

DOUGLAS COUNTY ORDINANCE NO. 2022-1601

6.04 – Definitions

The words and phrases used in this title have the following meanings:

Abandonment: To desert, forsake, or absolutely give up an animal without having secured another owner or custodian for the animal.

Adequate Feed: To provide access to food at suitable intervals, at least once every twenty-four hours, of a quantity suitable for each animal's physical condition and age, sufficient to maintain an adequate level of nutrition; to be served in a clean dish or container; except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting that is natural for the species.

Adequate Shelter: To provide access to shelter that is suitable for the species, age, condition, size and type of each animal; provide adequate space for each animal; is safe and protects each animal from the elements, and the adverse effects of heat or cold, physical suffering, and impairment of health; and provides a quantity of bedding material that is sufficient to protect the animal from cold and promote the retention of body heat; and, for dogs and cats, provides a solid surface, or platform that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Livestock in connection with farming and agriculture are excluded from this provision.

Adequate Space: To provide sufficient space, allowing each animal to easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable, normal position, without touching the sides or top of an enclosure. Livestock in connection with farming and agriculture are excluded from this provision.

Adequate Water: To provide access to a source of clean, fresh, potable water; suitable for the animal's age, condition, size and species of each animal; at least twice daily, unless water is accessible to the animal at all times; except as prescribed by a veterinarian.

Ambient Temperature: The temperature surrounding an animal.

Animal: Includes every living creature that is not a human being. Wildlife and game species are excluded from this definition. Living creatures that raised or sold for animal consumption are excluded from this definition.

Animal Services: The department designated by the Board of County Commissioners, that is responsible for the enforcement of laws and ordinances pertaining to animals within Douglas County, operation of the Animal Shelter, receiving, impounding, care and disposal of animals, and emergency response in times of disaster. Also referred to as Animal Care and Services or Animal Control.

Animal Services Officer: An Animal Services Officer or deputy officer, otherwise referred to as Animal Control Officer, or Animal Services Supervisor of Douglas County, having power and authority to enforce the provisions of this title.

Board: The Douglas County Board of Commissioners.

County Officer: Sheriff, Deputy Sheriff or Animal Services Officer.

Dog: Any domesticated animal of the canine family, of either sex, over the age of four months, including domesticated coyotes, wolves or other domesticated wild species of the same genus.

Dog Breeder: Any person having custody or possession of one or more unaltered dog(s) for any consideration of profit, fee, or compensation, for the purpose of breeding.

Dog Fancier: Any person having custody or possession of more than three dogs, for the purpose of hunting of wild animals or fowl in accordance with NAC 503.147, showing in recognized dog shows, or competing in field obedience trials.

Dog Kennel: Any place where dogs are kept, for the purpose of boarding, breeding, training, grooming, treating, sale or other commercial purpose not covered under the provisions of a dog breeder, fancier, rescue kennel, pet service or pet shop license. A veterinary clinic or hospital is excluded from this definition.

Dog License: The license required to be issued for each dog pursuant to the terms of this title.

Dog Rescue Kennel: Any rescue organization engaged in providing temporary shelter and care for dogs and/or puppies for the purpose of finding permanent adoptive homes for such animals. A veterinary clinic or hospital is excluded from this provision.

Foster Animal: An animal, held by Animal Services for adoption, that is temporarily boarded at a residence, subject to approval from Animal Services.

Immediate Direction and Control: The power to immediately restrict the actions and movement of a dog or other animal by means of a leash, lead, chain, other restraining device, or voice control by the person responsible for the dog or other animal.

Livestock: Domesticated ungulate, poultry, domesticated fowl or other bird species

Owner: Any person keeping, having charge of, sheltering, feeding, harboring or taking care of any animal. The owner is responsible for the care, actions, and behavior of the animal.

Person Responsible: Any person, having custody, possession or control of an animal.

Pet: An animal that is kept by a person primarily for companionship. Livestock is excluded from this definition.

Pet Service: Any person or group engaged in grooming or training pets, pet competitions or events for commercial purpose. A veterinary clinic or hospital is excluded from this provision.

Pet Shop: Any place of business where pets are bought, sold, exchanged or offered for sale to the general public. A veterinary clinic or hospital is excluded from this provision.

Puppy: Any domesticated animal of a canine family of either sex under the age of four months, including domesticated coyotes, wolves or other domesticated wild species of the same genus.

Quarantine: The isolation of a pet in an enclosure deemed adequate by the Rabies Control Authority, to prevent direct contact with a person or an animal.

Rabies Control Authority: The Animal Services Officer designated and employed by Douglas County, to administer the rabies control program in accordance to NAC 441A.410.

Secure Pen: An enclosure constructed of sufficiently strong material, which is covered at the top as well as on all sides with the base secured to the ground in a manner that the dog confined cannot exit by digging underneath. The entry gate must be secured with a secure latch, and suitable to prevent the entry of a minor. If located outdoors, a secure pen must provide adequate space and shelter.

Service Dog: Dogs that are individually trained to do work or perform tasks for people with disabilities; including but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing animal protection or rescue work, pulling a wheel chair, fetching dropped items, alerting a person subject to seizures, or performing other duties. The work or task provided by a service dog must be directly related to the person's disability.

Voice Control: Means that the dog returns immediately to and remains by the side of the person responsible in response to the person's verbal command. If a dog approaches or remains within 10 feet of any person other than the person responsible, that dog is not considered under voice control, unless such person has communicated to the person responsible by spoken word or gesture that such person consents to the presence of the dog. In the case that such person approached by a dog is a minor, an adult must be present with the child to consent to the presence of the dog.

