

Section ID:

Section:

Title: Animal Control (Bill No. 85-3, Ordinance No. 18)

Last Revised Date: 12/16/2002

Description:

PAHRUMP TOWN ORDINANCE NO. 18

TOWN ORDINANCES - ANIMAL CONTROL ORDINANCE

Sections:

18.000 Short Title

18.100 Definitions

18.200 Licensing, Rabies Vaccination, and Permits

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18.700 Crimes Against Animals

18.800 (Reserved)

18.900 General Provisions and Penalties

18.000 **TITLE**

18.010 **SHORT TITLE.** This title shall be known as the “Pahrump Animal Control Ordinance.”

18.100 **DEFINITIONS.** Certain words and terms used in this ordinance are defined for the purpose of this ordinance as follows:

18.102 **ABANDON.** To desert; leave behind; any animal that has previously been under the protection of a human being. This includes all animals that have been impounded and have not been claimed by their owner within a specified amount of time.

18.104 **ANIMAL.** Does not include the human race, but does include every other living creature.

18.108 **ANIMAL CONTROL OFFICER.** The person or persons appointed by the Nye County Sheriff’s Office to enforce this ordinance shall be known as the Animal Control Officer. In the absence of the Animal Control Officer, any available deputy or officer of the Nye County Sheriff’s Office shall so serve.

18.112 **ANIMAL ESTABLISHMENT.** Any petshop, grooming shop, animal auction, performing animal exhibition, kennel, or animal shelter, except this term shall not include veterinary medical facilities.

18.116 **ANIMAL SHELTER.** Any facility designated or recognized by Nye County or the Town of Pahrump for the purpose of impounding and/or caring for animals.

- 18.120 **AT LARGE.** An animal shall be deemed to be at large when off the property of the owner and not under restraint.
- 18.124 **CAT.** Any domesticated animal of the feline family.
- 18.128 **COUNTY.** Means Nye County, State of Nevada.
- 18.130 **COUNTY COMMISSIONERS.** The Board of County Commissioners of Nye County, State of Nevada.
- 18.134 **DANGEROUS ANIMALS.** Any animal with the propensity to harm human beings or other animals, whether inherent in the species or by action.
- 18.136 **DOG.** Any domesticated animal of the canine family including domesticated coyotes, wolves, or other wild species.
- 18.138 **ESTRAY.** Any livestock running at large within the unincorporated Town of Pahrump.
- 18.140 **EXOTIC ANIMAL.** Any animal where domestication is foreign to its nature.
- 18.141 **HARBOR.** To give shelter or refuge; to be the home or habitat of.
- 18.142 **HUMANE MANNER.** Referring to the care of an animal, it shall include but not be limited to, adequate heat, ventilation, sanitary shelter, and wholesome food and water consistent with the animal's requirements, and feeding habits of the animal's size, species, and breed.
- 18.146 **KENNEL.** An establishment kept for the purpose of housing, breeding, selling, or boarding dogs or cats, or engaged in the training of dogs or cats.
- 18.148 **LICENSING AUTHORITY.** The Nye County Sheriff's Office, or the designated representative thereof, shall be charged with the issuance and revocation of licenses and permits required under the provisions of this ordinance.
- 18.152 **LIVESTOCK.** Cattle of the bovine species; horses, mules, and burrows of the equine species; goats of the caprine species; pigs of the swine species; and sheep of the ovine species.
- 18.156 **NEUTERED OR SPAYED.** Rendered permanently incapable of reproduction.
- 18.164 **NUISANCE.** An animal shall be considered a nuisance if it damages, soils, defiles or defecates on private property other than the owner's, or on public walks and recreation areas, unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noise making; or chases vehicles; or molests, attacks, or interferes with persons or other domestic animals on public property.
- 18.168 **OWNER.** A person having the right of property or custody of an animal, or who keeps or harbors an animal, or knowingly permits an animal to remain on or about any premises occupied by that person.
- 18.170 **RESERVED**
- 18.172 **PERSON.** Any individual, corporation, partnership, organization, institution, or other entity commonly recognized by law as a unit.
- 18.174 **PET SHOP.** An establishment, other than a kennel, engaged in the business of

buying or selling, at retail or wholesale, animals for profit.

