

CHAPTER 2

ANIMAL CONTROL

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7-2-1: DEFINITIONS:

For purposes of this Chapter, the following definitions apply:

ANIMAL CONTROL OFFICER: A person appointed by the Elko County Sheriff or the Board of Elko County Commissioners for the purpose of implementation and enforcement of the provisions of this Chapter.

DOG: Any domesticated animal of the canine family of either sex. The term "dog" does not include wolves or wolf hybrids.

GUIDE DOG; SEEING EYE DOG; DOG FOR THE HEARING IMPAIRED: A dog which has been properly trained, and is actually being used by a blind person or hearing impaired person for the purpose of aiding him or her. The term includes a dog being trained for such purposes.

NEUTERED DOG: A dog, whether male or female, which has been surgically rendered incapable of producing offspring, as evidenced by a signed statement to that effect by a licensed veterinarian.

NONNEUTERED DOG: A dog, whether male or female, which has not been surgically rendered incapable of producing offspring.

OWNER: Any person keeping, harboring or having charge or control of, or permitting any dog to habitually remain on or be lodged or fed within such person's house, yard or premises. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs owned by others for a period of less than thirty (30) days.

RUNNING AT LARGE: Except as otherwise specifically provided in subsection 7-2-6(B), "running at large" shall mean:

- (A) Within the animal control areas defined in Section 7-2-5;
- (B) Off the premises of the owner or custodian of the animal; and
- (C) Not accompanied by or under the immediate control of the owner or the custodian of the animal. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-2: ENFORCEMENT; CONTRACTUAL ARRANGEMENTS:

(A) The Board of Elko County Commissioners may enter into a contractual arrangement with another governmental entity, person, business entity, or agency, to facilitate and assist in the implementation and enforcement of this Chapter, and/or for the care and maintenance of impounded animals.

(B) Unless otherwise provided by contract, Elko County shall not in any manner be liable by reason of any act done by any contracted entity, person, or agency, whether in the performance of the duties prescribed by this Chapter or otherwise. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-3: DUTIES OF ANIMAL CONTROL OFFICER; ENTRY UPON PRIVATE PROPERTY:

(A) An animal control officer is a limited purpose deputy who may be appointed by the Sheriff or the Board of Elko County Commissioners, and who shall have the duty and power to enforce all of the provisions of this Chapter.

(B) An animal control officer is hereby authorized to make all necessary seizures, impound, and keep any animal found to be in violation of the provisions of this Chapter. No person shall interfere with, hinder, molest or abuse any animal control officer in the exercise of his or her duties. No person shall unlawfully take or attempt to take any animal seized pursuant to the provisions of this Chapter from the custody of the Animal Control Officer, nor shall any person remove or attempt to remove any animal from impoundment without having first redeemed the animal or having obtained the permission of the Animal Control Officer to do so.

(C) In the enforcement of the provisions of this Chapter, any peace officer or animal control officer is authorized to enter upon private property. The authority granted by this Section does not authorize entry into any building on private property without the consent of the person entitled to control said building. Entry into any building on private property for enforcement purposes may be obtained upon application to the District Court and upon good cause shown.

(D) The Animal Control Officer or any deputy sheriff is authorized to prepare, sign, and serve written citations on persons accused of a violation of this Chapter.

(E) The Animal Control Officer may issue an oral or written warning to any person suspected of violating the provisions of this Chapter. The warning may precede or be issued in lieu of a written citation. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-4: LICENSE - FEES:

(A) It is unlawful for an owner to keep or maintain a dog over the age of six (6) months within an animal control district unless the dog is licensed.

(B) The owner of such dog shall make application for a license upon a form to be provided by the County Clerk, which application shall state:

- 1. The owner's name and address.
- 2. The name, breed, color, sex, and age of each dog owned or kept by the owner.
- 3. The date the owner acquired the dog.

(C) The County Clerk, or the Clerk's authorized representative, shall not license any dog until:

- 1. It has been inoculated against rabies by a veterinarian, and the owner of the dog has produced a certificate of inoculation and a tag evidencing such fact from a veterinarian; or
- 2. The owner of the dog has furnished a statement from a veterinarian to the effect that the dog should not or need not be inoculated; or
- 3. The owner of the dog provides proof satisfactory to the Clerk, in lieu of a certificate of inoculation, that the dog has been inoculated with the appropriate vaccine for the prevention of rabies.