Working dog: A dog regularly, actively engaged in herding, the protection of livestock or farm animals, or activities in connection with farming or agriculture and that may be housed, kept, or left in an area zoned for livestock. The term working dog shall also refer to any dog used by law enforcement or first responding agencies of the County, State and Federal Governments, to include police, protection, and search and rescue dogs. A dog used for personal or private civilian security or protection does not qualify as a working dog.

6.08 – Dog, Cat and Ferret License; Foster Animals; Dog Number Limitation

6.08.010 – Dog License Required

A. Every person having custody , or possession of any dog within the county, must within thirty days after bringing the dog into the county or within thirty (30) days after the dog attains the age of four (4) months, obtain and keep a current dog license issued by the county. A dog license is valid for either one (1), two (2) or three (3) years. No license shall be issued until the applicant has presented a certificate from a licensed veterinarian that the dog has been inoculated against rabies or until applicant pays a fee to Animal Services for a rabies vaccination and agrees to have the dog vaccinated by a licensed veterinarian within thirty (30) days of which the license was issued. The term of the license must not exceed the expiration date of the rabies vaccination by more than thirty (30) days. The current license tag must be displayed on a collar worn around the dog's neck.

B. A dog license may be renewed at any time prior to the date of expiration. The date of expiration of the renewed license is either one (1), two (2), or three (3) years after the date on which the prior license would have expired.

C. Animal Services, Community Services or the Sheriff's Department is authorized to collect the license fee and must issue a metallic tag for each dog licensed. The tag must be stamped Douglas County with the license number corresponding with the number on the license application.

D. License tags are not transferable from one dog to another and no refunds may be made on any dog license fee because of the death of the dog or relocation outside of the County before the expiration of the license period.

E. A dog license is delinquent when it is not renewed by the expiration date.

F. Any person violating any of the provisions of this title is guilty of a misdemeanor.

6.08.020 – Dog License – Issuance Procedure

A. On receipt of a completed application for a dog license, with the fee and a certificate signed by a licensed veterinarian stating that the dog is currently vaccinated against rabies for the period of the license, Animal Services, Community Services, or the Sheriff's Department must issue the applicant a dog license and a metal tag.

B. Animal Services must retain a hard copy or electronic copy of the application and the license in department files.

6.08.030 – Dog License – Fee

- A.** The fee for issuance of a dog license or its renewal is set by resolution of the board.
- B.** Working dogs and service dogs are exempt from the fee requirement.

6.08.050 – Foster Animals

- A.** The Animal Services Officer may approve the temporary boarding of foster dogs by persons that meet the space, confinement, cleanliness, and animal health requirements of Animal Services.
- B.** The Animal Services Officer will inspect the premises where the foster animal is to be kept before the placement and may make random inspections to verify compliance.
- C.** All foster animals that are temporarily boarded must have a current rabies vaccination, an identification tag, and should be spayed or neutered except as prescribed by a veterinarian due to a health or medical condition.
- D.** A foster animal may be boarded for up to ninety (90) days. The Animal Services Officer may grant an extension based on the needs of the animal or the shelter.
- E.** Any person violating any of the provisions of this title is guilty of a misdemeanor.

6.08.060 – Number of Dogs Allowed

- A.** It is unlawful for any person or group to keep, possess, or have custody of more than three (3) dogs over the age of four (4) months on the premises of a residence; business or any other location in Douglas County.
- B.** Any person or group keeping, possessing, or having custody of more than three (3) dogs over the age of four (4) months, without first obtaining a Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop, or Kennel License from Animal Services, will be given notice by the Animal Services Officer, to reduce the number of dogs allowed within thirty (30) days. Working Dogs or Foster Animals approved by Animal Services are excluded from this provision.

6.12 – Dog Breeders, Dog Fanciers, Dog Rescue, Pet Services, Pet Shops and Kennels

6.12.010 – License Requirement and Issuance

A. It is unlawful for any person to own or operate as a Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel establishment without first applying for and receiving from Animal Services, a license to do so.

B. All application forms furnished by the Animal Services Officer, and proof of rabies vaccinations for all dogs over the age of four (4) months, must be completed in full, and submitted in person to Animal Services

C. Following receipt and review of the license application, an inspection of the premises will be conducted by the Animal Services Officer, who will then either grant or deny the license. If the decision is for denial, the reasons for denial must be stated in writing by the Animal Services Officer.

D. The fee for the issuance of a license as set by Resolution of the Board shall be due and payable by the applicant within ten (10) business days upon issuance of the license, and each twelve (12) months thereafter. The license, unless forfeited or revoked, is valid for twelve (12) months from the day of issuance.

E. Any person failing to pay renewal fees prior to the expiration date of the license shall reinstate, or forfeit the license.

F. All Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel establishment premises are subject to an inspection at any time by the Animal Services Officer.

G. A license is not transferable to a new owner or operator.

6.12.020 – Minimum Standard of Care

Any Dog Breeder, Dog Fancier, Dog Rescue, Pet Services, Pet Shop or Kennel establishment must meet the following minimum standard of care requirements:

A. Facility Requirements:

1. Must provide adequate shelter; a sufficient amount of heat when temperatures fall below fifty (50) degrees, and protection when the National Weather Service has issued a high wind warning. Ambient temperatures inside enclosures must be maintained at a

reasonably comfortable level with adequate ventilation by windows, doors, vents, fans, or HVAC system, and remain cool when the National Weather Service has issued a heat advisory.

