

Anti-Tethering

Current:

NRS 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.

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 hour 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.

Purpose: An Act to prevent animal suffering and death from being tethered to any object or while being transported outside of any vehicle cabin. NRS 574.100 currently addresses tethering but is insufficient because it doesn't adequately address injury to animals from prolonged and limited tethering. Current law allows for tethering to limit movement to 12 feet, up to 14 hours in a 24 hour period. BE IT ENACTED by the Senate and General Assembly of the State of Nevada modifying by adding these new provisions under NRS 574.120 - Failure to provide proper air, food, shelter or water to impounded animal unlawful,

Support:

1. California passed legislation in 2018 limited tethering to no more than three (3) hours in a 24 hour period.
2. As of 2018, twenty-three (23) states have laws that limit or otherwise control how owners can tether their dogs. Tethering or chaining a dog under most state laws means that a person ties a dog with a rope or line to a stationary object. While the laws themselves vary from state to state, they do have several consistent features. Some laws allow a dog to be tethered for a reasonable period of time. Other states include tethering as part of their anti-cruelty chapters. Indiana defines "neglect" as restraining an animal for more than a brief period and in a manner that endangers the animal's life or health by the use of a rope, chain, or tether."
3. A person shall not tether a dog, cat or any other animal to a stationary object including, but not limited to, a structure, dog house, pole, tree or vehicle not longer than 5 hours in a 24-hour period or outside from 10:00 p.m. to 6:00 a.m., unless the tethering is for not more than 15 minutes and the animal is not left unattended by the owner, guardian or keeper.

Cruelty to Animals

NRS: Chapter 574.100

continued....

Proposed legislative action revision to 574.100:

In order to protect the public safety and welfare, the following conditions shall apply when tethering or keeping an outdoor dog or cat:

1. No person shall tether a dog or cat to a stationary object unless such person is outside with the dog or cat and the dog or cat is at all times visible to such person.
2. A person shall not leave a dog or cat outside when a weather advisory, warning or watch is issued for the region by a local, state or federal authority or when outside environmental conditions including, but not limited to, if the outdoor temperature is too hot or cold for a human to be comfortable; temperatures lower than 50 degrees and higher than 85 degrees Fahrenheit. This also includes weather that will pose adverse risk to the health or safety of the animal, due to cold or hot weather, wind, rain, snow or hail based on the animals breed, age or physical condition, unless the tethering is for not more than 15 minutes.
3. An exception to a restriction on outdoor confinement under this section that is reasonably necessary for the safety of a dog that is:
 - (i) present in a camping or recreational area pursuant to the policy of the camping or recreational area; or
 - (ii) actively engaged in conduct that is directly related to the business of shepherding or herding cattle or other livestock or engaged in conduct that is directly related to the business of cultivating agricultural products.
4. Animal control may enforce this section following the same procedures relating to notice and court procedure for the non-criminal disposition of a violation.
5. Prohibit tethering for nursing mothers and animals four months old or younger;
6. Tether must permit the animal to move freely such that its health and life is not in danger;
7. Outdoor enclosure for dog or cat is; a fenced yard, kennel or run and must include the following:
 - (i) Shade or protection during all hours for all dogs or cats must be provided without overcrowding for extreme heat or cold within shelter of tether reach;
 - (ii) For dogs minimum square footage area for exercise based on weight (a visual estimation) :
 - 120 square feet for a dog up to 30lbs,
 - 150 square feet for a dog 31 to 60lbs,
 - 250 square feet for dogs over 60lbs.
 - Additional dogs must have at least (150) square feet per dog.
 - (iii) Shall be kept free from accumulated waste, trash, standing water, parasites and rodents.
7. May only tether with a properly fitting harness and mounted to body, to prevent choking by a collar;
8. Each dog and cat shall be provided access to clean water and food at all times in spill proof containers and sized appropriately for the dog or cat's size and sufficient supply of species appropriate, wholesome food; and
9. Conviction with a fine of up to \$250 for each animal or a seven day sentence in county jail.
10. If convicted of tethering multiple times, animal(s) must be surrendered to animal rescue groups and not be allowed to own or care take for another animal.

¹ Please refer to the hyperlink, that is where this information was pulled from www.animallaw.info