

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by repealing certain provisions; by amending provisions related to keeping animals in sanitary conditions, animal waste disposal, cruelty to animals, animal fighting, pigeon shoots, endangering animals, and restraining animals; and by repealing, adding and revising various definitions.

BILL NO. 1757

ORDINANCE NO. 1575

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONCERNING RIDING HORSES WHILE INTOXICATED, ABANDONING INJURED ANIMALS, AND GIVING AWAY LIVE ANIMALS AS PART OF A PROMOTION; BY AMENDING PROVISIONS RELATED TO KEEPING ANIMALS IN SANITARY CONDITIONS, ANIMAL WASTE DISPOSAL, CRUELTY TO ANIMALS, ANIMAL FIGHTING, PIGEON SHOOTS, ENDANGERING ANIMALS AND RESTRAINING ANIMALS; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS.

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

SECTION 1. Sections 55.160, 55.180 and 55.210 of the Washoe County Code are hereby repealed.

SECTION 2. The definition of "torture" contained in section 55.010 of the Washoe County Code is hereby repealed.

SECTION 3. Section 55.010 of the Washoe County Code is hereby amended to add the following new definitions:

"Animal abandonment" occurs when a person owning, possessing or having custody or control of an animal abandons the animal in a public or private place.

"Horse tripping" means deliberately causing an equine to fall or lose its balance with a rope, lasso, stick or other object for sport, entertainment, competition or party. "Horse tripping" does not include tripping a horse to provide medical or other health care for the horse.

SECTION 4. Section 55.010 of the Washoe County Code is hereby amended as follows:

Cruelty means every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused or

1575

permitted. Cruelty has the same meaning as torture .

SECTION 5. Section 55.110 of the Washoe County Code is hereby amended as follows:

55.110 Keeping of animals in sanitary conditions. No person shall keep any animal unless its area is kept clean and free from animal waste and offensive odors. Offensive odors are odors that are offensive to a reasonable person of normal sensitivities.

SECTION 6. Section 55.130 of the Washoe County Code is hereby amended as follows:

55.130 Animal waste disposal.

1. Within the congested areas, it is unlawful for any person owning or having control or custody of any animal to permit the animal to defecate upon a public area or upon the private property of another unless the person immediately removes and properly disposes of the feces. Nothing in this section authorizes such person to enter upon the private property of another without permission.

2. Within the congested areas, it is unlawful for any person to walk a dog upon a public area or upon the private property of another without carrying a suitable container for the removal and disposal of dog feces.

3. Persons with disabilities who use service animals for assistance are exempt from this section.

4. Persons whose dogs are participating in dog shows or direct command obedience classes are exempt from this section while their animal is actually participating in such shows or classes, but all feces must be removed and disposed of immediately upon the conclusion of the show or class.

SECTION 7. Section 55.140 of the Washoe County Code is hereby amended as follows:

55.140 Cruelty to animals; generally.

1. It is unlawful for any person to:

(a) Fail to provide an animal with sufficient and wholesome food;

(b) Fail to provide an animal with sufficient and potable water;

(c) Fail to provide an animal with accessible and necessary shelter;

(d) Fail to provide an animal with reasonable veterinary care

when needed;

(e) Beat, overdrive, overload, overwork, torment, torture, or unjustifiably injure, maim, mutilate, poison or kill any animal whether belonging to himself or another;

(f) Intentionally allow an animal to fight with another animal or person;

(g) Abandon an animal;

(h) Crop a dog's ears without assistance from a licensed veterinarian;

(i) Dock a dog's tail that is more than five days old;

(j) Restrain an animal in violation of NRS 574.100; or

(k) Engage in the practice of horse tripping in violation of NRS 574.100.

2. Nothing contained in this section shall be construed to prohibit or interfere with an animal control officer or law enforcement officer's exercise and performance of his or her duties.

3. Any violation of this section of the Washoe County Code for cruelty to animals shall be punished as a misdemeanor pursuant to NRS 244.359.

SECTION 8. Section 55.170 of the Washoe County Code is hereby amended as follows:

55.170 Animal fighting; pigeon shoots.

1. It is unlawful for any person to instigate, promote, arrange, carry on or participate in any fight between birds or animals. Unlawful acts include, but are not limited to:

(a) Keeping, using or breeding any bird or animal for baiting or fighting;

(b) Receiving money or other items of value for admission to a bird or animal fight;

(c) Allowing a house, apartment, pit or place to be used for a bird or animal fight; and

(d) Acting as an assistant, umpire, principal or spectator to encourage or further a bird or animal fight.

2. It is unlawful for any person to manufacture, own, possess, purchase, barter, exchange, sell, or advertise for barter, exchange or sale, any gaff, spur or other sharp implement designed to be attached to a cock or other bird with the intent that the implement be used in fighting another cock or other bird.

