

# Proposed Provisions Generally Requiring the Microchipping of Dogs and Cats

Discussion and possible action to amend LVMC Title 7 to add provisions generally requiring the microchipping of dogs and cats within the City.

## Contents:

- Summary of the proposed changes
- Draft of the proposed ordinance

## Please note:

[abc]            bracketed text reflects a deletion

abc            underlined text reflects an addition

Where language indicates that a new Code section is to be added, all provisions in that section are new, although in some cases it is just a replacement for language repealed in a previous section of the ordinance amendment.

**Summary: Amends LVMC Title 7 to add provisions generally requiring the microchipping of dogs and cats within the City.**

LVMC	Title/Subject	Existing Language	Proposed Language
7.15.010	Adds chapter and section 7.15.010		<p>(A) Except as otherwise provided in this Section, it is unlawful for any person to own or harbor a dog or cat over the age of four months unless the animal has been implanted with microchip identification in accordance with this Section and this Title. For purposes of this Section, a dog or cat to be offered for sale by a pet shop or breeder is deemed to be owned or harbored by that pet shop or breeder. The age-based requirements of this Subsection (A) do not affect the applicability of the microchipping requirements of LVMC 7.42.050.</p> <p>(B) The owner of a dog or cat that has been implanted with microchip identification shall register the microchip number and the owner’s contact information with a microchip registration company, as well as with the Animal Regulation Officer.</p> <p>(C) When the contact information of the owner of a microchipped dog or cat changes, the owner shall provide the new contact information to the applicable microchip registration company and to the Animal Regulation Officer no later than</p>

			<p>thirty days after the change in contact information occurs.</p> <p>(D) When there is a transfer of ownership of a dog or cat that has been implanted with microchip identification:</p> <p>(1) The transferring owner must inform the new owner of the microchip registration company with which the dog's or cat's microchip is registered; and</p> <p>(2) The new owner must provide the microchip registration company and the Animal Regulation Officer with the new owner's contact information no later than thirty days after the transfer of ownership occurs.</p> <p>(E) The microchipping requirements of this Section do not apply to:</p> <p>(1) An animal whose owner has resided within the City fewer than thirty days; or</p> <p>(2) An animal brought into the City temporarily and exclusively for the purpose of entering the animal in a show or exhibition, where the animal is not allowed to run at large.</p> <p>(F) A misdemeanor complaint or citation for a violation of Subsection (A) of this Section shall be dismissed upon proof that the animal regarding which the violation occurred was implanted with microchip identification within thirty days after the complaint or citation was served.</p>
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			(G) This Section shall become effective August 1, 2024.
<b>7.15.020</b>	Adds chapter and section 7.15.020		The City is authorized to establish one or more programs to encourage and facilitate the microchipping of animals, including compliance with the microchipping requirements of this Chapter and Title.
<b>7.04.315</b>	Add new section 7.04.315 by defining a microchip and microchipping requirements		<p>“Microchipping” and other forms of the word shall be deemed to refer to the subcutaneous implantation of an electronic identification microchip into an animal where:</p> <p>(A) The manufacturer of the microchip has been approved by the Animal Regulation Officer;</p> <p>(B) The implantation conforms to procedures recommended by the manufacturer;</p> <p>(C) The microchip is associated with a registration that includes the animal’s date of birth, the breeder’s name and address, and the breeder’s USDA license number; and</p> <p>(D) The microchipping and registration information are provided to the Animal Regulation Officer</p>
<b>7.08.020</b>	Adds section 7.08.020 to require a microchip to license a dog or cat		Every person applying for a dog or cat license must provide evidence that the animal has been implanted with a microchip in accordance with this Title.
<b>7.04.437</b>	Adds new section 7.04.437, defines USDA		“USDA” means the United States Department of Agriculture.
<b>7.20.105</b>	Deletes Microchip Definition currently found in 7.20.105. Repealed in its entirety.	7.20.105 - Microchipping—Defined. For purposes of Sections 7.20.090 and 7.20.100, microchipping of an animal refers to the implantation of an electronic identification microchip under the skin of the animal where the manufacturer of the microchip has been approved	

