

STAFF REPORT

Date: August 12, 2020

To: Mayor and City Council

Thru: Jason Soto, Chief of Police and Acting City Manager

Subject: **F.9. Staff Report (For Possible Action): Ordinance Adoption - Bill No. 7151 Ordinance to repeal and replace Title 4, entitled "Business License Code," amending Chapter 4.04, entitled "General Provisions," Section 4.04.067 "Moratorium on the acceptance of business license applications for pet stores intending to conduct sales of dogs, cats or rabbits," to prohibit the retail sale of dogs and cats in commercial establishments; together with matters which pertain to or are necessarily connected therewith.**

From: Angela Fuss, Acting Community Development Director

Summary: The attached ordinance repeals and replaces Section 4.04.067 of the Business License Code, prohibiting the retail sale of dogs and cats in pet stores. This does not limit pet stores from providing space to an animal rescue organization to offer the adoption of dogs and cats. Breeders that do not exceed the commercial breeder threshold, as defined by Washoe County, are exempt from this prohibition. The prohibition goes into effect with the adoption of the ordinance and impacts all existing and future pet store and/or commercial establishments. Staff recommends adoption of the attached ordinance.

Previous Council Action:

July 29, 2020 The City Council approved the first reading.

Ayes: Weber, Reese, Schieve, Brekhus, Duerr, Delgado, Jardon
Nays: None
Abstain: None Absent: None

Recommendation: Staff recommends Council adoption of Ordinance No. _____.

Proposed Motion: I move to adopt Ordinance No. _____.

Attachments:

- Exhibit A - Pet Store Moratorium Request for Public Comment (PDF)

- Exhibit B - Pet Store Moratorium Public Comments (PDF)
- Exhibit C - Washoe County Regional Animal Services Advisory Board Letter (June 8 2020)(PDF)
- 7-29-2020 E.1 Pet Store Moratorium Public Comment (Tuesday Dist) (PDF)
- E.1 Business License Ordinance on Pet Stores Presentation (7 29 20) (PDF)
- 7-29-2020 CORRECTED E.1 Pet Store Moratorium Public Comment (Tuesday Dist) (1) (PDF)

EXPLANATION: Matter underlined is new; matter in brackets and stricken [--] is material to be repealed.

BILL NO.

ORDINANCE NO.

ORDINANCE TO REPEAL AND REPLACE TITLE 4, ENTITLED "BUSINESS LICENSE CODE," AMENDING CHAPTER 4.04, ENTITLED "GENERAL PROVISIONS," SECTION 4.04.067 "MORATORIUM ON THE ACCEPTANCE OF BUSINESS LICENSE APPLICATIONS FOR PET STORES INTENDING TO CONDUCT SALES OF DOGS, CATS OR RABBITS," TO PROHIBIT THE RETAIL SALE OF DOGS AND CATS IN COMMERCIAL ESTABLISHMENTS; TOGETHER WITH MATTERS WHICH PERTAIN TO OR ARE NECESSARILY CONNECTED THEREWITH.

SPONSORED BY: COMMUNITY DEVELOPMENT DEPARTMENT, BUSINESS LICENSE DIVISION

THE CITY COUNCIL OF THE CITY OF RENO DOES ORDAIN:

SECTION 1 Title 4, Chapter 4.04, of the Reno Municipal Code is hereby amended to read as follows:

Section 4.04.067. Retail sale of dogs and cats in commercial establishments.

Moratorium on the acceptance of business license applications for pets stores intending to conduct sales of dogs, cats and rabbits.

From and after the effective date of this ordinance the City shall not file nor accept any business license applications to establish a Pet Store as defined in RMC 18.24.203.3790 intending to conduct sales of dogs, cats and rabbits within the corporate limits of the City or its sphere of influence for a period not to exceed 180 days.

- (1) The retail sale (including both primary and accessory use) of dogs and cats in pet stores and/or commercial establishments shall be prohibited.
 - a. Breeders that do not exceed the commercial breeder threshold, as defined by Washoe County, are exempt from this prohibition.

(2) A pet store may provide space to an animal rescue organization to offer to the public dogs or cats for adoption; provided that the pet store shall not have any ownership interest in the animals offered and shall not receive any fee for providing space or for the adoption of any of the animals.

a. An animal rescue organization means an animal control center, animal shelter, or nonprofit organization that has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is the rescue and placement of animals in permanent homes. This term does not include an entity that breeders or brokers animals or obtains animals from breeders or brokers in exchange of payment or compensation.

SECTION 2. The Reno City Council hereby finds that this ordinance is not subject to the requirements of Chapter 237 of NRS, Business Impact Statement process.

SECTION 3. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 4. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue of the Reno-Gazette Journal, a newspaper printed and published in the City of Reno.

PASSED AND ADOPTED this ____ day of _____, 2020, by the following vote of the Council:

AYES: _____
NAYS: _____
ABSTAIN: _____ ABSENT: _____

APPROVED this ____ day of _____, 2020.

HILLARY SCHIEVE
MAYOR OF THE CITY OF RENO

ATTEST:

ASHLEY D. TURNEY
CITY CLERK AND
CLERK OF THE CITY COUNCIL
OF THE CITY OF RENO,
NEVADA

EFFECTIVE DATE: