

ORDINANCE NO. 3053

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS TO REPEAL AND REPLACE TITLE 6 OF THE NORTH LAS VEGAS MUNICIPAL CODE AND REPEAL ORDINANCE NOS. 2417, 2418, 2522, 2528, 2716, 2717, 2754, 2798, and 2929; TO PROVIDE FOR THE TRANSFER OF IMPOUNDED ANIMALS OWNED OR POSSESSED BY ARRESTED AND DETAINED PERSONS; TO PROVIDE FOR THE CRIMINALIZATION OF ANIMAL NEGLECT; TO REQUIRE ADEQUATE SHELTER FOR ANIMALS KEPT OUTDOORS; TO REQUIRE SHADING AND SECONDARY COOLING WHEN THE TEMPERATURE IS EXPECTED TO RISE ABOVE A CERTAIN LEVEL; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

**WHEREAS**, pursuant to section 2.150 of the Charter of the City of North Las Vegas, the City Council is authorized to enact and enforce such local police ordinances that are not in conflict with the general laws of the State of Nevada;

**WHEREAS**, pursuant to section 2.250 of the Charter of the City of North Las Vegas, the City Council is authorized to regulate or prohibit the running at large and disposal of all kinds of animals and prohibit cruelty to animals;

**WHEREAS**, the City Council of the City North Las Vegas desires amend Title 6 to ensure compliance with NRS 574.055, NRS 574.203, and NRS 574.2035;

**WHEREAS**, the City Council of the City of North Las Vegas desires to protect animals from improper use, abuse, neglect, inhumane treatment, and health hazards;

**WHEREAS**, the City Council of the City of North Las Vegas has determined that roosting or lingering of wild pigeons poses a health hazard in addition to offending the aesthetic senses through pigeon contamination, and such roosting or lingering of wild pigeons is declared to be a public nuisance, and encouraging the lingering, roosting, and/or congregating of wild pigeons by providing food is criminalized;

**WHEREAS**, the City Council of the City North Las Vegas desires to place limitations on tethering of dogs; and,

**WHEREAS**, the City Council of the City of North Las Vegas desires to change the name of the Animal Control Department to Animal Protection Services;

**NOW, THEREFORE**, the City Council of the City of North Las Vegas does ordain:

**SECTION 1:** North Las Vegas Municipal Code Title 6 is hereby repealed and replaced with the following:

## **Title 6 - ANIMALS**

### **Chapter 6.04 – DEFINITIONS**

#### **Sections:**

6.04.010 - Definition of Terms.

Except as specifically defined herein or where it is plainly evident from the context that a different meaning is intended, all words and phrases in this title shall have their customary dictionary definitions. All words used in the singular shall include the plural and the plural the singular. Each gender shall include the other; and tense shall include all other tenses. The word “shall” is mandatory and the word “may” is permissive.

6.04.020 - Definitions.

“Adequate care” means a sufficient quantity of good quality, wholesome food and water, shelter and sanitary conditions, exercise, and licensed veterinarian care necessary to maintain each animal in a state of good health.

“Animal” does not include the human race, but includes every other living creature.

“Animal Protection Services Manager” means the person employed as the Animal Protection Services Manager of the North Las Vegas Police Department or his or her designee.

“Animal protection officer” means any person employed by the City of North Las Vegas and responsible for the enforcement of this title and State Statutes pertaining to animals. Further, an animal protection officer is any person referred to as “animal control officer” in State Statutes.

“Animal hoarding” means to keep or possess a number of animals in a quantity such that the person fails or is unable to provide the animals with adequate care, and due to that person or owner’s failure or inability to provide adequate care, the condition of the animal’s living environment adversely impacts the animal's health or well-being.

“Animal shelter” means any place designated by the Animal Protection Services Manager for the confinement of animals in the custody of the City pursuant to the provisions of this title.

“Bite” means a puncture or tear of the skin inflicted by the teeth of an animal.

“Cat” means any domestic cat (*felis sylvestris catus*).

“Chief of Police” means the chief law enforcement officer of the City of North Las Vegas or his or her designee.

“Dog” means any male or female dog (*canis familiaris*).

“Ferret” means any domestic ferret (*mustela furo*).

“Health officer” means the Chief Health Officer of the Southern Nevada Health District or his or her designee.

“Microchip” means a radio frequency transponder that has a permanent and unique numeric or alphanumeric identifier programmed into it and implanted in an animal for positive identification.

“Owner” means any person owning, keeping, harboring, or having care, custody and control over any animal.

“Restraint” or “restrained” means an animal secured by a leash, cable, cord, chain or similar device or restrained within the property limits of its owner or keeper by way of a fence, cage or other device.

“Sanitary conditions” means space free from health hazards including unwholesome air, excessive animal waste, overcrowding of animals, or other conditions that endanger the animal's health and well-being. This definition does not include any condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.

“Shade” means that in addition to providing adequate shelter, an owner of an animal shall provide shade by means of other structures, trees, or awnings, when the temperature is expected to rise above 85 degrees Fahrenheit to protect the animal from direct sunlight that is likely to cause overheating or discomfort.

“Shelter” means a properly ventilated structure for the animal's protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health. The shelter size must comply with the definition provided in Section 6.13.060.

“State of good health” means freedom from illness or disease, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing proper treatment by a licensed veterinarian.

“Stray animal” means any animal not restrained by a leash, cable, cord, chain or similar device or restrained within the property limits of its owner or keeper by way of a fence, cage, or other device.

“Torture” and “cruelty” mean every act or omission whereby unjustifiable physical pain, suffering or death is caused to an animal.

“Water” means wholesome potable water that is suitable for the age and species of animal that is made regularly available unless otherwise directed by a licensed veterinarian.

## **Chapter 6.06 - ADMINISTRATION AND ENFORCEMENT**

### **Sections:**

#### **6.06.010 - Short Title.**

This title shall be known as the Animal Code.

#### **6.06.020 - Enforcement.**

The City's animal protection officers and police officers have the authority to enforce the provisions of this title and of State Law related to animals and pursuant to such authority may:

- A. Issue citations, tickets, summons and any other legal notices;
- B. Investigate suspected or alleged violations thereof;
- C. Perform such other duties reasonably necessary to the above or as the City Council may provide.

#### **6.06.030 - Resisting Authorized Personnel Unlawful.**

No person shall oppose, resist or interfere with any official engaged in the performance of any duties related to the enforcement of this title.

#### **6.06.040 - Repealed.**

#### **6.06.050 - Violation of this Title—Penalty.**

Unless otherwise provided herein, any person who violates any of the provisions of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00), or imprisonment for not more than six months, or both fine and imprisonment.

## **Chapter 6.08 - GENERAL PROVISIONS—LICENSING, VACCINATIONS, LIMITS ON NUMBER OF ANIMALS, RUNNING AT LARGE, IMPOUNDMENT, RABIES PREVENTION**

### **Sections:**

#### **6.08.010 - Dogs and Cats—License Required.**

- A. Any person owning or possessing a dog or cat over the age of three months must obtain, and thereafter continuously maintain for the life of the animal, a license issued by the City.
- B. The annual fee for such license shall be:
  - 1. Ten dollars (\$10.00) for a sterilized dog or cat;

2. Twenty-five dollars (\$25.00) of an unsterilized dog or cat;
  3. Five dollars (\$5.00) for a sterilized dog or cat owned by a senior citizen;
  4. Fifteen dollars (\$15.00) for an unsterilized dog or cat owned by a senior citizen.
- C. Proof of vaccination as required by this title must be provided prior to the issuance of the license.
- D. The owner of any dog or cat required to be licensed shall securely fasten about the neck of the animal a license tag provided by the City. It is unlawful for any person to:
1. Remove a license tag from any dog or cat not owned or lawfully possessed by such person.
  2. Place on any dog or cat any license tag that does not relate to that particular animal.
  3. Place on any dog or cat any counterfeit or imitation license tag.

#### 6.08.020 - Dogs, Cats and Ferrets—Rabies Vaccination Required.

- A. Any person owning or possessing a dog, cat or ferret over the age of three months shall cause the same to be vaccinated for rabies within thirty (30) days of ownership or possession. Any person owning or possessing a dog, cat or ferret less than three months of age shall have the same vaccinated for rabies by the time the animal is three months in age.
- B. At the time of vaccination, a vaccination tag shall be issued to the owner that shall be worn at all times by the animal to which it relates.

#### 6.08.030 - Dogs, Cats and Ferrets—Limits.

Except as otherwise provided herein, no person shall keep more than three dogs, three cats, and three ferrets over the age of three months at any one location or residence.

#### 6.08.040 - Dog Fancier Permits.

- A. A person may keep up to six dogs at one location or residence provided that such person:
1. Keeps such dogs for the purpose of showing them in recognized dog shows, obedience or fields trials, for working or hunting, or for improving the variety of breed for exhibition in shows or trials;
  2. Obtains a dog fanciers permit; and
  3. Pays an annual fee of twenty-five dollars (\$25.00).
- B. The granting of a dog fanciers permit is at the discretion of the Animal Protection Services Manager for the purposes described above and may be conditioned to address health and safety concerns or to prevent the dogs from becoming a nuisance. Dog fanciers permits are site specific and non-transferrable.

