Clark County, Nevada
Business Impact Statement

The following Business Impact Statement was prepared pursuant to Nevada Revised Statutes (NRS) 237.080 and 237.090 to address the proposed impact of adoption of **an Ordinance amending Title 10 of the Clark County Code which will prohibit all retail pet stores from selling dogs, cats, rabbits, or potbellied pigs.**

1. The following constitutes a description of the number of and manner in which comment was solicited from affected businesses, a summary of their responses and explanation of the manner in which other interested persons may obtain a copy of the summary. *NRS 237.090(1)(a)*

   a. Notice: On August 22, 2022, a notice of proposed ordinance/request for public comment was published in the Las Vegas Review Journal and was mailed to 458 animal related retail businesses and the Chambers of Commerce. The notice was posted on the Clark County Animal Protection Services website at https://www.clarkcountynv.gov/government/departments/administrative_services/animal_protection_services/index.php and also provided for public viewing at the Animal Protection Services' and County Manager's offices.

   b. Summary of Comments: Eight public comments were received which included: one letter of support for the ordinance and seven letters of opposition submitted by breeders and retailer owners stating that the ordinance would cause a significant economic burden and would restrict the formation, operation, or expansion of a business. All four of the retailer owners who responded stated they would have to file bankruptcy, lay off staff, and/or shut down.

   c. Public Availability of Comments: A copy of the proposed amendment and the Business Impact Statement public comments may be obtained by contacting the Clark County Animal Protection Services office located at the Clark County Russell Campus, 4701 W. Russell Rd, Las Vegas, NV, 89118, or by emailing Animal Protection Services Info AnimalProtectionServicesInfo@ClarkCountyNV.gov

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects: *NRS 237.090(1)(b)*

   a. Adverse Effects: Seven comments submitted expressed concern that the ordinance as written would negatively affect their business, would cause a significant economic burden and would cause them to lay off staff or shut down their business.

   b. Beneficial Effects: One comment was submitted stating pet shops should only sell inanimate pet care items. The reported beneficial effects would be to help reduce demand for animals that are being obtained from puppy mills by retailers, which may help put puppy mills out of business. Additionally, by eliminating a local source for obtaining these animals, it may cause people who are looking for a pet to go to a shelter or a rescue to adopt which will help reduce the number of animals that are kept in animal shelters and prevent some animals from being euthanized due to overcrowding issues.

c. Direct Effects: Retailers that choose to remain open may offer animals from a rescue organization or animal shelter to be adopted from their location, potentially increasing the number of animals that get adopted out of the shelter/rescue environment. This would also expand the number of locations where the public can go to view animals that are available for adoption.

   Retailers that primarily sell dogs, cats, rabbits, or potbellied pigs would have to, after a one-year period, shift their businesses to sell other types of pets, sell more pet supply products, sell other items or services allowed by their business license or move their business to a jurisdiction that allows their current business practice. This may cause a majority, it not all, of the retailers that sell those animals to close or relocate their businesses.

d. Indirect Effects: Comments received indicate having no retailers that sell dogs, cats, rabbits, or potbellied pigs in Clark County may increase the number of legal and illegal backyard breeders in Clark County as the market for purebred animals may not decrease but may change how people obtain these animals. This may also cause the internet sales and importing of animals from other states and retailers from other areas to increase. Concern was provided that internet scams and fraudulent transactions will also increase.

   Employees who work at retailers that close or change their business model may be laid off and lose their source of income. Retailers that close their stores may be committed to long-term leases for their storefronts causing them additional financial difficulty.

e. Other Economic Effects to be Considered: In regard to the ordinance requirement that no retailer shall have an ownership interest in the animals offered nor may they receive any fee for providing space or for the adoption of shelter or rescue animals, other impacts may occur, for example: Each retailer contracts with veterinarians to provide required medical checks, as well as for treating illnesses or diseases when they occur. These contracts will no longer be necessary and would be a loss of income for the veterinarian or veterinary office. Additionally, groomers also have contracts with retailers to provide grooming services for animals being sold and those contracts will also be eliminated.

3. The following constitutes a description of the methods that the local government considered to reduce the impact of the proposed rule on businesses and a statement

regarding whether any, and if so which, of these methods were used: (Include whether the following were considered: Simplifying the proposed rule, establishing different standards of compliance for a business, and if applicable, modifying a fee or fine set forth in the rule, so that a business could pay a lower fee or fine). *NRS 237.090(1) (c)*

In an effort to minimize the impact this ordinance will have on businesses, Clark County discussed and included a one-year amortization period into the ordinance, which would allow any existing retailer that is lawfully operating and has all required business licenses before the passage date of the ordinance to continue selling dogs, cats, rabbits, or potbellied pigs for one (1) year from the date of passage. Additionally, retailers may provide space to a rescue organization or an animal shelter to offer to the public dogs, cats, rabbits, or potbellied pigs for adoption which may continue to spur business for their other retail merchandise.

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is: *NRS 237.090(1) (d)*

   The cost associated with the proposed rule is unknown at this time. However, potential costs would include staff time to investigate complaints of illegal operations and possible court costs if a business owner refused to follow the proposed rule. The result of the proposed ordinance should eventually decrease the amount of staff time needed to conduct bi-annual inspections of retailers selling listed animals, which is required by ordinance.

5. The proposed rule provides for a new fee or increases an existing fee and the total annual amount expected to be collected is: (Include any relevant figures, charts, and/or tables). *NRS 237.090(1) (e)*

   N/A

6. The money generated by the fee or increase in existing fee will be used by the local government to: *NRS 237.090(1) (f)*

   N/A

7. The proposed rule includes provisions that duplicate or are more stringent than federal, state, or local standards regulating the same activity. The following explains when such duplicative or more stringent provisions are necessary: *NRS 237.090(1) (f)*

   The proposed rule is governed directly by local jurisdictions. This ordinance is more stringent than the current ordinance in that it fully disallows the selling of non-shelter/rescue dogs, cats, rabbits and potbellied pigs in a retail environment.

8. Set forth the reasons for the conclusions regarding the impact of the proposed rule on businesses. *NRS 237.090(1) (g)*

Eight comments were received regarding the proposed ordinance and possible impacts to businesses, one in support and seven against with concerns of adverse effects from not being able to sell dogs, cats, rabbits, and potbellied pigs. With the intent of this rule being to prohibit the activity of selling non-shelter/rescue animals, the measures that are in the ordinance to mitigate adverse effects are a one-year amortization period and the ability to offer rescue organizations and animal shelters a place to show their animals for adoption in the retail locations. This ordinance only prohibits retailers from selling four types of animals. Their business licenses allow them to sell many other types of animals, such as birds, reptiles, fish, ferrets, hamsters and to sell pet supplies. Many large chain pet stores already do not sell puppies and have profitable businesses focusing on the sale of dog food, beds, toys, treats, clothes, etc. The amount of money people are spending on their pets is increasing and it can still be a profitable business.

Certification of Business Impact Statement

Pursuant to NRS 237.090(2), I, Yolanda T. King, as County Manager for Clark County Nevada, hereby certify that, to the best of my knowledge and belief, the information contained in this statement was prepared properly and accurately.

Yolanda King

Yolanda T. King
County Manager, Clark County Nevada

Dated: 10/6/2022