



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** July 11, 2023

**DATE:** June 22, 2023

**TO:** Washoe County Board of County Commissioners

**FROM:** Tammy Wines-Jennings, Assistant Director,  
Washoe County Regional Animal Services, (775) 353-8900  
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**THROUGH:** Shyanne Schull, Director, Washoe County Regional Animal Services

**SUBJECT:** Introduction and first reading of an ordinance amending Washoe County Code Chapter 55 (Animals and Fowl) by adding a section governing variance permit renewals; by modifying the threshold requiring a variance permit from three dogs to five dogs; and by amending provisions related to the variance permit requirements for: the permit application; the mandatory premises inspection(s); containment of dogs and cats; approval or denial of a variance permit; renewal fees; and permit revocation. The ordinance also amends a section related to dangerous and vicious dog registration by changing the word “dangerous” to “vicious” in one sentence; and all matters properly relating thereto; and if supported, set a public hearing for the second reading and possible adoption of the ordinance on August 22, 2023 (All Commission Districts).

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### SUMMARY

The Washoe County Commission will introduce and hold the first reading of an ordinance amending Washoe County Code (“WCC”) Chapter 55. The amendments are primarily to revise provisions specific to variance permit requirements. The Director of Regional Animal Services is requesting these amendments to update the County’s requirements and processes related to applications for a variance permit to keep more than three adult dogs or seven cats in the animal-congested areas of the County. It is anticipated that these amendments will reduce the number of households that would require a variance permit and streamline the department’s procedures for processing variance permit applications.

**Department Strategic Objective supported by this item:** Increase our operational capacity to support our growing population, and the evolving needs of our community.

### PREVIOUS ACTION

**AGENDA ITEM #** \_\_\_\_\_

**May 23, 2023** – the Board of County Commissioners authorized the initiation of amendments to Washoe County Code Chapter 55 (Animals and Fowl), primarily to update provisions relating to variance permits to keep more than three dogs or seven cats over four months of age in an animal-congested area of the County.

**April 21, 2023** – Animal Services Advisory Board reviewed, discussed and voted to recommend that the proposed changes to WCC Chapter 55 be submitted to the Board of County Commissioners. (Unanimous)

**January 23, 2018**- The Board of County Commissioners enacted Ordinance No. 1610, which amended WCC Chapter 55 to revise provisions relating to variance permit requirements.

**January 9, 2018**, - The Board of County Commissioners introduced and held a first reading of Ordinance No. 1610, which proposed amending Washoe County Code Chapter 55 to revise provisions relating to variance permit requirements.

### **BACKGROUND**

The Director of Washoe County Regional Animal Services is requesting an amendment to Washoe County Code Chapter 55 (Animals and Fowl), primarily to update provisions relating to variance permits. The most significant change is to the County's legal limit of dogs that are allowed by right per residence within an animal-congested area of the County. Currently, that limit is three adult dogs in accordance with WCC 55.400. The proposed code amendments increase this limit to five adult dogs. This change is permissible, but not required, under state law. Under the proposed amendments, any place or residence keeping more than five adult dogs for more than 30 days in a six-month period within the animal-congested areas of the County shall be required to apply for and obtain a variance permit. There is no requested change to the number of cats, which remains at seven cats. The proposed code amendments also refine variance permit requirements and process, permit renewals, and permit revocation. There is also a minor amendment to one of the code sections related to dangerous and vicious dogs to correct a one-word mistake to change the word "dangerous" to "vicious" in a single sentence.

The Department involved many staff in reviewing and recommending changes to the variance permit provisions of Washoe County Code Chapter 55 through several meetings since early 2022. In addition, the proposed changes were presented to the Animal Services Advisory Board in a meeting on April 21, 2023. Input was received from the Animal Services Advisory Board and from members of the public at the public meeting. The Advisory Board formally recommended the proposed code amendments on April 21, 2023. The desired changes, additions and modifications include:

- Amending the county's current legal limit of dogs permitted per household from three adult dogs to five adult dogs in the animal-congested areas of the County.
- Refining the permit application and property inspection process to maximize efficiency.
- Expanding the approved housing options for keeping of dogs, and updating requirements in the event an outdoor enclosure is needed. The updated requirements for an outdoor enclosure standardize the minimum size requirements and allow wider use of commercially available kennels, which will assist permittees in saving time and money.

- Simplifying requirements for the keeping of cats.
- Refining the determining factors used to approve/deny permits and extending the turnaround time for a decision to be made.
- Creating a waiting period of 1 year before re-application in the event a permit is denied.
- Amending exemptions to no longer include service animals.
- Refining the renewal process to maximize efficiency and to help prevent permits from expiring, and to give the department the option to extend the time period an additional 30 days for the applicant to meet permit requirements.
- Refining the criteria considered for revocation of a variance permit.
- Create a waiting period of 3 years before an applicant can re-apply if a permit has been revoked.

A more detailed chart of the requested amendments, which was presented to the Animal Services Advisory Board, is attached to this staff report as Attachment A. A working draft and clean copy of the code amendments are also attached to this staff report as Attachments B and C, respectively.

### **FISCAL IMPACT**

There is no fiscal impact in introducing this ordinance to repeal, amend, or enact provisions in Washoe County Code.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 55 (Animals and Fowl) by adding a section governing variance permit renewals; by modifying the threshold requiring a variance permit from three dogs to five dogs; and by amending provisions related to the variance permit requirements for: the permit application; the mandatory premises inspection(s); containment of dogs and cats; approval or denial of a variance permit; renewal fees; and permit revocation. The ordinance also amends a section related to dangerous and vicious dog registration by changing the word “dangerous” to “vicious” in one sentence; and all matters properly relating thereto; and if supported, set a public hearing for the second reading and possible adoption of the ordinance on August 22, 2023.

### **POSSIBLE MOTION**

Should the Board approve, a possible motion would be: “Move to introduce on behalf of the Board of County Commissioners and conduct a first reading of Ordinance Number [insert ordinance number as provided by the County Clerk], which would adopt an ordinance amending Washoe County Code Chapter 55 (Animals and Fowl) by adding a section governing variance permit renewals; by modifying the threshold requiring a variance permit from three dogs to five dogs; and by amending provisions related to the variance permit requirements for: the permit application; the mandatory premises inspection(s); containment of dogs and cats; approval or denial of a variance permit; renewal fees; and permit revocation. The ordinance also amends a section related to dangerous and vicious dog registration by changing the word “dangerous” to “vicious” in

one sentence; and all matters properly relating thereto; and to set a public hearing for the second reading and possible adoption of the ordinance on August 22, 2023.

Attachments:

A: Chart of requested amendments presented to the Animal Services Advisory Board on April 21, 2023

B: Working Copy of Proposed Ordinance

C: Clean Copy of Proposed Ordinance