

CLARK COUNTY ANIMAL ADVISORY COMMITTEE

MINUTES

Paradise Community Center
4775 McLeod Drive, Town Board Conference Room
Las Vegas, Nevada 89121
October 24, 2006
6:30 p.m.

MEMBERS PRESENT: GLASSMAN, MYRA LEE (MG)
HUTT, FREDERICK (FH)
OLSEN, DENNIS (DO)
SONDEJ, KEN (KJ)
POOLER, TOM (TP)
YOUNG, BILLIE (BY)

1. Call to order

The meeting was called to order at 6:30 p.m.

2. Approval of agenda

A motion to approve the agenda was made and seconded.

3. Approval of July 25, 2006 Minutes

A motion to approve the minutes was made and seconded after the following changes: Title 50 for # 7 State animal abuse, low grade felony should be gross misdemeanor, page 3, 2nd paragraph re tethering in back of pickup truck and BY challenged people to bring guest.

4. Presentation by Clark County Zoning on proposed change to Title 30 – Use Permit for Animal Breeding

CHUCK PULSIPHER (CP) provided some background. An individual came in for business license on home occupation to breed household pets. They discovered a license could not be issued w/o a special use permit. Routinely people go to residences to buy animals so we are proposing to allow animal breeding as a permitted home occupation. TP – PRO and Animal Control enforce all regulations so PRO will enforce. CP – same restrictions as currently in Title 10 - 6 dogs and 12 cats. No limit on number of litters you can have. MG has concerns. We are trying to get control on the backyard breeders. It appears to be too easy if they can get business license. It runs counter to our efforts to control irresponsible breeding of animals. CP – it is possible that by refusing to issue license and applying for special use permit, it may stop the activity. This is list for current home occupations; second page is a list of businesses that are permitted in residential districts. DO – this allows it to become a home occupation with a business license. CP - requirement would be under Business License (BL) code. If you want a license as a home occupation you have to comply with these conditions. Right now, DAVE MARCH (DM), this would empower you to get a license for home occupation but does not require you to have the license to breed. It might give us an opportunity to enforce on more than one front, if you have to have a business license as home occupation, you would have to go to zoning, get a variance and have neighbors looking at it as opposed to us coming out to see if they are shown or sterilized. KS - will this become mandatory or voluntary? DM enforcement of this would either be PRO or BL. We would still enforce fanciers but we get involved in a lot of animal related applications and we will

go out and say for approval you need this..... If they comply we say yes give it to them. If they don't comply we say they don't need; have more eyes looking at it. KS if you get a complaint on breeder and they have kennel license, how will BL fall into that? DM we don't have power under BL. As an example I can't shut down pet shops or revoke license. We have to seek intervention from BL on a bad situation. CP - PRO is the enforcement arm and would be involved in enforcement associated with home occupations. FH – who does the inspections, how often are inspections done on property. We can have a lot of people start out nice but then become a puppy mill. He would like to see annual, semi annual inspections. Will need a lot more enforcement. DO – this will allow zoning to issue home occupancy business license. DM we have ordinance on our books. If you are breeding, you have to comply so there is ability to go in and inspect. It would force PRO to go in and say you don't have certificate of home occupancy and AC comes in and says you are not complying. DO – 1 person breeding one dog and selling puppies is not a business. How is it defined as a home business? CP –we are trying to allow someone with 3 or fewer dogs or pet fancier to come in, apply for and receive a business license if they comply with conditions for home occupancy business. Nothing in Title 10 changes. The only difference this makes is they declare themselves as a home occupation. They are no longer underground. BY – regulations to enforce care if puppy mill. You have right to go in, is this another way to get money? CP – someone came in for a license. We found we could not issue a license. DO - this allows them another avenue if someone has business license and not doing appropriately. You can go in and say not doing right as a business and BL can come in and take away license. DM- they could place license under review or prosecute. DO – seems to give extra teeth if violation occurs. MG – There is no requirement to obtain it, so people can still fly under the radar. CP unless BL determines they need a business license. MG – this makes it easier to get a business license. BY – is this a first step to regulating everything? KS – see a big can of worms. This opens door to abuse by people. DO – don't agree. This is voluntary to allow them to issue a business license. Right now they would need a special use permit, costs \$325 and notify all property owners within 300 feet and Planning Commission and BCC may approve or deny as they see fit. Currently, it is more restrictive.