#### 6.08.050 - Cat Fancier Permits.

- A. A person may keep up to six cats at one location or residence provided that such person:
  - 1. Keeps such cats for the purpose of showing them in recognized cat shows or for improving the variety of breed for exhibition in shows or trials;
  - 2. Obtains a cat fanciers permit; and
  - 3. Pays an annual fee of twenty-five dollars (\$25.00).
- B. The granting of a cat fanciers permit is at the discretion of the Animal Protection Services Manager for the purposes described above and may be conditioned to address health and safety concerns or to prevent the cats from becoming a nuisance. Cat fanciers permits are site specific and non-transferrable.

#### 6.08.060 - Running at Large.

- A. It is unlawful for any person owning or possessing any animal to permit the same to run at large or trespass on any public or private property.
- B. Any animal running at large or not restrained as required by this title shall be impounded and kept at an animal shelter for a period of at least seventy-two (72) hours.
- C. Any animal impounded pursuant to this section may be reclaimed within seventy-two (72) hours upon:
  - 1. Proof of ownership or lawful possession;
  - 2. Payment of twenty-five dollars (\$25.00) plus the daily cost of boarding; and
  - 3. Compliance with section 6.08.080.

For purposes of this section, "daily cost of boarding" means the average daily cost to the City to board and maintain impounded animals. This cost shall be calculated by the Animal Protection Services Manager at least once a year and the basis for the calculation shall be published in a memorandum, approved by the City Council and made available for public inspection and copying.

- D. Any sick or injured animal impounded pursuant to this section may be euthanized at any time after impoundment, if, in the professional judgment of a veterinarian, inhumane suffering may be prevented thereby.
- E. If any animal is unclaimed by its owner for seventy-two (72) hours after being impounded, the animal shall be released to and become the property of the contracted animal shelter. Any charges, fees or costs incurred by the contracted animal shelter beyond the hold period set forth in Section 6.08.060 B. shall be the responsibility of the animal's owner, and the City shall not be liable for any such charges, fees or costs.

#### 6.08.070 - Impoundment for Violations of this Code Other Than Chapter 6.12.

- A. An animal may be impounded at the contracted animal shelter by an animal protection officer or police officer when such officers have probable cause to

believe that the owner or person possessing such animal is in violation of this title or other law related to animals.

- B. If an animal is declared dangerous or vicious, the handling of the animal shall be governed by the provisions of Chapter 6.10.
- C. Any charges, fees or costs incurred by the contracted animal shelter related to any animal being impounded shall be the responsibility of the animal's owner. The City shall not be liable for any such charges, fees or costs.
- D. If any animal is unclaimed by its owner for seventy-two (72) hours after being impounded, the animal shall be released to and become the property of the contracted animal shelter. Any charges, fees or costs incurred by the contracted animal shelter shall be the responsibility of the animal's owner, and the City shall not be liable for any such charges, fees or costs.
- E. Impoundments pursuant to Chapter 6.12 shall be governed by the provisions of Chapter 6.12.

#### 6.08.075 – Transfer of Impounded Animal Owned or Possessed by Arrested and Detained Person; Recovery for Costs of Care.

- A. Except as otherwise provided in NRS 574.201 to 574.204, inclusive, and section 6.12.110, if a person is lawfully arrested and detained and any animal owned or possessed by the person is impounded by an animal protection officer, the person may provide the name of a person who is authorized to care for the animal. The animal protection officer or the animal shelter will transfer the animal to such a person if the animal protection officer determines that the person is able to provide adequate care and shelter to the animal. If within ten (10) days after the animal protection officer impounds the animal no such authorized person is able to provide adequate care and shelter to the animal, the animal protection officer or the animal shelter:
  - 1. May allow another person who is able to provide adequate care and shelter to care for the animal temporarily; or
  - 2. The animal shall be released to and become the property of the contracted animal shelter.
- B. If after five (5) days, the person lawfully arrested or detained has not provided the name of another person to take possession of the impounded animal, the animal protection officer or the animal shelter may:
  - 1. Allow another person who is able to provide adequate care and shelter to care for the animal temporarily; or
  - 2. The animal shall be released to and become the property of the contracted animal shelter.
- C. Any charges, fees or costs incurred by the contracted animal shelter shall be the responsibility of the animal's owner, and the City shall not be liable for any such charges, fees or costs.
- D. As used in this section:
  - 1. "Animal" means any dog, cat, horse, other domesticated animal or undomesticated animal that is maintained as a pet. The term:

- i. Includes any chicken, pig, rabbit or other animal that is maintained as a pet whether or not the animal is domesticated.
  - ii. Except as otherwise provided in subparagraph 1, does not include any cattle, sheep, goats, swine or poultry.
2. "Animal shelter" has the meaning ascribed to it in [NRS 574.240](#).

#### 6.08.080 - Release of Impounded Animals; Impounded Animals Deemed Abandoned

- A. No animals impounded under the provisions of this Title shall be released to the animal owner or person lawfully possessing such animal, except upon performance of the following conditions:
  1. The owner or person lawfully possessing such animal is in compliance with all of the applicable provisions of this title;
  2. Where the person owning, keeping, harboring, or possessing such animals is a resident of the City and the animal is unlicensed, there has been paid to the animal protection officer or designee the license fee for a City license for the animal as provided by law;
  3. The animal protection officer has determined that such dog or cat does not have or is not reasonably suspected of having rabies;
  4. The animal has been spayed or neutered in accordance with Chapter 6.16 of this title if so required; and,
  5. If the animal is a dog, cat, potbellied pig, ferret, or rabbit the animal has been microchipped and the cost thereof paid by the person to whom the animal is released.
- B. Prior to the release of any animal impounded pursuant to the provisions of this title, the location where the animal resides may be subject to inspection to ensure that the animal is properly restrained and cared for.
- C. Unless otherwise provided in this title, if an impounded animal is unclaimed by its owner for seventy-two (72) hours after being impounded, the animal shall be released to and become the property of the contracted animal shelter. Any charges, fees or costs incurred by the contracted animal shelter shall be the responsibility of the animal's owner, and the City shall not be liable for any such charges, fees or costs.

#### 6.08.085 - Adoption of Animals.

- A. In order for a person to adopt an animal from the animal shelter, the animal must be microchipped, spayed, neutered, vaccinated, licensed and permitted in accordance with all the requirements set forth in this chapter and title.
- B. The person adopting an animal pursuant to this section must first pay an adoption fee. In addition to the adoption fee, the person must pay the cost of microchipping, spaying, neutering, vaccinating, licensing and permitting the animal, and pay all other applicable fees and costs, in accordance with all the requirements set forth in this chapter and title.



- C. Adoption fees shall be set in accordance with the adoption fee schedules set by the animal shelter.

#### 6.08.090 - Suspicion of Rabies by Animal Protection Officer.

If an animal protection officer suspects an animal has rabies, the officer may impound such animal for examination by a veterinarian. For purposes of this section an animal will be suspected of having rabies whenever it bites another animal or person. If the animal is afflicted with rabies, it shall be confined for such time or disposed of as the Animal Protection Services Manager directs. Any confinement, quarantine or disposal pursuant to this section will be at the owner's expense.

#### 6.08.100 - Responsibility of Owner to Quarantine Animal Suspected of Rabies.

A person that knows or has reason to know that an animal is infected with rabies, has been exposed to rabies, or has been bitten by another animal infected with rabies shall immediately notify an animal protection officer, and, if such person is the owner or has lawful possession of the animal, shall surrender the animal to such officer. In the event an animal taken into custody pursuant to this section is afflicted with rabies, the animal shall be confined for such time or disposed of as the Animal Protection Services Manager directs. Any confinement, quarantine or disposal of an animal pursuant to this section shall be at the owner's expense.

#### 6.08.110 - Reporting of Found Animals.

Any person who takes custody of any lost or abandoned animal, or any animal running at large, shall report the animal as such to an animal protection officer within twenty-four (24) hours after taking custody thereof.

#### 6.08.120 –Transferred to 6.11.020.

### **Chapter 6.09 – GENERAL WELFARE; NEGLECT**

#### 6.09.010 – Generally.

It shall be unlawful for the owner, or any person who has care, custody, or possession, of an animal to refuse or fail to provide the animal, by deliberate or unintentional means adequate food, water, or veterinary care for illness, injury, disease, or infirmity.

#### 6.09.020 – Adequate Shelter

- A. Animals kept outdoors must have a suitable method for rapid drainage of surface water from the area where each animal is kept.
- B. Animals shall have protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to

maintain the animal in a good state of health and includes a shaded area. For the purpose of this section, the existence of a pet door access into a structure may not be deemed sufficient shelter if it does not allow the animal protection from the elements and weather conditions.

