

Animals Running At Large PTO NO. 6, BILL NO. 73-1

Last Revised  
Date: October 5, 1973

Description: AN ORDINANCE TO PROHIBIT THE RUNNING AT LARGE OF HORSES, MULES, BURROS, GOATS, AND BOVINE ANIMALS WITHIN THE LIMITS OF THE UNINCORPORATED TOWN OF PAHRUMP, NYE COUNTY, NEVADA, ON LANDS EXCEPT WITH THE PERMISSION OF THE OWNER OF SUCH LANDS, PROVIDING FOR THE IMPOUNDING OF ANIMALS APPREHENDED IN VIOLATION OF THE PROVISIONS HEREOF AND AUTHORIZING THE DETENTION OF THE SAME TO ASSURE THE PAYMENT OF DAMAGES SUSTAINED, PROVIDING CRIMINAL PENALTIES FOR THE VIOLATION THEREOF AND OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Nye County Commissioners, acting as the Board of Trustees of the unincorporated Town of Pahrump, Nye County, Nevada, and acting under the authority of NRS 269.195 conferring power to the said board to prohibit the running at large of goats, cows or other animals within the limits of unincorporated towns, do hereby ordain as follows:

14.010 DEFINITIONS.

"Livestock" as used herein, means cattle of the bovine species, horses, mules, burros, and goats.

"Estray" as used herein, means any livestock running at large within the unincorporated Town of Pahrump whose owner is unknown in the section where such animal is found.

"Town," as used herein, means the unincorporated Town of Pahrump, Nye County, Nevada.

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14.020 RUNNING AT LARGE PROHIBITED; EXCEPTION.

It is unlawful for the owner of any livestock to allow, cause or permit such livestock to run at large within the Town except upon lands owned or lawfully occupied by the owner of such livestock. That area commonly known as the Pahrump Community Grounds on which an arena and running track have been erected is exempt from the operation of this ordinance.

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14.030 ESTRAYS TO BE TAKEN UP ACCORDING TO PROVISIONS OF NRS 569.040.

It is unlawful for any person other than 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 to 569.130, inclusive.

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14.040 DAMAGES FOR LIVESTOCK TRESPASS; LIABILITY OF LANDOWNERS FOR INJURY TO TRESPASSING LIVESTOCK; TRESPASSING LIVESTOCK TREATED AS ESTRAYS.

1. If any livestock shall enter any lands within the Town, the owner or manager of such livestock shall be liable to the owner of such premises for all damages sustained by such trespass. If the trespass is repeated by neglect of the owner or manager of such livestock, he shall, for the second and every subsequent offense or trespass, be subject to double damages of such trespass to the owner of the premises.

2. If any owner or occupier of any grounds or crops trespassed upon by livestock entering upon or breaking into his grounds, whether enclosed by a lawful fence or not, shall kill, maim or materially injure the livestock so trespassing, he shall be liable to the owner of such livestock for all damages, and for the costs accruing from a suit for such damages, when necessarily resorted to for their recovery.

3. The owner or occupier of such grounds or crops so damaged and trespassed upon may take up and safely keep, at the expense of the owner or owners thereof, after due notice to the owners, if known, such livestock, or so many of them as may be necessary to cover the damages he may have sustained, for 10 days, and if not applied for by the proper owner or owners before the expiration

of 10 days, the same may be posted under the estray laws of the state, and before restitution shall be had by the owner or owners of such livestock, all damages done by them, as well also as the expense of posting and keeping them, shall be paid. Any justice of the peace in the township, shall have jurisdiction of all such reclamation of livestock, together with the damages, and expenses of keeping and posting the same, when the amount claimed does not exceed \$300.00

4. When two or more persons shall cultivate lands under one enclosure, neither of them shall place or cause to be placed any livestock on his ground, to the injury or damage of the other or others, but shall be liable for all damages thus sustained by the other or others. If repeated, double damages shall be recoverable in any court having jurisdiction.

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14.050 PENALTIES FOR WILFUL OR DELIBERATE VIOLATIONS.

In addition to the civil damages herein provided, any person guilty of having wilfully or deliberately placed livestock on the lands of another without obtaining prior permission therefor, or cutting or in any way damaging a fence as to permit livestock to gain access to lands not under the control of the owner of such livestock, shall be punished by a fine not exceeding \$500.00 or imprisonment in the county jail for a term not exceeding six months, or both.

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14.060 EFFECTIVE DATE

This ordinance shall be in full force and effect from and after passage, adoption and publication for a period of one week, or two consecutive issues, in the Tonopah Times-Bonanza, a newspaper printed and published within the County of Nye, State of Nevada, to-wit after October 19, 1973