

Chapter 55.455 Commercial Welfare Animal Permit

Background

Animal Services, in conjunction with the City of Reno developed this new Code language to address welfare concerns and to establish a welfare permit to coincide with business licensing or special use permits for commercial animal establishments, retail, animal exhibits, circuses and 501(c)(3) groups who utilize animals as part of an educational group. Currently, there are no regulations within Chapter 55 that address commercial animal sales or exhibits. The goal is to improve the oversight of the health, safety and welfare of the animals in commercial environments through an internal permit process in conjunction with business licensing.

Summary of Code proposals

- Establishes permit durations and renewals to accommodate establishments as well as exhibits and circuses
- Establishes welfare requirements in accordance with NRS 574
 - Walls/floors constructed of nonabsorbent, nonporous materials and of adequate support to animals
 - Dogs/cats kept in isolation rooms for 120 hrs prior to being released for sale
 - Any dog/cat presenting signs of illness or injury shall be kept in an isolation area and treated by a veterinarian
 - Operators that do not have a full-time veterinarian must have a written Program of Veterinary Care (PVC) which outlines a veterinarian’s oversight of animals and methods of euthanasia for animals which should be consistent with the American Veterinary Medical Association Guidelines for Euthanasia.
 - Operators to provide hand sanitizer for public use to decrease the transmission of disease
 - Disposal of carcasses in accordance with NRS 571.200
- A commercial establishment is prohibited from selling dogs/cats not obtained from an Acceptable Procurement Source
 - Humane groups organized as legal entities in accordance with NRS 571.200 and NAC 571200
 - USDA licensed breeders
 - WCRAS approved National breed registry breeders
- Establishes suspension or revocation of welfare permit process and reporting to Business Licensing
- Due process if a welfare permit is revoked
 - 14 days to file an appeal with the Washoe County Administrative Hearing Office
 - Aggrieved permittee may appeal the Hearing Officer’s decision through a petition for judicial review within 30 days.

SUMMARY: An ordinance amending Washoe County Code Chapter 55 by creating provisions regulating commercial animal establishments (through an animal welfare permit) and revising definitions.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 55 BY CREATING PROVISIONS REGULATING COMMERCIAL ANIMAL ESTABLISHMENTS (THROUGH AN ANIMAL WELFARE PERMIT); BY ADDING RELATED DEFINITIONS; AND BY MAKING CHANGES TO THE DEFINITIONS OF "ANIMAL" AND "COUNTY".

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 55 of the Washoe County Code is hereby amended by adding thereto the following new section which shall read as follows:

55.455 Commercial animal welfare permit.

1. Commercial animal establishments must obtain a welfare permit from regional animal services.

(a) No commercial animal welfare permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.

(b) A commercial animal establishment must maintain a welfare permit for each individual location.

(c) Upon a commercial animal establishment's change of ownership or location, a new inspection and welfare permit is required.

(d) Each commercial animal establishment shall be subject to unscheduled inspection by an animal control officer during normal business hours.

(e) The commercial animal welfare permit must be displayed in a conspicuous place within the commercial animal establishment.

(f) No commercial animal establishment may sell a dog or cat over the age of 3 months without a valid rabies vaccination.

(g) Veterinarians and/or veterinary hospitals are exempt from this provision.

2. All commercial animal establishments shall submit an application for a commercial animal welfare permit with regional animal services.

3. Regional animal services must review the application and certify that the commercial animal establishment has been

inspected and is in compliance with all animal welfare permit requirements. Regional animal services shall notify the appropriate jurisdiction(s) of Washoe County, the City of Reno and/or the City of Sparks of the welfare permit status.

4. During annual inspections, an animal control officer must verify that the commercial animal establishment holds a valid business license. A certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction.

(a) Regional animal services shall create an internal animal welfare permit application process with rules and records retention requirements, including, but not limited to, proof of insurance, health records, and any other conditions necessary to preserve the health and safety of the animals and the public.

(b) Records shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat identified by the record, and shall be readily available for inspection by any animal control officer.

(c) Except as otherwise provided, a commercial animal establishment shall be inspected and the welfare permit renewed annually by regional animal services.

5. In addition to the requirements set forth in NRS 574.360 through 574.510, inclusive, which outline the duties of operators, an operator of a commercial animal establishment shall:

(a) Ensure that the walls and floors of enclosures are constructed of nonabsorbent, nonporous material impervious to moisture, and are adequate to support the animal without sagging and to prevent injury.

