

# RENO EVENING GAZETTE PROOF OF PUBLICATION

STATE OF NEVADA )  
COUNTY OF WASHOE ) ss.

C. BERNIECE LONG

being first duly sworn, deposes and says:

That she is the Principal Clerk of  
THE RENO EVENING GAZETTE, a daily news-  
paper published at Reno, in Washoe County, in the  
State of Nevada.

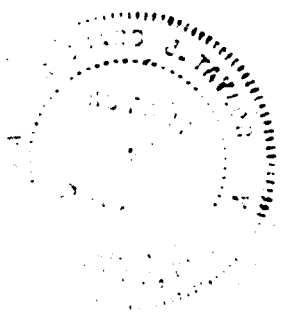
That the notice OF COUNTY ORDINANCE  
of which a copy is hereto attached, was first published in  
said newspaper in its issue dated the 7th day of  
July, 1959, and was published in  
each        issue of said newspaper thereafter for

the full period of 2 days, the last publication  
thereof being in the issue dated the 14th day of  
July, 1959

Signed C. Berniece Long  
Subscribed and sworn to before me this  
14th day of July, 1959  
Richard J. Taylor  
Notary Public.

**NOTICE OF COUNTY ORDINANCE**  
NOTICE is hereby given that an Or-  
dinance concerning the establishment,  
operation, maintenance, advertisement,  
and regulation of Child Care Facilities;  
providing for the issuance of licenses  
and permits for the operation of Child  
Care Facilities; prescribing penalties for  
the violation thereof, repealing certain  
sections relating to child care facilities  
in conflict herewith, and other matters  
properly relating thereto, was proposed  
by Commissioner McKenzie on  
June 20th, 1959, final action of adoption  
taken on July 6th, 1959 by the following  
vote:  
Ayes: Commissioners, Winn, McKen-  
zie and Peterson  
Nays: Commissioners None  
Absent: Commissioners None  
This Ordinance shall be in full force  
and effect from and after the 15th day  
of July 1959.  
Typewritten copies of the above Or-  
dinance are available for inspection by  
all interested parties at the office of  
the County Clerk, Court House, Reno,  
Nevada.  
H. K. BROWN, Clerk  
July 7th. and 14th. 1959.

# 10.15



SUMMARY: An Ordinance regulating child care facilities.

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BILL NO. 32  
ORDINANCE NO. 73

AN ORDINANCE CONCERNING THE ESTABLISHMENT, OPERATION, MAINTENANCE, ADVERTISEMENT AND REGULATION OF CHILD CARE FACILITIES: PROVIDING FOR THE ISSUANCE OF LICENSES AND PERMITS FOR THE OPERATION OF CHILD CARE FACILITIES; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; REPEALING CERTAIN SECTIONS RELATING TO CHILD CARE FACILITIES IN CONFLICT HEREWITH; AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

Section 1. Definitions. For the purpose of this ordinance:

(a) The term "child" or "children" shall mean any person under the age of 16, not related by blood, adoption, or marriage to the person maintaining a child care facility.

(b) The term "Child care facility" shall mean any place, home, institution or establishment in which children are received and cared for, maintained for any period of time, with or without compensation or consideration.

(c) The term "Group care facility" shall mean a child care facility wherein 7 or more children, inclusive of children under the age of 16 in the immediate family, are kept or maintained.

(d) The term "Family care facility" shall mean any child care facility wherein 6 or less children, inclusive of children under age 16 in the immediate family, are kept or maintained.

(e) The term "Day care facility" and "day nurseries" shall be used synonymously and shall mean such child care facility wherein children are kept or maintained during the daytime hours only.

(f) The term "Welfare Director" shall mean the Director of the Washoe County Welfare Department.

(g) The term "Welfare Department" shall mean the Washoe County Welfare Department.

(h) The term "Board" shall mean the Board of County Com-



1 missioners of Washoe County.

2 (1) The term "Person" shall mean both the singular and the  
3 plural and shall include individual persons, associations, partnerships  
4 and corporations.

5 Section 2. Unlawful to operate a child care facility without license or  
6 permit. It shall be unlawful for any person to establish, operate, main-  
7 tain, conduct or advertise any child facility unless such person shall  
8 possess or hold a valid unrevoked license issued by the Welfare Depart-  
9 ment, as provided in this Ordinance.

10 Section 3. Unlawful to place child in child care facility without  
11 license or permit. It shall be unlawful for any person having the care,  
12 custody, control or guardianship of any child under the age of 16 years  
13 to place such child in a child care facility operated or maintained by  
14 any person who does not possess or hold an unrevoked license or permit  
15 issued by the Welfare Department in conformity with the provisions of  
16 this Ordinance.