		<p>by the Animal Regulation Officer and the implantation conforms to procedures recommended by the manufacturer.</p>	
<p><b>7.42.010</b></p>	<p>Amends 7.42.010</p>	<p>For purposes of this Chapter:  "Animal care facility" means the Animal Protection Services Center or any other facility:  (A) That is operated by, or under contract with and on behalf of, any unit of state or local government; and  (B) Whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.</p> <p>"Animal Welfare Act and regulations" means the animal welfare provisions of 7 U.S.C. Section 2131 et seq. and the corresponding federal animal welfare regulations located in 9 C.F.R. Chapter I, Subchapter A.</p> <p>"Broker" means any person in the business of selling dogs or cats to pet shops, whether or not the broker is also the breeder of the dogs or cats sold to pet shops.</p> <p>"Distributor" means a person who acts as the agent or contractor of a pet shop to obtain and transport dogs, cats or a combination thereof to a pet shop for purposes of sale.</p> <p>"Microchipping" and other forms of the word shall be deemed to include both the subcutaneous insertion of a registered microchip into a dog or cat and a registration that includes the animal's date of birth, the breeder's name and address, and the breeder's USDA license number.</p>	<p>For purposes of this Chapter:  "Animal care facility" means the Animal Protection Services Center or any other facility:  (A) That is operated by, or under contract with and on behalf of, any unit of state or local government; and  (B) Whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.</p> <p>"Animal Welfare Act and regulations" means the animal welfare provisions of 7 U.S.C. Section 2131 et seq. and the corresponding federal animal welfare regulations located in 9 C.F.R. Chapter I, Subchapter A.</p> <p>"Broker" means any person in the business of selling dogs or cats to pet shops, whether or not the broker is also the breeder of the dogs or cats sold to pet shops.</p> <p>"Distributor" means a person who acts as the agent or contractor of a pet shop to obtain and transport dogs, cats or a combination thereof to a pet shop for purposes of sale.</p> <p>["Microchipping" and other forms of the word shall be deemed to include both the subcutaneous insertion of a registered microchip into a dog or cat and a registration that includes the animal's date of birth, the breeder's name and address, and the breeder's USDA license number.]</p>

		<p>"Nonprofit animal rescue organization" means any nonprofit organization which has tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.</p> <p>"USDA" means the United States Department of Agriculture.</p> <p>"USDA license number" means the license number issued to a breeder or broker by the USDA pursuant to the Animal Welfare Act and regulations.</p>	<p>"Nonprofit animal rescue organization" means any nonprofit organization which has tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose mission and practice consists, in whole or significant part, of the rescue and placement of animals in permanent homes.</p> <p>["USDA" means the United States Department of Agriculture.]</p> <p>"USDA license number" means the license number issued to a breeder or broker by the USDA pursuant to the Animal Welfare Act and regulations.</p>
<b>7.42.050</b>	Amends 7.42.050 (D) to include breeders		(D) No <u>breeder or</u> pet shop shall sell or offer for sale any dog or cat unless it has been microchipped.

1 **BILL NO. 2023-**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO AMEND LMVC TITLE 7 TO ADD PROVISIONS GENERALLY REQUIRING  
4 THE MICROCHIPPING OF DOGS AND CATS WITHIN THE CITY, AND TO PROVIDE FOR OTHER  
RELATED MATTERS.

5 Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Title 7 to add  
6 provisions generally requiring the microchipping  
of dogs and cats within the City.

7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS  
8 FOLLOWS:

9 SECTION 1: Title 7 of the Municipal Code of the City of Las Vegas, Nevada, 1983  
10 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 7.15 and consisting of  
11 Sections 7.15.010 and 7.15.020, reading as follows:

12 **7.15.010:** (A) Except as otherwise provided in this Section, it is unlawful for any person to own or  
13 harbor a dog or cat over the age of four months unless the animal has been implanted with microchip  
14 identification in accordance with this Section and this Title. For purposes of this Section, a dog or cat to be  
15 offered for sale by a pet shop or breeder is deemed to be owned or harbored by that pet shop or breeder. The  
16 age-based requirements of this Subsection (A) do not affect the applicability of the microchipping  
17 requirements of LVMC 7.42.050.

18 (B) The owner of a dog or cat that has been implanted with microchip identification shall  
19 register the microchip number and the owner's contact information with a microchip registration company,  
20 as well as with the Animal Regulation Officer.

21 (C) When the contact information of the owner of a microchipped dog or cat changes,  
22 the owner shall provide the new contact information to the applicable microchip registration company and to  
23 the Animal Regulation Officer no later than thirty days after the change in contact information occurs.

24 (D) When there is a transfer of ownership of a dog or cat that has been implanted with  
25 microchip identification:

26 (1) The transferring owner must inform the new owner of the microchip

1 registration company with which the dog's or cat's microchip is registered; and

2 (2) The new owner must provide the microchip registration company and the  
3 Animal Regulation Officer with the new owner's contact information no later than thirty days after the  
4 transfer of ownership occurs.

5 (E) The microchipping requirements of this Section do not apply to:

6 (1) An animal whose owner has resided within the City fewer than thirty days;

7 or

8 (2) An animal brought into the City temporarily and exclusively for the purpose  
9 of entering the animal in a show or exhibition, where the animal is not allowed to run at large.

10 (F) A misdemeanor complaint or citation for a violation of Subsection (A) of this  
11 Section shall be dismissed upon proof that the animal regarding which the violation occurred was implanted  
12 with microchip identification within thirty days after the complaint or citation was served.