(b) Ensure that all dogs and cats are kept in an isolation room or isolation area for a minimum of 120 hours before being released to a purchaser. The permittee or their representative shall observe each animal daily in order to identify general symptoms of injury, illness or disease.

(c) Ensure that any dog or cat that exhibits symptoms of injury, illness or disease is kept in an isolation room or isolation area and treated by a veterinarian. The veterinarian shall verify that the dog or cat is healthy before such dog or cat can be offered for sale.

(d) Establish and maintain a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include method(s) of euthanasia, which should be consistent with the current American Veterinary Medical Association (AVMA)

Guidelines on Euthanasia.

(e) Provide a hand sanitizer and require members of the public to sanitize their hands prior to and after handling any animals in order to reduce the risks of transmission of disease.

(f) Dispose of animal carcasses in accordance with NRS 571.200 and NAC 571.200.

6. A commercial animal establishment is prohibited from selling dogs or cats obtained from a source other than an acceptable procurement source. Acceptable procurement sources are:

(a) Humane groups organized as legal entities in accordance with NRS 574.010 through 574.040, inclusive;

(b) USDA licensed dealers; and

(c) a nationally recognized breed registry approved by regional animal services.

7. Commercial animal welfare permits granted to circuses, performing animal exhibitions, or animal exhibits are valid for the duration of the event not to exceed 30 days from the date of issuance. A Nevada non-profit corporation exempt from taxation under the Internal Revenue Code section 501(c)(3), which is established for educational purposes, may apply for an annual permit.

8. Circuses, performing animal exhibitions, and animal exhibits may request limited permission to possess prohibited animals for the duration of the commercial animal welfare permit. Possession of a prohibited animal under this section is exempt from WCC 55.650. Regional animal services shall verify items such as proof of insurance, health records, USDA Exhibitors Permit and any other conditions necessary to preserve the health and safety of the public.

9. Revocation of commercial animal welfare permit. If a permittee violates this section or any other law of the State of Nevada or ordinance of Washoe County pertaining to animal welfare, regional animal services may revoke the commercial animal welfare permit.

(a) Any commercial animal establishment residing within the boundaries of the City of Reno shall maintain a City of Reno business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(b) Any commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If, at any time, the City suspends or revokes the business license, the City shall notify regional animal services and the commercial animal welfare permit shall be suspended or revoked.

(c) If the permittee fails to comply with any conditions imposed on the welfare permit, regional animal services may suspend or revoke the permit. If regional animal services suspends or revokes a welfare permit, the permittee shall be advised in writing of the reason(s) therefor and may appeal that decision to the administrative hearing office no later than 14 days after receiving the written notice. A failure to appeal the suspension or revocation within 14 days precludes further administrative or judicial review.

(d) Upon the filing of an appeal, the administrative hearing office shall hold a hearing on the appeal as soon as practicable.

(e) The administrative hearing officer may hear any testimony and admit any evidence he or she deems necessary. All proceedings shall be conducted in accordance with WCC 55.800(6) through 55.800(17), inclusive.

(f) The hearing officer's decision sustaining, reversing, or sustaining with conditions the suspension or revocation shall include findings of fact and be transmitted in writing to the appellant within 14 working days.

(g) Any permittee aggrieved by the hearing officer's decision may appeal that decision by filing a petition for judicial review in the district court within 30 days of the hearing officer's decision. The commercial animal welfare permit shall remain in place until a decision is rendered by the district court.

SECTION 2. Section 55.010 of the Washoe County Code is hereby amended by adding thereto the following new definitions:

"Ambient Temperature" means the temperature of the environment immediately surrounding the animal.

"Commercial animal establishment" means any pet store, circus, performing animal exhibition, animal exhibit, zoological park, kennel, training or boarding facility used for the business of buying, selling, housing, boarding or exhibiting animals.

"Isolation area" means a location where potentially infected animals can be separated from other animals for the period of time to control disease transmission, under such conditions as to prevent direct or indirect conveyance of the infectious agent from spreading to other animals.

"Isolation room" means a separate room in which conditions are established to control and contain the transmission of disease, such as, but not limited to, contamination from feces and bodily

secretions, mites, and arthropod vectors, and which has a separate air supply with ventilation to the outside with no admixture in the general circulation.

SECTION 3. Washoe County Code 55.010 is hereby amended by changing the definitions of "Animal" and "County" as follows:



Animal means:

- (a) All cattle or bovine species;
- (b) All horses, mules, burros, asses or equine species;
- (c) All swine or porcine species;
- (d) All sheep and goats;
- (e) Alternative livestock as defined in NRS 501.003;
- (f) All domestic animals; and
- (g) All exotic animals.



