

West's Nevada Revised Statutes Annotated Title 14. Procedure in Criminal Cases (Chapters 169-189) Chapter 171. Proceedings to Commitment Citation for Misdemeanor

N.R.S. 171.17751

171.17751. Designation of certain state, county and city officers to prepare, sign and serve citations

Effective: July 1, 2017

Currentness

1. Any board of county commissioners or governing body of a city may designate the chief officer of the organized fire department or any employees designated by the chief officer, and certain of its inspectors of solid waste management, building, housing and licensing inspectors, zoning enforcement officers, parking enforcement officers, animal control officers, traffic engineers, marshals and park rangers of units of specialized law enforcement established pursuant to [NRS 280.125](#), and other persons charged with the enforcement of county or city ordinances, to prepare, sign and serve written citations on persons accused of violating a county or city ordinance.
2. The Chief Medical Officer and the health officer of each county, district and city may designate certain employees to prepare, sign and serve written citations on persons accused of violating any law, ordinance or regulation of a board of health that relates to public health.
3. The Administrator of the Housing Division of the Department of Business and Industry may designate certain employees to prepare, sign and serve written citations on persons accused of violating any law or regulation of the Division relating to the provisions of chapters 118B, 461, 461A and 489 of NRS.
4. The State Contractors' Board may designate certain of its employees to prepare, sign and serve written citations on persons pursuant to subsection 2 of [NRS 624.115](#).
5. An employee designated pursuant to this section:
 - (a) May exercise the authority to prepare, sign and serve citations only within the field of enforcement in which the employee works;
 - (b) May, if employed by a city or county, prepare, sign and serve a citation only to enforce an ordinance of the city or county by which the employee is employed; and

(c) Shall comply with the provisions of [NRS 171.1773](#).

Credits

Added by Laws 1979, p. 871. Amended by Laws 1981, pp. 564, 858; Laws 1987, p. 377; Laws 1989, p. 279; Laws 1993, pp. 81, 1330, 1511, 2515; Laws 1995, p. 583; [Laws 1999, c. 565, § 36](#); [Laws 2005, c. 367, § 1, eff. July 1, 2005](#); [Laws 2017, c. 532, § 21, eff. July 1, 2017](#).

Notes of Decisions (1)

N. R. S. 171.17751, NV ST 171.17751
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West's Nevada Revised Statutes Annotated

Title 50. Animals (Chapters 561-577)

Chapter 574. Cruelty to Animals: Prevention and Penalties

Cruelty to Animals (Refs & Annos)

N.R.S. 574.100

574.100. Torturing, overdriving, injuring or abandoning animals; failure to provide proper sustenance; requirements for restraining dogs and using outdoor enclosures; horse tripping; penalties; exceptions

Effective: June 2, 2017

Currentness

1. A person shall not:

(a) Torture or unjustifiably maim, mutilate or kill:

(1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or

(2) Any cat or dog;

(b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;

(c) Deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink;

(d) Cause, procure or allow an animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed or to be deprived of necessary food or drink;

(e) Instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty; or

(f) Abandon an animal in circumstances other than those prohibited in [NRS 574.110](#). The provisions of this paragraph do not apply to a feral cat that has been caught to provide vaccination, spaying or neutering and released back to the location where

the feral cat was caught after providing the vaccination, spaying or neutering. As used in this paragraph, "feral cat" means a cat that has no apparent owner or identification and appears to be unsocialized to humans and unmanageable or otherwise demonstrates characteristics normally associated with a wild or undomesticated animal.

2. Except as otherwise provided in subsections 3 and 4 and NRS 574.210 to 574.510, inclusive, a person shall not restrain a dog:

(a) Using a tether, chain, tie, trolley or pulley system or other device that:

(1) Is less than 12 feet in length;

(2) Fails to allow the dog to move at least 12 feet or, if the device is a pulley system, fails to allow the dog to move a total of 12 feet; or

(3) Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;

(b) Using a prong, pinch or choke collar or similar restraint; or

(c) For more than 14 hours during a 24-hour period.

3. Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of paragraph (a) of subsection 2, the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.

4. The provisions of subsections 2 and 3 do not apply to a dog that is:

(a) Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in [NRS 574.330](#), during the course of the veterinarian's practice;

(b) Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;

- (c) Receiving training to hunt a species of wildlife in this State;
- (d) In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;
- (e) Being kept in a shelter or boarding facility or temporarily in a camping area;
- (f) Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;
- (g) Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, "agricultural operation" means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or
- (h) With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour.