2. Each animal must have adequate space, allowing them to easily stand, sit, lie, turn around, and make all other normal body movements in a comfortable, normal position without touching the sides or top of the enclosure.

3. Enclosures must be made of an impervious material, such as, metal, fiberglass, concrete, and must be designed for rapid drainage of surface water.

4. Enclosures, except those in an animal shelter, cannot be stacked.

5. Enclosures must be constructed as to prevent the animals inside from biting or otherwise harming another animal or person outside of the enclosure.

6. Areas where animals are housed must be cleaned daily with a disinfectant, cleanser, or chlorine bleach. Materials sufficient to clean and disinfect the entire facility where animals are kept must be present on the premises. Cleaning supplies must be stored separately from food supplies.

B. Animal Care and Safety:

1. All animals must be provided adequate food and water.

2. Any dog, cat, or ferret over the age of four (4) months must have proof of a current rabies vaccination, and the owner or operator must keep and maintain vaccination records and present them to the Animal Services Officer during inspections.

3. Veterinary care must be provided, if needed, to maintain good health and general welfare and to prevent suffering by animals.

4. The maintenance and care of the animal shall not endanger the peace, health or safety of persons residing in the county.

5. All animal bites on the premises must be reported immediately to Animal Services pursuant to section 6.16.020

C. Any Dog Breeder, Dog Fancier, Dog Rescue, Pet Services, Pet Shop or Kennel is subject to unannounced random inspections throughout the duration of the license to ensure compliance with the provisions of this title.

D. Any person violating any of the provisions of this title is guilty of a misdemeanor.

6.12.030 – Dog Kennel – Specific Requirements

A. A Dog Kennel establishment must comply with all land use and zoning requirements set forth under Title 20 of Douglas County Code.

B. The permissible number of dogs a Dog Kennel may house is based upon approval of the Planning Commission and the license issued by Animal Services.

C. Every dog kennel must meet the minimum standard of care outlined in section 6.12.020.

6.12.040 – Dog Breeder or Fancier – Specific Requirements

A. A Dog Breeder or Dog Fancier establishment must comply with all land use and zoning requirements set forth under Title 20 of Douglas County Code.

B. A maximum of six (6) dogs over the age of four (4) months are permitted on parcels of one (1) to five (5) net acres.

C. A maximum of eight (8) dogs over the age of four (4) months are permitted on parcels of five (5) net acres or more.

D. Every Dog Fancier or Dog Breeder must meet the minimum standard of care outlined in section 6.12.020.

E. No more than three dogs other than the breeder or fancier dogs may be kept as pets. Any such dogs kept as pets count towards the total allowable number of dogs permitted at that location.

F. All breeder or fancier dogs must have documentation of pedigree from a recognized and accredited dog kennel club.

G. All dogs must have a microchip, and dogs over four (4) months must have a license pursuant to section 6.08.

H. Puppies may be housed in the same enclosure as their mother.

I. Puppies, or dogs may not be sold unless,

1. the puppy or dog has a registered microchip;

2. all the required vaccinations for rabies which are appropriate based upon the age of the puppy or dog have been given;

J. Breeders shall not breed a female dog,

1. before she is eighteen (18) months of age;

2. or more than once a year.

I. Every dog breeder or fancier must meet the minimum standard of care outlined in section 6.12.020.

6.12.050 – Dog Rescue Kennel – Specific Requirements

A. A Dog Rescue Kennel shall be a tax-exempt non-profit entity under Section 501(c)(3) of the Internal Revenue Code, and must comply with all land use and zoning requirements set forth under Title 20 of Douglas County Code.

B. All rescue dogs brought into Douglas County from outside of the state of Nevada must have a current health certificate signed by a licensed veterinarian, and issued no more than thirty days before the date the dog arrives into Nevada, and a current rabies vaccination certificate consistent with the requirements of Nevada law.

C. A maximum of six (6) dogs over the age of four (4) months are permitted on parcels of one (1) to five (5) net acres.

D. A maximum of eight (8) dogs over the age of four (4) months are permitted on parcels of five (5) net acres or more.

E. No more than three (3) dogs may be kept as pets. Any such dogs counted as pets count towards the total number of dogs allowed at that location.

F. Every Dog Rescue Kennel must meet the minimum standard of care outlined in section 6.12.020.

G. All dogs over the age of four months must have a microchip, and dog license pursuant to section 6.08.

H. All dogs over the age of six (6) months must be sterilized

I. Every Dog Rescue Kennel must maintain records containing information of each rescue dog received by the kennel, that indicates;

1. the date and time each dog arrived at the kennel;
2. the gender, age, breed, color, and brief physical description of each dog;
3. whether the dog is sterilized or unsterilized;
4. the expiration date of the rabies vaccination of each dog;
5. the issuance date of the health certificate, and name of the issuing veterinarian, if applicable;

6. the origin of each dog;
7. the disposition of each dog, for example, adopted, released to another rescue organization, releasing agency, euthanized, or other disposition;
8. the disposition location of each dog, for example, adopters, rescue organization, releasing agency, veterinarian, or other location.
9. The records must be produced for review by the Animal Services Officer upon request to verify compliance with this Title.

6.12.060 – Pet Shop – Specific Requirements

- A. A Pet Shop must comply with all land use and zoning requirements set forth under Title 20 of Douglas County Code.
- B. The term “animals” as used in this section includes mammals, birds, reptiles, amphibians, fish, insects, arachnids and any other creatures traditionally sold as pets.
- C. Every Pet Shop must meet the minimum standard of care outlined in section 6.12.020 for all animals maintained by the Pet Shop.
- D. Enclosures must be provided for all animals housed in the Pet Shop, and must be made of sufficiently strong materials and constructed so that the confined animals cannot exit or escape. All enclosures must be cleaned, and excreta removed at least once daily, to prevent contamination and to reduce odors and the risk of disease.