3. It is unlawful for any person to provide or use pigeons or other birds, or to fire upon the same, in connection with any shoot which may result in the killing or injuring of any pigeons or such other birds.

SECTION 9. Section 55.190 of the Washoe County Code is hereby amended as follows:

55.190 Endangering animals.

1. It is unlawful for any person to hold or confine an animal in a pen, house, car, truck, trailer or any other place without a sufficient supply of good and wholesome air, water, food and necessary veterinary care.

2. It is unlawful for any person to hold or confine an animal in a car, truck, trailer, box or crate when the temperature and surrounding environment may cause the animal unnecessary suffering or death.

3. To ensure humane treatment and alleviate suffering or needless death, any animal control officer or peace officer may remove an animal from a situation that restricts the animals ability to escape suffering or death. However, the officer will make every reasonable effort to allow the owner of the animal to remedy the situation before removal, or if no owner is available, the officer will attempt to notify the owner as soon as possible that the animal has been removed.

SECTION 10. Section 55.200 of the Washoe County Code is hereby amended as follows:

55.200 Restraining animals. It is unlawful for any person who has the care, custody or control of any animal to restrain the animal upon public or private property without the permission of the property owner.

[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 26th day of January, 2016.

Proposed by Commissioner Lucy.

Passed on the 9th day of February, 2016.

Vote:

Ayes: Kitty Jung, Bob Lucey, Marsha Berkbizler and Vaughn Hartung.

Nays: Jeanne Herman

Absent: none

Kitty Jung
Chairman
Washoe County Commission

ATTEST:
Dorey L. Parent
County Clerk

This ordinance shall be in force and effect from and after the 19th day of February, 2016.

RENO NEWSPAPERS INC

Publishers of

Reno Gazette-Journal

955 Kuenzli St • P.O. Box 22,000 • Reno, NV 89520 • 775.788.6200

Legal Advertising Office 775.788.6394

WASHOE CO
PO BOX 11130
RENO NV 89520-0027

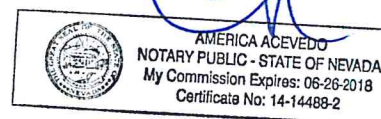
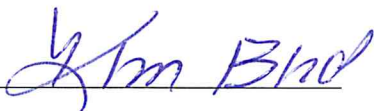
Customer Acct# 349008
PO# ADOPT 1575
Ad# 2000069113
Legal Ad Cost \$310.20

STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **2/12/2016 - 2/19/2016**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____



Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1575 BILL NO. 1757
NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on January 26, 2016 by Commissioner Lucey and was passed and adopted without amendment at a regular meeting held on February 9, 2016 by the following vote of the Board of County Commissioners: AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONCERNING RIDING HORSES WHILE INTOXICATED, ABANDONING INJURED ANIMALS, AND GIVING AWAY LIVE ANIMALS AS PART OF A PROMOTION; BY AMENDING PROVISIONS RELATED TO KEEPING ANIMALS IN SANITARY CONDITIONS, ANIMAL WASTE DISPOSAL, CRUELTY TO ANIMALS, ANIMAL FIGHTING, PIGEON SHOOTS, ENDANGERING ANIMALS AND RESTRAINING ANIMALS; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS. Those Voting Aye: Kitty Jung, Bob Lucey, Marsha Berkbigler and Vaughn Hartung Those Absent: None. This Ordinance shall be in full force and effect from and after

February 19, 2016. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED February 9, 2016. Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No 69113 February 12, 19, 2016

**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1575
BILL NO. 1757**

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on January 26, 2016 by Commissioner Lucey and was passed and adopted without amendment at a regular meeting held on February 9, 2016 by the following vote of the Board of County Commissioners: AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY REPEALING PROVISIONS CONCERNING RIDING HORSES WHILE INTOXICATED, ABANDONING INJURED ANIMALS, AND GIVING AWAY LIVE ANIMALS AS PART OF A PROMOTION; BY AMENDING PROVISIONS RELATED TO KEEPING ANIMALS IN SANITARY CONDITIONS, ANIMAL WASTE DISPOSAL, CRUELTY TO ANIMALS, ANIMAL FIGHTING, PIGEON SHOOT, ENDANGERING ANIMALS AND RESTRAINING ANIMALS; AND BY REPEALING, ADDING AND REVISING VARIOUS DEFINITIONS.

Those Voting Aye: Kitty Jung, Bob Lucey, Marsha Berkgigler and Vaughn Hartung
Those Absent: None.

This Ordinance shall be in full force and effect from and after February 19, 2016. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED February 9, 2016.

Nancy Parent, Washoe County Clerk and
Clerk of the Board of County Commissioners

No 69113

February 12, 19, 2016