County means all the area of Washoe County as defined by NRS 243.0430, and as it may be amended from time to time.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the ____ day of _____, 2015.

Proposed by Commissioner _____.

Passed on the ____ day of _____, 2015.

Vote:

Ayes:

Nays:

Absent:

Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after
_____, 2015.

55.455 Commercial Animal Welfare Permit

1. Commercial animal establishments must ~~be inspected and obtain a welfare~~ permit ~~text by from~~ Regional Animal Services.

- a) No commercial animal welfare permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.
- b) A commercial animal establishment must maintain a welfare permit for each individual location.
- c) Upon a change of location or ownership of a commercial animal establishment, a new inspection and welfare permit is required.
- d) Each commercial animal establishment ~~is shall be~~ subject to unscheduled inspection by an animal control officer during normal business hours.
- e) The commercial animal ~~establishment welfare~~ permit must be displayed in a conspicuous place within the commercial animal establishment location.
- f) No commercial animal establishment may sell a cat or dog over the age of 3 months ~~old to any person~~ without a valid rabies vaccination.
- g) Veterinarians and/or veterinary hospitals are exempt from this provision.

2. All commercial animal establishments ~~are required to shall~~ submit an application for a commercial animal welfare permit to Regional Animal Services.

3. Regional Animal Services must review the application and certify that the commercial animal establishment has been inspected and is in compliance with all animal welfare permit requirements. ~~Regional Animal Services shall notify the appropriate jurisdictions -zoning requirements and ordinances of~~ Washoe County, the City of Reno ~~and/or~~ the City of Sparks of the welfare permit status.

~~4. During annual inspections, an animal control officer must verify that the commercial animal establishment holds a valid business license. A~~ certificate of occupancy for the appropriate jurisdiction or an approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction.

- a) Regional Animal Services ~~is hereby authorized to shall~~ create an internal animal welfare permit application process with rules, and records ~~requirements and~~ retention requirements, including, but not limited to, proof of insurance, health records, and any other conditions ~~deemed~~ necessary to preserve the health and safety of the animals and the public.
- b) ~~The records~~ Records required in section 3(a) shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat ~~addressed by identified by~~ the record, and shall be readily available for inspection by any animal control officer.

4. Except as otherwise provided, a commercial animal establishment permit shall be inspected and the welfare permit renewed annually by Regional Animal Services.

~~75.~~ In addition to the requirements ~~as~~ set forth in NRS 574.360 thru 574.510~~574~~, which outlines duties of operators, ~~specifically NRS 574.360 thru 574.510~~, an operator shall ensure:

Comment [a1]: This is a new section to address the issues with pet stores and exotic animal shows.

Wording is a collaboration between the County, Reno and Sparks.

Comment [a2]: By RAS

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- a) The walls and floors of enclosures shall be constructed of nonabsorbent, nonporous materials impervious to moisture, and must be of adequate support to support the animal without sagging and to prevent injury to the animal.
- b) All dogs and cats received for resale shall be kept in an isolation room or area for a minimum of 120 hours before being released to a purchaser. The permittee or their representative animal shall observe each animal daily in order to recognize identify general symptoms of injury, illness or disease.
- c) Any dog or cat that exhibits symptoms of injury, illness or disease shall be kept in an isolation area or isolation room and treated by a veterinarian. The veterinarian shall verify that the dog or cat is healthy before such dog or cat can be offered for sale.
- d) Operators which do not have a full-time attending veterinarian must have a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include the method(s) of euthanasia, for the animals, which should be consistent with the current American Veterinary Medical Association (AVMA) Guidelines on Euthanasia.
- e) To reduce the risks of transmission of diseases, all commercial animal establishments that allow for the handling of animals by the public must provide a hand sanitizer and require members of the public to sanitize their hands prior to and after handling the animals.
- f) Disposal of animal carcasses shall occur in accordance with NRS 571.200 and NAC 571.200.

68. A commercial animal establishment is prohibited from selling dogs or cats obtained from a source other than an acceptable procurement source. Acceptable procurement sources are:

- a) Humane groups organized as legal entities in accordance with NRS 574.010 thru 574.040, inclusive;
- b) USDA licensed dealers.

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75. Commercial animal welfare permits granted to circuses, performing animal exhibitions, or animal exhibits are valid for the duration of the event not to exceed thirty (30) days from the date of issuance. A Nevada non-profit corporation exempt from taxation under the Internal Revenue Code section 501(c)(3), which is established for educational purposes, may apply for an annual permit.