18.178 **POUND.** Facility designated by the Nye County Commissioners or Pahrump Town Board for receiving, holding, impounding, and quarantining of animals in violation of this ordinance or as required by this ordinance.

18.180 **POUNDMASTER.** The person or persons appointed by the Nye County Sheriff's Office to administer the functions of the pound and care for the animals sequestered therein. The Animal Control Officer shall act as the poundmaster in the absence of the poundmaster or when the position is vacant.

18.184 **RESTRAINT.** An animal shall be considered under restraint if it is within the real property limits of its owner, including real property held by right of tenancy, or secured by a leash or lead, or under the control of a responsible person.

18.186 **SHERIFF.** Shall mean the Nye County Sheriff.

18.188 **TOWN.** Means the Unincorporated Town of Pahrump.

18.192 **TOWN BOARD.** Means the Town Board of the Unincorporated Town of Pahrump.

18.194 **VICIOUS ANIMALS.** An animal that constitutes a physical threat to human beings or other animals.

18.196 **WILD ANIMALS.** Any animal living in a state of nature, and not tame or domesticated.

18.200 **LICENSING, RABIES VACCINATION, AND PERMITS.**

18.210 **LICENSE REQUIRED FOR DOMESTIC DOGS.** No person shall own, keep, or harbor any dog over the age of four (4) months within the unincorporated Town of Pahrump unless such dog is vaccinated for rabies and licensed. The provisions of this section do not apply to animals owned by or held in a veterinary medical facility or government operated or licensed animal shelter.

18.211 **NYE COUNTY SHERIFF'S OFFICE AS LICENSING AUTHORITY.** The Nye County Sheriff's Office shall be the dog licensing authority for the Unincorporated Town of Pahrump.

18.212 **TERM OF LICENSE; RENEWALS.** The license period shall be for one (1) year which shall be July 1 through June 30 of the following year. Licenses shall be renewed by the owner of each licensed dog prior to its expiration for as long as the dog shall be owned and located within the unincorporated Town of Pahrump.

18.213 **RABIES VACCINATION REQUIRED.** No dog license shall be issued by the Nye County Sheriff's Office until the owner shall present a certificate of rabies vaccination signed by a licensed veterinarian for the dog to be licensed.

18.214 **RESIDENCY; EXCEPTION.** All dogs owned or kept by residents of the unincorporated Town of Pahrump shall be currently licensed by Nye County unless relieved by subsection 18.120. Dogs currently licenses in another jurisdiction and owned or kept within the Town by temporary residents of the unincorporated Town of Pahrump shall be considered licensed, except that any dog kept within the town for a period over six (6) consecutive months shall

require a Nye County License.

- 18.215 **ACQUISITION OF UNLICENSED DOG.** Any dog acquired by a resident, whether temporary or permanent, of the unincorporated Town of Pahrump during the period of his residency shall be licensed within thirty (30) days of its acquisition. Acquisition shall include, but not be limited to, purchase, receipt as a gift, adoption, or harboring.
- 18.220 **RABIES VACCINATION; DOGS AND CATS.** No person shall own, keep, or harbor any dog or cat over the age of four (4) months within the unincorporated Town of Pahrump unless such dog or cat has been vaccinated against rabies. The provisions of subsection 18.220 do not apply to dogs or cats held in a veterinarian medical facility, government operated or licensed animal shelter, or humane society facility.
- 18.221 **VACCINATION BY VETERINARIAN.** All dogs and cats shall be vaccinated against rabies by a licensed veterinarian, in accordance with the latest “Compendium of Animal Rabies Vaccines and Recommendations for Immunization” published by the National Association of State Public Health Veterinarians.
- 18.222 **CERTIFICATE OF RABIES VACCINATION; RABIES TAGS.** A certificate of rabies vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the Compendium. Each owner shall also receive a durable vaccination tag indicating the year in which it was issued.
- 18.230 **LICENSE AND RABIES VACCINATION TAG.** Both rabies and license tag must be attached to the collar of the dog or in possession of the dog’s owner to be shown on demand by authoritative persons. Licenses are not transferrable.
- 18.232 **UNAUTHORIZED REMOVAL OR USE OF TAGS PROHIBITED; COUNTERFEIT OR IMITATION TAGS PROHIBITED.** No person shall remove an rabies or license tags issued under the provisions of this ordinance from any dog or cat not owned by him, or lawfully in his possession, without the consent of the owner of the animal for which the license or tag was issued. No person shall place on any dog or cat, or permit any dog or cat in his control or possession to wear any tag not issued as provided in this ordinance for that particular animal for the then current license year, or to have in his possession or to make or place on any animal, any counterfeit or imitation of any tag provided for in this ordinance.
- 18.233 **NON-DISPLAY OF LICENSE OR RABIES VACCINATION TAGS.** Any dog or cat found by the Animal Control Officer not to be wearing a current license tag or rabies vaccination tag, shall be treated as unlicensed or unvaccinated, unless the owner if present, then the dog or cat shall be released to the owner who shall have ten (10) days to show proof of license and vaccination.
- 18.240 **DECLARATION OF RABIES EMERGENCY**
- 18.241 **BY WHOM DECLARED; DURATION.** Whenever it appears to be in the public interest, the Board of County Commissioners or Town Board may issue a proclamation declaring that a rabies emergency exists and ordering every person owning or keeping an animal susceptible to rabies to confine it securely during

