

**3.20.100 CONTROL OF DOMESTIC ANIMALS -**

**3.20.102 Purpose and Applicability -**

The purpose of this chapter is to provide for the control of domestic animals; to protect the health, safety, and welfare of the inhabitants of the Pyramid Lake Paiute Reservation; and to protect the property and other animals of the inhabitants of the Reservation from damage, injury, and disease. This ordinance shall provide justification for law enforcement. The provisions of this Chapter 20 apply to domesticated animals (pets) of all types, except where otherwise stated.

**3.20.103 Enforcement Procedure -**

- a. Citations - A proceeding to enforce this Chapter shall be initiated by the issuance of a citation to the alleged animal owner. The citation shall state the name and address of the person cited, the section number and citation of the provisions of this Chapter. The citation information shall include the time and place of the alleged violation, and incident report. One copy of the citation shall be given to the accused, one copy shall be filed with the Court Clerk, and a third shall be kept by the person filing the citation. The citation shall serve as a criminal complaint. A notice that bail may be posted in lieu of being taken into custody.
- b. The Tribal Judge shall establish a bail schedule for violation of this Chapter. If no schedule is established, bail for all such violations shall be \$25.00.
- c. All the provisions of Criminal Procedure, or other criminal procedures governing the Tribal Court shall apply to cases arising under this Chapter.

**3.20.104 Confinement or Restraint of Animals -**

- a. All domestic animals (pets) within the exterior boundaries of the Reservation, inoculated or not, as required by Section 3.10109, shall be kept on the premises of the home, farm or business of the person who owns or cares for the animal. No domestic animal shall be knowingly allowed outside of the boundaries of the owner's premises or allowed to run free.
- b. A domestic animal may be allowed off the premises of the owner or person who cares for the domestic animal if the animal is physically restrained by a leash or crate or some other fashion. The restraint must be sufficient to effectively prevent the domestic animal from biting, molesting, or otherwise disturbing any other animal, or person, or property.
- c. A domestic animal confined in a motor vehicle or trailer in a manner which prevents its escape, but which does not constitute a cruel restraint of its ability to breathe or move, shall be deemed to be upon the owner's premises.

- d. The owner of a female animal (not spayed) shall be confined in such a manner as to preclude other animals from uncontrolled access to the female during estrus.

### **3.20.105 Dangerous or Destructive Animals - Dogs**

- a. No person shall keep, own, or possess any fierce, dangerous, or vicious dog or other domestic animal unless;
  1. The animal is muzzled whenever it is off the premises of the owner or person caring for the animal; and
  2. The owner or person caring for the animal posts a notice that can be easily seen by all persons entering his premises, that a fierce, dangerous or vicious animal is on the premises.
- b. If the domestic animal is found not to be in the care of the owner and is exhibiting vicious behavior, has injured, or is harassing any other dogs, cats, or livestock; is threatening harm to any person; or is inflicting serious harm to property, the complainant may immediately report to the Pyramid Lake Tribal Ranger Station. Immediate measures to minimize damage to property, physical harm to animals or persons can be taken.

### **3.20.106 Cruelty and Neglect of Animals -**

- a. "Torture" or "Cruelty" includes every act, omission or neglect, whereby unjustifiable physical pain, suffering, or death is permitted.
- b. Neglect - Failure by an individual to provide for the health and welfare of an animal, e.g.:
  - Food
  - Water
  - Shelter
  - General physical health and welfare or refuse to obtain veterinarian care for illness, injury, disease, or infirmity, or willfully cause, engage in, or in any way further an act of cruelty to any animal,
- c. Deprivation of Food or Shelter - It shall be unlawful to deprive any domestic animal of necessary food, drink, or shelter, or expose to extreme elements of the weather, or any act to produce such cruelty by any individual.
- d. For any violation of this section, relative to any single domestic animal, the animal owner shall
  1. receive one courtesy citation which shall be filed with the Court Clerk and no required court action nor appearance by the owner in court.

2. On a second complaint, a citation may be issued under 3-10-106 (a). No courtesy citations shall be issued on any complaints involving destruction of property.

**3.20.107 Animal Which Disturbs Others -**

- a. No person shall own, keep, or harbor any domestic animal which is not regularly fed and cared for by the owner or which unreasonably annoys, disturbs, or endangers the health or welfare of any person or neighborhood, by loud, continuous noise; or noxious offensive odors; or destroys property of others or uses the property of others for elimination; or does any other act of nuisance.
- b. The complainant must provide documented evidence of time, date, and photographic evidence for a citation to be issued pursuant to the provisions of this section.