17 Section 4. When license not required. Nothing in this act shall  
18 be construed to cover the care of a neighbor's, relative's or friend's  
19 child or children, with or without monetary consideration, where the  
20 person does not regularly engage in such activity or where parents on  
21 a mutually cooperative basis exchange care of one another's children.  
22 This Ordinance shall apply neither to the care of the children in their  
23 own homes, nor to any institution operated by the State of Nevada or  
24 any of its political subdivisions, nor to any school attended for special-  
25 ized training in specific subjects such as foreign languages, drama or  
26 music, nor to any organization whose functions are primarily athletic,  
27 social and non-custodial such as Scout, YMCA, YWCA and club groups.

28 Section 5. Application for license: How made. Application for a  
29 license or permit for a child care facility shall be made in writing  
30 to the Welfare Department, upon forms furnished for that purpose by



1 the said Department. Such applications shall be fully completed and  
2 signed by the applicant and shall include the following information:

3 (a) Name and address of applicant and spouse, if any.  
4 (b) Names, ages and relationship to applicant of all persons  
5 residing on the premises to be licensed.

6 (c) Address of the premises to be licensed.

7 (d) Names and addresses of persons to be in charge of said  
8 child care facility.

9 (e) Number of persons to be employed in the operation of the  
10 said facility and their normal duties.

11 (f) Maximum number of children to be accommodated at any one  
12 time, their age range or levels and the hours of operation of said facility.

13 (g) Names and addresses of three references, their relation-  
14 ship to applicant and how long known to applicant.

15 Section 6. Issuance of license or permit. A license or permit shall be  
16 issued by the Welfare Department to any applicant, upon approval of the  
17 application therefor. However, no application shall be approved or  
18 license issued until the Welfare Department shall have received the fol-  
19 lowing:

20 (a) Certificates of conformance or approval from the local  
21 government bodies charged with the enforcement of zoning, building, fire  
22 inspection, health and sanitary inspection and law enforcement.

23 (b) Statements from a Doctor or Medicine licensed in the  
24 State of Nevada, upon forms furnished by the Welfare Department, certify-  
25 ing that each person residing or employed in a child care facility is free  
26 from contagious or infectious diseases and, if an adult, is physically and  
27 mentally able to assist with the care of children.

28 (c) Adequate assurance that the applicant is a proper person  
29 to be entrusted with the care of children. Such assurance shall be sup-  
30 ported by proper investigation of the applicant, the child care facility

1 and the plan of care to be provided children, all of which shall demon-  
2 strate compliance with the proper minimum standards, as in this ordinance  
3 provided, and such other standards or regulations as may from time to time  
4 be established by the Welfare Department with the approval of the Board.

5 Section 7. Issuance of temporary permits. At the discretion of the Wel-  
6 fare Director, temporary permits may be issued for a period not exceeding  
7 30 days, in those cases where a temporary emergency placement must be  
8 made in a child care facility (a) in excess of the number authorized in  
9 the license, or (b) in any unlicensed child care facility. Such temporary  
10 permits may in no instance be issued to a child care facility whose prior  
11 application for a permit has been denied. A temporary permit may also be  
12 issued for a period not exceeding 30 days where the applicant has con-  
13 formed in all major respects, but requires additional time to correct a  
14 situation that is not, in itself, harmful or dangerous to the children in  
15 that facility if allowed to persist for a limited period of time only.

16 Section 8. Non-transferability of license. Any child care facility  
17 license that is issued is valid only for the licensee and the address shown  
18 on the license. The removal of the child care facility to a location  
19 other than that where it was licensed, or the substitution of another  
20 person other than the original applicant for a license, as the person  
21 directly in charge of said child care facility, or a major alteration of  
22 the premises licensed, shall automatically void the license. Further  
23 operation of said child care facility shall be unlawful and shall subject  
24 both the licensee and the transferee to the penalties provided in this  
25 Ordinance.

26 Section 9. Denial of application for a license, or revocation or sus-  
27 pension of existing license: Notice to be given.

28 (a) No application for a license shall be denied, nor any  
29 existing license revoked or suspended, without prior written notification  
30 of same being given by the Welfare Department to the applicant or licensee,

1 as the case may be, stating the reasons for the denial of the application  
2 or for the revocation or suspension of an existing license. Those persons  
3 receiving the aforesaid notices shall have 30 days from the receipt of same  
4 to appeal to the Board. Failure to appeal as aforesaid, shall automatically  
5 make the denial, suspension or revocation, final. Thereafter, applications  
6 for a new license or removal of suspension may be made and same shall be  
7 considered, provided applicants can show full compliance with the pro-  
8 visions of this ordinance and the rules and regulations incorporated there-  
9 with, and can submit proof that they have corrected the defects upon which  
10 the Welfare Department's action of rejection, suspension or revocation was  
11 based.

