

PROHIBITED PRACTICES; NON-DOMESTIC ANIMALS

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

INTRODUCED BY COUNCIL

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

**AN ORDINANCE AMENDING CHAPTER 20.29 OF THE SPARKS MUNICIPAL CODE TO CLARIFY THE DEFINITIONS AND ADDING CHAPTER 20.29.025 TO PROHIBIT ANY PERSON FROM MAINTAINING, CREATING OR ESTABLISHING A LOCATION OR STRUCTURE FOR THE PURPOSE OF FEEDING, SHELTERING OR PROVIDING SUSTENANCE TO FERAL CATS OR ATTRACTING HIGH RISK SPECIES WITHIN THE BOUNDARIES OF THE CITY; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

**THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:**

Section 1. Section 20.29.020: “Definitions” is hereby amended as follows:

**Section 20.29.020 - Definitions**

- A. “Domestic household pet” means any animal generally domesticated by humans, including:
1. Dogs of the species *Canis familiaris*;
  2. Cats of the species *Felis catus*;
  3. Gerbils, hamsters, guinea pigs, mice, rats, squirrels, chipmunks or similar rodent-like mammals, but not to include ferrets or animals which are considered a high risk species, as defined in this chapter;
  4. Domestic rabbits, but not those being used for commercial purposes or for food production;
  5. Vietnamese potbellied pigs (*sus scrofa vittatus*) that are spayed or neutered upon reaching maturity;
  6. Domesticated fowl or birds;
  7. Non-venomous reptiles, which, at maturity, are less than 3½ feet in length or weigh less than 5 lbs. and are kept in a confined space;
  8. Any fish kept in an aquarium or proper facility.
- B. “Livestock” means any animal generally used for production, commercial or recreational purposes, including:
1. All horses, mules, burros, asses, or animals of the equine species;
  2. All cattle or animals of the bovine species;
  3. All swine or animals of the porcine species, except Vietnamese potbellied pigs;
  4. All goats or animals of the caprine species;
  5. All poultry and large fowl or birds;
  6. Bees kept in a collection of hives or colonies;
  7. All sheep or animals of the ovine species;
  8. All llamas and animals of the lama species.
- C. “High risk species” means such species as the striped skunk, spotted skunk, ~~raccoon~~*raccoon*, fox, bat, coyote, bobcat, badger, weasel and such other high-risk transmitters of rabies.

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D. *“Feral Cat” means a cat that exists in an untamed state through birth in the wild or that has been abandoned by a previous owner and is no longer socialized, and regardless of whether the cat is dependent upon humans for food and/or water.*

(Ord. 2226, Add, 05/24/2004)

Section 2. Section 20.29.025: “Prohibited practices; non-domestic animals” is hereby added as follows:

*Section 20.29.025 - Prohibited practices; non-domestic animals*

A. *It shall be unlawful for any person to maintain, create or establish a location or structure that attracts, shelters, or provides sustenance to feral cats or a high risk species within the boundaries of the city.*

1. *For the purposes of this subsection, "sustenance" shall mean the provision of food or water left either outside of any building or structure or within any abandoned or unoccupied building or structure.*
2. *For the purposes of this subsection, "sheltering" shall mean the provision of any type of shelter, whether temporary or permanent.*

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

**SECTION 5:** This ordinance shall become effective upon passage, approval and publication.

**SECTION 6:** The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

**SECTION 7:** If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**SECTION 8:** The City Council finds that this ordinance is **not** likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote of the City Council:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

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ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by:

\_\_\_\_\_  
GENO MARTINI, Mayor

ATTEST:

\_\_\_\_\_  
TERESA GARDNER, City Clerk

APPROVED AS TO FORM AND  
LEGALITY:

\_\_\_\_\_  
CHESTER H. ADAMS, City Attorney