86. Circuses, performing animal exhibitions, and animal exhibits may request limited permission to possess prohibited animals for the duration of the commercial animal welfare permit.

Possession of a prohibited animal under this section is exempt from WCC 55.650. Regional Animal Services shall verify items such as proof of insurance, health records, USDA Exhibitors Permit and any other conditions necessary to preserve the health and safety of the public.

9. Revocation of Commercial Animal Welfare Permit.

A violation of a permittee violates this section or violation of any other law of the State of Nevada or ordinance of Washoe County ordinance pertaining to animal welfare, Regional Animal Services shall may revoke constitute a violation of the commercial animal welfare permit and such permit shall be subject to revocation by Regional Animal Services.

Comment [a3]: Reviewed with City of Reno re changes made after public comment 9-30-14

Comment [a4]: Added language

Obtained from public comment

- a) Any commercial animal establishment residing within the boundaries of the City of Reno shall maintain a City of Reno business license. If, at any time, the City suspends or

revokes the business license, the City shall notify Regional Animal Services and the commercial animal welfare permit shall be suspended or revoked.

b) Any commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If, at any time, the City suspends or revokes the business license, the City shall notify Regional Animal Services and the commercial animal welfare permit shall be suspended or revoked.

c) If the permittee fails to comply with any conditions imposed on the welfare permit, Regional Animal Services may suspend or revoke the ~~commercial animal~~ permit. If Regional Animal Services suspends or revokes a welfare permit, the permittee shall be advised in writing of the reason(s) ~~or reasons~~ therefor and may file an appeal of that decision to the Administrative Hearing Office not later than fourteen (14) days after receiving the written notice. A failure to appeal the decision of Regional Animal Services within fourteen (14) days ~~constitutes an admission that the decision is well founded and~~ precludes further administrative or judicial review.

(d) Upon an appeal being filed, the Administrative Hearing Office shall, as soon as ~~is~~ practical, hold a hearing on the appeal.

(e) The Administrative Hearing Office may hear any testimony and admit any evidence it deems necessary. All proceedings shall be conducted in accordance with ~~of~~ WCC 55.800(6) thru 55.800(17), inclusive.

(f) The Hearing Officer's decision sustaining, reversing, or sustaining with conditions the action of Regional Animal Services shall include findings of fact and be transmitted in writing to the appellant within fourteen (14) working days.

(g) Any permittee aggrieved by the Hearing Officer's decision may appeal that decision by filling a petition for judicial review within thirty (30) days of the Hearing Officer's decision. The commercial animal welfare permit shall remain in place until a decision is rendered by the district court.

"Ambient Temperature" means the temperature of the environment immediately surrounding the animal.

"Animal" means:

(a) All cattle or bovine species.

(b) All horses, mules, burros and asses or equine species.

(c) All swine or porcine species.

(d) All sheep and goats.

(e) Alternative livestock as defined in NRS 501.003.

(f) All domestic animals.

(g) All exotic animals.

Commercial Animal Establishment means any pet store, circus, performing animal exhibition, animal exhibit, zoological park, kennel or boarding facility used for the business of buying, selling, housing, boarding or exhibiting animals.

Comment [SRAS]: For new code section 55.455

"County" means all the area of Washoe County as defined by NRS 243.0430, and as it may be amended from time to time.

~~"County" means all of Washoe County including the areas comprising the incorporated City of Sparks and incorporated City of Reno.~~

"isolation area" means a location where potentially infected animals can be separated from other animals for the period of time to control disease transmission, under such conditions as to prevent direct or indirect conveyance of the infectious agent from spreading to other animals.

Comment [a6]: New reference 55.455

"isolation room" means a separate room in which conditions are established to control and contain the transmission of disease, such as, but not limited to, contamination from feces and bodily secretions, mites, and arthropod vectors, and which has a separate air supply with ventilation to the outside with no admixture in the general circulation.

Comment [a7]: New reference 55.455

"Breeder" means a dealer, operator or other person who is responsible for the operation of a commercial establishment engaged in the business of breeding. The term does not include a hobby breeder.

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Comment [a1]: New reference 55.795

"Breeding" means producing the offspring of cats or dogs, called a litter.

Comment [a2]: New reference 55.795
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"Commercial Breeder" means a dealer, operator or other person who is responsible for the establishment which engages in the breeding of five or more litters of cats or dogs in a calendar year, to sell, trade or give away to others. In accordance with WCC 25.015(1)(f)(1)

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Comment [a3]: New reference 55.795
Comment [a4]: Proposed change from 5 litters to 3 litters.