C. Shelter for animals shall include one or more of the following:

1. A pethouse that is an enclosed structure with a roof and appropriate dimensions for the breed and size of the animal. The pethouse shall have dry, clean bedding when the outdoor temperature is or is predicted to drop below 50 degrees Fahrenheit;
2. A structure, including but not limited to, a garage, barn, or shed that is sufficiently insulated and ventilated to protect the animal from exposure temperatures below 50 degrees Fahrenheit or above 85 degrees Fahrenheit or, if not sufficiently insulated and ventilated, contains a pethouse as provided in section 1. of this section that is accessible to the animal;
3. The interior height of such structure is six inches or more in excess of the height of the animal as measured from the floor to the apex of its shoulders while in a standing position, and the width and depth are six inches or more in excess of the length of the animal as measured from the end of its nose to the base of its tail.

6.09.030 – Shading.

In addition to providing adequate shelter as outlined in section 6.09.030, an owner of an animal shall provide shade by means of other structures, trees, or awnings, when the temperature is expected to rise above 85 degrees Fahrenheit to protect the animal from direct sunlight that is likely to cause overheating or discomfort. When the temperature is expected to rise above 105 degrees Fahrenheit, additional mechanisms appropriate for the animal species, including but not limited to, misters, swamp coolers or air conditioning, must be provided to allow the animal to cool down the body temperature and prevent overheating.

6.09.050 - Penalty.

Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor as set forth in Section 6.06.050 of this title.

**Chapter 6.10 - EXOTIC ANIMALS, DANGEROUS AND VICIOUS ANIMALS, SERVICE ANIMALS**

**Sections:**

6.10.010 - Restrictions on Keeping of Pigs.

- A. Except as otherwise authorized by this Code, no person shall keep any hogs or pigs on any parcel of land which is less than five acres in area.

- B. Except as otherwise authorized by this Code, no person shall keep more than three hogs or pigs on any parcel of land.

#### 6.10.020 - Restrictions on the Keeping of Pot-Bellied Pigs.

- A. The restrictions of Section 6.10.010 of this Code do not apply to pot-bellied pigs kept at a detached single-family residence in accordance with this section.
- B. Pot-bellied pigs kept at a detached single-family residence must:
  - 1. Not exceed two in number; with a minimum lot size in an O-L, R-E, R-EL or R-1 zoning district of no less than seven thousand five hundred (7,500) square feet for one pot-bellied pig, and a minimum lot size of one-half acre for two pot-bellied pigs;
  - 2. Not be kept or allowed within ten (10) feet of any property line;
  - 3. Weigh not in excess of one hundred twenty (120) pounds;
  - 4. Be not in excess of twenty-two (22) inches in height;
  - 5. Be registered with the Pot-Bellied Pig Registry Service, Inc., Lakeville, IN, or other nationally recognized registry of pot-bellied pigs.
- C. Any person who desires to keep a pot-bellied pig in an R-1 zoning district must first obtain a special use permit in accordance with the provisions of Title 17 of this Code.
- D. Every person owning or possessing within the City any pot-bellied pig over the age of four months shall, within thirty (30) days after such pig attains the age four months, or within thirty (30) days after first bringing the pot-bellied pig into the City, obtain and thereafter continually maintain a current and valid pot-bellied pig license. The fee for such license shall be the fee required for dogs pursuant to this title.
- E. Prior to issuance or renewal of any pot-bellied pig license, the owner of the pig must provide written verification from a licensed veterinarian of the animal's current height and weight in order to confirm compliance with this section.

#### 6.10.030 - Restrictions on the Keeping of Birds and Fowl.

Except as otherwise provided in this Code, no person may keep, or permit to be kept on premises over which such person has control:

- 1. Any rooster or the male of any species of fowl over the age of three months;
- 2. Any fowl or bird within sixty (60) feet of any dwelling owned by another person unless such other person shall have filed with the City a written unrevoked consent authorizing the keeping of such fowl or bird with sixty (60) feet of said dwelling;
- 3. Any fowl or bird that is not at all times confined within a suitable enclosure or coop;
- 4. Any fowl or bird in any basement or cellar;
- 5. Any fowl or bird in any enclosure or coop that is not kept clean and free of offensive odors.

#### 6.10.040 - Keeping or Exhibiting of Wild Animals.

- A. No person may exhibit in public or keep on public or private property any wild animal.
- B. For purposes of this section and this title, "wild animal" means an animal that traditionally has not lived in a state of dependence upon humans or has not traditionally been kept as a household pet. Such animals, include, but are not limited to, raccoons, monkeys, skunks, lions, tigers, bobcats, deer, bears, opossums, beavers, bats, etcetera.

#### 6.10.050 - Dangerous and Vicious Animal Declaration.

- A. Except as otherwise provided in subsection B of this section:
  - 1. An animal may be declared dangerous by an animal protection officer if it constitutes a physical threat to human beings or to other animals and, on one or more occasions within eighteen (18) months:
    - i. It behaves menacingly to a degree that would lead a reasonable person to defend himself against substantial bodily harm; or
    - ii. It bites a person, but without causing substantial bodily harm.
  - 2. An animal may be declared dangerous by an animal protection officer if it constitutes a physical threat to human beings or to other animals and, without regard to any previous behavior:
    - i. It is used in the commission of a crime by its owner or keeper;
    - ii. While either at large or restrained, it causes serious injury or death to another animal that is not at large or is not otherwise in violation of this title; or
    - iii. It exhibits a condition or behavior that causes the animal protection officer to believe the animal is a threat to public safety.
  - 3. An animal may be declared vicious by an animal protection officer if it constitutes a physical threat to human beings or to other animals and:
    - i. It has killed or inflicted substantial harm upon a human being or other animal; or
    - ii. After having previously been declared dangerous, with notice of the declaration having been provided to the owner or keeper, it continues to exhibit the same type of behavior that resulted in the declaration, or is in violation of the provisions of this section.
- B. An animal may not be declared dangerous pursuant to this section for constituting a physical threat:
  - 1. To another animal that, or person who, provoked the animal as a result of and to the extent of the provocation;
  - 2. To another animal that, or person who, was unlawfully upon premises owned or occupied by the owner or keeper of the animal constituting the threat;
  - 3. To another animal that was running at large or otherwise in violation of this title; or

4. In connection with its use by law enforcement officers in the performance of their duties.
- C. An animal may not be declared vicious pursuant to this section for constituting a physical threat:
1. To another animal that, or person who, provoked the animal, as a result of and to the extent of the provocation;
  2. To another animal that, or person who, was unlawfully upon premises owned or occupied by the owner or keeper of the animal constituting the threat; or
  3. In connection with its use by law enforcement officers in the performance of their duties.

#### 6.10.060 - Dangerous Animals—Ownership Unlawful.

It shall be unlawful for:

1. Any person to knowingly possess, house, shelter, quarter, own or in any other way have under his control, or to transfer ownership of, a vicious or dangerous animal within the City, except as provided in this chapter; or
2. The owner, or any person having possession, custody or control, of a dangerous or vicious animal to permit the animal to be at large.

#### 6.10.070 - Dangerous Animals—Ownership Permitted in Limited Circumstances.

Any animal that is declared to be dangerous by an animal protection officer may be kept within the City, provided that:

1. Within fourteen (14) days after the owner or keeper is notified of the declaration, the area in which the owner or keeper intends to keep the animal must pass an inspection by an animal protection officer, and the owner or keeper must obtain from an animal protection officer a permit to keep the animal, based upon such terms and conditions as the animal protection officer deems appropriate. A non-refundable inspection fee of one hundred dollars (\$100.00) will be charged the owner or keeper. For purposes of this subsection, notice of the declaration shall be deemed complete if it is served personally, or upon mailing by certified mail, return receipt requested, sent to the last known address of the owner or keeper.
2. The animal shall be kept, confined or housed within an enclosure deemed adequate by the animal protection officer that:
  - i. Will ensure the animal's retention and comfort, is of a size to permit the animal to stand upright, and is of a dimension deemed adequate by the animal protection officer; and
  - ii. That is secure enough so that the animal cannot bite, harm or injure anyone by overreaching the top of the fence or other enclosure.

3. At no time shall the animal be allowed to leave the private property confines of the owner or person in charge of the animal unless it is muzzled, leashed and under the effective control of an adult.
4. The private property shall be adequately and properly posted with conspicuous warning signs, with a listing of the name and telephone number of the owner of the animal.
5. The animal must be sterilized by a licensed veterinarian. The owner or keeper shall maintain all sterilization records, including the type of animal sterilized, the name of the veterinarian performing the procedure, and the date the sterilization was performed.
6. The animal shall be implanted with an electronic microchip from a manufacturer approved by the animal protection officer. The implantation must be performed by a licensed veterinarian and must conform to procedures recommended by the manufacturer. The owner or keeper shall register the microchip number in a national database in accordance with instructions from the manufacturer, and shall provide the number to the animal protection officer.
7. The owner or keeper shall obtain and maintain in effect a policy of liability insurance in the amount of not less than one hundred thousand dollars (\$100,000.00) insuring against possible injuries inflicted by the dangerous animal. The liability insurance shall be maintained in effect as long as the owner or keeper maintains possession of the dangerous animal.
8. The owner of a dangerous animal may not sell, relocate or give away the animal without first obtaining prior written approval from an animal protection officer. If such a transaction is approved, the owner or transferee shall pay a non-refundable inspection fee of one hundred dollars (\$100.00) for inspection of the new location for the animal. The owner or transferee shall also have the national microchip number updated in the national database to reflect the change in ownership, and shall provide evidence of the update to the animal protection officer.