13 (G) This Section shall become effective August 1, 2024.

14 **7.15.020:** The City is authorized to establish one or more programs to encourage and facilitate the  
15 microchipping of animals, including compliance with the microchipping requirements of this Chapter and  
16 Title.

17 SECTION 2: Title 7, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada,  
18 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 315, reading as  
19 follows:

20 **7.04.315:** "Microchipping" and other forms of the word shall be deemed to refer to the subcutaneous  
21 implantation of an electronic identification microchip into an animal where:

22 (A) The manufacturer of the microchip has been approved by the Animal Regulation Officer;

23 (B) The implantation conforms to procedures recommended by the manufacturer;

24 (C) The microchip is associated with a registration that includes the animal's date of birth, the  
25 breeder's name and address, and the breeder's USDA license number; and

26 (D) The microchipping and registration information are provided to the Animal Regulation



1 Officer.

2 SECTION 3: Title 7, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada,  
3 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 20, reading as  
4 follows:

5 **7.08.020:** Every person applying for a dog or cat license must provide evidence that the animal has  
6 been implanted with a microchip in accordance with this Title.

7 SECTION 4: Title 7, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada,  
8 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 437, reading as  
9 follows:

10 **7.04.437:** “USDA” means the United States Department of Agriculture.

11 SECTION 5: Title 7, Chapter 20, Section 105, of the Municipal Code of the City of Las  
12 Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

13 SECTION 6: Title 7, Chapter 42, Section 10, of the Municipal Code of the City of Las  
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **7.42.010:** For purposes of this Chapter:

16 “Animal care facility” means the Animal Protection Services Center or any other facility:

17 (A) That is operated by, or under contract with and on behalf of, any unit of state or local  
18 government; and

19 (B) Whose mission and practice consists, in whole or significant part, of the rescue and  
20 placement of animals in permanent homes.

21 “Animal Welfare Act and regulations” means the animal welfare provisions of 7 U.S.C. Section 2131  
22 et seq. and the corresponding federal animal welfare regulations located in 9 C.F.R. Chapter I, Subchapter  
23 A.

24 “Broker” means any person in the business of selling dogs or cats to pet shops, whether or not the  
25 broker is also the breeder of the dogs or cats sold to pet shops.

26 “Distributor” means a person who acts as the agent or contractor of a pet shop to obtain and transport

1 dogs, cats or a combination thereof to a pet shop for purposes of sale.

2           [“Microchipping” and other forms of the word shall be deemed to include both the subcutaneous  
3 insertion of a registered microchip into a dog or cat and a registration that includes the animal’s date of birth,  
4 the breeder’s name and address, and the breeder’s USDA license number.]

5           “Nonprofit animal rescue organization” means any nonprofit organization which has tax-exempt  
6 status under Section 501(c)(3) of the Internal Revenue Code and whose mission and practice consists, in  
7 whole or significant part, of the rescue and placement of animals in permanent homes.

8           [“USDA” means the United States Department of Agriculture.]

9           “USDA license number” means the license number issued to a breeder or broker by the USDA  
10 pursuant to the Animal Welfare Act and regulations.

11                   SECTION 7: Title 7, Chapter 42, Section 50, of the Municipal Code of the City of Las  
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows;

13 **7.42.050:**       (A) Each breeder, pet shop and distributor shall comply with applicable provisions of  
14 NRS Chapter 574 and the Animal Welfare Act and regulations.

15                   (B) Each breeder and distributor shall ensure that all dogs and cats that are to be offered  
16 for sale at a pet shop have been microchipped before being transported to the pet shop.

17                   (C) No pet shop shall accept delivery of any dog or cat that it proposes to sell unless the  
18 pet shop ensures that the animal has been microchipped.

19                   (D) No breeder or pet shop shall sell or offer for sale any dog or cat unless it has  
20 been microchipped.

21                   SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase  
22 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by  
23 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the  
24 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby  
25 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase  
26 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

1 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

2 SECTION 9: Whenever in this ordinance any act is prohibited or is made or declared to  
3 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required  
4 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of  
5 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon  
6 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of  
7 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation  
8 of this ordinance shall constitute a separate offense.

9 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,  
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
11 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2023.

13 APPROVED:

14  
15 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 \_\_\_\_\_  
18 LUANN D. HOLMES, MMC  
City Clerk

19 APPROVED AS TO FORM:

20 \_\_\_\_\_  
21 Val Steed, Date  
Deputy City Attorney

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23  
24  
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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_ day  
2 of \_\_\_\_\_, 2023, and referred to a committee for recommendation, the committee being  
3 composed of the following members \_\_\_\_\_;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2023, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first  
7 introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 \_\_\_\_\_  
16 LUANN D. HOLMES, MMC  
City Clerk

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