

NEVADA STATE JOURNAL  
PROOF OF PUBLICATION

STATE OF NEVADA }  
COUNTY OF WASHOE } ss.

**IVALOO NICKOVICH**

being first duly sworn, deposes and says: That **he is the Principal Clerk** of THE NEVADA STATE JOURNAL, a daily newspaper 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

**11th** day of **November**, 19 **59**

and was published in each issue of said newspaper thereafter for

the full period of **two** days, the last publication thereof being in the issue dated the **17th** day of **November**, 19 **59**

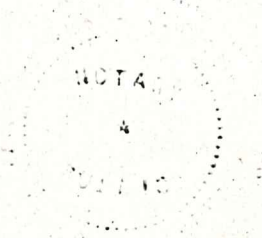
Signed *Ivaloo Nickovich*

Subscribed and sworn to before me this

**17th** day of **November**, 19 **59**

*Richard J. Taylor*  
Notary Public.

# 9.45



NOTICE OF COUNTY ORDINANCE  
NOTICE is hereby given that An Ordinance Concerning Air Pollution and its Control; Providing For The Issuance of A Permit For The Installation Of Fuel Burning Equipment And Defining Certain Exclusions Therefrom; Creating an Air Pollution Inspector and Defining his duties; Prescribing Penalties therefor; And Other Matters Properly Relating Thereto, was proposed by Commissioner Winn on October 20th, 1959, final action of adoption taken on November 5th, 1959 by the following vote:  
Ayes: Commissioners Winn, McKenzie and Peterson  
Nays: Commissioners None  
Absent: Commissioners None  
This Ordinance shall be in full force and effect from and after November 17th, 1959.  
Typewritten copies of the above Ordinance are available for inspection by all interested parties at the office of the County Clerk, Court House, Reno, Nevada.  
H. K. BROWN, Clk.  
Nov. 11-17.

1 SUMMARY - Concerns air pollution and its control, provides, sub-  
2 ject to approval of the County Commissioners, for the issuance  
3 of permits for the installation of fuel burning equipment,  
4 creates an air pollution inspector and defines his duties, and  
5 prescribes penalties therefor.

6 BILL NO. 38

7 Ordinance No. 79

8 AN ORDINANCE CONCERNING AIR POLLUTION AND ITS  
9 CONTROL; PROVIDING FOR THE ISSUANCE OF A PERMIT  
10 FOR THE INSTALLATION OF FUEL BURNING EQUIPMENT  
11 AND DEFINING CERTAIN EXCLUSIONS THEREFROM; CREAT-  
12 ING AN AIR POLLUTION INSPECTOR AND DEFINING HIS  
13 DUTIES; PRESCRIBING PENALTIES THEREFOR; AND OTHER  
14 MATTERS PROPERLY RELATING THERETO.

15 THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

16 SECTION 1. DEFINITIONS.

17 (a) Air Pollution. The emission or escape of dust, fume,  
18 gas, mist, odor, smoke, vapor, or any combination thereof  
19 in quantities hereinafter required to be controlled pursuant  
20 to the provisions hereof.

21 (b) Person, Firm or Corporation. Shall mean any individual,  
22 firm, partnership, association, company, corporation or other  
23 entity recognized by law.

24 (c) Inspector. As used in this ordinance shall mean the  
25 administrative body or person designated to administer the  
26 provisions hereof.

27 SECTION 2. AIR POLLUTION PROHIBITED. It shall be unlawful for  
28 any person, firm, or corporation to cause, suffer or allow  
29 to be discharged or emitted into the open air smoke, dust,  
30 or gas, vapor, odorous or solid particles from any source  
whichever the shade or appearance of which is equal to or  
darker than that specified for the time or duration shown in  
Table I, except in cases of unavoidable emergency:

TABLE I.

