

# FAX TRANSMISSION

Number of pages including cover sheet 4

To: ATTN: TOM PENSARD

From: KEN SONDET

Subj: MANDATORY SPAY/NEUTER - CLARK COUNTY, NV.

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Underlined material is that portion being added

BILL NO. \_\_\_\_\_

SUMMARY - An Ordinance to amend Title 10 to regulate the ownership of unsterilized dogs and cats, forfeiture of kittens and puppies, and establishing a time for compliance.

ORDINANCE NO. \_\_\_\_\_

(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 10, CHAPTER 08, SECTIONS 130, TO REGULATE THE OWNERSHIP OF UNSTERILIZED DOGS AND CATS, PROVIDE EXEMPTIONS UNDER CERTAIN CIRCUMSTANCES FOR UNSTERILIZED DOGS AND CATS, FORFEITURE OF KITTENS AND PUPPIES, AND ESTABLISHING A TIME FOR COMPLIANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 10, Chapter 08, Section 130 of the Clark County Code is hereby amended to read:

Permit to keep dogs and cats.

(a) No person shall keep more than three dogs over three months of age, nor more than three cats over three months of age, at any one place, or on any premises, or in any one residence located within the jurisdiction of the county. Subject to the exceptions provided in this chapter, no person shall harbor 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. This restriction shall not apply to dogs or cats kept pursuant to a valid pet

fancier's permit, or kept on the premises of a business for the sale, breeding, medical treatment or caring for hire of animals which is in compliance with all applicable permit, and other requirements of this code, or dogs and cats kept at an animal control center or under the care and custody of the animal regulation officer.

(b) Any person having care custody and control of any unsterilized dog or cat over three months of age shall be required to comply with the provisions set forth in 10.08.160 and obtain a Pet Dog, Pet Cat fancier's permit [if said animal is found in violation of any provision of this title].

(c) This provision shall not apply to dogs in use by any federal, state, or local law enforcement agency or guide dogs specifically trained and used to guide a blind or handicapped person.

(d) The spay/neuter requirement set forth in Section 10.08.130 (a) 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.

(e) The spay/neuter requirement set forth in 10.08.130 (a) shall not apply to animals harbored by a pound, shelter, humane society of 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.

(f) 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.

SECTION 2. Title 10, Chapter 08, of the Clark County Code is hereby amended to add Section 180:

Time for compliance. Persons harboring a dog or cat subject to the requirement spay/neuter requirement of Section 10.08.130 (a) have one hundred twenty (120) days from the enactment of the ordinance codifying such requirement to comply therewith.

SECTION 3. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herein are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the \_\_ day of \_\_\_\_\_, 2008.

PROPOSED BY