(D) License fee:

- 1. Every owner of a dog over six (6) months in age, shall pay to the County Clerk an annual license fee as follows:

Spayed female or neutered male dog	\$ 5.00
Nonspayed female or nonneutered male dog	10.00

2. The owner of a guide dog shall make an application for a license on the provided form, but the license shall be issued without charge.

(E) The license fee shall be for the calendar year, or part thereof remaining after the date such license is obtained, and shall be payable in advance. No prorations shall be made for fractional parts of the year. The annual license fee for a dog license shall be due and payable on or before January 1 of each year, or if such day is a legal holiday, then on the first business day thereafter.

(F) The annual license fee for any dog not previously licensed shall be due and payable when an unlicensed dog reaches six (6)

months of age, upon acquiring ownership or possession of any unlicensed dog six (6) months of age or older, or upon the owner of an unlicensed dog six (6) months of age or older establishing a residence in Elko County. If any dog license fee is not paid within sixty (60) days from the date it becomes due, a penalty of three dollars (\$3.00) shall be paid to the Clerk in addition to the annual license fee.

(G) The provisions of this Section shall not apply to:

1. Dogs owned by persons who are not residents of Elko County, and are temporarily in Elko County for a period of not to exceed thirty (30) days; or
2. Dogs brought exclusively into Elko County for the purpose of participating in a dog show or exhibition.

(H) Upon completion of the dog license application and compliance with the requirements of this Section, together with the payment of the proper annual license fee and penalty, if any, the Clerk or his/her duly authorized representative shall issue an appropriate metal or plastic dog license with the tag number stamped thereon.

(I) If the dog tag is lost at any time prior to the expiration date thereof, it shall be the duty of the owner of the dog to procure a replacement tag from the Clerk and pay a fee of five dollars (\$5.00) therefor.

(J) Dog tags and licenses are not transferable from one dog to another, and no refund shall be made on any dog license fee because of the death of the dog or the owner leaving the County prior to the expiration date of the license.

(K) 1. Any person, firm or corporation owning, any business involving the keeping of dogs and/or cats for the purpose of breeding shall make application to the Elko County Sheriff's Office for a permit to operate said business. An application for a permit must contain the following:

- (a) The name of the person or business applying for the permit;
- (b) The address or location of the facility used in the applicant's business;
- (c) The type of animals the person or business breeds; and
- (d) A copy of a State business license and Elko County Certificate of Business or Fictitious Firm name.

2. The Elko County Sheriff may charge an application fee, not to exceed the approximate cost of providing the service associated with the issuance of an annual permit.

3. The Animal Control Officer or a Sheriff's Deputy may enter and inspect any facility for which a permit is issued at any reasonable hour.

4. The Sheriff's Office may terminate or temporarily suspend a permit pending investigation if the following occurs: if the Animal Control Officer or Sheriff's Deputy finds that a permit holder violated any of the provisions of Chapter 574 of the N.R.S. (Ord. 1994-A, 3-3-94, eff. 3-17-94; amd. Ord. 10-2019, 1-8-2020)

7-2-5: DOG COLLAR; LICENSE TAG:

Every owner of a dog licensed under the provisions of this Chapter and within an animal control district shall provide the dog with a suitable collar or harness to be worn around the neck or forepart of the body of the dog, to which the license tag issued by the County Clerk and the required inoculation tag shall be securely affixed. The owner shall ensure that the collar and tag are worn by the dog at all times. The animal control districts are:

