

CLARK COUNTY ANIMAL ADVISORY COMMITTEE

MINUTES

**Clark County Government Center
500 South Grand Central Parkway, Pueblo Room
Las Vegas, Nevada 89101
May 14, 2001
6:30 p.m.**

MEMBERS PRESENT: HENDERSON, DAVID
HOFF, KARIN
MARCH, DEBRA
NOSEK, BARBARA
RIVKIN, SAMUEL

1. Call to order

The meeting was called to order at 6:35 p.m.

2. Approval of agenda

BARBARA NOSEK asked that the agenda be approved with the understanding that comment from the public would not be taken at this meeting on the exotic ordinance and animal sheltering agenda items. Motion was approved and seconded.

3. Approval of April 16, 2001 and April 28, 2001 Minutes

Motion to approve the April 16, 2001 Minutes with an addition stating the Bylaws were signed by Committee members. April 28, 2001 Minutes were approved with no changes.

4. Review of Draft Ordinance for the ownership and possession of restricted (exotic) animals

Committee members reviewed the following comments made or submitted at the April 28, 2001 Animal Advisory Committee meeting.

Recommendation to include more species and individual animals within the scope of the ordinance. BARBARA NOSEK stated that animals that are most likely to be a threat to the public were addressed, as were Animal Control's resources to provide enforcement. Staff pointed out that some species which continue to be brought up in comments are already prohibited per Nevada Administrative Code. KARIN HOFF added that the current list took into consideration the County's ability to adequately address permitting and enforcement responsibilities.

Recommendation to delete grandfathering. Staff reiterated that the purpose of grandfathering was to allow those people that already have existing legal facilities to be exempt

from new housing requirements, as upgrades would be a costly endeavor. This includes those who are currently regulated by and in compliance with local land use codes.

Enforcement process and penalties. BARBARA NOSEK indicated that enforcement typically proceeds along a continuum, depending upon the egregiousness and history of the violation, i.e. education to citation to seizure. Staff indicated that a violation of Clark County Title 10 is a misdemeanor, and carries a penalty of \$1,000 maximum fee or 6 months in jail.

Circuses. Staff indicated that circuses, unless based here, must meet USDA requirements for transport. If Animal Control receives a complaint regarding a circus, they will determine whether they meet USDA standards, and refer to USDA.

Public zoos. Staff indicated that public zoos are exempt if they are accredited by the American Zoo and Aquarium Association (AZA) and hold a USDA Class AC Exhibitor's License. In the definition of public zoo, delete ~~and/or~~ be designated as the official zoo of a municipality.

Definition of family. In 10.34.030(b), delete ~~an~~ animal family and insert in its place: ~~A~~same or similar animal species.

Clark County Animal Control resources to enforce the proposed ordinance. Staff indicated that they are gathering data that will assist in estimating the number of permits required by the proposed ordinance. Nevada Department of Wildlife has over 300 permits, with many of those in Clark County. Animal Control would be required to do inspections prior to issuance or renewal of a permit, as well as investigation of complaints received. Staff is conducting a review and prioritization of duties as a means of freeing up resources to enforce the proposed ordinance.

Permit applicant qualifications. Committee members supported the lifetime exclusion of any applicant who has been convicted of animal cruelty. Make revision to 10.34.030(c) to be the same as listed in 10.34.090(a)(3).

Research facility. Delete ~~or~~ other bona fide scientific institution that engages in scientific or public health research from definition.

Grandfathering of land use permit holders. Staff indicated that in unincorporated Clark County, those seeking to keep an exotic animal must apply for a use permit or variance. The application typically goes before a Town Advisory Board and the Planning Commission. It may also go before the Board of County Commissioners. In preparing the application, the Planning Department seeks input from Animal Control. Animal Control inspects the property and makes recommendations as to the safety of the public and welfare of the animals. In the past, Animal Control's recommendations have been based upon USDA standards. These recommendations are provided to the Planning Commission.

Certification by a veterinarian. This requirement ensures animals are medically examined at least once per year. Information on the health and medical treatment of an animal that is received from a veterinarian in good standing is assumed to be accurate, unless circumstances indicate otherwise.

Background check. A background check of an applicant would consist of a review of any convictions for animal-related violations.

Housing for wild cats. Correct 10.34.140(c)(3) to include length, height and width.

Transport of restricted animals. Staff will check with the District Attorney's office to confirm the legality of extending an animal's time in transport enclosures an additional 48 hours per 10.34.290(c).

Impact on movie industry. The movie industry would not be affected by the proposed ordinance as long as nonresident animal owners are USDA-compliant; the proposed ordinance does not address exhibitions.

Harassment through repeated complaints. In cases where repeated complaints have been unfounded, Animal Control requires the complainant to provide his/her name and address. When the person is known, a restraining order can be obtained by the animal owner. Additionally, Animal Control will not investigate complaints judged to be unfounded due to a history of prior unfounded complaints by the same individual.

Reportable injuries. In regard to the type of injury that would not need to be reported per 10.34.040(c) and 10.34.090(c)(3), staff indicated that an animal bumping a handler as it passed would only need to be reported if this pattern persisted. Animal Control would assess how handlers/people are coming into contact with permitted animals.

Permit application/copy of permits. In 10.34.040(d), add "if applicable" at the end of the sentence.

Committee members discussed whether to take additional comment from the public. Since there have been multiple opportunities for public input, the Committee determined that questions could be asked, and input would only be taken from those who had not commented previously.