MIKE CONNELL (MC)– opening can of worms, 2 dogs, 4 female will breed, rotate 4 out, breed, bring in more, rotate them out. Inspections for fancier are once a year by appointment. They get letter, take extra dogs down the road, breeding program goes on after inspection. No good clean line. Fancier to keep breeding pure and clean, will have indiscriminate breeding. DO how is that different than what is going on now? MC – I get letter, load up truck and move animals until inspection. Putting that permit number when selling. If they get license, 99 percent can still get papers. Doesn't change anything happening now. It will enhance and make it grow. DM – AC can inspect any fancier at any reasonable hour. If we get a complaint we can come out and if you refuse we can revoke permit. If we have reason to believe something going on we can go out another time. They really want to give everyone breeding notice, get special use permit, pay for permit right now and everyone within 500 feet can come in and say “No I don't want them.” This helps to protect you. MC would love to see spot inspections. We are getting into the puppy mill area. USDA only has 9 inspectors nationwide.

FH – understands if anyone applies for special use permit property owners have to be noticed. CP - if we change code they would not have to do that. If we tell them they cannot have a home occupation or in submission of use permit, and it is denied, it does not mean they cannot have fancier permit. If they can't sell animals under home occupation, they will be in violation of title 10 and 30. MC – will they have to show dogs to maintain permit. DM – yes. MG – don't think it is fair to make administrative issue of these licenses w/o public notification. Public has right to know someone is starting breeding business next door to them.

BRUCE HAALSTEAD – my concern is CC&Rs and restrictions about what constitutes a home business. This could get out of hand. I have a business license so I can breed cows or chickens in my backyard. DM - there are a whole separate set of requirements for chickens, horses, etc. Just because you have a business license for breeding animals, you still have to comply with other ordinances. You can't bring in these farm animals in a non-properly zoned area.

CP – regulations would not supersede CC&Rs. You would have to comply with Title 10 and 30 and not be in conflict with CC&Rs. BRUCE – we have a lot of people who rent who will come in to change law to fit their own need and create problems for people living in that community. What is permitted and what can a neighbor do to prevent. CP- if they are in violation of Title 30, subject to \$1,000 fine, 6 months in jail for the property owner as they ultimately have responsibility. DM – horses or chickens in area not properly zoned, you can call our office and PRO handles. Our concern is that you take care of what you have on your property. PRO says you can't have it all whether you take care of it or not. They do a good job of getting that abated.

FH – would love to see property owners notified that something is going on. Their neighbor is breeding however many dogs or cats.

DIANE ORGILL – our goal is to cut down number of pets being born. No matter the law, someone will find way around. If you have to make them jump through hoops, the less likely they are to do it. The more they have to pay, the less profit. Deterrence needs to happen. Why do we want to make it any easier for them? CP – pet fanciers are permitted today. Unless that is subject to hearing process, it is awkward to say they can have dogs whose purpose is to improve breed and then present for a use permit for approval by the planning commission. Planning Commissioners usually question our abilities to draft regulations that make sense. DO – we are all agreed making it more regulated to breed animals has potential to be a good thing. Now no authority to give BL even if they ask. This gives someone a chance to get a BL but if we have ability to say they have to get license as a defined home business, do they have to have so many dogs before it becomes a home business? This only allows us to give BL if they want it. Then we come back as AAC to say this is what we define as home business, then anyone meeting that criteria needs a license for this. Making it harder to breed animals. Now they can get a use permit but have to jump through hoops. CP the purpose of use permit would be to enable us to issue BL; right now we can't issue BL without use permit. MG - Don't think we should make it easier. They should have to get use permit, notice neighbors and appear before planning commission. DM- purpose was to limit number of animals in home and was originally 2 separate permits that allowed spayed animals and then dogs and cats to show and breed but breeding has always been a part. The point is without a use permit they currently can do this. If they tried to require you to get a use permit, county would say you can do it under Title 10. No reason for us to get involved. To say to someone who has a valid permit you can't breed will not fly because they are permitted to breed with permit. MG – they are not defining themselves as a business. Breeding is incidental. Now we want to grant a license and say breed, multiply and go forth. If they are getting that permission w/o formal hearing and notice neighbors, we are sending mixed message. Counter to what we are about.

MIKE CONNELL – have pet fanciers many years and have bred 2 litters in the past 14 years. Great majority of dog fanciers show our dogs. Breeding is secondary. DM- we currently have 153 current fanciers. There are a lot of people who don't breed every year but there are people who go to one fun match so they can breed their animals.

LAURIE HOWARD – as property owner, this is a horrific idea. I don't want people in my neighborhood selling dogs or cats. They will fly in the face of arrogance. If we want to be a leader, we do so by imposing harder sanctions on people trying to sell animals. Not appropriate to sell dogs from your home as a business. Leads to other issues. Look at entire picture. Make it tougher, more difficult.

MG – are you going to do it regardless of what we think? CP - We would not put anything before the Board unless we received direction from the BCC. FH – if this does happen, can we be notified before hand and make our recommendations to the Board? CP agreed to notify Joe if this is to go before BCC.

5. Approval of applications for Spay/Neuter Funds

DO – We have 2 applications. DM has an update – LVVHS have used \$3,030 and HCW used \$4,420 for a total of 299 animals sterilized in fund. We have \$6,000 for distribution and believe an even split would be the best. Motion made to give each org \$3000. Motion approved.