- (A) The unincorporated Town of Jackpot (First Addition), Elko County, Nevada, including all of Sections 1, 2, 11, and 12, Township 47 North, Range 64 East.
- (B) The Town of Lamoille, Elko County, Nevada, according to the official map thereof, filed in the office of the Elko County Recorder, State of Nevada, on September 5, 1924, as file number 37018, and all of Township 33 North, Range 58 East, Section 19.
- (C) The Pleasant Valley Estates Subdivision according to the official map thereof, filed in the office of the Elko County Recorder, State of Nevada, on October 6, 1961, as file number 5976.
- (D) The Spring Creek area within the boundaries of Township 32 North, Range 57 East, Sections 2, 3, 4, and 12; Township 33 North, Range 57 East, Sections 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 27, 28, 29, the East ¹/₂ of Section 30, the Northeast ¹/₄ of Section 31, and Sections 32, 33, and 34; Township 33 North, Range 56 East, Sections 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, the North ¹/₂ of Section 23, and Sections 24 and 25; and Township 34 North, Range 56 East, Section 21, the West ¹/₂ of Section 22, the West ¹/₂ of Section 27, Sections 28, 33, and the Northwest ¹/₄ of Section 34.
- (E) The unincorporated town of Jarbidge, Nevada.
- (F) The unincorporated town of Montello, Nevada.
- (G) The unincorporated town of Mountain City, Nevada.
- (H) The Wildhorse Estates subdivision, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on October 11, 1968, as file number 40078, including:

Unit	File Number	Filed

1	109396	December 9, 1977
2	146928	April 14, 1981

(I) The Sundance Estates subdivision according to the map thereof filed in the office of the Elko County recorder:

Unit	File Number	Filed
1	211338	December 18, 1985
2	244672	December 18, 1987
3	274797	May 4, 1989

(J) The Meadow Valley Ranchos subdivision according to the official map thereof filed in the office of the Elko County recorder:

Unit	File Number	Filed
1	9392	August 7, 1962
3	10835	November 8, 1962
4	11260	December 20, 1962
5	11615	February 7, 1963
6	12579	June 10, 1963
7	24671	May 6, 1966
8	25469	July 7, 1966
9	26830	September 13, 1966
10	26831	September 13, 1966
11	26832	September 13, 1966

(K) The Crestview subdivision, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on June 23, 1976, as document number 98428.

(L) Valley Vista subdivision, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on February 7, 1963, as document number 11616.

(M) Dysart Ranch subdivision unit number 2, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on March 24, 1988, as document number 248426.

(N) Last Chance Ranchos unit number 3, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on December 16, 1960, as document number 2902.

(O) Brentwood Estates subdivision, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on December 1, 1989, as document number 285575.

(P) Twin River Ranchos subdivision according to the official map thereof filed in the office of the Elko County recorder:

Unit	File Number	Filed
2	4943	July 18, 1961
3	7956	March 19, 1962
4	8349	May 8, 1962

(Q) Humboldt River Ranchos unit number 1, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on February 7, 1961, as document number 3497.

(R) Ruby Mountain Estates, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on July 9, 1971, as document number 64026.

(S) Rolling Hills subdivision, according to the official map thereof, filed in the office of the Elko County recorder, state of Nevada, on February 24, 1983, as document number 173596.

(T) That area commonly known as Lipparelli Estates, according to the several parcel maps filed in the office of the Elko County recorder as follows:

File Number	Filed
121518	March 27, 1979
121519	March 27, 1979
121520	March 27, 1979
121521	March 27, 1979
121522	March 27, 1979
121523	March 27, 1979
160024	February 3, 1982
249046	April 13, 1988

(Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

(U) Section 36, Township 36 North, Range 56 East, M.D.B. & M. in the Ryndon Area.

(Ord. 2002-G, 8-8-2002, eff. 9-11-2002)

(V) Lucky Nugget subdivision units 1 and 2, according to the official maps thereof, filed in the office of the Elko County recorder as follows:

Unit	File Number	Filed
1	9004	July 6, 1962
2	9393	August 7, 1962

(W) That area commonly known as Western Hills, according to the several parcel maps filed in the office of the Elko County recorder as follows:

File Number	Filed
89139	February 25, 1975
89140	February 25, 1975
89141	February 25, 1975
89142	February 25, 1975

(Ord. 02-2006, 8-2-2006, eff. 10-11-2006)

(X) North Fifth Street Area within Section 5 excluding lands within the City of Elko Boundary and all of Section 8, Township 34 North, Range 55 East, M.D.B. & M.

(Y) Bullion Road Area within Section 21 excluding lands within the City of Elko Boundary, all of Section 28 and all of Section 33, Township 34 North, Range 55 East, M.D.B. & M.

(Ord. 2017-02, 2-1-2017, eff. 3-20-2017)

7-2-6: RUNNING AT LARGE:

(A) It shall be unlawful for any owner or custodian of an animal to suffer, permit or allow the animal to run at large within an animal control district.