6.12.070 – Pet Service – Specific Requirements

- A. A Pet Service must comply with all land use and zoning requirements set forth under Title 20 of Douglas County Code.
- B. A maximum of six (6) dogs over the age of four (4) months are permitted on parcels of one (1) to five (5) net acres.
- C. A maximum of eight (8) dogs over the age of four (4) months are permitted on parcels of five (5) net acres or more.
- D. Every Pet Service must meet the minimum standard of care outlined in section 6.12.020.
- E. Enclosures must be provided for all animals housed during hours of operation, and cleaned at least once daily, or before placing another animal in the enclosure, to prevent contamination and to reduce odors and the risk of disease.

6.12.080 – Denial or Revocation of License; Appeal Procedure

A. Any Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel License is subject to denial or revocation, if Animal Services finds any of the following to be true:

1. The licensee or any operator, agent or employee of the licensee was previously convicted of any criminal offence involving cruelty to animals;
2. The licensee or any operator, agent or employee of the licensee was previously found to be in violation of Title 6.
3. The licensee is in violation of any applicable zoning, health and safety, or building ordinances or codes;
4. The licensee or any operator, agent or employee of the licensee failed to adhere to the minimum standards of care as outlined in Title 6.12.020;
5. The licensee engaged in fraudulent practices or misrepresentation related to any previous activity as a Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel;
6. Concealment or misrepresentation in the application for a license;
7. Previous suspension or revocation of a Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel license;
8. Any failure to meet the requirements of this Title, or the requirements set forth for the license.

B. License denial or revocation; procedure for appeal

1. A decision by Animal Services to deny or revoke a Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel License shall be in writing and served upon the applicant or licensee by U.S. Mail at the licensee's last known address.
2. Upon issuance of written notice of revocation of a license, the Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel must cease operations within fourteen (14) calendar days from the date of issuance of written notice. Animal Services may impound or relocate the dogs if necessary.
3. An applicant or licensee aggrieved by a decision to deny or revoke a license may file a written appeal to Animal Services within fourteen (14) calendar days after issuance of written notice of the decision to deny or revoke the license. The appeal shall be presented to the Board within sixty (60) calendar days for final decision. The licensee shall not operate during the pendency of any appeal.

4. An applicant whose application for a new or renewed Dog Breeder, Dog Fancier, Dog Rescue, Pet Service, Pet Shop or Kennel License has been denied, may reapply for a license after twelve (12) months has elapsed from the date of denial. An earlier reapplication may be submitted if accompanied by satisfactory evidence that the grounds or ground for the denial of any prior application no longer exists.

6.16 – Rabies Control and Animal Bites

6.16.010 – Rabies Vaccinations

A. The owner of any dog, cat, or ferret over four (4) months of age must have the animal vaccinated against rabies by a licensed veterinarian consistent with the requirements of Nevada Administrative Code Section 441A.435.

B. The licensed veterinarian administering the anti-rabies vaccination to any dog, cat, or ferret within the county must provide the owner of the animal with a rabies vaccination certificate and tag consistent with the requirements of Nevada Administrative Code Section 441A.440.

C. A licensed veterinarian may exempt a dog, cat or ferret from vaccination for health reasons. The veterinarian shall record the reasons for the exemption and a specific description of the dog, cat or ferret, including the name, age, sex, breed and color on a rabies vaccination certificate which must bear the owner's name and address. The veterinarian shall record whether the reason for the exemption is permanent and, if it is not, the date the exemption expires.

6.16.020 – Animal Bite Reporting

A. Anyone with knowledge of a human being bitten by an animal shall report the bite to Animal Services and provide detailed information of the incident.

B. When the owner or person responsible for any dog, cat or ferret, knows that such animal has bitten a human being, the person shall immediately inform Animal Services, and the victim or the victim's parent or guardian if the victim is a minor, of the name and address of the person responsible for the animal, and the animal's location.

C. A physician, or other medical personnel who renders professional treatment to a person bitten by an animal shall report to Animal Services within twenty-four (24) hours of the initial treatment. The physician or other medical personnel shall report the name, telephone number and address of the person bitten. If known, such persons shall give the name and

address of the owner of the animal that inflicted the bite and other facts that may assist Animal Services in ascertaining the vaccination and health status of the animal.

6.16.030 – Biting Animal – Quarantine and Disposition

A. Animal Services shall cause a dog, cat or ferret, regardless of current vaccination against rabies, which has bitten a human being, to be quarantined for ten (10) days following the bite, and to be observed under the supervision of Animal Services or a licensed veterinarian during the quarantine period.

B. The dog, cat or ferret must be physically quarantined with Animal Services or a licensed veterinarian under any of the following circumstances:

- 1.** The owner or person responsible is unable to provide a current rabies vaccination certificate issued for the biting animal;
- 2.** The owner or person responsible is unable to provide an adequate quarantine area;
- 3.** When the owner or person responsible for the animal cannot be found or identified the Animal Services Officer will impound and quarantine such animal, and make the appropriate efforts to locate the owner or person responsible throughout the quarantine period.