6. Information-sharing by Committee Members

BY – we serve better with more interaction from public and challenge people here to bring another person with them for the next meeting.

DM – applications for membership for Committee. Roseanne has apps if you are interested in being on committee. Current members can also fill out and resubmit for appointment next year. Don't know if planning to schedule another meeting this year. One-year appointment and not limited to terms. MG – we are glad to see everyone who showed up today.

7. Comments by the General Public

MIKE CONNELL (MC) – currently no law to define companion dogs or therapy dogs? DM – combination of HIPPA and ADA precludes from inquiring if someone says it is an assistance animal. Cannot inquire how they assist or about qualifications. MC – people come in with companion dog and nothing can be done. Can we have an ordinance to have a medical permit or reasoning for a therapy dog? DM – it will have to be at federal level. Nothing can be done at local level. We can't raise standard above you can't ask. Our concern is exotic animals being ID'd as companion animals. If doing something that is causing a problem you can ask them to leave.

KAREN LAYNE (KL) – LVVHS –gave out data from AC agencies in valley. They have better defined category of Other. Other had become very large. We asked different localities and thank Roseanne for her assistance to better define Other category. DOP and ELS were large part of Other. Suggestion is to look not only at euthanasia but also DOA, DOP and ELS. We see this as an animal not coming out of shelter. Looked at Euthanasia, DOP, DOA, ELS per 1000 and has increased. Important because higher number of cats being brought into shelter. If you look at rate of adoption and RTO for dogs, about 55% or more than half dogs are adopted or RTO'd. If you look at cats, only 18.5% are adopted or RTO'd. Euthanasia, DOA, DOP, ELS is 81 %. Trapping and euthanasia is not working. Probably time for alternatives such as TNR to custodian. MG – questions the implication that if we stop euthanizing, it will fix things. Not sure I agree. We still have too many feral cats multiplying uncontrolled. We need to double efforts to catch and either euthanize or sterilize. We have a lot of feral cats wandering streets who belong to people who believe cat should be allowed to wander at large and don't believe they need to be spayed or neutered. Know of about 20 cats in my neighborhood that are "outdoor" cats. Most have not been altered. When we discuss enforcement, we focus on dogs and not enough on cats. KL - huge difference between what happens to a dog and what happens to a cat. DO – euthanizing feral cats isn't working. Will TNR change anything but euthanasia numbers. Don't see where proposal would change anything. KL – Now, when someone calls in and complains the response is we will give trap, we will pick up and take them to the shelter. If you have a TNR program, you could direct people to those groups who will help to get colony under control. If you tell feeder you will trap and take to shelter, not done. It is about the feeders not the feral cats. Have to deal with it. People own property don't want them reproducing but don't mind being there. TP - do you refer to other groups. DM – they should be made aware there are groups who will work with them. As the rabies authority, we cannot support TNR. The feral cat colonies exist on properties and produce feces and urine. With our delicate water system, we will not have any support from Water Authority. All that waste ends up in Lake Mead. Euthanasia numbers are significant but have not seen any data that these colonies will disappear through attrition. TP – do you refer. DM we have a don't ask, don't tell. Cannot guarantee what

every single operator says. They should be advised of alternatives. Possible some will not get info. Will pass info on to dispatch supervisor; refer to Flock or whoever is out there working with cats. Can't support as rabies control authority and other agencies won't support based on polluting of lake. Your own pet's waste causes problems when it gets out onto the street. PRO looks at that so there is no run off. Can't see how we can support. KL – these figures say we are putting down over 15,000 cats a year. We have groups willing to do this program. I have seen success where this works. Problem is management changes and no codified TNR program. As new management comes in to deal with problem, they go back to AC and trap after we have been in there to S/N. We spend a lot of money on this program. We are spending a lot of AC time taking cats from traps into shelter. Question becomes if we look at this and if you provide that option to see what happens in those areas over a 10-year period. Where we have trapped there has been a reduction of animals. Obviously you have to get all of the cats. TP – do you notify all neighbors? KL we have property owners' approval. AC has to respond to everyone in neighborhood so if next-door neighbor wants cats gone, that is what will happen and you are working in opposition. If AC is trapping in area, we will not do a TNR. KL – we have to agree that what is going on, not recognizing feral cats is leading to countless deaths of these animals. We have managed to kill a lot of cats. We haven't solved anything. Landowners out there embrace this idea. They have people who are feeding. We have to recognize we are killing a lot of cats and see what policies can be implemented, even if just a pilot program, to deal with this issue. TP – as long as rabies factor exists you will never get the law passed. KL – something is better than nothing. If we weren't out there, situation would be worse. Will not S/N w/o vaccinations. MG thinks it is admirable you are focusing on decreasing number of animals euthanized but we need to look at how they come into being. One of the main reasons is transients. When they move, they leave cats. Number RTO'd is so small on cats. Enforcement needs to happen. Enforcement for rabies and Spay/Neuter. We keep replenishing the feral population because transients are leaving their pets. Would be better if we didn't keep adding to population. Enforce before they leave.