(B) The owner of a dog within an animal control district must restrain the dog so that it does not run at large. The owner of a dog is responsible for the dog being at large, and is in violation of this Chapter unless the dog is at all times restrained by the following:

1. Within the confines of the owner's residence or other building on the owner's premises.
2. Within the confines of a secure fence, a secured dog run, or other secured dog tight enclosure sufficient to keep the dog on the owner's premises and from which the dog cannot stray.
3. Within the owner's automobile or within the cab or enclosed portion of any other vehicle of the owner, or within the bed of a truck, provided the dog is restrained by a leash which will prevent it from leaving the confines of the truck bed.

4. On a leash sufficient to hold the dog in restraint, and which is not more than eight feet (8') in length.
5. Under effective voice or other nonverbal control when off the owner's premises.

(C) Failure to restrain a dog in compliance with this Section is a misdemeanor, and shall be punished by a fine of not less than twenty five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment in the jail for a period of not to exceed thirty (30) days, or by both such fine and imprisonment. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-7: DOGS TRESPASSING:

(A) Where a dog is found to be running at large in violation of Section 7-2-6, it may be captured and turned over to the Animal Control Officer or a deputy sheriff. If the dog is thereupon returned to its owner, the Animal Control Officer or deputy sheriff may issue a citation to the owner for violation of this Chapter. The citation shall indicate that the owner shall appear before the Justice of the Peace for disposition of the citation or the date and time indicated on the citation.

(B) This Section shall not apply to guide dogs for the blind or dogs used to aid the hearing impaired ("seeing eye dogs"; "dogs for the hearing impaired"). Whenever such a dog is found to be running at large and is captured, the Animal Control Officer or Deputy Sheriff shall take the dog and return it to its owner. No citation shall be issued, and no fine levied. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-8: IMPOUNDING AND FEES:

(A) Record of Impounding: Immediately after impounding a dog, it shall be the duty of the Animal Control Officer to enter upon the records of the animal shelter in a book to be kept by it for such purpose the date of impounding, a description of the dog impounded, and a record as to whether or not such dog has been tagged as required by this Chapter.

(B) Fees and Charges: In addition to all other fines, costs, penalties, or other charges due for a violation of this Chapter, the following minimum charges shall be collected at the animal shelter and paid to the County of Elko:

1. For destroying a dog at the request of the owner - \$35.00.
2. For impounding a dog; first offense - \$15.00.
3. For impounding a dog; second offense - \$25.00.
4. For impounding a dog; third offense - \$40.00.
5. For impounding a dog after third offense - \$40.00.
6. For keeping a dog, per day - \$5.00.

(C) Number of Impoundments: Impounds prior to the effective date of this Chapter shall not be considered in determining the above charges. If determining the number of impounds, the total number of impounds in any city and the county shall be counted. A dog impounded only once during any twelve (12) month period shall be treated as if impounded for a first offense.

(D) Reimbursement of Costs: The County of Elko shall be reimbursed by the owner for the cost of apprehending, detaining, and/or caring (impoundment, board, and veterinary expenses) for animals impounded under the provisions of this Chapter.

(E) Liability of Owner: Failure of the owner of an impounded animal to claim the animal does not relieve such owner of liability for payment of impoundment, board, veterinary, euthanasia and/or disposal fees. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-9: NOTICE TO OWNERS AND REDEMPTION:

(A) No later than twenty four (24) hours after the impounding of a dog, the owner shall be notified of that fact, by mail or personally, or if the owner of the dog is unknown, by posting a written notice for five (5) days at the County Courthouse, describing the dog and the place and time of taking; a copy of the notice shall be given to central dispatch.

(B) Any tagged or untagged dog may be reclaimed by the owner within seven (7) days of impoundment by first presenting a current dog license if the dog is untagged, obtaining a rabies inoculation or presenting proof of rabies inoculation, payment of past due license fees and penalties, and all costs and charges incurred by the County for the impounding and maintenance of the dog. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-10: DISPOSITION OF UNCLAIMED DOGS:

(A) The Animal Control Officer shall keep all dogs for a period of seven (7) days after impoundment. If at the expiration of seven (7) days the dog has not been redeemed, it may be destroyed in some humane manner or adopted out as provided in Section 7-2-11.