C. The Animal Services Officer may approve a home quarantine under the following conditions:

- 1.** The owner or person responsible must provide a current rabies vaccination certificate issued for the biting animal; and
- 2.** The quarantine holding area is deemed adequate by the Animal Services Officer to prevent direct contact with a person or an animal during the quarantine period.
- 3.** Nursing female animals or animals under the treatment of a veterinarian may be considered for home quarantine on a case-by-case basis by the Animal Services Officer in the absence of a current rabies vaccination certificate.

D. If a dog which has bitten a person is owned by law enforcement, the Animal Services Officer may waive the requirement that the dog be quarantined if:

- 1.** The bite occurred while the dog was carrying out the dog's normal duties for the law enforcement agency;
- 2.** The dog has been vaccinated against rabies; and

3. After ten days following the bite; the dog is examined by the Animal Services Officer or a licensed veterinarian, and found free of any signs or symptoms of rabies.

E. At the end of the ten (10) day quarantine, the dog, cat, or ferret may be released from quarantine under any of the following circumstances:

1. The owner or person responsible provides documentation, executed by a veterinarian, that the animal has been examined and found to be free of any signs or symptoms of rabies, and that it has been vaccinated against rabies.

2. A currently vaccinated animal is presented to the Animal Services Officer, and found to be free of any signs of rabies.

3. The animal may be examined at the owner's residence, and released by the Animal Services Officer.

4. An unclaimed animal whose owner is unknown, may be released from quarantine by the Animal Services Officer, and considered abandoned.

F. If at the end of the quarantine period, the animal is free of all signs of rabies:

1. The animal must be returned to its owner upon payment of all costs of quarantine, veterinary care, and licensing, if applicable.

2. If the owner cannot be located the animal will be considered abandoned, and placed up for adoption, or humanely euthanized.

G. An animal which has bitten a human being may be humanely euthanized and tested for rabies within the quarantine period if:

1. The animal is so ill or severely injured that it would be inhumane to keep it alive;

2. In the opinion of a licensed veterinarian, the animal exhibits paralysis or neurological or behavioral symptoms that are consistent with rabies; or

3. In the opinion of the Animal Services Officer, the behavior of the animal is so fractious or aggressive that it is not possible for the Animal Services Officer to handle the animal safely.

H. If within the quarantine period, the animal dies, or is euthanized, the animal must be tested for rabies by a licensed veterinarian or certified laboratory.

I. The owner of an animal quarantined pursuant of this chapter is responsible for all costs of impound, board, licensing fees and veterinary services.

J. It is unlawful for any person to refuse to comply with directions or orders of the Animal Services Officer to quarantine and confine an animal for a period of ten (10) days. Furthermore, it is unlawful for any person to fail, refuse, or neglect to allow the Animal Services Officer to inspect or examine a quarantined animal at any reasonable time during the quarantine period.

1. The Animal Services Officer authorized to enforce the provisions of this chapter may enter upon the private property to seize the animal. If the owner refuses to surrender the animal, the officer shall immediately obtain a search warrant authorizing seizure and impoundment of the animal.

6.20 – Animal Restrictions and Impoundment

6.20.010 – Dogs At Large

A. Except as otherwise provided in subsection B, it is unlawful for any owner or person responsible for a dog to cause, permit, suffer or allow such dog:

1. To run at large, stray or trespass on any private or public property without the permission of the property owner.

2. While straying or running at large, to actively pursue, chase, worry, attack, injure, or kill any livestock within the County.

B. This section does not apply to the following:

1. Any dog performing under the immediate direction and control, or voice control of the owner or person responsible for the dog;

2. Dogs owned by law enforcement, carrying out normal duties of the law enforcement agency.

C. The owner or person responsible for a female dog in heat must confine the dog in a secure pen in such a manner that the female dog cannot run at large or come in contact with another dog during estrus.

D. The Animal Services Officer may tranquilize a dog at large to aid in its capture. If a safe capture cannot be made using tranquilization, the Officer may use any reasonable means necessary, including destruction of the animal, to capture the animal.

6.20.020 – Barking Dogs

A. It is unlawful for any person to own, possess, harbor, control or keep on any premises, any dog that continuously or incessantly howls, barks, or makes any noise audible beyond the boundaries of the property on which the dog is situated, as to unreasonably disturb any person at any time of day or night. For the purpose of this section, such period of time shall consist of continuous and constant barking or howling for thirty (30) minutes or more within a twenty-four (24) hour period, or sporadic barking, or howling for sixty (60) minutes or more during any twenty-four (24) hour period.

B. Dogs making noise in response to a person trespassing, threatening to trespass, teasing or provoking the dog, or dogs owned by law enforcement carrying out normal duties of the law enforcement agency, or working dogs as defined in Chapter 6.04, shall not be deemed a violation of this section.

6.20.030 – Barking Dogs – Complaints, Citations, and Penalties

A. The initial barking complaint shall proceed as detailed below. These steps must be undertaken prior to any barking dog citation issuance pursuant to subsection B in this section.

1. Any person may lodge an initial and informal barking dog complaint. The initial and informal complaint must include: (a) the name, address and phone number of the complaining party (b) the address location of the barking dog; and (c) specifics of time and duration of the barking or howling.

2. In response to the above initial and informal complaint, an Animal Services Officer will attempt to contact the owner or person responsible for the dog, via phone, or by mail, to notify them of the complaint. The owner or person responsible for the dog will be given fourteen (14) days to abate the situation.