"Microchip" means a radio frequency identification device that is implanted into an animal.

"Shelter" means a structure that promotes the retention of body heat during cold weather, which promotes cooling and provides protection from the rays of the sun during hot weather and which allows an animal to remain dry during times of wet weather which is appropriate to the season and the species.

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Comment [a5]: For Discussion
Concern presented by Beverlee McGrath
Legislative Liaison for NV Animal Groups.
'Commercial Breeder', MAY have inspection. Should have mandatory inspections annually. There should be a limit on the number of intact (breeding) dogs or cats, where are all the required standards? Are they required to get a business license?

55.795. Commercial Breeding Permit

1. In the unincorporated and incorporated areas of Washoe County, a commercial breeder must apply for and obtain an annual permit to act as a breeder issued by Washoe County Regional Animal Services.

Comment [a6]: New section to comply with SB299

2. Upon approval of an application Washoe County Regional Animal Services shall issue a permit and assign a permit number to each commercial breeder who:

(a) Pays the applicable fee, if any, as prescribed by ordinance; and
(b) Complies with any other requirements prescribed by the issuing body Regional Animal Services.

3. Each permit issued must specify the address of the premises at which the person may act as a commercial breeder.

4. The permit number assigned to a commercial breeder must be displayed in all advertising in which the breeder offers a dog or cat for sale and on any receipt of sale of a dog or cat sold by the breeder.

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5. For the purpose of enforcing the provisions of NRS 574.360 to 574.440, inclusive, as those provisions apply to

Comment [a7]: Are there kennel inspections of property? What is criteria for permit approval?
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commercial breeders, any animal control agent/officer of Washoe County may enter and inspect the premises specified on the permit at any reasonable hour.

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6. An animal control officer or peace officer may, suspend, revoke or deny a permit for a violation of the provisions of NRS 574.360 to 574.440, inclusive.

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Comment [a8]: Language added in response to public input.

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(a) If a permittee fails to comply with any conditions imposed on the permit, the animal control officer may suspend or revoke the commercial breeding permit. If the animal control officer suspends or revokes a permit, the permittee shall be advised in writing of the reason or reasons therefor and may file an appeal of that decision with the Administrative Hearing Office not later than fourteen (14) days after receiving the written notice. A failure to appeal the decision of the animal control officer within fourteen (14) days constitutes an admission that the decision is well founded and precludes further administrative or judicial review.

(b) The Administrative Hearing Office shall, as soon as is practical, hold a hearing on the appeal.

(c) The Administrative Hearing Office may take hear any testimony and admit any evidence it deems necessary. All proceedings shall be conducted in accordance with the provisions of WCC 55.800(6) thru 55.800(17), inclusive.

(d) The Hearing Officers decision sustaining, reversing, or sustaining with conditions the action of the animal control officer shall include findings of fact and be transmitted in writing to the applicant within fourteen (14) working days.

(e) If a permittee is aggrieved by the Hearing Officers decision the permittee may appeal that decision by filing a petition of judicial review within 30 days of the Hearing Officer's decision. The commercial breeding permit shall remain in place until a decision is rendered.

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7. A commercial breeder shall not:

1. Sell a dog or cat:

(a) Unless the dog or cat has had:

(1) A registered microchip subcutaneously inserted into the dog or cat; and

(2) All the required vaccinations for rabies which are appropriate based upon the age of the dog or cat; or

(b) Without providing a written sales contract to the purchaser; or

2. Breed a female dog;

(a) Before she is 18 months old; or

(b) More than once a year.

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55.010 Definitions. As used in sections 55.010 to 55.790, inclusive, unless the context otherwise requires, the terms as defined herein shall have the meaning ascribed to them.

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"Isolation" means the separation, for the period of communicability, of infected animals from others in such place and under such conditions as to prevent the direct or indirect conveyance of the infectious agent from those infected to those which are susceptible or which may spread the agent to others.

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"Isolation arearoom" means a place separate room located where conditions can be established to adequately control or contain modes of transmission of disease such as (but not limited to) contamination with feces and bodily secretions, mites, and arthropod vector and having a separate air environment exhausting outside with no admixture in the general circulation.

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"Isolation room" means the same as isolation area above but a contained environment separated with full walls and doors, having a separate air environment exhausting outside with no admixture in the general circulation.