(B) If at the expiration of fifteen (15) days after impoundment, a dog has not been redeemed, destroyed, or adopted out, it shall be destroyed in some humane manner. The Animal Control Officer shall have the privilege of claiming any dog which has been impounded in the dog pound and which has not been redeemed, destroyed, or adopted out within the time specified in this Section.

(C) Any dog that appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease shall not be released, but may be forthwith destroyed. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-11: ADOPTION POLICY:

The Animal Control Officer may offer apparently healthy dogs for adoption at the end of the claiming period set forth in subsection 7-2-10(A), upon the following conditions:

(A) That the adoptive owner obtain a valid rabies tag or certificate from a licensed veterinarian stating that the dog has been inoculated with suitable vaccines for the prevention of rabies, or a statement from a licensed veterinarian that the dog should not be so vaccinated, and present the same to the Animal Control Officer within thirty (30) days of adoption.

(B) That the dog be neutered or spayed at the expense of the adoptive owner. Exceptions to this policy may be granted by the Board of County Commissioners. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-12: DANGEROUS DOGS:

(A) As used in this Section, "dangerous dog" means a dog with the propensity to bite human beings. It shall be prima facie evidence that a dog is dangerous if it has bitten any person, unless the person was trespassing upon the property of the owner.

(B) Whenever the owner of any dog has knowledge that the dog has bitten a human being, the owner shall immediately inform the Animal Control Officer. The provisions of Elko County Code Section 7-3-1 et seq. shall be strictly complied with.

(C) If a dog bites a human being on a second occasion, the owner shall comply with subsection (B). The dog must thereafter be kept at all times in a secure dog tight pen. The pen must be inspected and approved by the Animal Control Officer. If the dog is held in the animal shelter, the dog shall not be released until the Animal Control Officer has inspected and approved the pen. If the owner refuses to provide a secure dog tight pen that has been inspected and approved by the Animal Control Officer, the owner may appeal pursuant to the provisions contained in subsection 7-2-14(B).

(D) The dog license issued pursuant to this Chapter shall be restricted whenever a dog is found to be dangerous, and the dog shall be continuously kept by the owner in a secure dog tight pen that has been inspected and approved by the Animal Control Officer. A dog whose license has been restricted upon that ground shall be forthwith destroyed if it is thereafter found or observed to be out of the pen in which it is required to be confined.

(E) The provisions of this Section are minimum standards which do not supersede stricter or additional requirements which may be imposed by the Nevada Revised Statutes under the circumstances.

(F) Substantial Bodily Harm: If any animal attacks a person, and such attack results in "substantial bodily harm," as defined by NRS 0.060, the animal shall be immediately surrendered to the animal control officer, and shall be destroyed in a humane manner, and shall be subsequently tested for rabies. This provision shall not apply if the person attacked was trespassing upon the property of the owner. (Ord. 1994-A, 3-3-94, eff. 3-17-94; amd. Ord. 2021-02, 9-1-2021)

7-2-13: BARKING DOGS:

Within an animal control district it is unlawful for a dog owner to keep, harbor, or maintain a dog that habitually howls, barks, whines, yelps or in any other manner disturbs the peace and quietude of the community or of any person. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-14: BARKING DOGS; REVOCATION OF LICENSE:

(A) The dog license issued under this Chapter shall be revoked whenever the owner or owners of a dog have been convicted three (3) times of a violation of Section 7-2-13. It is unlawful to keep or maintain any dog within Elko County after its license has been revoked, and no other license shall be issued for such dog.