3. The Animal Services Officer will provide a formal Barking Dog Complaint form to the complainant.

B. Should the barking continue after 14 days from the initial notice to the owner or person responsible, the complainant shall submit the completed formal barking dog complaint form to the Animal Services Officer. The barking dog complaint form must include: (a) the name, address and phone number of the complainant, (b) the dog owner's name (if known) and address location of the barking dog, (c) the description of the barking dog, (d) documented evidence showing specific dates, times and duration of the barking for a minimum of fourteen (14) days. The evidence must show a pattern of continuous and incessant barking pursuant to 6.20.020. The formal barking dog complaint form must be submitted within forty (40) days of the initial complaint. Failure to provide such form will result in the complaint being closed.

1. The Animal Services Officer will review the barking dog complaint form, and any evidence submitted by the complainant, in order to determine whether a violation of this chapter exists.

2. If the owner or person responsible is found to be in violation of this chapter, the Animal Services Officer may issue a citation or report the incident to the District Attorney for further action.

3. If during the review of the complaint form it is discovered the documents have been falsified, the Animal Services Officer will forward to the District Attorney for further action.

6.20.040 – Dangerous or Vicious Dogs – Declaration and Appeal

A. Any dog may be declared dangerous by the Animal Services Officer or by a court of competent jurisdiction if:

1. It is used in the commission of a crime by its owner or person responsible for the dog;

2. Without provocation, on two separate occasions within eighteen (18) months, it behaved menacingly, to a degree that would lead a responsible person to defend oneself against substantial bodily harm, while the dog was (a) off the premises of its owner or person responsible; or (b) not confined in a cage, pen or vehicle;

3. The dog has aggressively bitten and inflicted bodily harm to a human being off the premises of its owner or person responsible; or

4. The dog entered onto the property of another and inflicted substantial bodily harm to another animal.

B. Any dog must be declared vicious by the Animal Services Officer or a court of competent jurisdiction if:

1. Without being provoked, it killed or inflicted substantial bodily harm upon a human being;

2. Within eighteen (18) months after being declared dangerous by the Animal Services Officer or court of competent jurisdiction, the dog continues any the behavior described in subsection A;.

3. The dog enters on the property of another and kills an animal;

C. When a dog is declared dangerous or vicious, the Animal Services Officer shall notify the dog owner of such declaration. The notice to the owner shall meet the following requirements:

- 1.** Written notice shall be mailed by U.S. Mail to the owner's last known address, if available.
- 2.** The notice shall include a summary of the Animal Services Officer's findings that form the basis for the declaration of the dog as a dangerous or vicious dog.
- 3.** The notice shall be dated and state that the owner has the right to appeal to Animal Services in writing within ten (10) calendar days of the date of the declaration issued pursuant to this section. The appeal shall be presented to the Board within sixty (60) calendar days for final decision. Until such appeal has been heard and a decision issued by the Board, the owner or person responsible for the dog must comply with Section 6.20.050 Vicious Dog Requirements and Registration.

D. A decision by the Board overturning the Animal Services Officer's declaration shall not affect the Animal Control Officer's right to later declare a dog to be dangerous or vicious, for the dog's subsequent behavior.

E. The following factors must be considered in making the determination of a dangerous or vicious dog:

- 1.** Whether the harm resulted from teasing or mistreatment of the dog;
- 2.** Whether any teasing or mistreatment was committed by the victim;
- 3.** Whether the victim was warned to stay away from the dog; and
- 4.** The viciousness of the attack.

F. A dog may not be declared dangerous or vicious pursuant to this section:

- 1.** Based solely on the dog's breed;
- 2.** Because of a defensive act against a person who was committing a crime or attempting to commit a crime or who provoked the dog;
- 3.** When the dog is acting to defend an attack upon a human being by a person or other animal;
- 4.** When the dog is owned by law enforcement, and carrying out normal duties of the agency;
- 5.** When the dog is acting against a trespasser who has illegally entered the residence of the owner or person responsible; or

6. When the dog is acting against a trespasser who illegally entered on or into a fenced or enclosed business premises, when those premises have signs posted in a conspicuous way warning the public of a potentially dangerous animal on the premises.

G. If the identity of the owner of a dog which the Animal Services Officer declared dangerous or vicious cannot be determined, the dog shall immediately be impounded. If the owner claims such dog, the dog shall be released to its owner upon payment of all applicable impound fees, together with a copy of the notice specified in subsection C of this section. If the dog remains unclaimed for thirty (30) days, the dog shall be humanely euthanized and shall not be placed for adoption.

6.20.050 – Vicious Dogs – Requirements and Registration

It is unlawful for any person to knowingly own, possess, harbor, control, or keep on any premises, or to transfer ownership of, a vicious dog, except as provided in this section.

A. Any dog which is declared vicious may be kept within Douglas County provided that:

1. Within ten (10) days of declaration, the owner is to provide a secure pen as described in this title, or housed within a residential dwelling deemed adequate by the Animal Services Officer. At no time shall the dog be allowed to leave the private property confines of the owner unless it is muzzled, leashed and under the control of an adult. The leash must be no more than four (4) feet in length and made of sturdy material; the muzzle must be the proper size and design for the dog. The Animal Services Officer must approve all secure pens, leashes, and muzzles used on vicious dogs and shall conduct an annual inspection on such requirements.

2. The owner of the dog must post on the premises a clearly visible warning sign containing a warning symbol and letters at least two (2) inches high, that there is a vicious dog on the property.

3. Within thirty (30) days of declaration, the owner shall obtain a dog license for the vicious dog; Animal Services shall add a notation that the dog is vicious within the dog's license record. The dog license shall be renewed annually or upon any transfer of ownership or possession of the dog.