2	<u>TYPE OF INSTALLTION</u>	<u>LIMITING DENSITY, SHADE OR APPEARANCE OF SMOKE</u>
3	A. Domestic installations, primarily for heating and hot water, in one and two family dwellings.	Not darker than Shade No. 1 except that smoke not darker than Shade No. 3 is permitted for not more than 4 minutes in any period of 30 minutes when starting a new fire.
7	B. Installations, primarily for heating and hot water in apartment houses, office buildings, schools, hotels loft buildings, hospitals and other installations of similar character.	Not darker than Shade No. 1 except that smoke not darker than Shade No. 3 is permitted for not more than a total of 4 minutes in any period of 30 minutes.
11	C. All other stationary installations.	Not darker than Shade No. 2 except that smoke not darker than Shade No. 3 is permitted for not more than a total of 4 minutes in any period of 30 minutes.
15	D. <u>MARINE INSTALLATIONS</u>	Not darker than Shade No. 2 except that smoke not darker than Shade No. 3 is permitted for not more than a total of 1 minute in any period of 6 minutes.

18 For the purpose of grading the shade, appearance or density  
 19 of the smoke, the Ringlemann Chart as follows shall be the stand-  
 20 ard chart:

20	<u>No. 0</u>	<u>No. 1</u>	<u>No. 2</u>	<u>No. 3</u>	<u>No. 4</u>	<u>No. 5</u>
21	0% Black	20% Black	40% Black	60% Black	80% Black	100% Black
22	100% White	80% White	60% White	40% White	20% White	0% White

23 Use of the chart will be made by placing it at such distance  
 24 from the observer so that the squares appear as even shades of  
 25 coloring, or when no white spaces between the lines are visible.  
 26 Comparison of the smoke under observation with the various shades  
 27 of the chart will then indicate the density of the smoke, obser-  
 28 vation distances shall be not less than 100 feet nor more than  
 29 one-quarter mile from the smoke observed, provided, however, that  
 30 other charts, instruments, or devices having equivalent shades of

1 grey, or of optical density, when viewed or operated at the in-  
2 tended working distance for each, may also be used, for the pur-  
3 pose of grading the shade, appearance or density of the smoke,  
4 dust, gas, vapor, odorous material or solid particle.

5 The intent of this section is to include smoke, dust, gas,  
6 vapor, odorous materials and particles of any color, including  
7 colors, other than black or grey. The use of a standard or  
8 standards printed or photographed in black shall not be interpret-  
9 ed to preclude this intent. Nothing in this section shall be in-  
10 terpreted to prevent the emission or discharge of uncontaminated  
11 aqueous steam to the open air.

12 SECTION 3. Permanent and Future Construction. No person shall  
13 hereafter construct, reconstruct, install or alter any fuel  
14 burning equipment or any other equipment capable of emitting  
15 smoke, gas, vapor, dust, odor or solid particle into the  
16 open air until an application for installation permit, pro-  
17 perly listing and identifying the equipment and stating the  
18 means provided or to be provided to assure compliance with  
19 this ordinance, has been filed in duplicate by the person,  
20 or his authorized agent, in the office of the Inspector, and  
21 an installation permit has been issued by said Inspector;  
22 except as hereinafter enumerated and subject to these same  
23 exceptions, no person shall construct, reconstruct, install  
24 or alter any such equipment in such manner that it does not  
25 conform to such application permit.

26 The following equipment, repairs and systems are excluded from  
27 the foregoing provisions of this section:

- 28 (a) Gas-fired equipment when standard commercial equipment is  
29 used.  
30 (b) Oil-fired equipment burning No. 1 and No. 2 fuel oil

1 (as specified in Commercial Standard Specifications for fuel  
2 oils of the U.S. Department of Commerce, in its latest revis-  
3 ion) when standard equipment is used.

4 (c) Solid fuel-fired equipment when standard commercial  
5 equipment is used and the maximum fuel input will not exceed  
6 350,000 BTU per hour.

7 (d) Equipment which is not permanently installed in a station-  
8 ary building or structure.

9 (e) Repairs and minor alterations to previously approved  
10 equipment or to equipment installed prior to the effective  
11 date of this article.

12 **SECTION 4. Creation of Office of Air Pollution Inspector and**  
13 **Duties Thereof.** The Office of Air Pollution Inspector is

14 hereby created and the Chief of the Fire Department of the  
15 City of Reno is designated as Air Pollution Inspector for  
16 Washoe County. The Air Pollution Inspector shall have the  
17 following obligations and duties:

18 (a) To investigate all complaints of violations of this  
19 ordinance and to institute necessary proceedings in case of  
20 violations.