(B) If such dog is not removed from the County within five (5) days after its license has been revoked, the Animal Control Officer may impound the dog. The dog shall not thereafter be released from the animal shelter without the written permission of the Animal Control Officer. Prior to granting permission to release the dog, the Animal Control Officer shall first obtain from the owner or other person receiving the dog a written agreement that the dog will, if released, be permanently removed from the County. If the owner of the dog refuses to so agree, the dog shall be destroyed in some humane manner. The owner, however, may sign an agreement under written protest and thereby appeal to the Board of Elko County Commissioners for reinstatement of the dog's license. The Board of Elko County Commissioners shall set the appeal for hearing within forty five (45) days after receipt of the appeal. Pending a decision of the appeal, the dog shall be kept by the owner outside the County. After completion of the appeal hearing, the Board of Elko County Commissioners may reinstate the license, conditionally reinstate the license, or permanently revoke the license. The decision of the Board of County Commissioners shall be final. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-15: RESPONSIBILITY OF PARENT AND HEAD OF HOUSEHOLD:

(A) The responsibility for compliance with the provisions of this Chapter shall rest upon the head of the household at which a dog is being kept or harbored, whether or not the ownership of such dog is claimed by any other person residing in said household. A husband or wife, or two (2) or more adults living together, may be jointly or separately charged as heads of the household where a dog is kept or harbored if the requirements of this Chapter are not complied with.

(B) It shall not be a defense to an alleged violation of this Chapter that the true and registered owner of a dog is of such minor age as to prohibit answer in court, and upon such occurrence, the parent or guardian of such minor owner shall be required to appear instead and assume full responsibility for the actions or omissions of their minor. The parent, guardian, or custodian of any child under eighteen (18) years of age who owns, keeps, harbors or has custody of an animal shall be deemed to be the owner of such animal. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-16: GUARD DOGS:

It is unlawful to place or maintain guard dogs in any area for the protection of persons or property unless the following conditions are met:

(A) The dogs shall be confined to a secure, enclosed, and dog tight area adequate to ensure that they will not escape; and

(B) Warning signs shall be conspicuously posted on the property indicating the presence of guard dogs and shall plainly show a telephone number where some person responsible for controlling the guard dogs can be reached at all times. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-17: UNLAWFUL USES OF LICENSE TAGS:

It is unlawful to deprive any licensed dog of its collar or tag, or to place a license tag on any dog not licensed. (Ord. 1994-A, 3-3-94, eff. 3-17-94)

7-2-18: ABANDONMENT, MISTREATMENT, AND KILLING OF ANIMALS OTHER THAN BY A LEGAL METHOD OF TAKE; IMPOUNDMENT OF ANIMALS:

(A) Except as otherwise provided herein, it is unlawful for any person to do any of the following:

1. To maliciously apprehend, detain, secrete or impound the animal or fowl of another person, or to knowingly aid or abet in the

commission of any such act by some other person. Any person aiding or abetting shall be considered a principal.

2. To maltreat, starve, or torture any animal. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

3. To overcrowd any animal in a crate, box or other receptacle, or to fail to provide the animal with adequate food, water, shelter, or sanitation. (Ord. 2012-10, 8-9-2012, eff. 12-31-2012)

4. To abandon any animal, living or dead, in a public street, road, alley or any other public place, or upon the private property of another.

5. 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.

(a) No person having charge or custody of any animal, as owner or otherwise, shall place or confine the animal or allow the animal to be placed, confined or to remain in a motor vehicle under such conditions or for such a period of time as may endanger the health or well being of the animal due to heat, cold, lack of food or drink, or other circumstances as may reasonably be expected to cause suffering, disability or death.

(b) The animal control officer or any sheriff's deputy who finds an animal in a motor vehicle in violation of this section may break and enter the motor vehicle if necessary to remove the animal.

(B) The animal control officer or a sheriff's deputy may impound any animal found to be kept in violation of this section. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-19: IMPOUNDING ANIMALS OTHER THAN DOGS:

The animal control officer or any sheriff's deputy is authorized to enter into any agreements necessary to impound, capture, control, transport, care for, feed and maintain large animals such as horses, cows, sheep, or any other animal that cannot be maintained in the animal shelter when it becomes necessary to take the animal into custody or impound the same pursuant to this chapter. All expenses thus incurred (including veterinary expenses) are to be charged to the owner or owners of the animal upon redemption, or the owner shall be ordered to pay the same as restitution upon conviction of a violation of this chapter. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-20: ADOPTION AND DISPOSITION OF IMPOUNDED ANIMALS OTHER THAN DOGS:

(A) All animals except dogs and those listed in Nevada Revised Statutes 569.005 that are impounded pursuant to this chapter shall be advertised for sale and adoption by the animal control officer by written notice. The notice shall be posted conspicuously at the entrance to the animal shelter and at the sheriff's office. The notice shall describe the kind and number of animals to be sold for adoption, with a description of each animal including generally, the color, age, marks, brands, and owner if known, together with the date and place taken into custody. The notice shall further give the time, place, and date of the auction, and state that if the animals are not redeemed prior to the date and time of the auction, the animals shall be sold. The auction shall be held no sooner than seven (7) days after impoundment.

