

This is regarding Pahrump, NV ordinance hearing on October 24th, 2007 at 8-30AM at Bob Ruud Community Center

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<http://www.pahrumpvalleytimes.com/2007/Oct-17-Wed-2007/opinion/17331116.html>

Oct. 17, 2007

## Letters to the Editor

### Fear, ignorance, dismissal of facts

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I oppose Nye County Zoning Bill 2007-13.

This bill was intended to address the issue of noisy kennel/rescue facilities in a residential area; it doesn't address it and brings in other items, such as trying to fix animal control through zoning.

It requires kennels to acquire a conditional use permit (\$350 filing fee and subject to a public hearing) for all zones except for neighborhood commercial (and it must be an indoor facility). I thought the problem was the planning commission issued a kennel permit in a residential area ... uh, it sounds like they can do it again.

The bill should provide some zones where a commercial kennel is a permissive use, thus providing an incentive for kennels to locate in those appropriate zones, not requiring a conditional use permit and preventing the planning board from making the same mistake twice.

It defines a "residential kennel" as a private owner with up to 10 dogs, but what are you if you have more than ten ... a commercial kennel? Do you need to get a conditional use permit?

Another item in this bill is the ban on "animal special conditions" (in other words, exotic animals, hybrids such as wolf dogs) on property under two acres and requiring a conditional use permit for such animals on residences two acres or greater, on top of the required registration and inspection of the animal facilities. The definition has the term "includes but not limited to" and lists animals from an elephant to hybrid cats that are smaller than the average house cat. This seems little extreme.

Seems like the zoning commission's answer to everything is to require a conditional use permit.

Instead of just complaining, I offered a solution (to the members of the ad hoc committee, that by taking animal special conditions and dividing them up into three classes (large, medium and small), make them a permissive use in zones that were applicable and get rid of the conditional use permit requirement, since the requirement for registering and being inspected was going to stay in the bill. The responses I got surprised me.

Most of the ad hoc committee liked the idea; it made sense to them, but Planning Director, Jack Lohman did not agree and maintained the conditional use requirement stay in the bill. I asked why.

He mentioned the animals are carnivores. Some pointed out many animals listed were herbivores or omnivores. Statistics prove more injuries occur from horses and cattle; nobody has been killed by a big cat at large since at least 1990.

Lohman contended the caging would be an issue for neighbors. If it is permissible to have a horse or livestock with enclosures on one acre, how does a cat enclosure vary from that? Many of the "animal special conditions" live in the house or enclosures similar to dog runs.

He stated these animals are "wild." I explained they are captive-born and -raised animals; they don't know how to hunt. He should be more concerned with the wild cougars, coyotes, snakes and scorpions.

Lohman made the blanket statement, because "the people have a right to know." I was confused -- people have a right to know what I own legally? Just because the planning director thinks so? I need permission, from the planning department for possessing an animal that is legal to have? I checked. People have a right to know what their government is doing, like placing a sewer plant next to my home.

He stated he wouldn't want someone with a tiger living next to him. If he never has lived next to a tiger owner or even talked to someone who does, how would he know?

Lohman didn't have data, statistics or other evidence showing the animals listed were a public safety issue, nothing illustrating how possessing them affected the neighbors or their properties. He had no justification for requiring a conditional use permit, for banning the animals listed on properties less than two acres, no reason why it was okay to have a 1,500-pound bull on one acre, but not a 25-pound serval.

The only reason presented was fear, ignorance and a dismissal of facts.

**Scott Shoemaker**