the said emergency, unless such animal shall at all times wear a muzzle of sufficient strength to prevent the biting of any person or animal. Any such emergency shall be for a period of not exceeding thirty (30) days, except that such period may be extended by the Board of County Commissioners or Town Board upon finding that the conditions of emergency still exist.

18.242 RESTRICTION OF ANIMALS; CARE; IMPOUNDMENT RELEASE.

Any unmuzzled animal, susceptible to rabies, running at large during the period of any such emergency shall be forthwith impounded unless such animal is noticeably infected with rabies. All animals certified by a veterinarian to be infected with rabies shall be forthwith destroyed by the Animal Control Officer, or any other duly authorized person, in a humane manner and without notice to the owner. The impoundment of any animal taken pursuant to this subsection shall be in accordance with all others subsections hereof. If any impounded animal appears to be suffering from rabies, it shall not be released until it is examined by a veterinarian and declared to be free of rabies.

18.250 ANIMALS SUSPECTED OF RABIES.

18.251 QUARANTINED BY POUNDMASTER; DURATION. If the Sheriff of Nye County or his designate or the Poundmaster shall have reasonable cause to believe any animal to be rabid, or that any animal has been bitten by an animal suspected of having rabies, such animal shall be forthwith quarantined by the Poundmaster, or Animal Control Officer and placed under the observation of a veterinarian for a period of ten (10) days at the expense of the owner of such animal, if any.

18.252 OWNER FAILURE TO NOTIFY; PROHIBITED. It shall be unlawful for the owner of any animal to fail to notify the Nye County Sheriff's Office or the Animal Control Officer of the probable or possible exposure to rabies of his animals. If the owner of any animal has knowledge that said animal has bitten a human being, he shall immediately inform the Nye County Sheriff's Office. If the Animal Control Officer, the Sheriff, or his designate is informed that the animal has bitten a human being and the owner has knowingly failed to notify the authorities referred to herein, the Sheriff, his designate, or the Animal Control Officer shall forthwith impound the animal at the expense of the owner.

18.253 RESPONSIBILITY OF PERSONS. No person knowing or suspecting that an animal has rabies shall allow such animal to be taken from his premises except by the Animal Control Officer, other officer of the Nye County Sheriff's Office, or licensed veterinarian. No person knowing or suspecting that any animal has contracted rabies shall fail to notify the Nye County Sheriff's Office or Animal Control Officer. Any person bitten by any animal shall immediately notify the Nye County Sheriff's Office or Animal Control Officer.

18.254 PERIOD OF QUARANTINE. Quarantine of animals suspected of rabies shall be for a period of no less than ten (10) days unless previously released under subsection 18.255 or terminated under subsection 18.256.