(B) If any animal is wearing an identification collar or other means of identification, a copy of the notice shall be sent to the owner or to the person so identified. If the means of identification is not legible or the owner cannot be determined, the mailing may be dispensed with.

(C) If the ownership of the animal is not proven and the animal redeemed prior to the auction, the animal control officer shall conduct the auction at the time and place specified. At the sale the animal control officer shall sell the animals to the highest bidder for cash, except that if all bids received for any animal shall be less than the charges for redemption plus any and all further costs and expenses incurred by the county in connection with the animal and the expense of the sale, the animal control officer may reject any and all bids. If no bids for the animal are received the animal may be destroyed, sold at a private sale or otherwise disposed of by the animal control officer.

(D) Estray livestock regulated under chapter 569 of the Nevada Revised Statutes shall be administered pursuant to the provisions and regulations applicable thereto. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-21: EXEMPTED ACTIVITIES:

Hunting, trapping, and fishing activities utilizing legal methods of take are exempt from the provisions of this chapter. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-22: LAW ENFORCEMENT:

The provisions of this chapter shall not apply to law enforcement agencies utilizing dogs for law enforcement purposes. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-23: CRIMINAL PENALTY:

(A) Unless otherwise specified, any person who commits any act in violation of the provisions of this chapter, or fails to do any act required to be done pursuant to the provisions of this chapter, is guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), imprisonment in the county jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

(B) Each day which an activity occurs or continues to be conducted in violation of the provisions of this chapter shall be considered a separate offense.

(C) Whenever the doing of any act or the failure or omission to do any act constitutes a violation of any section or provision of this chapter, and there shall be no penalty specifically declared for such act or omission, the penalty provided by this section shall apply. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-24: PROSECUTION FOR VIOLATIONS:

For the purpose of prosecution for violations of any section of this chapter, it shall not be necessary in order to obtain a conviction to

prove notice or knowledge on the part of the owner that the animal was in violation of the provisions of this chapter at the place and time charged. Failure to fully comply with the provisions of this chapter shall be sufficient to obtain a conviction. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-25: ADDITIONAL REMEDIES:

(A) In addition to the penalties provided for in this chapter, the county may take appropriate action to collect as sums due, including bringing suit in a court of competent jurisdiction to obtain a judgment for all sums due, including, but not limited to, penalties and fines.

(B) The county may seek an injunction to prohibit any person from violating this chapter. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

7-2-26: LATE PAYMENT PENALTY:

Whenever a fee, cost, charge or fine required by this chapter is not paid when due, a penalty shall be added to the fee in an amount equal to ten percent (10%) of the total amount due for each month or part thereof during which the fee, cost, charge, fine, and accumulated penalty remains unpaid. The total amount of the accumulated penalty shall not exceed one hundred percent (100%) of the original fine. (Ord. 1994-A, 3-3-1994, eff. 3-17-1994)

(B) The dog or cat must be examined by a licensed veterinarian at the first sign of illness during the ten (10) days of observation. Any illness must be reported immediately to the Rabies Control Authority. If signs of rabies develop during the ten (10) days of observation, the dog or cat must be euthanatized and its head removed and shipped under refrigeration for examination at the laboratory of the Department of Agriculture. If at the end of the quarantine period, the animal is free of all signs of rabies, the animal must be returned to its owner.

(C) If, after a reasonable effort is made to locate the owner of an unwanted or stray dog or cat, the owner is unknown or cannot be located, or if the owner agrees, the unwanted or stray dog or cat which has bitten a person may be euthanatized and the head submitted for laboratory examination without a period of quarantine.

(D) A bat, raccoon, skunk, fox or unvaccinated ferret which has bitten a person must be euthanatized immediately without a period of quarantine and the head submitted for laboratory examination.