12 (b) It shall be the duty of the Welfare Director to give ap-  
13 plicants for a license prompt notice of the issuance of a license or of  
14 the denial of the application therefor. Such notice shall be given in  
15 writing within 30 days from the receipt by the Welfare Department of  
16 completed reports and documentation from all the various governmental  
17 agencies and individuals required to furnish such reports under the  
18 various provisions of this ordinance.

19 (c) Notwithstanding any of the notice and appeal provisions  
20 above set forth, it shall be the duty and the right of the Welfare Director  
21 to order the immediate suspension of a license whenever and wherever, in  
22 his discretion, the further operation of any child care facility would  
23 constitute a serious hazard to the health or welfare and/or safety of the  
24 children being cared for therein. Any person whose license has been thus  
25 suspended shall, nevertheless, have the right to appeal to the Board as  
26 provided elsewhere in this Ordinance.

27 Section 10. Determination of Maximum number of children allowed. The  
28 Welfare Department shall determine the maximum number of children which  
29 may be accepted for care by the applicant. No child care facility shall  
30 accept for care any children in excess of the maximum number and age

1 groups as approved by the Welfare Department, which number and age groups  
2 shall be displayed on the face of the license or permit issued. Notwith-  
3 standing any other provision of this Ordinance, the Welfare Director may,  
4 at his discretion, permit more than 6 children to be boarded in any family  
5 care facility, provided all of the children in said facility are brothers  
6 and/or sisters of the same family.

7 Section 11. Register: Contents. Each holder of a child care facility  
8 license or permit shall keep and maintain a register which shall be pro-  
9 vided by the Welfare Department. Such register shall be kept current  
10 and be open to inspection by representatives of the Welfare Department,  
11 or any City, County or State peace office. The following information on  
12 each child in a child care facility must be entered on such register:

- 13 (a) Name of child.
- 14 (b) Birthplace.
- 15 (c) Date of Birth.
- 16 (d) Sex.
- 17 (e) Religion of parents.
- 18 (f) Date entered facility.
- 19 (g) Father's name and address.
- 20 (h) Mother's name and address.
- 21 (i) Guardian's name and address.
- 22 (j) Received from: address.
- 23 (k) Amount of board per week: paid by.
- 24 (l) Health of child when received.
- 25 (m) Record of health of child while in the child care facility.
- 26 (n) Date of child's removal: reason for removal.
- 27 (o) By whom removed: address.
- 28 (p) Where parents can be reached in an emergency.
- 29 (q) Name of family physician and written consent from parents  
30 to call another physician when family physician can not be contacted, to



1 secure emergency medical care for the child placed with the licensee by  
2 such parent or guardian and agreeing to pay for such emergency medical care.  
3 Section 12. Inspections. The welfare Department shall cause the licensee's  
4 premises to be visited and inspected as frequently as it shall deem necessary  
5 for the proper operation and safety thereof. Every child care facility  
6 shall be open to visitation and inspection by representatives of the Welfare  
7 Department, the Police Department, the Building Department, Health Depart-  
8 ment and Fire Department. If upon such inspections any conditions are  
9 found which are detrimental to the health and welfare of any child or  
10 children accommodated in such child care facility, the Welfare Director  
11 shall then be empowered to revoke or suspend the license or permit of such  
12 child care facility.

13           Whenever, in its discretion, the Welfare Department is assured  
14 that the violations found on such inspections are not such as to place  
15 the children in these premises in immediate danger as to their health and  
16 safety, and the licensee offers in writing to take immediate steps to cor-  
17 rect the condition, a temporary stay of the suspension may be given by the  
18 Welfare Director for a period of not more than 30 days pending the licensee's  
19 conformance with this ordinance.

20 Section 13. Duties of Building Inspector. It shall be the duty of the  
21 local Building Inspector to visit and inspect any premises which are to be  
22 used for a Child care facility and for which use an application for a  
23 license has been made. Such an inspection shall verify the conformance of  
24 the structure with local zoning laws and local building codes and enforce  
25 compliance therewith. Notice of the conditions found therein and of the  
26 building department's action and recommendations shall promptly be made to  
27 the Welfare Department, in writing.

28 Section 14. Duties of the Fire Department. It shall be the duty of the  
29 local Fire Department to inspect the premises wherein any child care facility  
30 is in operation or in which such an operation is contemplated by an applicant



1 for a license. Such an inspection shall conform to the adopted uniform  
2 underwriters recognized fire prevention code and to the fire prevention code  
3 of the local fire departments. Whenever, as a result of such an inspection,  
4 it is the opinion of the local fire department chief that the condition  
5 of the premises to be authorized as a child care facility will constitute  
6 a hazard to the safety of any child that might be entrusted to the appli-  
7 cant, the fire chief shall so inform the Welfare Department. The application  
8 for a license shall thereupon be denied until such time as corrective  
9 measures are completed by the applicant for a license. In making the  
10 above fire inspections, the fire inspector shall take into consideration  
11 the number and age group of the children that would be occupying the premises.  
12 No child care facility shall be approved which plans on using a basement  
13 for any child care purpose; nor shall any group care facility be approved  
14 which plans on using a floor area above the street for that purpose, except  
15 in two-story fireproof buildings.