21 (b) To investigate and make recommendations from time to  
22 time to the Board of County Commissioners of Washoe County  
23 with respect to needed revisions in this or any other ordi-  
24 nance pertaining to smoke control and air pollution.

25 (c) To prepare and disseminate appropriate educational and  
26 informative literature to the public and to pollutant produ-  
27 cers for the purpose of advising them of the purposes and  
28 necessity for the smoke prevention campaign.

29 (d) To cooperate fully with all civic or other organizations  
30 which may be or become interested in the smoke prevention

1 campaign.

2 (e) To promulgate and publish rules and regulations under  
3 which this ordinance will be administered, subject to the  
4 approval of the County Commissioners which shall provide in  
5 detail and with clarity the necessary information by which  
6 the public is to be guided. Copies of the Ringlemann Chart  
7 shall be made available to the public at a reasonable charge.  
8 The rules and regulations herein prescribed to be adopted shall  
9 be prepared only after a thorough consideration of the air  
10 pollution problem as it exists in the County of Washoe.

11 (f) To issue all permits required under the terms of this  
12 article.

13 (g) To do any and all other acts which may be necessary for  
14 the successful prosecution of the purposes of this article,  
15 and such other acts as may be specifically enumerated therein  
16 as his duties.

17 (h) To cooperate and consult with and advise owners and  
18 operators of existing industrial burning plants for the pur-  
19 pose of inducing cooperative action by said operators in  
20 bringing said burning plants within the requirements of this  
21 article pertaining to burning plants constructed hereafter.

22 SECTION 5. Interference with Performance of Duty. Any person,  
23 firm or corporation interfering or impeding the performance  
24 of duty of the Inspector or his designee shall be deemed  
25 guilty of a misdemeanor and shall be subject to the penalties  
26 hereinafter provided for the violation of the provisions of  
27 this article.

28 SECTION 6. Temporary Permits. Whenever it has been adequately  
29 demonstrated to the Inspector that compliance with the terms  
30 of this article cannot be effectively and immediately made,

1 he shall have the authority to grant a temporary permit for the  
2 continued operation of such non-complying equipment, but only  
3 in the event that the party has taken all necessary steps to  
4 secure compliance with the article. Such temporary permit.  
5 shall be issued for no longer a period than six (6) months,  
6 at the expiration of which period of time, the party holding  
7 such permit shall be deemed to be in violation of the provi-  
8 sions of this article.

9 SECTION 7. Exclusions.

10 (a) There are specifically excluded from the provisions of  
11 this article any existing industrial or commercial enterprises,  
12 including the reasonable expansion thereof. Said enterprises,  
13 and the owners thereof, shall not be required to comply with  
14 the provisions hereof, nor be subjected to the penalties  
15 provided herein. The owners of said excluded enterprises,  
16 however, are required to enter into discussions with the  
17 Inspector regarding any pollution from their enterprise which  
18 exceeds the amounts stated under Table I, to the end that  
19 said excess of emission, through cooperative action, shall be  
20 reduced.

21 (b) Usual farm and agricultural operations known as crop  
22 dusting, fertilizing or other like operations when conducted  
23 either by hand or by mechanical means, are excluded from each  
24 and all provisions of this article.

25 SECTION 8. Separability. In the event that any section, sub-  
26 section or any portion of this article shall be declared by  
27 any competent court to be invalid for any reason, such deci-  
28 sion shall not be deemed to affect the validity of any other  
29 section, sub-section or other portion of this article.

30 SECTION 9. Penalties. Any person, firm or corporation found

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violating the provisions of this article shall be fined in a sum not to exceed Five Hundred Dollars (\$500.00) for each violation thereof, and may be subjected to imprisonment for a period of time not to exceed six (6) months.

SECTION 10. Effective Date. This ordinance shall be in effect from and after its passage and approval.

Proposed on the 20th day of October, 1959.

Proposed by Commissioner Winn.

Passed the 5th day of November, 1959.

Vote:

Ayes: Commissioners Winn, McKenzie and Peterson

Nays: Commissioners None

Absent: Commissioners None

Attest:

[Signature]  
County Clerk

[Signature]  
Chairman of the Board

This ordinance shall be in force and effect from and after the 17th day of November, 1959.