Steve Davis has issues with AC. He has filed complaints with AC, Risk Management and Commissioners regarding treatment of his animal when picked up on several different occasions. He bought a house about a year ago. His pit bull got out. Tried to fix to keep animals in back yard. Eight months later, pit bull gets out again. Called AC and shelter. Drove down there. First time found him at shelter 2 weeks later, never scanned. Both AC and shelter did not follow proper procedure. Now he has 2 microchips. When he got out second time, he was not scanned, sat in cage with no intake records. This could have been avoided if animal is scanned. He had to pay fees to spring him from jail and 2 days later, he is really sick. He had to carry him into Animal Emergency Center. Virus takes a few days to get into body. Virus was contracted at shelter. He contacted AC, gives situation A and believes answer invalid, contacted Commissioners' office. AC has a different answer. Filed with Risk Management. No intake records on animal. What studies as to efficiency of AC to come up with in order to better help situation. If AC doesn't follow procedure, what good is chip?

MG – AAC is an advisory committee serving at discretion of Commission. If they want our advice, they ask for it. I hear you have a problem and I want to hear from AC and shelter. Don't know if there is anything we can do. DM – request submitted to DA and under review. It includes copy of policies and procedures, intake records for all animals for 12 months, and detailed clarification of relationship between CCAC and Lied Animal Shelter. Has copy of contract for services with Lied including most recent Addendum and policies and procedures which total 65 pages. Policy set by Clerk's Office currently is \$1 per page. Request for records on 21,053 records. If we printed individual kennel cards, would have to pay \$21,053. We worked with Chameleon to get a report for this request. To provide this record, he would have to pay \$1,404 for the records. DA is reviewing whether this is even a reasonable request. If determined not reasonable, they may not have to comply. Inappropriate for AAC to be involved since under review by DA with regard to records. DM - re scanning of animals. No ID is perfect, microchip has improved return of animals to owner, no guarantee chip is registered. Lot of unknowns. Shelter does scan. If we are unable to scan animal because it is fractious, we will not risk injury to check it. Appreciate you saying it is a very nice animal. First animal to bite me was a poodle the owner said is nicest in the world. Nothing against pit bulls. Have

one myself. If Committee wants to look into policy adjustment, current policy is any animal that can be will be. Will not tell them they have to risk injury from an animal. Animal is breaking law by running loose. We don't know what the answer is. DO – there are policies at shelter that they are scanned. Just because you waive scanner, doesn't mean you will find chip. Means they were not able to find. STEVE – my problem is never have they said animal had been scanned. Yes he is registered. DO – doesn't mean he wasn't scanned. My contention is “you're saying they weren't scanned”. DM – we pick up all animals. I can't go back and tell you what animal is what. It's possible if it wasn't scanned, animal was aggressive. My officer couldn't remember if animal was aggressive. They pick up so many animals. FH – we are getting into a battle of semantics. We cannot do anything right now. It is between you and AC. We cannot help you. STEVE – can you make recommendations? It doesn't cost County that much. MG – County charges \$1 per page. DO – appreciate your concerns, recognize feasibility on both sides. Study is a good idea. But we cannot tell them to fund study. Agencies will fund study, apply for grant and performance study. MG – CC Neighborhood Services runs workshops on how to apply for grants. BY –if there is something we might look at and make recommendation, we appreciate you bringing it to our attention. FH – cannot take any action w/o proper notice. Recommended you apply for grant (DO). STEVE – what percentage of animals with chips actually get scanned. DM – DA reviewing request; spoke to her today. She said to give you the contracts and procedures. We managed to reduce the size from 21,000 to 1,400. She is reviewing. Your calling her will not make it free. It will have to be based on law. We have worked with our computer people to get it down from 21,000 pages but there is a cost associated with it. STEVE – do I need to contact her. If you want to, talk to Liza Vibert but her determination will be made upon law, not your opinion. May have ramifications larger than this question. We always advise every owner to go to shelter every other day to see if animal is there. Not sure why took so long to find animal. Shelter keeps well beyond 3 days. Only have to keep for 72 hours animals. Your dog could have been euthanized after that. Don't know how or why chip was missed. We tell people go to shelter see every animal, ask to see quarantine section, is there a vet wing, is there info for animals off site. Told to people when they call in. If pet gets out, the owner needs to step up and be involved.

8. Set date, time and agenda of next meeting

Next meeting will be scheduled after the BCC selects the Committee members.

9. Adjournment

The meeting was adjourned at 8:30 p.m.