#### 6.10.080 - Permit Revocation Conditions.

- A. Any permit issued pursuant to Section 6.10.070 of this Code shall be revoked if the animal, without provocation, bites or attempts to bite any person or animal lawfully upon the permit holder's property or upon any other property.
- B. Any person who keeps a dangerous animal after his permit has been revoked or any person who keeps, houses, quarters, or in any way has under his care or custody a dangerous animal without first obtaining a permit as set forth in Section 6.10.070 of this Code is guilty of a misdemeanor.

#### 6.10.090 - Criminal Prosecution.

- A. The owner or keeper of any animal declared vicious by an animal protection officer shall be notified by personal service or by certified mail, return receipt

requested, sent to the last known address of the owner or keeper. Within seven days after such notice has been served the owner or keeper shall voluntarily transfer possession of the animal to the animal protection officer and do one of the following:

1. Voluntarily relinquish ownership of the animal for euthanasia;
2. Provide written proof to the animal protection officer that the animal has been euthanized by a properly licensed veterinary clinic; or
3. Be prosecuted in municipal court for violation of this title (owning a vicious animal) and abide by ruling of the court on the disposition of said animal.

The owner or keeper may not maintain possession of the animal during the court process.

- B. If a person is found guilty of violating this chapter, the court may order the humane destruction of the animal as part of the sentence. If a person is found innocent of violating this chapter, the court may:
1. Recommend that the owner or keeper obtain a dangerous animal permit, if appropriate; or
  2. Take such other action as it deems appropriate.

#### 6.10.100 - Service Animals.

- A. The regulatory provisions of this title, such as, but not limited to, licensing and permit requirements, may be waived at the discretion of the Animal Protection Services Manager for “service animals” for purposes of compliance with State or Federal Law, such as, but not limited to, the Americans with Disabilities Act.
- B. For purposes of this section, “service animal” has the meaning set forth in NRS 427.097 or as otherwise defined by any applicable provision of State or Federal Law.

### 6.11 – NUISANCE

#### Sections:

#### 6.11.010 – Pigeon Control.

- A. The roosting or lingering of wild pigeons poses a health hazard in addition to offending the aesthetic senses by pigeon contamination. Such roosting or lingering of wild pigeons is declared to be a public nuisance.
- B. It shall be unlawful for any person to encourage the lingering, roosting and/or congregating of wild pigeons by providing food-including but not limited to grain, seeds, greens, bread crumbs and miscellaneous food scraps-intended for wild pigeon ingestion on public or residential property.

#### 6.11.020 – Animal Waste, Odor and Noise.

- A. No person having, owning or possessing an animal shall permit, either willfully or through failure to exercise due care, such animal to excrete any solid waste upon any public or private property (unless such private property is under the ownership or control of said person). No violation of this section shall occur if the owner or person having custody of the offending animal properly and voluntarily removes and properly disposes of the solid waste.
- B. No person shall permit any animal related odors to permeate from property such person owns or possesses that is injurious to the public health, indecent or offensive to the senses of a reasonable person, or that constitutes an unreasonable intrusion into the quiet enjoyment of another's property.
- C. No person owning or possessing an animal shall permit such animal to bark, yelp, bray or make other noises in such a manner that, because of the duration or repetition of the noise, a reasonable person would consider an unreasonable intrusion into the quiet enjoyment of their property

## **Chapter 6.12 - CRUELTY TO ANIMALS**

### **Sections:**

#### **6.12.010 - Animal Fighting.**

It is unlawful for any person to keep or use, or be in any manner connected with or interested in the management of, or receive money or other things of value for the admission of any person to, a house, apartment, pit or place for the baiting and fighting of birds or animals, and it is unlawful for any owner or occupant of a house, apartment, pit or place to willfully procure or permit the same to be used or occupied for such baiting or fighting, or to instigate, promote, arrange or carry on, or do any act as assistant, umpire, principal, spectator or otherwise, in aid of or calculated to encourage or further any fight between birds, dogs or other animals.

#### **6.12.020 - Cruelty.**

- A. It is unlawful for any person to overdrive, overload, torture or cruelly beat, or unjustifiably injure, maim, mutilate or kill any animal, whether belonging to himself or to another, or deprive any animal of necessary sustenance, food, drink, shelter, shade, or fail to provide veterinary medical attention necessary to prevent protracted suffering, or willfully instigate, engage in, or in any way further an act of cruelty to any animal, or any act to produce such cruelty.
- B. It is unlawful for any person to ride or drive a horse while under the influence of intoxicating liquor or drug.
- C. It is unlawful for any person to intentionally trip or fell any equine animal by the legs or by any means whatsoever for the purposes of, but without limitation hereto, sport or entertainment.
- D. Nothing herein contained shall be construed to prohibit or interfere with the animal protection officer or code or law enforcement officer in the exercise and performance of the powers and duties in this title set forth as to them, and any properly conducted scientific experiments or investigations performed only under



the authority and direction of the faculty of any regularly incorporated medical college or university of the State of Nevada.

- E. The provisions of this section do not apply with respect to any injury to or death of an animal that occurs accidentally in the normal course of: (a) carrying out the activities of a rodeo or livestock show or (b) operating a ranch.

#### 6.12.030 - Abandoning Injured Animals.

It is unlawful for any person owning, possessing or having the care, custody and control of an animal, whether injured or not, to abandon the same, or leave it to die in a public street, road, alley, or other public place, or upon the private property of himself or another, more than one hour after he receives notice that it is left disabled.

#### 6.12.040 - Poisoning.

It is unlawful for any person to unjustifiably administer any poisonous drug or substance to any animal, or unjustifiably expose any such drug or substance with intent that the same shall be taken by an animal, whether such animal be the property of himself or another. Nothing in this section or chapter shall be construed to:

1. Prevent or restrict an animal protection officer, police officer, health officer or similar official in the exercise and performance of the powers and duties of such officers;
2. Prevent the eradication by poisoning of animals commonly considered pests, which are harmful or destructive to man, other animals or property;
3. Prevent the eradication by poisoning of "vertebrate pests" as that term is defined by NRS 555.005; or
4. Prevent scientific experiments or investigations on animals performed by an accredited medical college or research institution.

#### 6.12.050 - Endangering Animals.

It is unlawful for any person to throw, drop or place upon any road or public or private right-of-way any material, substance or device intended to wound, disable or injure an animal.

#### 6.12.060 - Transporting of Animals.

- A. It is unlawful for any person to carry or enclose, or cause to be carried or enclosed, in or upon any vehicle, device, or otherwise, any animal in a cruel or inhumane or dangerous manner, or so as to produce torture.
- B. It is unlawful for any person to transport any animal in the bed of an open truck or similar vehicle without taking reasonable measures to prevent the animal from jumping or being thrown from the vehicle.

- C. It is unlawful for any person to confine an animal in a motor vehicle under conditions or for such period of time as may endanger the health of such animal due to heat, cold, lack of food or water or other circumstances that could reasonably be expected to cause suffering.

6.12.070 - Tethering.

1. Except as otherwise provided in subsections 2. and 3. and NRS 574.210 to 574.510, inclusive, a person shall not restrain a dog:
  - i. Using a tether, chain, tie, trolley or pulley system or other device that:
    - a. Is less than twelve (12) feet in length;
    - b. Fails to allow the dog to move at least twelve (12) feet or, if the device is a pulley system, fails to allow the dog to move a total of twelve (12) feet; or
    - c. Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;
    - d. Places the dog in unsafe or unsanitary conditions; or
    - e. Does not permit the dog access to food, water, shade, dry ground, or shelter.
  - ii. Using a prong, pinch or choke collar or similar restraint; or
  - iii. For more than ten (10) hours during a twenty-four-hour period.
2. Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of paragraph (a) of subsection 1., the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.
3. The provisions of subsections 1. and 2. do not apply to a dog that is:
  - i. Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in NRS 574.330, during the course of his practice;
  - ii. Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;
  - iii. Receiving training to hunt a species of wildlife in this State;
  - iv. In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;
  - v. Being kept in a shelter or boarding facility or temporarily in a camping area;

- vi. Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;
- vii. Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, “agricultural operation” means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or
- viii. With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than one hour.

#### 6.12.080 - Animal Hoarding.

- A. It is unlawful for any owner or person to intentionally, knowingly, or recklessly own, possess, confine, or harbor a number of animals in a quantity such that the person or owner fails to provide each animal with the adequate care necessary to sustain each animal in a state of good health.
- B. The number of animals owned, possessed, confined, or harbored shall not be determinative of whether there has been a violation of this section, but may be considered as a factor in determining whether the animals have been provided adequate care.
- C. A person or owner’s affection for or humanitarian purpose in owning, possessing, confining or harboring the animals is not a defense to a violation of this chapter.