5. A person shall not:

- (a) Intentionally engage in horse tripping for sport, entertainment, competition or practice; or
- (b) Knowingly organize, sponsor, promote, oversee or receive money for the admission of any person to a charreada or rodeo that includes horse tripping.

6. A person who willfully and maliciously violates paragraph (a) of subsection 1:

- (a) Except as otherwise provided in paragraph (b), is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).
- (b) If the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

7. Except as otherwise provided in subsection 6, a person who violates subsection 1, 2, 3 or 5:

(a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

- (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
- (2) Perform not less than 48 hours, but not more than 120 hours, of community service.

The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur either at a time when the person is not required to be at the person's place of employment or on a weekend.

(b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

- (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
- (2) Perform not less than 100 hours, but not more than 200 hours, of community service.

The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.

(c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

8. In addition to any other fine or penalty provided in subsection 6 or 7, a court shall order a person convicted of violating subsection 1, 2, 3 or 5 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, 2, 3 or 5, including, without limitation, money expended for veterinary treatment, feed and housing.

9. The court may order the person convicted of violating subsection 1, 2, 3 or 5 to surrender ownership or possession of the mistreated animal.

10. The provisions of this section do not apply with respect to an injury to or the death of an animal that occurs accidentally in the normal course of:

(a) Carrying out the activities of a rodeo or livestock show; or

(b) Operating a ranch.

11. As used in this section, “horse tripping” means the roping of the legs of or otherwise using a wire, pole, stick, rope or other object to intentionally trip or intentionally cause a horse, mule, burro, ass or other animal of the equine species to fall. The term does not include:

(a) Tripping such an animal to provide medical or other health care for the animal; or

(b) Catching such an animal by the legs and then releasing it as part of a horse roping event for which a permit has been issued by the local government where the event is conducted.

Credits

Added by Laws 1873, c. 75, § 6 [part] and Laws 1919, c. 178, § 6 [part]. NRS amended by Laws 1981, p. 672; Laws 1991, p. 491; Laws 1999, c. 486, § 10; Laws 2009, c. 199, § 1; Laws 2011, c. 284, § 4; Laws 2013, c. 401, § 1.5, eff. June 3, 2013; Laws 2017, c. 320, § 5, eff. June 2, 2017.

Notes of Decisions (1)

N. R. S. 574.100, NV ST 574.100
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Title 50. Animals (Chapters 561-577)

Chapter 574. Cruelty to Animals: Prevention and Penalties

Cruelty to Animals (Refs & Annos)

N.R.S. 574.090

574.090. Disposition of animals or implements used in fights among animals

Currentness

1. The officer, after taking possession of such animals, or implements or other property, pursuant to [NRS 574.080](#), shall apply to the magistrate, before whom the complaint is made against the offender violating such provision of law, for the order mentioned in subsection 2, and shall make and file an affidavit with such magistrate, stating therein:

(a) The name of the offender charged in such complaint.

(b) The time, place and description of the animals, implements or other property so taken, together with the name of the person who claims the same, if known.

(c) That the affiant has reason to believe and does believe, stating the grounds of such belief, that the same were used or employed, or were about to be used or employed, in such violation, and will establish the truth thereof upon the trial of such offender.

2. The officer shall then deliver such animals, implements or other property to such magistrate, who shall thereupon, by order in writing, place the same in the custody of an officer or other proper person in such order named and designated, to be kept by him or her until the trial or final discharge of the offender, and shall send a copy of such order, without delay, to the district attorney of the county.

3. The officer or person so named and designated in the order shall immediately thereupon assume custody, and shall retain the same for the purpose of evidence upon the trial, subject to the order of the court before which the offender may be required to appear, until the offender's final discharge or conviction.

4. Upon the conviction of the offender, the animals, implements or other property shall be adjudged by the court to be forfeited.

5. In the event of the acquittal or final discharge, without conviction, of the offender, the court shall, on demand, direct the delivery of the property so held in custody to the owner thereof.

Credits

Added by Laws 1919, c. 178, § 5.