**3.20.108 Permissible Number of Dogs and Cats -**

- a. Domestic animal owners must have no more than five dogs and/or cats in their care for health, safety, and sanitary conditions.
- b. Any person who wishes to engage in the business of breeding domestic animals for the purpose of sale must apply to the Pyramid Lake Tribal Business Office for a business license and agree to unannounced inspections to check on the health and welfare of the animals.
- c. Exotic Animals and Reptiles – Will not be permitted by the Tribal Council.

**3.20.109 Inoculation of Dogs and Other Domestic Animals -**

- a. RABIES: All domestic animals within the exterior boundaries of the Pyramid Lake Reservation shall be inoculated against rabies at least once every 24 months. All owners must bring their dogs or cats to the tribal Free Vaccination Clinic as posted or to a local animal clinic.
- b. DISTEMPER: All dogs within the exterior boundaries of the Pyramid Lake Reservation shall be inoculated at least once against distemper under the age of 12 months.
- c. TAGS: All domestic animals, dogs/cats, within the exterior boundaries of the Pyramid Lake Reservation shall at all times wear a number tag indicating that

they have been inoculated as required by this Section 3.10.109 and that the inoculation is current.

- d. The Tribal Council may, by resolution, adopt other regulations or revise requiring the inoculation of other domestic animals or the further or additional inoculation of dogs.

### **3.20.110 Licensing of Dogs -**

- a. Requirement - All dogs within the exterior boundaries of the Pyramid Lake Reservation must have a license issued by the Tribe or Ranger Station.
- b. Procedure -
  - 1. A license shall be issued by a person appointed by the Tribal Council to perform such duties; upon proof of the required inoculations and payment of a \$5.00 fee. The license shall consist of a metal tag that may be affixed to the collar.
  - 2. A license shall be valid for two years and maybe renewed upon payment of \$5.00. Licenses shall be effective from the date of issue for two years and for every subsequent 2-year period if purchased.
- c. Additional Regulations - The Council shall have the power to issue, by resolution, any additional regulations or revision that may be necessary to the enforcement of this section.

### **3.20.111 Penalties for Violation of this Chapter -**

- a. Any person who violates any of the provisions of this Chapter when personal injury is evident, is guilty of a Class E offense and subject to a fine not to exceed \$300.00 without imprisonment.
- b. Any person who violates any of the provisions of this Chapter more than once within a 6-month period is guilty of a Class D offense and is subject to a fine not to exceed \$300.00, or imprisonment not to exceed ten days or both if the offense is cited for serious bodily harm, including death, to people or other animals.
- c. In addition to the penalties which may be imposed under subsections (a) and (b) above, a Tribal Police Officer or Ranger may impound any domestic animal that is in violation of the provisions of Section 3.10.100 herein.
- d. The Police Officer or Ranger, or Animal Control Officer shall make every reasonable effort to identify the owner or person responsible for the care of any impounded domestic animal and shall give notice to such person that the domestic animal has been impounded.
- e. An owner or person responsible for the care of a domestic animal may pay impound fees accrued for sheltering to the Pyramid Lake Ranger Station. The owner of any impounded animal shall obtain a valid license, and or inoculations if required, and by payment of a minimum of \$2.00 for each day the animal has

been impounded. A larger fee equal to actual charges may be imposed by any impound facility used by the Tribe (Washoe County Animal Shelter). Impounded domestic animals that are not claimed within two weeks may be given to anyone who is willing to adopt the domestic animal. Ownership should be changed before the animal is released. If no one is willing to adopt the animal, it may be destroyed in a humane manner.

In addition to any other punishment that may be imposed under this chapter, the Court may, in its discretion, on such terms as are just, order the destruction or other removal of the animal from the owner on Tribal lands of any domestic animal the subject of a citation or complaint under this chapter if the allegations of the citation or complaint are upheld.

### **3.20.112 Civil Actions -**

- a. In addition to the penalties set forth in Section 3.10.104 through 3.10.110, above, any person who owns or keeps a domestic animal is liable for any injury or damage caused by that domestic animal. Such damages may be recovered in a civil action. In any action pursuant to this Section, it is not necessary to prove that the domestic animal is dangerous or vicious to recover damages.
- b. In any civil case charging that a domestic animal is a civil nuisance, in addition to an award of any other damages or other judgment as may be appropriate, the Court may in its discretion, on such terms as are just, order the destruction or other removal from the owner or the reservation of any domestic animal determined to be a civil nuisance.