- 18.255 **RELEASE FROM QUARANTINE.** No animal suspected of rabies and under quarantine shall be released from quarantine until a licensed veterinarian has certified that the animal is free of rabies.
- 18.256 **TERMINATION OF RABID ANIMALS.** Any animal while in quarantine which is certified by a licensed veterinarian to be rabid shall be immediately terminated by the most humane means available.
- 18.260 **PERMITS: REQUIREMENTS; REVOCATIONS AND APPEALS**
- 18.261 **PERMITS REQUIRED.** All animal shelters, humane society facilities and animal establishments shall be required to obtain a permit from the Nye County Sheriff's Office prior to starting operation. No permit fee shall be charged for any animal shelter or humane society facility that is funded by, administered by, or recognized as such by any governmental agency.
- 18.262 **MULTIPLE FACILITIES; COMMON OWNERSHIP.** Every facility regulated by this ordinance shall be considered a separate enterprise, requiring an individual permit. Multiple facilities under common ownership located on the same parcel of land shall be considered one facility.
- 18.263 **ANIMAL ESTABLISHMENT; CHANGE OF USE.** Any change in the category or use under which a permit has been issued to an animal establishment shall be reported to the Nye County Sheriff's Office within sixty (60) days.
- 18.270 **WILD AND EXOTIC SPECIES; PERMIT REQUIRED.** No wild animal or exotic animal shall be exhibited in public or kept anywhere unless and until the owners or persons have care, custody, or control thereof shall obtain a permit from the Sheriff to do so. Such permit shall not be issued until an investigation has been made to ascertain the conditions under which the animal is controlled so that the animal's health, safety and general welfare are protected; as well as, the safety and general welfare of the public.
- 18.271 **PERMIT REVOCATION AND ANIMAL IMPOUNDMENT.** The Animal Control Officer and the Nye County Sheriff's Office shall have the same authority with regard to revocation of permit and impoundment of wild and exotic species as with animal establishments.
- 18.272 **APPEAL OF PERMIT; REVOCATION.** The wild animal permit applicant shall upon revocation of permit, be entitled to a public hearing with the Town Board after which the town board may override the revocation if it chooses.
- 18.273 **WILD AND EXOTIC SPECIES.** The persons keeping or maintaining wild or exotic animals, under permit, shall immediately notify the Nye County Sheriff's Office, in writing, of any additional animal acquired or any animal permanently removed from the town specifying the same information with regard to the animal as required by the permit.
- 18.274 **NOTIFICATION OF LOSS OR ESCAPE.** The persons keeping or maintaining wild or exotic animals under permit shall immediately notify the Nye County Sheriff's Office of any loss or escape.
- 18.300 **DANGEROUS ANIMALS, IMPOUNDING, CONFINEMENT**
- 18.310 **DANGEROUS ANIMALS AND DOGS IN HEAT; CONFINEMENT; IMPOUNDMENT.** Every animal of fierce, dangerous or vicious propensities

and all female animals in heat, shall at all times be confined in a substantially secure pen in such a manner that not other animal, except a breeding animal or another animal of the same owner, may come in contact with such animal. If any such animal is found running at large, it shall be taken up and impounded and shall not be released except upon approval of the Animal Control Officer.