(E) A vaccinated ferret or other species of animal which has bitten a person must be managed as deemed appropriate in the discretion of the Rabies Control Authority. (Ord. 1994-E, 4-7-94, eff. 4-21-94)

7-3-5: MANAGEMENT OF ANIMALS THAT HAVE BEEN IN CLOSE CONTACT WITH AN ANIMAL SUSPECTED OR KNOWN TO HAVE RABIES:

(A) Except as otherwise provided in this Section, a wild or exotic animal that is rabies-susceptible, including an unvaccinated ferret, which has been in close contact with an animal suspected or known to have rabies must be euthanatized immediately. The Rabies Control Authority may exempt a rare or valuable animal from the provisions of this Section.

(B) Unless the owner of the animal objects, a dog or cat which has not been vaccinated pursuant to subsection 7-3-6(A), and which is considered by the Rabies Control Authority to have been in close contact with an animal suspected or known to have rabies, must be euthanatized immediately. If the owner of the animal objects, the dog or cat must be immediately vaccinated against rabies and quarantined within an enclosure or with restraints deemed adequate by the Rabies Control Authority to prevent direct contact with a person or an animal for a period of one hundred eighty (180) days, under the supervision of a licensed veterinarian or a person designated by the Rabies Control Authority. The dog or cat must be vaccinated one month before release.

(C) A dog, cat or ferret which has been vaccinated pursuant to subsection 7-3-6(A), and which is considered by the Rabies Control Authority to have been in close contact with an animal suspected or known to have rabies must be:

1. Immediately revaccinated and confined for ninety (90) days in a manner prescribed by the Rabies Control Authority; or
2. Upon the request of the owner of the dog, cat or ferret, euthanatized.

(D) A domesticated animal of a rabies-susceptible species, other than a dog, cat or ferret, which is considered by the Rabies Control Authority to have been in close contact with an animal suspected or known to have rabies, must be managed according to the discretion of the Rabies Control Authority.

(E) The owner of an animal confined pursuant to the provisions of this Section is responsible for all costs of confinement, veterinary care and examination.

(F) As used in this Section, "in close contact with an animal suspected or known to have rabies" means, within the past one hundred eighty (180) days, to have been bitten, mouthed, or mauled by, or closely confined on the same premises with an animal either suspected or known to have rabies. (Ord. 1994-E, 4-7-94, eff. 4-21-94)

7-3-6: OWNER REQUIRED TO MAINTAIN DOG, CAT OR FERRET CURRENTLY VACCINATED; EXEMPTION:

(A) An owner of a dog, cat or ferret shall maintain the dog, cat or ferret currently vaccinated against rabies in accordance with the recommendations set forth in the latest published edition of "The Compendium of Animal Rabies Control", a publication of the National Association of State Public Health Veterinarians, Inc., which is hereby adopted by reference. "The Compendium of Animal Rabies Control" is available, free of charge, from the Virginia Department of Health, Office of Epidemiology, 109 Governor Street, Room 701, Richmond, Virginia 23219.

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

(C) A dog, cat or ferret exempted from or too young for vaccination against rabies must be confined to the premises of the owner or kept under physical restraint by the owner.

(D) If the owner of a dog, cat or ferret violates any provision of this Section, the Rabies Control Authority may impound the dog, cat or ferret.

(E) The Director of the Nevada Division of Animal Industry of the Department of Agriculture (State veterinarian) shall review any revision or amendment of the recommendations for vaccination against rabies of dogs, cats and ferrets set forth in "The Compendium of Animal Rabies Control" to determine whether the revision or amendment made to the recommendations is appropriate for application in this State. For the purpose of enforcing the provisions of this Section, a revision or amendment of the recommendations is effective in this State ten (10) days after its revision or amendment unless the Director of the Nevada Division of Animal Industry of the Department of Agriculture (State veterinarian) files an objection to the amendment or revision with the Nevada State Board of Health. (Ord. 1994-E, 4-7-94, eff. 4-21-94)

7-3-7: ISSUANCE OF CERTIFICATE OF VACCINATION AND RABIES VACCINATION TAGS:

(A) A veterinarian who vaccinates an animal against rabies shall complete two (2) copies of a certificate of vaccination against rabies for the animal vaccinated. The certificate of vaccination against rabies must include, but is not limited to:

1. The name and address of the owner of the animal.