55.455 Commercial Animal Permit

1. Commercial animal establishments must be inspected by and be permitted by the Animal Services Manager or his designee.

- a) No commercial permit may be transferred or assigned between persons, between commercial animal establishments, or between a person and a commercial animal establishment.
- b) Each separate and distinct commercial animal establishment owned by the same person or entity, must possess an individual location permit.
- c) Upon a change of location or ownership of a commercial animal establishment, a new inspection and permit is required prior to any operational changes.
- d) Each commercial animal establishment is subject to inspection by an Animal Control Officer anytime during normal business hours.
- e) The commercial animal establishment permit must be displayed in a conspicuous place.
- f) No commercial animal establishment may sell a cat or dog over the age of 3 months old to any person without a valid rabies vaccination.
- g) Veterinarian or veterinary hospitals are exempt from this provision.

2. All commercial animal establishments, except Veterinarians and Veterinary Hospitals, are required to submit an application for commercial animal establishment to Regional Animal Services.

3. Upon initial application, Regional Animal Services must review and certify that the commercial animal establishment has been inspected and is in compliance with all zoning requirements and ordinances of Washoe County, the City of Reno or the City of Sparks. A certificate of occupancy for the appropriate

jurisdiction or approved business license may be accepted as evidence that the commercial animal establishment is in compliance with the local jurisdiction.

a) Regional Animal Services is hereby authorized to create an internal permit application process with rules, records requirements and retention including, but not limited to, proof of insurance, health records, and any other conditions deemed necessary to preserve the health and safety of the animals and the public.

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a) The records required by 3(a) shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat addressed by the record, and shall be readily available for inspection by any animal control officer.

4. Except as otherwise established, a permit is renewable annually upon inspection.

5. Commercial permits granted to circus, performing animal exhibitions, or animal exhibits are valid for the duration of the event not to exceed thirty (30) days from the date of issuance.

6. Circuses, performing animal exhibitions, or animal exhibits may request limited permission to possess prohibited animals within the jurisdiction of Regional Animal Services for the duration of the commercial permit.

a) Possession of a prohibited animal under this section is exempt from the provisions of 55.650. Regional Animal Services is hereby authorized to create internal permit application rules including, but not limited to, proof of insurance, health records, USDA exhibitors permit and any other conditions deemed necessary to preserve the health and safety of the public. Each prohibited animal possessed is required to be separately permitted."

7. In accordance with the provisions of NRS 574 duties of Operators, the Board hereby adopts NRS 574.360 thru 574.510 inclusive. In addition to the requirements in subsection 7 an Operator shall ensure:

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a) the walls and floors of enclosures shall be constructed of nonabsorbent, nonporous materials impervious to moisture. If wire or grid flooring is used it must be made of powder coated or plastic coated wire and be of adequate gauge to support the animal(s) without sagging and to prevent the animals' feet from passing through the openings.

b) All dogs and cats received for resale shall be kept in an isolation room for a minimum of 120 hours before being released to a purchaser. Each animal shall be observed daily by the licensee or his representative in order to recognize general symptoms of injury, illness or disease.

c) Any dog or cat that exhibits symptoms of injury, illness or disease shall be kept in an isolation area or isolation room and treated as prescribed by a veterinarian. Any such dog or cat shall be verified by a veterinarian to be healthy before such dog or cat can be offered for sale.

d) Facilities which do not have a full-time attending veterinarian must have a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include the method(s) of euthanasia for the animals, which should be consistent with the current AVMA Guidelines on Euthanasia (<https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>).

e) To reduce the risks of the transmission of diseases, all commercial animal establishment that allow for the handling of animals by the public must provide a hand sanitizer for the public and require hand sanitizing prior to and after handling the animals.

f) Disposal of animal carcasses shall be followed in accordance with NRS 571.200 and NAC 571.200.

8. A commercial animal establishment is prohibited from the selling dogs or cats obtained from a source other than an acceptable procurement source. Acceptable Procurement Sources are:

- a) Humane groups organized as legal entities in accordance with NRS 574.010 thru 574.040 inclusive.
- b) USDA licensed dealers.