- 18.320 **DISEASED ANIMALS RELEASED FROM IMPOUNDMENT.** Any animal impounded which to a veterinarian appears to be suffering from a contagious infection or dangerous disease shall not be released unless cured, or under the care of a veterinarian.
- 18.330 **SUBDUING DANGEROUS ANIMALS.** The Animal Control Officer or any other authorized person, in dealing with any fierce or dangerous animal which cannot be safely taken up and impounded, may use any means necessary for the control of said animal. This shall include, but not be limited to, tranquilization or destruction of said dangerous or fierce animal.
- 18.340 **BITING HUMAN BEING; FIRST OFFENSE; QUARANTINE**
- 18.341 **REPORTED BY OWNER.** Whenever the owner of any animal has knowledge that such animal has bitten a human being, he shall immediately inform the Nye County Sheriff's Office. If he cannot show proof of valid rabies vaccination he shall deliver said animal to the pound, to be quarantined for a period of ten (10) days. The animal can be quarantined at the home of the owner or at a licensed veterinary facility for the same period of time.
- 18.342 **NOT REPORTED BY OWNER.** Whenever the Animal Control Officer or any Nye County Sheriff's Officer is informed that any animal has bitten a human being and the owner has failed to report the incident to the Nye County Sheriff's Office, it shall be their duty to impound said animal at the expense of the owner or a licensed veterinary facility for the ten (10) day period, in accordance with subsection 18.351.
- 18.343 **CONFINEMENT AT HOME; RELEASE.** Any animal confined by its owner under subsection 18.341, shall not be released unless verified by the Animal Control Officer or a licensed veterinarian to be free from rabies. Such verification shall be made in writing to the Nye County Sheriff's Office.
- 18.344 **QUARANTINE; RELEASE.** No animal held in quarantine shall be released from quarantine until verified by a licensed veterinarian to be free of rabies. Proof of rabies vaccination and license shall be required within ten (10) days of release from quarantine, if required by this ordinance, or the animal shall again be impounded by the Animal Control Officer.
- 18.350 **BITING HUMAN BEING; SECOND OFFENSE; QUARANTINE.** In the event any animal shall have on a second occasion bitten a human being, the provisions of subsection 18.340 shall apply except as provided under subsection 18.351 through 18.353.
- 18.351 **CONFINEMENT BY OWNER; REQUIREMENTS.** The Animal Control Officer shall not release any animal to its owner for confinement unless it will be confined in a secure pen in such a manner that it cannot escape. Said pen shall be

inspected and approved by the Animal Control Officer prior to release of the animal.

18.352 **PERMANENT CONFINEMENT BY OWNER.** If any animal has bitten a human being for the second time, the Animal Control Officer shall, if he deems it necessary to protect the general public, order the owner of such animal to confine said animal to a pen within the owners property when not under other physical restraint, or order it confined to the owners property on a permanent basis. If so ordered, the owner of said animal must post adequate warning signs on the perimeter of the property advising the general public of the presence of said dangerous animal.

18.353 **DISPOSAL OF QUARANTINED ANIMAL.** If the owner of any animal held in quarantine under subsection 18.350 fails to provide adequate enclosure, at the time the animal is verified to be free of rabies, said animal shall be impounded and released only when such adequate enclosure has been provided. If an adequate enclosure has not been provided by the owner within the ten (10) days of the animal being impounded, the animal shall be considered abandoned, and shall be available for adoption or termination under the provisions of this ordinance.

18.400 **RESTRAIN OF ANIMALS, TRESPASSING BY ANIMALS, IMPOUNDMENT**

18.410 **ANIMALS RUNNING AT LARGE PROHIBITED; DEFINITION.** It shall be unlawful for the owner of any animal, to suffer, permit or allow such animal to run at large on any public street, alley, park or square-or in any vacant or unenclosed public or private lot within the town, unless permitted by the owner of the land. Any animal shall be deemed running at large if on unpermitted land and not under voice command, led or restrained by a substantial leash, chain, or strap not more than ten (10) feet in length attached to its collar, and held by some person or made fast to some immovable object.

18.420 **ANIMALS A PUBLIC NUISANCE PROHIBITED.** No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. This shall include responsibility for the removal of any excretions deposited by his animals on public areas or another persons private property.

18.430 **IMPOUNDMENT OF ANIMALS RUNNING AT LARGE; HANDLING OF DANGEROUS ANIMALS.** Any animal found running at large in violation of this subsection shall be taken up and impounded unless such animal is deemed dangerous, vicious or fierce, then the provisions of subsection 18.330 shall apply.

18.440 **PLACE OF IMPOUNDMENT; CONDITIONS.** All stray animals impounded under the provisions of this ordinance shall be kept in the Nye County animal shelter located in Pahrump Valley or a place so provided and such animals shall be provided with food and water, and the premises kept in a clean and sanitary manner in an attempt to prevent the spreading of disease or illness among the animals impounded.