4. Within ninety (90) days of declaration, the owner is to:

(a) have the dog sterilized, and must provide the Animal Services Officer a copy of the sterilization certificate signed by the veterinarian that performed the procedure.

(b) have the dog microchipped. The microchip identification number must be added to the dog's license record.

B. The owner of a vicious dog may not sell, relocate or transfer ownership to another person, rescue, agency or organization without first obtaining prior written approval from an Animal Services Officer. If such transfer of ownership takes place within Douglas County, the owner or person responsible for the vicious dog must comply with subsection A of this section. If such transfer of ownership takes place outside the boundaries of Douglas County, the dog owner must provide the name, address and phone number of the transferee. The Animal Services Officer shall notify the local authorities of relocation of the vicious dog.

6.20.060 – Vicious Dogs – Impoundment and Disposition

A. A vicious dog shall be immediately impounded by a County Officer, upon the determination that one of the following circumstances exists:

- 1.** The dog is not validly and currently licensed as required by this Title;
- 2.** The dog is not maintained in a secure pen as required by this Title;
- 3.** The dog is outside a secure pen and not under the restraints required by section 6.20.050(A)(1), whether or not such dog is in the custody or possession of its owner;
- 4.** The dog is found to be at large.

B. A County Officer may tranquilize or use any other reasonable means necessary to impound the dog. If the Officer determines that the dog cannot be safely impounded, and poses a threat to the life or wellbeing of a person or animal, the Officer may use lethal means to capture the dog.

C. Any dog which has been impounded under subsection A of this section shall be returned to its owner upon compliance with the provisions of this section and upon the payment of all applicable impound fees. If the owner fails to comply with the provisions of this section and pay all applicable impound fees within thirty calendar days of the date of impoundment, the dog may be humanely euthanized.

6.20.070 – Dog Impoundment

A. The County Officer shall impound any dog found running at large pursuant to section 6.20.010 of this title.

B. Animal Services will make a reasonable effort to notify the owner or person responsible for the impounded dog as soon as practical after impoundment.

C. Any impounded dog shall be held by Animal Services for a minimum of five calendar days. If within the five (5) days and owner or person responsible claims the dog, the dog shall be released once:

1. payment of all costs of impound, board and license fees (if applicable) are received by Animal Services;

2. proof of rabies vaccination is provided, or payment of the fee for rabies vaccination, and agreement to vaccinate are received by Animal Services.

D. Under documentation of hardship, the fees required in subsection C of this section, with the exception of license and rabies vaccination fees, may be waived by the approval of the Animal Services Supervisor or Director.

E. If an owner or person responsible has asserted ownership rights to an impounded dog, but has failed to claim such dog after five (5) calendar days after asserting ownership rights, the dog will be kept for an additional five (5) calendar days, in order to give the owner the opportunity to reclaim their dog. If ten (10) calendar days have lapsed after the initial impoundment date, the dog will be deemed abandoned, and will become the property of Animal Services. The owner or person responsible for the dog shall be responsible for the costs and fees as required by Section 6.24.010.

F. Any dog not claimed by an owner or person responsible within five calendar days after initial impoundment will be deemed abandoned and may be placed for adoption, or humanely euthanized by Animal Services at the discretion of Animal Services if unable to be adopted.

6.20.080 – Emergency Animal Impoundment

A. A County Officer may impound any animal as a result of an arrest, hospitalization, death, absence, or possible abandonment of or by the owner, and the animal shall be kept under protective custody at the Animal Shelter.

B. At the time of impoundment, written notice shall be posted upon the property from which the animal was taken, or served by U.S. Mail upon the owner of the animal at the owner's last known address.

C. Animal Services shall hold such animal for up to ten (10) calendar days at the owner's expense. With the exception of license and rabies fees, impound and board fees shall be waived if the animal is reclaimed by the owner within twenty-four (24) hours of impoundment.

D. The owner or person responsible may designate an agent to reclaim the animal, or relinquish the animal to Animal Services pursuant to section 6.24.040.

E. If such animal is not reclaimed within ten (10) days of the impoundment date, Animal Services shall deem the animal abandoned pursuant to 6.24.010 and the animal will become the property of Animal Services.

F. If the owner is known, and fails to reclaim the animal, it shall be the responsibility of the owner to pay impound and board fees, not to exceed ten (10) days of accrual, and other applicable fees such as release and rabies vaccination fees.

G. Costs for veterinary care for the animal impounded shall be the responsibility of the owner or person responsible for the impounded animal.

6.20.090 – Restraining Animals

A. Every person who is the owner of any animal, has an absolute duty to keep the animal upon his premises under their immediate direction and control, and shall keep said animal properly restrained by a fence, cage, or other adequate means so that said animal shall not leave or escape from the premises upon which it shall be kept.

B. Cats and fowl are exempt from this section.

C. Animals grazing on open land pursuant to NRS chapter 568 and the Taylor Grazing Act are exempt from this section.

D. Service Dogs and Working Dogs are exempt from this section.

6.24 – Animal Mistreatment and Cruelty; Relinquishment, Adoption and Euthanasia

6.24.010 – Abandonment

It is unlawful for any person owning, possessing, or having custody and control of any animal to desert, forsake, or absolutely give up an animal without having secured another owner or custodian for the animal.

6.24.020 – Endangerment and Mistreatment of Animals

A. It shall be unlawful for any person, owner, or person responsible of any animal to use a tether, chain, tie, trolley or pulley system or any other devices to restrain such animal on any

property, that is less than twelve (12) feet in length, fails to allow such animal to move at least twelve (12) feet, allows such animal to reach a fence or object which could endanger such animal in any way or by entanglement or strangulation, or use of prong, pinch, or choke collar with such constraint, or for more than fourteen (14) hours in a twenty-four (24) hour period.