KEN FOOSE asked whether a business impact statement had been completed per NRS 237.090. Staff responded that the business impact statement will be provided when the proposed ordinance is introduced by the Board of County Commissioners.

DR. GLASSMAN asked if there were provisions for publication or notification of affected exotic animal owners, i.e. to inform exotic animal owners that the ordinance has been enacted. Staff stated that ordinances are published before enactment and that, in this case, the media will provide some assistance. Staff will also explore mailing notifications to NDOW, USDA, and Clark County land use permit holders.

JOAN BEROSINI asked why some of her written questions and comments were glossed over. She was told her questions had been dealt with when the same issues were raised by

others. It was also pointed out that she can speak at the public hearing held by the Board of County Commissioners.

CECIL FREDI asked that the Committee confirm that no public comment was being taken.

BOBBY BEROSINI stated that Dirk Arthur did not return calls to animal owners, and that exotic animal owners were not adequately represented.

Committee members approved the proposed ordinance with the changes indicated and a July 1, 2002 date of implementation.

5. **Discussion of plan to identify animal sheltering options (Discussion)**

DR. LEE BERNICK, Chair of Department of Public Administration at UNLV addressed the scope of work students will do (see attached) and asked for input on the survey instrument. He indicated that information would be available to the Committee in the early part of July, though the final written report would be completed by the end of July. Thus, if questions arise or additional information is needed, they would have the opportunity to respond.

SAM RIVKIN asked whether shelter tours would assist the students in developing the survey. DR. BERNICK responded that it was reasonable for students to tour the shelters if it would assist in clarifying information the Committee was seeking.

As to the citizens who would be surveyed, BARBARA NOSEK suggested that the random sample include all county residents and be obtained from voter registration records. Staff suggested the Committee consider focusing the survey on residents of unincorporated Clark County as they are the ones who would be served by the shelter. KARIN HOFF asked for clarification on the intent of the survey; staff indicated that it was an avenue for public input and up to the Committee whether or not to pursue. DR. HENDERSON asked how many questions would be on the survey; DR. BERNICK indicated that the number was dependent upon the complexity of the questions, but he estimated no more than 10 - 15 if some were open ended questions. Staff suggested that, given the board's direction to the Committee, the questions emphasize facility planning and configuration, as opposed to practices. DEBRA MARCH indicated an interest in including services as well. Staff noted that services are pertinent to facility planning as they relate to recommendations for facility amenities.

DR. BERNICK stated that if other jurisdictions have already developed survey questions, these will be provided to Committee members. Committee members will provide input on the survey content at the early June meeting. BARBARA NOSEK asked for a list of the resources the students use. KARIN HOFF asked how many programs would be examined; DR. BERNICK stated that students would seek information on sheltering practices from all 50 states.

Staff recalled questions being raised about the potential life of a shelter facility. American Humane Association information on shelter facility planning indicates 25 - 30 years.

BARBARA NOSEK noted that the time frame was to provide a recommendation to the Board of County Commissioners in six months and asked if a progress report was needed. Staff indicated that they would provide a progress report to Commissioner Kincaid-Chauncey as requested.

6. Report on Animal Control Audit

Tabled until next meeting

7. Review of sterilization policy for adopted animals

Tabled until next meeting

8. Information-sharing by Committee Members

BARBARA NOSEK asked whether it was legal to auction a puppy in a fund raiser; staff indicated that auctions have not typically been illegal. SAM RIVKIN indicated that it was frowned upon by the American Kennel Club.

BARBARA NOSEK also asked whether anything could be done about fighting breed advertisements for pit bull pups; staff indicated they would investigate and determine whether any action was warranted.

9. Comments by the General Public

DR. FREER stated that since his main competitor is County staff, he is concerned that staff is educating the research and survey team. He asked to provide input to and share resources with the surveyors. He expressed concern that the Committee and the research team are getting a biased view from staff. He recommended interviewing all residents of Clark County, not only those in unincorporated areas. He asked for more specific information on sheltering options, including costs, shelter service providers, and locations.

BARBARA NOSEK responded that the Committee will be providing input to the student surveyors. Committee members are not being influenced by any particular individuals or options. Committee members need quality information to determine the best options for sheltering. Additionally, since the survey will be answered by random residents, no bias exists.

Staff indicated that information on the costs of building a facility are included in the AIDR #2952 of June 13, 2000.

DR. GLASSMAN agreed that the cost analysis is important but should be considered in conjunction with what is being accomplished with those costs. In terms of identifying animal or pet owners, she suggested talking with users of dog parks.

ANN HERRINGTON congratulated Committee members for taking shelter tours. She expressed concern about the student surveyors= lack of knowledge and believes the information provided to researchers by County representatives would be biased. She doesn't believe students

know what is being done across the County in regard to sheltering. She is concerned about the County having a joint shelter with the City of Las Vegas as the City's contractor is being investigated for abuses at their shelter.

BARBARA NOSEK indicated that she did not have concerns regarding the surveyors lack of information on animal sheltering. Market researchers need to know market research principles more than a particular industry.

10. **Set date, time and agenda of next meeting**

Next meeting is scheduled for June 6 or 12 at 6:30.

11. **Adjournment**

Motion to adjourn at 9:30 p.m.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:

Clark County Government Center, 500 South Grand Central Parkway

Clark County Courthouse, 200 S. 3rd Street

Paradise Community Center, 4770 Harrison Drive

Desert Breeze Park & Community Center, 8275 Spring Mountain

Winchester Community Center, 3130 S. McLeod Drive

Dewey Animal Care Center, 4800 West Dewey Drive