18.450 **TRESPASSING BY ANIMAL(S); IMPOUNDMENT.**

- 18.451 **REPORTING OF TRESPASSING ANIMAL(S).** Any person finding any animal(s) trespassing upon his property to his injury or annoyance may contact the Animal Control Officer to apprehend the animal. Or, he may apprehend, capture or take up the animal by any reasonable and humane means and shall immediately turn said animal over to the Animal Control Officer or Nye County Sheriff's Office.
- 18.460 **GUIDE DOGS AND DOGS FOR THE DEAF; EXCEPTION.** Dogs for the blind or deaf found running at large shall be returned to their owner without impoundment unless such owner cannot be located. If the owner cannot be located, then normal impounding procedures shall be followed.
- 18.470 **FENCING OF LIVESTOCK; OWNERS RESPONSIBILITY.** It shall be the responsibility of the owner of any livestock located within the unincorporated Town of Pahrump to provide an adequate enclosure or fence to contain such livestock and prevent their running at large.
- 18.471 **LIVESTOCK; OTHER PROVISIONS OF THIS ORDINANCE APPLY.** All provisions of this ordinance referring to "animals" shall be equally applicable to livestock.
- 18.500 **RESERVED**
- 18.600 **ESTRAYS TAKEN UP PER NEVADA REVISED STATUTES**
- 18.601 **ESTRAYS TO BE TAKEN UP ACCORDING TO PROVISIONS OF NRS 569.040 THROUGH 569.130.** It is unlawful for any person other than the Animal Control Officer or an authorized agent of the State Department of Agriculture to take up an estray and retain possession of the same except as provided in NRS 569.040 through 569.130, inclusive.
- 18.700 **CRIMES AGAINST ANIMALS**
- 18.710 **HUMANE CARE BY OWNER.** Uncared for Animals. Whenever the Animal Control Officer finds that any animal is, or will be without proper care, the Animal Control Officer may take up such animal for protective care; and in the event of sickness or injury of the animal, where the owner or keeper is unknown, the Animal Control Officer may take any action to prevent undue pain and suffering, including immediate destruction of the animal, upon the consensus of three (3) knowledgeable people.
- It is unlawful for any person to mistreat any animal, or kill any animal in any way except in a humane manner. The Animal Control Officer may enter upon private property to prevent the mistreatment of any animal or to impound any animal which has been abandoned or mistreated.
- 18.720 **PHYSICAL ABUSE PROHIBITED.** No person shall beat, cruelly ill treat, torment, mutilate, overload, overwork, or otherwise abuse an animal; or cause, instigate or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.
- 18.721 **POISONING PROHIBITED.** It shall be unlawful for any person unjustifiably to administer any poisonous drug or substance with intent that the same shall be taken by an animal, whether such animal be the property of himself or another,

whether said drug or substance be exposed upon such person's property, the property of another, or any public place; provided that nothing herein shall be construed to prevent or restrict the Animal Control Officer and authorized Health Officer in the exercise and performance of his powers and duties. It shall be lawful for a person to expose on his own property common rat poison mixed only with vegetable substance.

- 18.722 **ENDANGERING ANIMALS BY PHYSICAL SUBSTANCE.** It shall be unlawful for any person to willfully throw, drop or place, or cause to be thrown, dropped or placed upon any road, highway, street, alley, or public place, or upon the private property of himself or another, any glass, nails, pieces of metal or other substance or device calculated to wound, disable or injure any animal.
- 18.723 **TRANSPORTING ANIMALS IN VEHICLES.** 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.
- 18.724 **CONFINING ANIMALS IN VEHICLES.** No person having charge or custody of an animal, as owner or otherwise, shall place or confine such animal or allow such animal to be placed or confined or to remain in a motor vehicle under such conditions or for a period of time as may endanger the health or well-being of such animal due to heat, cold, lack of food or drink, or such other circumstances as may reasonably be expected to cause suffering, disability, or death.
- 18.725 **RESPONSIBILITY OF MOTOR VEHICLE OWNER OR OPERATOR.** No person having dominion or control over a motor vehicle, as owner or otherwise, shall place or confine an animal or allow an animal to be placed or confined or to remain in or on a motor vehicle under such conditions or for a period of time as may endanger the health or well-being of such animal due to heat, cold, lack of food or drink, or such other circumstances as may reasonably be expected to cause suffering, disability or death.
- 18.730 **ABANDONING ANIMALS PROHIBITED.** Persons owning, possessing, or having the care, custody, or control of any animal, living or dead, shall not abandon or leave without proper care such animal in a public street, road, alley or other public place, or upon the private land of himself or another.
- 18.731 **INJURED ANIMALS; NOTICE.** It shall be unlawful for any person owning, possessing or having the care, custody and control of a maimed, disabled or infirm animal, to abandon same, or leave it to die in a public street, road, alley, or another public place or upon the private property of himself or another, more than one (1) hour after he receives notice that it is left disabled.
- 18.732 **CUSTODIAL RESPONSIBILITY; ABANDONED ANIMALS.** Each person who shall take custody of any lost, injured or abandoned animal, or animal apparently running at large, shall report the same to the Nye County Sheriff's Office immediately after taking custody thereof. During the period of custody of such animal, the person assuming custody shall ensure that the animal held is treated in a humane manner,