N. R. S. 574.090, NV ST 574.090

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Cruelty to Animals (Refs & Annos)

N.R.S. 574.080

574.080. Police officer or animal control officer may take possession of animals and implements used in fights among animals

Effective: July 1, 2017

Currentness

1. Any peace officer or animal control officer **authorized by law to make arrests** may lawfully take possession of any animals, or implements, or other property used or employed, or about to be used or employed, in the violation of any provision of law relating to fights among animals.

2. The officer shall state to the person in charge thereof, at the time of such taking, his or her name and residence, and also the time and place at which the application provided for by [NRS 574.090](#) will be made.

Credits

Added by Laws 1919, c. 178, § 4. Amended by [Laws 2017, c. 364, § 4.7](#), eff. July 1, 2017.

N. R. S. 574.080, NV ST 574.080

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Chapter 574. Cruelty to Animals: Prevention and Penalties
Cruelty to Animals (Refs & Annos)

N.R.S. 574.110

574.110. Abandonment of disabled animal unlawful; penalty

Currentness

1. A person being the owner or possessor, or having charge or custody, of a maimed, diseased, disabled or infirm animal, who abandons such animal or leaves it to die in a public street, road or public place, or who allows it to lie in a public street, road or public place more than 3 hours after the person receives notice that it is left disabled, is guilty of a misdemeanor.

2. Any agent or officer of any society for the prevention of cruelty to animals, or of any society duly incorporated for that purpose, or any police officer, may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by the agent or officer to view the same in his or her presence, to be glandered, injured or diseased past recovery for any useful purpose, or after such agent or officer has obtained in writing from the owner of such animal the owner's consent to such destruction.

3. When any person arrested is, at the time of such arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any agent or officer of such society or societies or any police officer may take charge of such animal and of such vehicle and its contents and deposit the same in a safe place of custody, or deliver the same into the possession of the police or sheriff of the county or place wherein such arrest was made, who shall thereupon assume the custody thereof. All necessary expenses incurred in taking charge of such property shall be a charge thereon.

Credits

Added by Laws 1873, c. 75, § 6 [part] and Laws 1919, c. 178, § 7.

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Cruelty to Animals (Refs & Annos)

N.R.S. 574.190

574.190. Carrying animal in cruel manner; penalty

Currentness

A person who carries or causes to be carried in or upon any vessel or vehicle or otherwise any animal in a cruel or inhuman manner, or so as to produce torture, is guilty of a misdemeanor.

Credits

Added by Laws 1873, c. 75, § 6 [part] and Laws 1919, c. 178, § 16.

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Chapter 574. Cruelty to Animals: Prevention and Penalties

Care of Animals

Duties of Operators

N.R.S. 574.390

574.390. Primary enclosures generally

Effective: October 1, 2011

Currentness

1. An operator shall ensure that a primary enclosure:
 - (a) Has a solid floor;
 - (b) Is not stacked on top of another primary enclosure; and
 - (c) Is constructed and maintained in such a manner as to:
 - (1) Protect the dogs or cats inside from injury;
 - (2) Prevent the dogs or cats inside from escaping;
 - (3) Keep other dogs or cats out;
 - (4) Allow the dogs or cats inside convenient access to food and water;
 - (5) Enable the dogs or cats inside to remain clean and dry;

574.390. Primary enclosures generally, NV ST 574.390

(6) Provide sufficient space for each dog or cat inside to turn about freely and to stand, sit and lie in a comfortable, normal position; and

(7) Prevent the dogs or cats inside from biting or otherwise harming an animal or person outside of the primary enclosure.

2. The provisions of paragraphs (a) and (b) of subsection 1 do not apply to an animal shelter.

Credits

Added by Laws 1993, p. 2148. Amended by [Laws 2011, c. 281, § 10](#).

N. R. S. 574.390, NV ST 574.390
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Chapter 574. Cruelty to Animals: Prevention and Penalties

Care of Animals

Duties of Operators

N.R.S. 574.400

574.400. Floor space of primary enclosure

Currentness

An operator shall ensure that a primary enclosure in which a dog or cat that is at least 6 months old is kept has a minimum amount of floor space which is calculated by finding the mathematical square of the sum of 6 inches plus the length of the dog or cat measured from the tip of its nose to the base of its tail, and dividing that amount by 144, to arrive at the minimum amount of square footage required for the floor space.

Credits

Added by Laws 1993, p. 2148.

N. R. S. 574.400, NV ST 574.400

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