

BILL NO. 501  
ORDINANCE NO. 501

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESQUITE, NEVADA, AMENDING TITLE 10 OF THE MESQUITE MUNICIPAL CODE “ANIMAL CONTROL”; AMENDING CHAPTER 3 “GENERAL PROVISIONS”; CREATING SECTION 19 “LICENSED PET SHOPS”; AND OTHER MATTERS PROPERLY RELATED THERETO.

**WHEREAS**, the City of Mesquite wishes to promote the well-being, safety and livelihood of animals kept as pets and prohibit cruelty to the same; and

**WHEREAS**, the Humane Society of the United States has found that 3 million dogs and cats are euthanized every year in the United States; and

**WHEREAS**, the International City/County Management Association budgeting recommendation is between \$4 and \$7 *per capita* for animal control programs; and

**WHEREAS**, NRS 266.325 expressly allows the City of Mesquite to pass ordinances prohibiting cruelty to animals; and

**WHEREAS**, NRS 266.355 expressly allows the City of Mesquite to pass ordinances regulating all business, trades and professions conducted within its City Limits; and

**WHEREAS**, rescue animals are found in abundance both in the Mesquite community and surrounding areas;

**NOW, THEREFORE**, the City Council of the City of Mesquite, Nevada, does ordain:

**Section 1:** Mesquite Municipal Code Title 10, Chapter 3 is hereby amended to add Section 19, entitled “Licensed Pet Shops” to read as follows:

**10-3-19**      **LICENSED PET SHOPS ; breeding requirements for dogs, cats and pot belly pigs penalties.**

- A. No pet shop shall display, sell, deliver, offer for sale, barter, auction, give away, broker or otherwise transfer or dispose of a dog, cat, or pot belly pig except for a dog, cat or pot belly pig obtained from an animal shelter, nonprofit humane society or nonprofit animal rescue organization.

B. Each pet shop shall maintain records sufficient to document the source of each dog, cat and pot belly pig the pet shop acquires, for at least one year following the date of acquisition. Such records shall be made available, immediately upon request, to law enforcement officers and other City employees charged with enforcement of this title.

C. Violation of any part of this section shall be punishable as follows:

1. For a first offense, a fine of up to \$1,000, but not less than \$750.
2. For a second offense, revocation of business license, a fine of \$1,000, and up to six months in jail.

**Section 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 3:** The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

**Section 4:** This ordinance shall become effective upon passage, approval and publication.

**Section 5:** The provisions of this ordinance shall be liberally construed to effectively carry out its purpose in the interest of the public health safety, welfare and convenience.

**Section 6:** 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 7:** 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, and complies with Nevada Revised Statutes Chapter 237.

PASSED, ADOPTED, AND APPROVED this 24th day of May, 2016.

By: \_\_\_\_\_  
Allan S. Litman, Mayor

ATTEST:

By: \_\_\_\_\_  
Tracy E. Beck, City Clerk

AYE: Cynthia "Cindi" Delaney  
Geno Withelder  
Richard Green  
George Rapson

NAY:

ABSENT: Kraig Hafen

ABSTAIN:

PUBLICATION DATE: May 26, 2016

EFFECTIVE DATE: June 15, 2016

Approved as to Form

By: \_\_\_\_\_  
Robert D. Sweetin, City Attorney