#### 6.12.090 - Criminal Prosecution and Penalty.

- A. If a person or owner is found guilty of violating Section 6.12.080 of this chapter, the defendant is guilty of a misdemeanor and may be sentenced as follows:
  - 1. A fine not to exceed five hundred dollars (\$500.00) and/or imprisonment of up to six months in jail, some of which may be suspended;
  - 2. The court may order the defendant to undergo a psychiatric or psychological evaluation, and if determined appropriate by the court after due consideration of the evaluation, to receive psychiatric or psychological counseling. The evaluation and counseling shall be at that defendant’s own expense; and
  - 3. The court may, as a condition of probation, order the defendant not to own, possess, confine and/or harbor any animal, or may impose a specific limit on the number of allowed animals for a period of time not to exceed the probationary period, the maximum of which is two years, with the following terms:
    - a. The defendant may be subject to random home inspections on a quarterly basis by any City of North Las Vegas authority while residing in, renting, and/or owning any property in the City of North Las Vegas (e.g., North Las Vegas Animal Protection

Services, North Las Vegas Police, and/or or North Las Vegas Code Enforcement) to ensure compliance with the court order; and

- b. The defendant shall be required to notify Animal Protection Services of any change of address and/or telephone number within ten (10) days, regardless of whether the defendant resides within the City of North Las Vegas.
- B. If a person or owner is found guilty for a subsequent violation of Section 6.12.080 of this chapter, the defendant is guilty of a misdemeanor and may be sentenced as follows:
  - 1. A fine not to exceed one thousand dollars (\$1,000.00);
  - 2. Imprisonment for a minimum of ten (10) days in jail, but up to six months in jail, some of which may be suspended.
  - 3. The court may order the defendant to undergo a psychiatric or psychological evaluation, and if determined appropriate by the court after due consideration of the evaluation, to receive psychiatric or psychological counseling. The evaluation and counseling shall be at that defendant's own expense; and
  - 4. The court may order the defendant not to own, possess, harbor and/or confine any animals for a period of time not to exceed the probationary period, the maximum of which is two years, with the following terms:
    - a. The defendant may be subject to random home inspections on a quarterly basis by any City of North Las Vegas authority while residing in, renting, and/or owning any property in the City of North Las Vegas (e.g., North Las Vegas Animal Protection Services, North Las Vegas Police, and/or or North Las Vegas Code Enforcement) to ensure compliance with the court order; and
    - b. The defendant shall be required to notify Animal Protection Services of any change of address and/or telephone number within ten (10) days, regardless of whether the defendant resides within the City of North Las Vegas.

#### 6.12.100 - Impoundment for Violations of this Chapter.

- A. Any police officer or animal protection officer may, upon discovery any animal that is being treated cruelly, take possession of it and impound it at the contracted animal shelter or, upon obtaining written permission from the owner of the animal, the police officer, animal protection officer, or the animal shelter may destroy the animal in a humane manner.
- B. If a police officer or animal protection officer takes possession of an animal, the officer shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care and notice of the right of the owner to request a

hearing pursuant to [NRS 574.203](#) within five (5) days after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, the police officer or animal protection officer shall post the notice on the property from which the police officer or animal protection officer takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.

- C. A police officer or animal protection officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction.
- D. Upon proof that the owner has been notified in accordance with the provisions of subsection 2 or, if the owner has not been found or identified, that the required notice has been posted on the property where the animal was found, the North Las Vegas Municipal Court, after providing an opportunity for a hearing if such is requested pursuant to [NRS 574.203](#), order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.
- E. If the court receives a timely request pursuant to [NRS 574.203](#), the court shall hold a hearing within 15 judicial days after receipt of the request to determine whether the person is the owner of an animal and whether the person is able and fit to provide adequate care and shelter to the animal.
- F. For the purpose of conducting a hearing pursuant to this section, the court may consider
  - 1. Testimony of the peace officer or animal protection officer who took possession of or impounded the animal or other witnesses concerning the conditions under which the animal was owned or kept;
  - 2. Testimony and evidence related to veterinary care provided to the animal, including, without limitation, the degree or type of care provided to the animal;
  - 3. Expert testimony as to community standards for the reasonable care of a similar animal;
  - 4. Testimony of witnesses concerning the history of treatment of the animal or any other animal owned or possessed by the person;
  - 5. Prior arrests or convictions related to subjecting an animal to an act of cruelty in violation of [NRS 574.070](#) or [574.100](#); and,
  - 6. Any other evidence the court determines is relevant.
- G. Any charges, fees or costs incurred by the contracted animal shelter related to any animal being impounded shall be the responsibility of the animal's owner. The City shall not be liable for any such charges, fees or costs. Should the contracted animal shelter wish to challenge or refuse holding the animal, or request posting of a bond by the animal's owner, it may do so in the legal case against the animal's owner and will be considered a real party in interest for this limited purpose. If the animal's owner does not post bond in the amount and within the time required by the court, the animal shall be deemed abandoned and shall become property of the contracted animal shelter.

6.12.110 – Right to Request a Hearing When Person Lawfully Arrested For Violation of NRS 574.070 or 574.100; Timing of Hearing.

- A. If a person is lawfully arrested for a violation of [NRS 574.070](#) or [574.100](#) and if an animal owned or possessed by the person is impounded by an animal protection officer or police officer in connection with the arrest, the person must be notified in accordance with the provisions of subsection 2 of [NRS 574.055](#) and be notified of his or her right to request a hearing within five (5) days after receipt of the notice to determine whether the person is the owner of the animal and whether the person is able to provide adequate care and shelter to the animal. The person must request a hearing pursuant to this subsection within five (5) days after receipt of the notice pursuant to this subsection.
- B. If a person who is lawfully arrested and detained for a violation of [NRS 574.070](#) or [574.100](#) does not request a hearing pursuant to subsection 1, or an owner of the animal has not been identified within five (5) days of arrest, the City shall transfer ownership of the animal to an animal rescue organization, animal shelter, or another person who is able to provide adequate care and shelter to the animal.
- C. If the court receives a timely request pursuant to subsection 1, the court shall hold a hearing within 15 judicial days after receipt of the request to determine whether the person is the owner of an animal and whether the person is able and fit to provide adequate care and shelter to the animal.
- D. For the purpose of conducting a hearing pursuant to this section, the court may consider
  - 1. Testimony of the peace officer or animal protection officer who took possession of or impounded the animal or other witnesses concerning the conditions under which the animal was owned or kept;
  - 2. Testimony and evidence related to veterinary care provided to the animal, including, without limitation, the degree or type of care provided to the animal;
  - 3. Expert testimony as to community standards for the reasonable care of a similar animal;
  - 4. Testimony of witnesses concerning the history of treatment of the animal or any other animal owned or possessed by the person;
  - 5. Prior arrests or convictions related to subjecting an animal to an act of cruelty in violation of [NRS 574.070](#) or [574.100](#); and,
  - 6. Any other evidence the court determines is relevant.

6.12.200 - Determinations of Court – Impounded Animal

- A. If the court determines by clear and convincing evidence that the person who filed the timely request for a hearing is the owner of the animal and that person is able and fit to provide adequate care and shelter for the animal, the court shall order the person to take possession of the animal not later than three (3) days after the court's ruling.

- B. If the court determines that there is not clear and convincing evidence that the person who filed the timely request for a hearing is the owner of the animal or that the person is not able and fit to provide adequate care and shelter for the animal, the court shall order:
  - 1. The person not to own or possess the animal; and
  - 2. The City to transfer the animal to the contracted animal shelter or another person who is able to provide adequate care and shelter to the animal.
- C. If the court makes a determination pursuant to subsection B, the court may:
  - 1. Order the impoundment of any other animals owned or possessed by the person; or
  - 2. Enjoin the person from owning or possessing any animal.

## **Chapter 6.13 - ANIMAL FACILITY REGULATIONS**

### **Sections:**

#### **6.13.010 - Definitions.**

For purposes of this chapter:

“Ambient temperature” means the temperature directly and immediately affecting the animal.

“Dealer” means a person who, for compensation or profit, buys, sells, breeds, grades or imports animals for resale.

“Housing facility” means a building, room or other area that contains one or more animal enclosures.

“Operator” means: (i) any person who operates an animal shelter, kennel, cattery or similar establishment, (ii) any person engaged in the sale, exchange or barter of animals for a commercial purpose, and (iii) any person that displays or gives away animals on public or private property.

“Outdoors” means not within an enclosed climate controlled building or structure and includes, without limitation, any semi-enclosed space, stall or stand.

“Pet shop” means any profit-making or commercial establishment, premises, or part thereof, primarily maintained for the purchase, sale, exchange or hire of animals of any type; except that the term shall not include livestock auctions.

“Retailer” means a person who acquires pets for resale.

#### **6.13.020 - Buildings and Grounds; Housing Facilities.**

An operator shall ensure that:

- A. The buildings and grounds at all locations where animals are kept:
  - 1. Are clean and in good repair; and
  - 2. Do not become accumulated with trash.
- B. Housing facilities:
  - 1. Are constructed and maintained in such a manner as to:
    - i. Protect the animals inside from injury;
    - ii. Prevent the animals inside from escaping; and
    - iii. Restrict the entrance of other animals.
  - 2. Have adequate and reliable sources of electrical power and potable water available.