9. Revocation of Permit for commercial animal establishment. Any single violation of this section or violation of any other law of the State of Nevada or violation of any other Washoe County ordinance shall constitute a violation of the Commercial Animal Permit and permit shall be subject to revocation by the Regional Animal Services.

a). Any Commercial animal establishment residing within the boundaries of the City of Reno shall maintain a City of Reno business license. If at any time the City suspends or revokes the business license, the City shall notify Regional Animal Services and the Commercial animal permit shall be suspended or revoked as applicable.

b). Any Commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If at any time the City suspends or revokes the business license, the City shall notify Regional Animal Services and the Commercial animal permit shall be suspended or revoked as applicable.

c) Operators who have been denied a permit or whose permit has been revoked may, by default or otherwise, may, in accordance with 55.800, seek judicial review, thereof by filing a petition for judicial review in the district court within 10 days of the denial or revocation and said petition must be personally served upon respondent within 30 days of filing.

7-Animal health:

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~~a) Animals shall be provided with food that is wholesome, palatable, free from contamination and of sufficient quantity and nutritive value to maintain animals in good health. Animals, other than certain reptiles which according to normal husbandry practices for their species are not fed at least once daily, must be fed at least once a day, including Sundays and holidays, except as dictated by hibernation, veterinary treatment, normal fasts, or other commonly accepted practices recognized by professionals who are expert in the care of the animals concerned. In the case of young animals, they shall be fed at least two times per day, except when continuous self feeders are provided. Feeding pans shall be durable and sanitized daily. Self feeders may be used for the feeding of dry food provided they are cleaned and sanitized regularly to prevent molding or caking of food. If disposable food receptacles are used, they must be discarded after each feeding. Food shall be stored in facilities which adequately protect the supplies against deterioration, molding or contamination by vermin.~~

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~~b) Potable water shall be provided at all times to each animal in accordance with its needs, except as directed by hibernation, veterinary treatment or other commonly accepted practices recognized by professionals who are expert in the care of the animals concerned. Water containers shall be designed and of sufficient number to provide and dispense adequate quantities of water for the particular species and must be placed in such a way as to prevent spillage. Water containers shall be cleaned and sanitized at least once each day, except that sipper-tube type water bottles, if used, must be kept clean and sanitized regularly, kept free of dirt, debris and algae, and must be cleaned and sanitized prior to an animal being placed in an enclosure.~~

~~c) Dogs confined in cages shall be removed at least once daily for a period of time. Each pet shop shall consult with a veterinarian licensed in Connecticut to determine the place and period of time necessary for exercise for their dogs confined in cages. Each pet shop shall follow the advice of the veterinarian.~~

8. Enclosures.

~~a) Enclosures for all animals shall be suited to the species of animals, structurally sound and maintained in good repair to protect animals from injury and escape. Enclosures shall be constructed and maintained so as to enable the animals to remain clean and dry when appropriate for the species. All animals shall be removed from the enclosure when cleaning said enclosures.~~

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~~b) Walls and floors of enclosures shall be constructed of nonabsorbent, nonporous materials impervious to moisture. If wire or grid flooring is used it must be made of galvanized, stainless steel, or plastic coated wire and be of adequate gauge to support the animal(s) without sagging and to prevent the animals' feet from passing through the openings. Each primary enclosure for dogs with wire or grid flooring shall contain a solid resting surface, one square foot minimum for small and medium dogs and two square foot minimum for large dogs, that is water resistant and~~

can be cleaned and sanitized. Enclosures in current use shall be cleaned and disinfected daily or more if necessary to maintain a sanitary condition.

(f) Enclosures shall be designed and constructed as to provide adequate physical comfort to the animals. Each animal must be provided with sufficient space to turn about freely and easily stand, sit or lie in a comfortable natural position. Animals that are group housed must be maintained in compatible groups. No female dog or cat in season (estrus) shall be housed in the same primary enclosure with male animals except for breeding purposes.

9- Isolation—All dogs and cats received for resale shall be kept in an isolation area or isolation room for a minimum of 72 hours before being released to a purchaser. Each animal shall be observed daily by the licensee or his representative in order to recognize general symptoms of injury, illness or disease.

a) Any dog or cat that exhibits symptoms of injury, illness or disease shall be kept in an isolation area or isolation room and treated as prescribed by a veterinarian. Any such dog or cat shall be verified by a veterinarian to be healthy before such dog or cat can be offered for sale.

10- Lighting—Facilities housing animals shall have ample well distributed light by natural or artificial means, or both, providing a minimum of 30 foot candles for a minimum of eight hours in each twenty-four hour period, except where contraindicated for health reasons. Enclosures shall be so placed as to protect animals from excessive illumination except those which require it.

