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5-0 VOTE

Animal advocates seek guidelines for new zoning

BIG CAT OWNER KUKOL SAYS FAR MORE PRESSING NEEDS ARE FACING THE PAHRUMP COMMUNITY

By MARK WAITE
PVT

Animal advocates want to know what the guidelines will be for annual inspections after a new zoning ordinance was passed unanimously by Nye County commissioners Wednesday.

Animal rescues, animal sanctuaries, exotic animal owners, commercial kennels and commercial stables would be required to have annual inspections by a nationally or regionally established organization or the Nye County Animal Control office.

But Nye County Emergency Services Director Brent Jones admitted, it would probably be county inspectors making the visits.

"Any time we call these agencies, because of manpower, it generally falls back on us," Jones said. But he said the county will put checklists together so owners know what compliance rules will be.

The county was spurred to take action on zoning animals after the New Leash on Life case last fall, when residents objected to a new kennel on Nye Road in northwestern Pahrump.

Pahrump Regional Planning Commission Chairman Mark Kimball also mentioned the highly-publicized case involving FLOCK in August, when starving, diseased and severely dehydrated cats were seized at an animal sanctuary.

"This is just an attempt on our part to put something in place for the future development of the town," Kimball, a former schoolmaster from Del Mar, Calif., told commissioners.

Animal owners however, accustomed to their freedom, clashed with commissioners in a prime case of the rural lifestyle of old Pahrump clashing with the encroaching urbanization from Las Vegas.

Commissioners emerged largely unscathed from the cat fight, despite some harsh words from about a dozen animal advocates in the audience. Horse owners were



MARK SMITH / PVT
Zuzana Kukol nuzzles up to "Pepper," a mature tiger kept in a doubly-secured cage behind her house.

largely absent from the discussion, as they were put in the category of family ranch, exempt from the annual inspections.

"Are we going to turn into Las Vegas and a suburb of California or are we going to maintain our semi-rural equestrian and animal-friendly town? Stop putting in 10,000 home developments. We can't support it," said Belinda Hendrickson, who operates a German shepherd rescue service.

Hendrickson urged the county to do something about animal control before approving all the big subdivisions. She referred to problems with the Lied Animal Shelter in Las Vegas.

While County Commissioner Joni Eastley tried to explain that existing businesses like Hendrickson's would be grandfathered into existing regulations, Hendrickson wanted it in writing.

"It sounds to me like you want Pahrump to be the world rescue for animals that can't live in Vegas," Commissioner Butch Borasky replied.

Stephanie Rapp-Brooks said she just moved to Pahrump and has been trying to set up a stable. She objected to provisions requiring neighbors' permission to keep animals over 45 pounds on lots less than an acre, saying it could hamper 4-H projects. Those neighboring property owners may actually reside across the country.

Diane Davis, who runs a horse rescue, held up a 1997 newspaper article with a banner headline about an animal control officer using bullying tactics.

"You're basically giving them a free pass with no guidelines," Davis said. "There should not be inspections without guidelines."

Nye County Chief Deputy District Attorney Ron Kent said the provisions allowing code compliance, animal control or sheriff's officers to enter property is only a consenting search.

"It does not in any way violate the rights of the owner or the occupant of the land if that individual says no," Kent said.

He added, however, officers are allowed to enter property if there is a crime under way.

Zuzana Kukol, who has a tiger, lion, cougar and a few other pets that fit into the category of animals with special conditions, that because of their size or behavior might inflict bodily harm, asked for owners of such exotic animals to be taken out of the requirement for a special use permit.

Kukol lives in a remote area of Pahrump Valley where she keeps her animals in double-fenced enclosures.

"The bill cannot be enforced since it has no guidelines. People have no idea what the requirements are to get the permit and be inspected. It is like asking people to obey

the speed limits when driving but you don't tell them what the speed limit is," Kukol said.

Kukol charged the bill was an attempt to harass exotic animal owners in the name of public health and safety, when there is no public safety issue.

She urged government officials to concentrate on more pressing concerns: fixing flooding after the rain, improving schools or going after criminals instead of worrying about people's pets.

"People, including me, move here for freedom. If you make Pahrump full of red tape, like most of the USA, why would people move here in the middle of nowhere if they can be stuck with the same over-regulation in a more civilized place with more amenities and services?" Kukol asked.

Scott Shoemaker said there is no appropriate location or zone in the new zoning ordinance for kennels, rescue operations or sanctuaries.

"The bill should provide some zones where a commercial kennel is a permissive use on the property, thus providing an incentive for kennels to locate in those appropriate zones," he said.

Some speakers suggested the proper place to address animal issues would be in Title 6 of the Nye County Code, which deals with animal control, rather than in Title 17, zoning.

Shoemaker, who lives with Kukol, said, after he addressed the animal ad-hoc committee, "I walked away from that meeting with the impression that it is OK to be killed by a horse, bull or dog just as long as one of the 'animal special conditions' doesn't get out."

Marlene Johnson said the ordinance won't do anything about pet overpopulation in Pahrump.

"I don't have a problem paying for a permit," Johnson said, of the \$350 fee. "I don't like paying for other people not being responsible."

Maureen Rose, a member of the Society for the Protection of Cruelty to Animals, said Nye County is very neglectful when it comes to animals. She said animal breeders need to be licensed by different agencies and cited the recent case of the woman attacked and killed by wolf hybrids.

What makes it sad for responsible pet owners, she said, is there "are all those people out there who are irresponsible. I think that makes this a necessity," Commissioner Roberta "Midge" Carver said.

The ordinance takes effect Nov. 19.