#### 6.13.030 - Enclosure Generally.

An operator shall:

- A. Provide all animals with enclosures located indoors, except animals that are acclimated to the outdoor environment.
- B. Ensure that the interior of a housing facility for indoor enclosures is constructed and maintained in such a manner as to be substantially impervious to moisture as required by species and to facilitate regular cleaning.
- C. Provide a suitable method to eliminate excessive water from the interior of a housing facility for indoor enclosures. All drains must be constructed and maintained in such a manner as to avoid foul odors. Any closed system for drainage must be equipped with traps that prevent the release of sewage into the housing facility.
- D. Ensure that indoor enclosures are constructed and maintained in such a manner as to:
  - 1. Protect the animals inside from excessive illumination while providing an amount of light, by natural or artificial means or both, of a sufficient distribution and intensity to allow for routine inspection and cleaning.
  - 2. Provide a sufficient amount of heat when necessary to protect the animals inside from cold and to maintain their health and comfort. The ambient temperature of an indoor enclosure in which one or more animals are kept must not be allowed to fall below fifty (50) degrees Fahrenheit, unless each animal is acclimated to a lower temperature.
  - 3. Provide adequate ventilation at all times to maintain the health and comfort of the animal(s) inside as required by species. The system of ventilation must provide fresh air by means of windows, doors, vents or air conditioning, and be designed to maintain drafts, odors and the condensation of moisture at a minimum. If the ambient temperature reaches eighty-five (85) degrees Fahrenheit or greater, air conditioning, exhaust fans and vents, or other auxiliary ventilation must be provided.

#### 6.13.035 - Outdoor Sale of Animals.



1. It is unlawful for any person to sell, exchange, barter or give-away any animal on or from any public property, including, but not limited to, any public street, road, sidewalk or park.
2. It is unlawful for any person to sell, exchange, barter or give-away any animal outdoors without first obtaining an "animal sales permit" as provided herein. An animal sales permit may be granted to a person who (a) demonstrates compliance with all applicable animal facility and other regulations contained in North Las Vegas Municipal Code, and (b) pays an annual fee of twenty-five dollars (\$25.00). The granting of an animal sales permit is at the discretion of the Animal Protection Services Manager and may be conditioned to address animal health and safety or to prevent animals from becoming a nuisance. Animal sales permits are site specific and non-transferable and may be revoked at any time by the Animal Protection Services Manager upon a determination that the holder of the permit has violated any provision of this title. This section shall not apply to a tax-exempt nonprofit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals.
3. No person shall sell, exchange, barter or give-away any dog, cat, rabbit or potbellied pig outdoors pursuant to Section 6.13.035 except for a dog, cat, rabbit or potbellied pig obtained from an animal shelter, nonprofit humane society or nonprofit animal rescue organization.
4. Any person selling, exchanging, bartering or giving-away a dog, cat, rabbit or potbellied pig pursuant to this Section 6.13.035 shall be deemed an "operator" as defined in Section 6.13.010 and shall comply with all provisions in Title 6 of the North Las Vegas Municipal Code applicable to an "operator."

#### 6.13.040 - Animals Kept Outdoors.

If animals are kept outdoors, an operator shall:

- A. Provide a suitable method for the rapid drainage of surface water from the area where each animal is kept.
- B. Animals shall have protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a good state of health and includes a shaded area. For the purpose of this section, the existence of a pet door access into a structure may not be deemed as sufficient shelter if it does not allow the animal from protection of the elements and weather conditions.
- C. Shelter for animals shall include one or more of the following:
  1. A pethouse that is an enclosed structure with a roof and appropriate dimensions for the breed and size of the animal. The pethouse shall have dry, clean bedding when the outdoor temperature is or is predicted to drop below 50 degrees Fahrenheit;
  2. A structure, including but not limited to, a garage, barn, or shed that is sufficiently insulated and ventilated to protect the animal from

exposure temperatures below 50 degrees Fahrenheit or above 85 degrees Fahrenheit or, if not sufficiently insulated and ventilated, contains a pethouse as provided in paragraph 1. of this section that is accessible to the animal;

3. The interior height of such structure is six inches or more in excess of the height of the animal as measured from the floor to the apex of its shoulders while in a standing position, and the width and depth are six inches or more in excess of the length of the animal as measured from the end of its nose to the base of its tail.

- D. In addition to providing adequate shelter as outlined in in subsection C., animals shall be provided shade by means of other structures, trees, or awnings, when the temperature is expected to rise above 85 degrees Fahrenheit to protect the animal from direct sunlight that is likely to cause overheating or discomfort. When the temperature is expected to rise above 105 degrees Fahrenheit, additional mechanisms appropriate for the animal species, including but not limited to, misters, swamp coolers or air conditioning, must be provided to allow the animal to cool down the body temperature and prevent overheating.
- E. After considering the ambient temperature, provide each animal with a sufficient amount of food and water necessary to sustain it in a healthy condition at that temperature.

#### 6.13.050 - Primary Enclosures Generally.

An operator shall ensure that a primary enclosure is constructed and maintained in such a manner as to:

- A. Protect the animals inside from injury;
- B. Prevent the animals inside from escaping;
- C. Keep other animals out;
- D. Allow the animals inside convenient access to food and water;
- E. Enable animals inside to remain clean and dry as required by species; and
- F. Provide sufficient space for each animal inside to turn about freely and to stand, sit and lie in a comfortable normal position as appropriate for the species.

#### 6.13.060 - Floor Space or Primary Enclosure for Animals.

An operator shall ensure that a primary enclosure in which each mammal that is at least six weeks old is kept has a minimum amount of floor space that is calculated by finding the mathematical square of the sum of six inches plus the length of the animal measured from the top of its nose to the base of its tail, and dividing that amount by one hundred forty-four (144), to arrive at the minimum amount of square footage required for the floor space per animal. Floor space for mice and rats shall be defined in Section 6.13.050.

#### 6.13.070 - Animals Kept in Enclosures Together.

If animals are kept in enclosures together, an operator shall ensure that:

- A. Animals placed with other animals are compatible.
- B. An animal that displays a vicious disposition is not placed together with any other animal.
- C. A female animal is not placed together with any intact male animal during periods of estrus, except for supervised breeding.
- D. An immature animal is not placed together with an adult animal, except with its mother or when permanently maintained in a breeding colony.

#### 6.13.080 - Food and Water.

An operator shall ensure that:

- A. Clean potable water is accessible to the animal at all times or except as directed by a veterinarian to provide adequate care.
- B. Each animal is fed at least once each day, except as otherwise required to provide adequate care.
- C. The food provided to an animal is wholesome, palatable, free from contamination, and of sufficient quality and nutritive value to meet the normal daily requirements for the animal, based upon its condition and size.
- D. Supplies of perishable food are to be adequately refrigerated or properly stored to prevent spoilage.
- E. Containers of food are:
  - 1. Durable, except that disposable receptacles may be used if they are discarded after each feeding; and
  - 2. Located so as to be accessible to the animals while reducing to a minimum any contamination from excreta.
- F. Containers of food and water are kept clean. Self-feeders must not be used for the feeding of dry food unless they are cleaned regularly to prevent molding, deterioration and the caking of food.

#### 6.13.090 - Sanitation.

An operator shall ensure that:

- A. Insects, ectoparasites and avian, mammalian and reptilian pests are kept under control.
- B. Supplies of food and bedding material are stored in facilities that afford adequate protection from infestation or contamination by vermin.
- C. Excreta are removed regularly from enclosures during business hours to prevent contamination and to reduce to a minimum odors and the risk of disease. An enclosure must be disinfected at least once daily and before placing another animal in the enclosure. If a hosing or flushing method of cleaning is used, all animals must be removed from the enclosure and adequate measures must be taken to protect the animals in other enclosures from being contaminated with water and other wastes.
- D. Pens or runs with hard surfaces, and cages and rooms, are sanitized at least once every two weeks by:

1. Washing them with water of a temperature not less than one hundred twenty (120) degrees Fahrenheit and with soap or detergent; or
  2. Washing all soiled surfaces with a safe and effective disinfectant; or
  3. Cleaning all soiled surfaces with live steam.
- E. Pens or runs with gravel, sand or dirt surfaces are cleaned as often as necessary by removing and replacing the soiled gravel, sand or dirt.
  - F. Sewage, solid wastes, soiled bedding, dead animals and debris are removed from housing facilities regularly during the business day and disposed of properly.
  - G. Enclosures not in use are to be cleaned, washed and disinfected at least once every two weeks to prevent any accumulation of debris or excreta and to reduce to a practical minimum substances and organisms injurious to the health of animals or humans.
  - H. Facilities for disposal are maintained in such a manner as to reduce to a minimum odors and the risk of disease or infestation by vermin.
  - I. Adequate facilities, such as washrooms, basins or sinks, are provided for the cleanliness of persons handling animals.

#### 6.13.100 - Program to Control Disease and Care for Health.

An operator shall, with the approval of a veterinarian, establish and maintain a program to control disease and care for the health of animals. As part of this program, an operator shall ensure that:

- A. Each animal is observed daily by the person directly responsible for its care, or by someone else under that person's direct supervision.
- B. Blind, lame, injured, ill or diseased animals are provided with the appropriate veterinary care that is consistent with the purposes for which an animal is being kept or humanely euthanized.
- C. Any animals under quarantine or being treated for a communicable disease are kept separate from other animals.