11- Prohibited sales.

a) A commercial animal establishment is prohibited from the selling any animal which exhibits:
1- Obvious signs of infectious diseases such as distemper, parvovirus, coronavirus, hepatitis, leptospirosis, rabies or other similar diseases. (Not to be construed to include incubating diseases.)
2- Obvious signs of nutritional disease which may include rickets and emaciation.
3- Obvious signs of severe parasitism—extreme enough to be influencing its general health.
4- Fractures or congenital abnormalities affecting its general health.

b) A commercial animal establishment is prohibited from the selling dogs or cats obtained from a source other than an acceptable procurement source:

1- Acceptable Procurement Source:

- Humane groups and contract pounds organized as legal entities under the laws of the State of Nevada;
- USDA licensed dealers;
- State, county, or city owned and operated animal pounds or shelters.

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12. Records.

a) The owner or operator of a pet shop shall maintain the following records regarding each dog or cat obtained by the pet shop:

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1. Name and address of person, firm or corporation from whom animal was obtained, date thereof and United States Department of Agriculture (USDA) dealer or breeder license number if applicable.

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2. The date the animal was born, if known.

3. Record of all immunizations.

4. Description of dog or cat including species, breed, sex, color and distinctive markings, physical condition and health, age and USDA animal identification number if applicable.

5. Name and address of person, firm or corporation to whom dog or cat was sold or ownership was transferred and date thereof.

6. Disposition of dog or cat, if not sold or transferred, including euthanasia and method, mortality and cause, if known, escape, or other specific circumstance, and date thereof.

7. For each dog or cat receiving medical care, the type of service rendered, date and veterinarian's name.

b) The records required by subsection 1 shall be maintained at the commercial animal establishment for a minimum of two years after the date of sale, transfer or other disposition of the dog or cat addressed by the record, and shall be readily available for inspection by any animal control officer.

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c) In addition to the required records listed above, the following care records are required for dogs and cats:

- Health certificate for transport
- Cage wash validation sheets
- Room maintenance logs
- Standard operating procedures; which must include an emergency preparedness plan for evacuation of any and all animals on the property for which the permit application is submitted.

13. Veterinary Services. Facilities which do not have a full-time attending veterinarian must have a written Program of Veterinary Care (PVC). The attending veterinarian must visit the facility on a regular basis, i.e., often enough to provide adequate oversight of the facility's care and use of animals. The PVC must include the method(s) of euthanasia for the animals, which should be consistent with the current AVMA Guidelines on Euthanasia (<https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>).

a) The use of expired medical materials such as drugs, fluids, or sutures on regulated animals is not considered to be acceptable veterinary practice and is not consistent with adequate veterinary care as required by the regulations promulgated under the Animal Welfare Act.

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14. Waste Disposal and Sanitization:

a) All animal carcasses must be either taken directly to the landfill for immediate burial or a rendering company for incineration.

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b) All solid wastes generated from operations, including but not limited to animal and food wastes, used bedding, debris and any other organic wastes, must be collected and disposed of to an approved solid waste collection container and must be removed from the commercial animal establishment daily.

c) Commercial animal establishments must have adequate facilities to perform daily cleaning and sanitization. Adequate facilities require a washing facility with hot and cold running water and a connection to an indirect waste receptor. Any cages or animal holding areas where washdown is to occur with a drain to sewer must have proper BMPs in place that comply with Washoe County, City of Reno or City of Sparks environmental regulations.

d) Strainer caps must remain on the kennel drains to prevent toys, chains & other prohibited materials from entering the sewer system.

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15. To reduce the risks of the transmission of diseases, all commercial animal establishment that allow for the handling of animals by the public must provide a hand washing sink for the public and require hand washing prior to and after handling the animals.

a) For existing establishments that do not have a hand washing sink available, the use of hand sanitizer will be allowed.

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b) No new commercial animal establishment that allows for the handling of animals will be issued a permit without a hand washing sink available.

c) Existing commercial animal establishments that allow for the handling of animals by the public that undergo renovations that require the issuance of a building permit and that cover over 25% of the existing premises will be required to install a hand washing sink available to the public.

16. Revocation of Permit for commercial animal establishment. Any single violation of this section or violation of any other law of the State of Nevada or violation of any other Washoe County ordinance shall constitute a violation of the Commercial Animal Permit and permit shall be subject to revocation by the Regional Animal Services.

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business license, the City shall notify Regional Animal Services and the Commercial animal permit shall be suspended or revoked as applicable.

b). Any Commercial animal establishment residing within the boundaries of the City of Sparks shall maintain a City of Sparks business license. If at any time the City suspends or revokes the business license, the City shall notify Regional Animal Services and the Commercial animal permit shall be suspended or revoked as applicable.