insofar as practical, considering the conditions and duration of custody.

- 18.750 **GIFT FOR COMMERCIAL PURPOSE PROHIBITED; EXCEPTIONS.** No person shall give away any live animal, as a prize for, or as an inducement to enter in, any contest, game or other competition, or as an inducement to enter a place of amusement; or offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade without the written permission of the County Commissioners or Pahrump Town Board.
- 18.755 **DYING ANIMALS PROHIBITED.** It shall be unlawful for any person owning or possessing any animal for the purpose of selling or giving as a gift to dye, color or change the natural look of such animal in any manner.
- 18.760 **INJURY BY MOTOR VEHICLE; NON-REPORTING PROHIBITED.** Any person who as the operator of a motor vehicle, strikes an animal, shall stop at once and if such person deems it safe and practical shall render assistance. Immediately thereafter, such person shall report such injury or death to the animal's owner and/or the Nye County Sheriff's Office.
- 18.770 **RESERVED**
- 18.780 **PUTTING TO DEATH; CONDITIONS.** No person shall put to death, or cause to be put to death, any animal, with or without the permission of the owner of such animal, unless they are a veterinarian licensed to practice in the State of Nevada, Animal Control Officer, Poundmaster, or are otherwise authorized to do so by an agency of the Town, County, State of Nevada, or federal government.
- 18.781 **HUMANE TERMINATION.** No person, authorized or not shall put to death any animal except in a manner prescribed by law or by the most humane means practical to the circumstance.
- 18.782 **DISPOSAL OF ANIMAL CARCASSES.** Responsibility for disposal of animal carcasses lies with the owner or person harboring such animals or the Animal Control Officer if the owner is unknown or cannot be located.

All animal carcasses within the boundaries of the unincorporated Town of Pahrump shall be taken immediately to a dead animal pit operated or authorized as such by the County or Town, unless;

- (a) The animal is a game animal killed under a legally issued hunting license or permit; or
- (b) The animal is a meat animal, such as a cow, sheep, or pig, in which case the owner of said animal, and no other, shall have the right to butcher or have butchered said animal.

(c) Burying domestic pets. No more than one hundred (100) pounds of animal weight shall be buried per one-half (½) acre of real property.
(d) Livestock exception: all ranch, farm owners and/or managers shall designate a dead animal area on their property and notify the Pahrump Town Manager of the location of said area.

Absolutely no burning of animal carcasses shall be permitted within the Town of Pahrump. Unless deemed necessary for health reasons and/or required by NRS.

- 18.783 **CIVIL LIABILITY NOT RELIEVED.** No person acting under subsection 18.780 through 18.781 of this ordinance shall be relieved of any civil liability, and may be held accountable in a civil court of competent jurisdiction for his actions.
- 18.784 **UNAUTHORIZED REMOVAL FROM CUSTODY PROHIBITED.** It is unlawful to remove an animal from the Animal Control Officer by force, fraud, or stealth. It shall be unlawful for any person to take his own animal or that of any other person out of the custody of the Animal Control Officer without proper permission.
- 18.800 **ADOPTION OF ANIMALS FROM THE POUND.**
- 18.810 **ADOPTION PROCEDURE.** The Animal Control Officer shall offer healthy impounded animals for adoption at the end of the claiming period upon the following conditions:
- (a) Payment of adoption fee.
 - (b) All dogs and cats adopted from the pound shall be spayed or neutered, at the new owners expense. Evidence of neutering or spaying shall be presented to the Animal Control Officer within thirty (30) days after adoption of the animal or when the animal has reached physical maturity.
 - (c) A rabies tag and valid license, if required by Pahrump town Ordinance No. 18, shall be presented to the Animal Control Officer within ten (10) working days after the adoption of the animal, or when the animal has reached physical maturity.
- In the event that the above conditions are not complied with in the required time,

the Animal Control Officer may, at his discretion, revoke ownership of said animal, remove the animal from the premises of the adopter, and reimpose the animal with no refund.

18.900 GENERAL PROVISIONS

18.910 FEES, FINES AND CHARGES AS DEBT TO COUNTY OF NYE. The amount of any license fee, penalty, impounding fee, fine or other charge under the provisions of this ordinance shall constitute a debt to the County of Nye. Any person responsible pursuant to the provisions hereof for the payment of any such license fee, penalty, impounding fee, fine or other charge shall be liable in any action brought in the name of the County of Nye in any court of competent jurisdiction for the amount of any such charge, all court costs, and attorneys fees necessarily incurred by the County of Nye in the collection of any such fee or charge.

18.920 GENERAL PENALTIES. Violation of any of the provisions of this ordinance shall be a misdemeanor, and a person convicted of such violation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) nor less than twenty-five dollars (\$25.00), or by imprisonment in the County jail for a period not to exceed six (6) months, or by both such fine or imprisonment.

18.930 ENFORCEMENT. It shall be the duty of the Sheriff, Animal Control Officer, and Poundmaster to enforce the provisions of this ordinance, and it shall be the duty of every Deputy Sheriff in Nye County, to enforce the provisions of this ordinance.

No part of this ordinance shall be enforced until the following conditions exist; a county animal shelter in the unincorporated Town of Pahrump is opened, and a County Animal Control Officer for the unincorporated Town of Pahrump is appointed by the Nye County Sheriff's Office.

18.940 REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances of the Town of Pahrump in conflict with this ordinance or some part of this ordinance are hereby repealed. Specifically repealed in its entirety is Ordinance p-13 (Pahrump Animal Control Ordinance) as ratified by Ordinance 16, adopted May 28, 1985. However, such repeal shall not repeal the repealing clause of any such ordinance or part of ordinance in conflict with this ordinance.

18.950 SEVERABILITY. If any one or more sections, clauses, or parts of this ordinance shall be declared invalid, void, or unconstitutional, such judgement shall not effect, impair, or invalidate the remaining provisions of this ordinance but shall be confined in its operation to the specific sections, clauses, or parts held invalid, void or unconstitutional.

NOTICE OF PROPOSAL BILL NO. 85-3

PAHRUMP TOWN ORDINANCE - ANIMAL CONTROL ORDINANCE

NOTICE IS HEREBY GIVEN that Bill NO. 85-3 proposing the adoption of an ordinance adopting animal control regulations within the unincorporated town of Pahrump, County of Nye, State of Nevada; prescribing animal control standards

and principles; prescribing minimum requirements for licensing, rabies vaccination, and permits; dangerous animals, impounding, confinement; restraint of domestic animals, trespassing by domestic animals, impoundment; animals running at large; livestock; crimes against animals; and other matter properly relating thereto, and prescribing penalties for the violation thereof within the unincorporated Town of Pahrump was proposed and read by title to the Pahrump Town Board at their meeting held on the 24th day of June, 1986.

A copy of said bill has been filed with the Pahrump Town Board and the Nye County Clerk and is available for public inspection at their offices.

A public hearing on the said Bill will be held on Tuesday, the 8th day of July 1986, at the hour of 7:30 o'clock p.m., at the Community Center at which time further discussion regarding said ordinance, including public comments, will be held.

This notice shall be published once in a newspaper having general circulation in the Town at least 10 days before the date set or hearing.

DATED this 24th day of June, 1986.

PAHRUMP TOWN BOARD

BY: __Signature on file__

Barbara M. Moore, Town Clerk

Publish: PV Times

Date: 6/27/86