#### 6.13.110 - Examination by Veterinarian; Notice of Treatment or Medication to Purchaser; Sale of an Animal that Requires Immediate Treatment Prohibited.

- A. A retailer or dealer shall, after the acquisition of an animal for resale, cause the animal to be examined by a veterinarian. The retailer or dealer shall not sell the animal before it is initially examined by a veterinarian.
- B. A retailer or dealer shall cause an animal acquired for resale to be reexamined by a veterinarian:
  1. Fourteen (14) days after the date of its initial examination; and
  2. Every thirty (30) days after until sold.
- C. If a veterinarian conducting an examination pursuant to this section finds that a dog or cat has no illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention, he shall provide a written statement setting forth his findings to the retailer or dealer.

- D. A retailer or dealer shall provide to the purchaser of an animal, at the time of sale, written notice of any veterinary treatment or medication received by the animal after it was acquired by the retailer or dealer, including a copy of any statement provided by a veterinarian pursuant to subsection C. The notice must be signed by the retailer or dealer, dated and include the dates on which the animal was examined and on which the animal received medication or a vaccination.
- E. A retailer or dealer shall not knowingly sell an animal if it has an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention.
- F. For the purposes of this section, the presence of internal or external parasites does not constitute an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention unless the animal is clinically ill as a result of the parasite.

#### 6.13.120 - Provision of Written Statement for a Dog or Cat.

A retailer or dealer shall provide upon request a written statement containing:

- A. The name and address of the owner and date the dog or cat was born.
- B. The name and address of the person from whom the retailer or dealer obtained the dog or cat, if the person holds a license issued by the United States Department of Agriculture, the person's Federal identification number.
- C. A record of any immunizations administered to the dog or cat before the time of sale, including the type of vaccine, date of administration and name and address of the veterinarian who prescribed the vaccine.
- D. On a dog the registration numbers, if any, of the dog's sire and dam with the appropriate breed registry or any health certification organization such as the Orthopedic Foundation for Animals or its successor organization, if any.

#### 6.13.130 - Notice of Availability of Information Concerning an Animal.

A retailer or dealer shall conspicuously post within close proximity to the primary enclosure of an animal offered for sale the following notice at least one hundred-point type:

NEVADA AND CITY LAW REQUIRES THAT INFORMATION CONCERNING THE DATE OF BIRTH, SOURCE, LINEAGE AND MEDICAL HISTORY OF DOGS OR CATS BE PROVIDED TO THE PURCHASER BEFORE COMPLETION OF ANY SALE.

#### 6.13.140 - Duties Upon Determination that Pet was Sold with Condition that Requires Immediate Treatment.

If a person purchases a pet from a retailer or dealer and, within ten (10) days after the sale, a veterinarian determines that the pet has an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical

intervention and that was in existence on the date of the sale, the retailer or dealer shall, at the option of the purchaser, either:

- A. Refund the purchase price of the pet if the pet is returned or provide the purchaser with another pet of equal value; or
- B. Reimburse the purchaser, in an amount not to exceed the purchase price of the pet, for expenses incurred by the purchaser in obtaining a diagnosis and treatment for the pet from a veterinarian chosen by the retailer or dealer.

#### 6.13.145 - Limitations on Pet Shop Sales.

- A. No pet shop shall display, sell, deliver, offer for sale, barter, auction, give away, broker or otherwise transfer or dispose of a dog, cat, rabbit or potbellied pig, except for a dog, cat, rabbit or potbellied pig obtained from an animal shelter, nonprofit humane society or nonprofit animal rescue organization.
- B. Each pet shop shall maintain records sufficient to document the source of each dog, cat, rabbit or potbellied pig the pet shop acquires, for at least one year following the date of acquisition. Such records shall be made available, immediately upon request, to law enforcement officers and other City employees charged with enforcement of this title.

#### 6.13.150 - Separating Animal from Mother.

A retailer, dealer or operator shall not separate an animal from its mother until it is eight weeks of age or accustomed to taking food or nourishment other than by nursing, whichever is later.

#### 6.13.160 - Knowingly Selling an Animal with Condition Requiring Immediate Treatment Prohibited; Penalties.

- A. A retailer or dealer who sells an animal that he knows has any illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention at the time of sale is guilty of a misdemeanor. In addition to any other penalty that may be imposed, the court may prohibit a person convicted of a violation of this section from selling any animals for not more than one year.
- B. For the purposes of this section, the presence of internal or external parasites does not constitute an illness, disease or other condition that is terminal or requires clinically immediate hospitalization or immediate surgical intervention unless the animal is clinically ill as a result of the parasite.

#### 6.13.170 - Bi-Annual Inspection of Premises Required.

Any retailer, dealer or operator required to maintain a current business license shall have their premises inspected bi-annually by the animal protection officer to ensure compliance with the provisions of this chapter and title. After January 1, 2000, any retailer, dealer or operator required to obtain a business license shall have their

premises inspected and approved by an animal protection officer prior to the initial issuance of a business license to ensure compliance with the provisions of this chapter and title.

## **Chapter 6.14 - MANAGED CARE OF FERAL CATS**

### **6.14.010 - Definitions.**

For the purposes of this chapter, the following terms shall have the meaning set forth in this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural.

“Animal protection office” means the North Las Vegas Animal Protection Services designated to enforce the provisions of Title 6 of the North Las Vegas Code.

“Animal protection officer” shall have the meaning found in Section 6.04.020 of this title.

“Central sponsor” means the sponsor to be notified under the provisions of Section 6.14.060 who is designated by the North Las Vegas City Council or its designee.

“Domesticated cat” means a cat that is socialized to humans and is appropriate as a companion for humans.

“Ear tipping” means straight-line cutting of the tip of the left or right ear of a cat while the cat is anesthetized and has been sterilized and given a rabies shot. A cat with a tipped ear is considered to be sterile and vaccinated against rabies.

“Feral cat” means a cat that is born in the wild or abandoned and is not socialized or appropriate as a companion for humans.

“Feral cat colony” or “colony” means a group of cats that congregates, more or less, together as a unit and, although not every cat in a colony may be feral, any cats that congregate with a colony shall be deemed to be a part of it.

“Feral cat colony caretaker” or “colony caretaker” means any person who provides food, water, shelter and medical care to and traps, sterilizes and vaccinates a feral cat or cats and who is approved by a sponsor to care for a feral cat colony.

“Nuisance” means conduct by stray or feral cats that disturb the peace by:

1. Habitually or continually howling and fighting; or
2. Habitually and significantly destroying, desecrating or soiling property against the wishes of the owner of the property.

“Owner” means any person who has a right of property in an animal, who keeps or harbors an animal, who has it in their care, who acts as its custodian, or who knowingly permits an animal to remain on any premises occupied by him or her. "Owner" does not include a feral cat colony caretaker.

“Sponsor” means any animal rescue or humane society that agrees to comply with the requirements for sponsors and that provides written notice to the Animal Protection Services that it will serve as a sponsor.

“Stray cat” means a cat that is regularly off the property of the owner, is not under the physical control and restraint of the owner, and is not regularly provided with food by its owner.

“TNR” means trap, neuter and return.

“TNR program” means a program in which feral and stray cats are humanely trapped, sterilized, vaccinated against rabies, ear tipped and optionally implanted with a microchip and then returned to the location that is their “territory” in accordance with this chapter.



#### 6.14.020 - Feral Cat Colonies.

Feral cat colonies shall be permitted, and feral cat colony caretakers shall be entitled to maintain and care for feral cats by providing food, water, shelter, medical care and other forms of sustenance if the colonies are registered with the sponsor and if the colony caretakers take all appropriate and available steps to meet the terms and conditions of this chapter. Feral cat colonies shall be prohibited in any conservation area, state or national forest, wetlands, or any other lands managed for wildlife.

#### 6.14.030 - Feral Cat Colony Caretakers.

- A. Feral Cat Colony Caretaker Responsibilities. It shall be the responsibility of a feral cat colony caretaker to:
1. Register the feral cat colony with a sponsor;
  2. Take all appropriate and available steps to trap each feral cat in the colony in order to have the cat sterilized, vaccinated for rabies, ear tipped and optionally implanted with a microchip and to monitor for new feral cats that join the colony. The rabies vaccination shall be of a type that is effective for a minimum of three years. The colony caretaker must maintain rabies vaccination records and include them in the annual report provided to the central sponsor pursuant to this section;
  3. Keep a written census of the colony that describes each cat, its color, breed and gender, and notes the dates it was taken to a veterinarian for TNR through a TNR program;
  4. Provide food, water and, if necessary and feasible, shelter for the colony;
  5. Keep in contact with its sponsor to report any illness, strange behavior or missing feral cats in the colony;
  6. Report any kittens in the colony so they can be trapped after they are weaned and to observe the mother feral cat so she can be trapped after the kittens are trapped;
  7. Acquire written approval of a property owner, or any authorized representative of the owner of any property, if the colony caretaker requires access in order to provide colony care; and
  8. Report annually to the central sponsor on the colony including, but not limited to the following information: its location; the number of feral cats; the number of kittens; the number of TNRs done through TNR programs; and the number of deaths of feral cats. This information, along with the changes to the written colony census required to be maintained by this section, shall be sent to the central sponsor either by electronic mail or regular mail or provided by telephone.
- B. In the event that a feral cat colony caretaker is unable or unwilling to continue to perform the responsibilities required by this section, the colony caretaker shall give its sponsor a minimum of thirty (30) days written notice of its intention to cease being a colony caretaker for the feral cat colony. The sponsor shall work to provide a replacement colony caretaker for the colony.