B. It shall be unlawful any person to willfully leave any animal inside a motor vehicle where it may suffer from exposure to the excessive heat. Animal Services may remove an animal from a motor vehicle, if the animal is exhibiting obvious signs and symptoms of suffering or distress from exposure to heat. The Animal Services Officer may use whatever means necessary to remove the animal from the motor vehicle, immediately impound the animal, and may provide reasonably necessary veterinary treatment. The County Officer may impound a vehicle in which an animal is enclosed. The vehicle and animal may be released to the owner or person responsible upon payment of the costs of impoundment and any reasonably necessary veterinary treatment.

C. It shall be unlawful for any person to torture, inflict pain or harm in the course of any ritual, kill in an inhumane method, or engage in any sexual conduct or contact with any animal.

D. It shall be unlawful for any person to overdrive, overload, cruelly beat, injure, maim, mutilate, kill or willfully instigate, engage in, or in any way further an act of cruelty to any animal, or any act to produce such cruelty, whether said person is the owner or not and whether on private or public property.

E. It shall be unlawful to deprive any animal of:

1. adequate feed;
2. adequate water;
3. adequate shelter; or
4. adequate space, as described in this title.

F. It shall be unlawful to refuse or deprive any animal reasonably necessary veterinary medical care for illness, injury, disease or infirmity, or willfully instigate, engage in, allow, or in any way further an act of cruelty to any animal, or any act to produce such cruelty.

G. It shall be unlawful for any person owning, possessing or having the care, custody or control of any animal, living or dead, to abandon such animal on any property whether private or public.

H. It shall be unlawful for any person to carry or enclose, or cause to be carried or enclosed, in or upon any vehicle or conveyance, any animal in a cruel or inhumane manner. It is unlawful for any person to transport or convey any animal in the bed of an open pickup truck, or similar open vehicle, without making adequate provisions to prevent the animal from

jumping or being thrown from the vehicle or conveyance. Working dogs are exempt from this provision.

I. It shall be unlawful for any person to own, keep, use, or be financially interested in any way, in the management of, or to wager on or receive money or other things of value for the admission of any person to public or private property or place used or occupied for baiting or fighting of any animal; or to instigate, promote, arrange, or carry on, or do any act as assistant, umpire, principal, spectator or otherwise, a fight between animals, or in aid of or calculated to encourage or further any fight between animals.

J. Any person who intends to trap any domestic animal to which they are not the owner or person responsible for, on private property within Douglas County, shall notify Animal Services prior to such trapping.

K. It is unlawful for any person to keep an animal in conditions that are unsanitary. For purpose of this section, unsanitary conditions shall include but shall not be limited to the following:

1. excessive feces,
2. lack of space,
3. ventilation,
4. excessive pests,
5. excessive rubbish
6. or any other condition which threatens the health of animals or humans.

L. It is unlawful for any person to tease, coax, release or otherwise cause an animal to escape from an enclosure provided for the animal.

M. It is unlawful for any person to remove a domestic animal from the county without the approval of the owner. If the animal is not owned or the owner cannot be ascertained, it is unlawful to remove it from the county without providing Animal Services with the following information:

1. Description of the animal;
2. Location where the animal was found;
3. Name, address and phone number of the person removing the animal; and
4. Name, address and phone number of the person who will have custody of the animal.

The person removing the animal from the county must make the animal available for a potential owner to reclaim for at least ten (10) days.

6.24.030 – Impoundment of Abandoned, Endangered, or Mistreated Animals

A. The Animal Services Officer or county officer may impound any animal found to be kept or treated in violation of this Chapter.

B. The Animal Services Officer or county officer who impounds an animal pursuant to this Chapter and NRS 574.055 is not liable for any action arising out of the impoundment or humane euthanasia of the animal.

6.24.040 – Relinquishment of Animal

A county resident who is the owner of an animal may voluntarily relinquish ownership of the animal to Animal Services by signing a statement that he or she is the legal owner of the animal and authorizing Animal Services to place for adoption or humanely euthanize the animal. The owner of the animal must pay the applicable fees set by the Board at the time of relinquishment. Animal Services may accept or deny relinquishment at their discretion.

6.24.050 – Adoption of Animal

Animal Services may permit the adoption of any pet that is abandoned or has been relinquished. Before a dog, cat or ferret may be adopted, the animal must be sterilized or an agreement for the sterilization must be signed by the new owner. Animal Services must adopt a policy for minimum ages and weights for sterilization, health requirements, and the required vaccinations. The new owner must pay the fees set by resolution of the Board for the adoption and any veterinarian fees.

6.24.060 – Euthanasia Policy

The Animal Services Officer may humanely euthanize any animal which is abandoned or for which ownership has been relinquished. The method of euthanasia must be by injection.

6.28 – Investigations, Citations, and Penalties

6.28.010 – Enforcement and Investigation

The Animal Services Officer is empowered to enforce all provisions of this Title, and to investigate all complaints concerning animals in the county and alleged violations of this Title.

6.28.020 – Authority to Issue Citations

The Animal Services Officer is empowered to prepare, sign and serve written citations on persons accused of violating this Title. In lieu of citation, the Animal Services Officer may issue a warning and instructions for corrective action.

6.28.030 – Violation -- Penalties

Any person violating any of the provisions of this Title is guilty of a misdemeanor.