Do not support that animal control officers can deny or revoke permits without due process.	Low	NA	None	Added into new code
Clarify number of infractions that will revoke permit.	Low	NA	None	Case by case determination
Clarity of time and infractions for permits.	Med	Required per added legislation in NRS 574	Added AS staff time	55.795 (1)





# PUBLIC INPUT REPORT

Washoe County Code 55.795



Support 30-day time limit to get permit.	Low	NA	None	Not specified in code
Support revenue from license fee.	Low	NA	None	NA
Support requiring address on permit.	Low	NA	None	NRS required
Support if permit fee is reasonable.	Low	NA	None	NA
Don's support that animals control officers can deny or revoke permits without due process.	Low	NA	None	Added in
Require addresses on permit for breeders-danger.	Low	NA	None	NRS required
Be specific about time required for permit process.	Low	NA	None	Not specified in code - policy
<b>SPECIFICITY ON ANIMAL TYPES</b>				
Clarity needed on what type of animals restricted for commercial breeding. Other species?	Low	NA	None	55.795 (7) (1)
Add all mammals to list of animals to adhere to restrictions.	Low	NA	None	Code is for dogs and cats only.
<b>HOBBY BREEDERS</b>				
Would like to see an exception for hobby breeders.	Low	NA	None	Hobby breeders not part of the commercial breeding permit.
Hobby versus commercial thresholds not defined.	Low	NA	None	
Separate limit for hobby breeders: 2 females, 2 male dogs and 2 cats.	Low	NA	None	
<b>INSPECTIONS</b>				
Support inspections.	Med	Legislative requirement	Increased AS staff time	55.795 (5)
Would like to see inspections mandatory.	Low	NA	None	It is mandatory in order to get permit.
Do not support inspections.	Low	NA	None	
<b>VACCINATIONS</b>				
Support vaccinating animals at appropriate age.	Med	Legislative requirement	Increased AS staff time	55.795 (7) (1) (a) (2)