- C. A feral cat colony caretaker in compliance with the terms and conditions of this chapter shall be exempt from the provisions of Chapter 6.08 and Chapter 6.16 that impose requirements on owners of animals and persons having custody of animals.
- D. A feral cat colony caretaker providing food, water and shelter to feral cats as allowed by this chapter shall not be considered to be violating the restriction imposed by Section 6.08.030 on the number of cats that may be kept at any one place, or on any premises, or in any one residence without a permit unless the colony caretaker's actions are determined by the Animal Protection Services to be more like the actions of an actual owner or person in custody and control of the cats than a colony caretaker. Any determination in this regard is appealable to the City Council.

#### 6.14.040 - Sponsors.

- A. Any animal rescue or humane society that agrees to assist the central sponsor with the requirements of this chapter shall be eligible to act as a sponsor. Any group intending to undertake the responsibilities of a sponsor shall so advise the central sponsor in writing and provide its address and telephone number and e-mail address if available.
- B. Sponsor Requirements. It shall be the duty of the sponsor to:
  - 1. Review and, in its discretion, approve feral cat colony caretakers;
  - 2. Help resolve any complaints over the conduct of a feral cat colony caretaker or of complaints about cats within a colony;
  - 3. Assist, if requested, the central sponsor in maintaining records provided by the feral cat colony caretaker on the size and location of the colonies as well as the vaccination dates, spay/neuter dates, and descriptions of each feral cat in the colony;
  - 4. Provide, at a minimum, written educational training for all feral cat colony caretakers addressing uniform standards and procedures for feral cat colony maintenance;
  - 5. Report annually to the Animal Protection Services the number and location of feral cat colonies for which it acts as sponsor with the approximate number of cats in each colony;
  - 6. Provide documentation necessary to allow feral cat colony caretakers to receive any public or private subsidies, medical care or other forms of assistance for their colonies; and
  - 7. Provide to the Animal Protection Services the location of feral cat colonies where feral cat colony caretakers have regularly failed to comply with this chapter or where the sponsor has been unable to resolve a behavior situation that constitutes a nuisance.

#### 6.14.050 - Disposition of Feral Cat Colony Cats.

- A. If a cat or kitten with a tipped ear is trapped and turned into the Lied Animal Shelter or any other animal shelter or to an animal protection officer, the shelter

or the animal protection office shall notify the central sponsor giving it the description of the feral cat and the address or location where the cat was trapped. The Lied Animal Shelter or other animal shelter shall only hold cats with a tipped ear for the time limit established in the current shelter policy. The sponsor shall then take all appropriate steps to take custody of the cat or kitten within twenty-four (24) hours. The sponsor shall be exempt from paying any charges or fees allowed to be imposed by the Lied Animal Shelter or other animal shelter in holding a feral cat with a tipped ear that is trapped or turned in pursuant to this section in the first instance of impoundment; however, if the same feral cat is trapped and turned in a second or subsequent time, all additional charges or fees must be paid prior to releasing the cat to the sponsor. If the feral cat is ear tipped, the central sponsor shall attempt to identify the feral cat colony and the feral cat colony caretaker so the cat can be returned to its colony and provide the animal protection office with documentation to show the cat was vaccinated for rabies in compliance with this section.

- B. If a feral cat that is not ear tipped is trapped and turned into the Lied Animal Shelter or any other animal shelter or to an animal protection officer, the cat must go through the regular and usual adoption process if the cat is deemed adoptable.

#### 6.14.060 - Enforcement of Provisions by the Animal Protection Services.

- A. The Animal Protection Services shall have the right to trap in a humane manner any cat that is deemed to be a threat to public health or safety. If a cat has bitten or scratched a human being, the cat shall be confined pursuant to Section 6.08.090 or 6.08.100, as appropriate. If a licensed veterinarian decides that the cat is too ill or injured or that it has an illness that presents an imminent danger to the public health or safety or to itself, the cat may be humanely euthanized. The central sponsor shall be notified of the cat's description, sex, illness and disposition. After the mandatory quarantine, if the cat is found to be healthy and no other issues of public health or safety exist, the cat may be given to the central sponsor for return to its feral cat colony.
- B. The Animal Protection Services shall have the right to direct the central sponsor to communicate to a feral cat colony caretaker that a feral cat is creating a nuisance. The complainant must provide the Animal Protection Services with the address or location where the feral cat is creating a nuisance. If the complainant desires, the name and address of the complainant may be given to the central sponsor so prompt action can be taken. The central sponsor shall make every effort to resolve the nuisance within thirty (30) days of the notice being given unless the Animal Protection Services specifies a longer time period. If the nuisance complaint cannot be resolved within the allowed time period, the central sponsor shall direct the feral cat colony caretaker to remove the cat from the colony. If the caretaker is unsuccessful at trapping the nuisance cat after the timeline previously set, the central sponsor must notify the Animal Protection Services in writing requesting its assistance with removal.

- C. The Animal Protection Services shall have the right to declare that a colony is hazardous to the health and safety of the public, or is in a location that is hazardous to the health and safety of the feral cat colony. The office shall give written notice to the central sponsor who must take immediate action to trap and remove the colony with the cooperation of the feral cat colony caretaker. If the central sponsor and/or the colony caretaker is unsuccessful at removing the colony, the central sponsor must notify the Animal Protection Services in writing requesting its assistance with removal.
- D. If a caretaker fails to perform any responsibility or duty required by this chapter, the Animal Protection Services shall notify the central sponsor in writing of the violation and provide the caretaker thirty (30) days to become compliant. If the caretaker fails to comply, the Animal Protection Services must notify the central sponsor who may move the non-compliance problem to another caretaker or may, for just cause, remove the caretaker from the office's list of approved caretakers. The caretaker removed from the list has the right to petition the City Council or its designee regarding its removal and reinstatement. If no caretaker agrees to take on the feral cat colonies, the cats in those colonies may be trapped and humanly euthanized.

#### 6.14.070 - Successor to Lied Animal Shelter.

In the event another facility is designated by the county to replace the Lied Animal Shelter as the facility for the receiving and holding of animals, that successor animal shelter facility shall assume the responsibilities of the Lied Animal Shelter under this chapter.

#### 6.14.080 - Applicability of Chapter.

The provisions of this chapter are applicable only to the City of North Las Vegas.

### **Chapter 6.16 - MANDATORY SPAY/NEUTER OF DOGS AND CATS**

#### **Sections:**

#### 6.16.010 - Mandatory Spay/Neuter of Dogs and Cats.

Subject to the exceptions provided in this chapter, no person shall harbor with the City of North Las Vegas any unspayed or neutered cat or dog. For purposes of this section and chapter, "harbor" means legal ownership, of the providing of regular care or shelter, protection, refuge or nourishment, or medical treatment; provided however that the term shall not include the providing of nourishment to a stray or feral cat or dog.

#### 6.16.020 - Exceptions to Spay/Neuter Requirements.

- A. The spay/neuter requirement set forth in Section 6.16.010 shall not apply if a licensed veterinarian certifies in writing and under oath that a specific dog or cat is medically unfit to undergo the required spay or neuter procedure because of a physical condition that would be substantially aggravated by such procedure or would likely cause the animal's death.
- B. The spay/neuter requirement set forth in Section 6.16.010 shall not apply to animals harbored by a pound, shelter, humane society or similar organization, whether public or private, the principal purpose of which is securing the adoption of dogs or cats provided that such organization has a policy and rules requiring the spaying or neutering of all dogs and cats placed for adoption by such organization.
- C. The spay/neuter requirement set forth in Section 6.16.010 shall not apply to any dog or cat harbored by a person holding a valid dog or cat fanciers permit, as provided in Sections 6.08.040 and 6.08.050 of this title.

#### 6.16.030 - Forfeiture.

Kittens and puppies born to cats and dogs not spayed or neutered in violation of this chapter shall be forfeited and given to the care of a local shelter for adoption.

#### 6.16.040 - Time for Compliance.

Persons harboring a dog or cat subject to the spay/neuter requirement of Section 6.16.010 have one hundred twenty (120) days from the enactment of the ordinance codifying such requirement to comply therewith.

#### 6.16.050 - Penalty.

Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor as set forth in Section 6.06.050 of this title.

**SECTION 2:** Ordinances 2417, 2418, 2522, 2528, 2716, 2717, 2754, 2798, and 2929 and any ordinances in conflict herewith are hereby repealed.

**SECTION 3:** NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

**SECTION 4:** SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

**SECTION 5:** EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas.

**SECTION 6:** PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the City Council members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

\_\_\_\_\_  
JOHN J. LEE, MAYOR

ATTEST:

\_\_\_\_\_  
CATHERINE A. RAYNOR, MMC, CITY CLERK