16 Section 15. Duties of the Law Enforcement Agencies. The sheriff or the  
17 local police chief shall inform the Welfare Department, in writing, of any  
18 record or information which their respective offices may have concerning  
19 any applicant for a license to operate a child care facility, or concerning  
20 the holder of any such license, as to the fitness of the applicant or  
21 licensee to be in charge of a child care facility. Similar reports shall  
22 be made by the aforesaid law enforcement agencies, upon a request from the  
23 Welfare Department, with regard to employees and other residents in a  
24 child care facility.

25 Section 16. Duties of Health Officer. The Washoe County Health Depart-  
26 ment shall review all physicians' reports concerning the health of appli-  
27 cants, or persons employed or in charge of such facilities, and of those  
28 residing therein. The Health Department shall further investigate or  
29 cause to be investigated the premises upon which the child care facility  
30 is to be maintained and shall be maintained and shall be satisfied that

1 such premises are provided with adequate and proper facilities to care for  
2 the number of children and age group specified in the application for a  
3 license. It shall be the duty of the health officer to require conformance  
4 of the licensee and of the premises to be used as a child care facility,  
5 with all local and health regulations. The County Health Officer shall  
6 advise the Welfare Department in writing of its findings and recommendations  
7 based on the aforesaid investigations.

8 Section 17. Physical Examinations of licensee, employees. The Welfare  
9 Department may require any licensee or any employee of the licensee to  
10 submit to a physical examination at such times as it deems it essential and  
11 if the licensee or any employee of the licensee is at any time found to be  
12 physically or mentally unfit or to be suffering from any contagious or  
13 communicable disease, the Welfare Department may revoke the permit or license.  
14 No license may be renewed unless and until the licensee and all others  
15 living or employed on the premises have been examined by a Doctor of  
16 Medicine licensed in the State of Nevada who shall certify, upon forms to be  
17 furnished by the Welfare Department, that the persons so examined are free  
18 from infectious, contagious or communicable disease and that the licensee  
19 and employees are mentally and physically fit to operate such a child care  
20 facility.

21 Section 18. Rules and Regulations: Right of Welfare Department to estab-  
22 lish same. The Welfare Department shall have the duty and the right to  
23 establish such other rules and regulations, or to amend existing rules and  
24 regulations, as it may from time to time find it necessary in order to  
25 give the provisions of this ordinance full force and effect. Such new  
26 rules and regulations or amendments shall have the force and effect of  
27 law when their adoption is ordered by the Board and placed on file with  
28 the Clerk of the Board.

29 Section 19. Appeals. Applicants for a permit or a license to operate a  
30 child care facility, as well as persons whose permit or license to operate

1 such a facility has been revoked or suspended, may appeal to the Board, at  
2 any of its regular meetings, from any adverse ruling of the Welfare Director.

3 Section 20. Severability. If any phrase, clause, sentence, subsection,  
4 section, provision or part of this Ordinance, or of any accompanying  
5 regulations, or its application to any person or circumstance, is for any  
6 reason held to be invalid or unenforcible, the remaining portions of this  
7 Ordinance and/or regulations, or their application to other persons or  
8 circumstances shall not be affected.

9 Section 21. Penalty. Any person violating any of the terms of this  
10 Ordinance shall, upon conviction thereof, be punished by a fine of not  
11 more than \$500., or by imprisonment in the County Jail for not more than  
12 6 months, or by both fine and imprisonment.

13 Section 22. Effective date. This ordinance shall be in effect from and  
14 after its passage and approval.

15 Section 23, Repeal. County ordinance Number 34 entitled "An Ordinance  
16 regulating the establishment, operating, maintaining and advertising of  
17 child care facilities, providing for the issuance of permits for the oper-  
18 ation of child care facilities; prescribing a penalty for the violation  
19 thereof; and other matters relating thereto" is hereby repealed.

20 Proposed on the 20<sup>th</sup> day of June, 1959.

21 Proposed by Commissioner M<sup>c</sup>Kenzie.

22 Passed on the 6<sup>th</sup> day of July, 1959.

23 VOTE:

24 Ayes: Commissioners Winn, M<sup>c</sup>Kenzie, Peterson

25 Nays: Commissioners none.

26 Absent: Commissioners none.

27 ATTEST: [Signature]  
28 \_\_\_\_\_  
County Clerk

[Signature]  
Chairman of the Board

29 This ordinance shall be in force and effect from and after the 15<sup>th</sup> day  
30 of July, 1959.