

NEVADA STATE JOURNAL

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE NEVADA STATE JOURNAL, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice..... COUNTY ORDINANCE.....

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the .. 30th day of April , 19 69 .. and ..
..... May 7 .. , ..

the full period of .. 2 .. days, the last publication thereof being in the issue dated the .. 7th .. day of ..
..... May 7 .. , 19 69 ..

Signed *Dorothy Yocom* ..


Subscribed and sworn to before me this

..... 7th .. day of .. May .. , 19 69 ..

Richard J. Taylor
Notary Public.

NOTICE OF COUNTY ORDINANCE
Notice is hereby given that Bill No. 225, Ordinance No. 100 entitled: "An Ordinance relating to the preservation of the public peace and safety; defining terms; authorizing the Sheriff of Washoe County to proclaim a civil emergency; empowering the Sheriff to prohibit by proclamation certain acts which imperil the public peace and safety; authorizing the Sheriff to establish a curfew during said emergency in the geographical area of Washoe County or in the County as a whole; providing further, public notice and the filing of such proclamations; making violations of this Ordinance a misdemeanor; prescribing penalties; making provisions cumulative; making provisions severable and other matters properly relating thereto," was adopted on the 25th day of April, 1969, as an emergency measure by Commissioners: Cunningham, McKissick, Sauer, McKenzie and Cappa, all voting aye.
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
M. K. BROWN, County Clerk
334900-225 April 30-May 7

69-376

 RICHARD J. TAYLOR
Notary Public — State of Nevada
Washoe County
My Commission Expires Jan. 22, 1971

SUMMARY: An Ordinance Relating to Public Disorder, Control and Prevention Providing for the Proclamation of a Civil Emergency and Providing Methods and Criteria therefor and Establishing Penalties for the Violation of this Ordinance and Proclamation Issued thereunder.

BILL NO. 225

ORDINANCE NO. 166

AN ORDINANCE RELATING TO THE PRESERVATION OF THE PUBLIC PEACE AND SAFETY; DEFINING TERMS; AUTHORIZING THE SHERIFF OF WASHOE COUNTY TO PROCLAIM A CIVIL EMERGENCY; EMPOWERING THE SHERIFF TO PROHIBIT BY PROCLAMATION CERTAIN ACTS WHICH IMPERIL THE PUBLIC PEACE AND SAFETY; AUTHORIZING THE SHERIFF TO ESTABLISH A CURFEW DURING SAID EMERGENCY IN THE GEOGRAPHICAL AREA OF WASHOE COUNTY OR IN THE COUNTY AS A WHOLE; PROVIDING FURTHER, PUBLIC NOTICE AND THE FILING OF SUCH PROCLAMATIONS; MAKING VIOLATIONS OF THIS ORDINANCE A MISDEMEANOR; PRESCRIBING PENALTIES; MAKING PROVISIONS CUMULATIVE; MAKING PROVISIONS SEVERABLE AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES ORDAIN:

SECTION 1. Short title.

This ordinance shall be known and referred to as the Washoe County Public Disorder Control and Prevention Ordinance.

SECTION 2. Definitions.

As used in this Ordinance.

1. "Civil Emergency" is hereby defined as an affray, rout, riot, unlawful assembly and other public disorders, natural disaster or man made calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion within Washoe County or any part thereof, which affects life, health, property or the public peace, proclaimed as such by the Sheriff pursuant to Section 3 of this Ordinance.

(a) Definition of Affray. If two or more persons shall, by agreement, fight in a public place, to the terror of the citizens of this state, the persons so offending commit an affray.

(b) Definition of Rout. If two or more persons shall meet to do an unlawful act, upon a common cause or quarrel, and make advances toward it, they commit a rout.

(c) Definition of Riot. If two or more persons shall actually do an unlawful act of violence, either with or without a common cause of quarrel or even do a lawful act, in a violent, tumultuous and illegal manner, they commit a riot.

(d) Definition of Unlawful Assembly. If two or more persons shall assemble together to do an unlawful act, and separate without doing or advancing toward it, such persons commit an unlawful assembly.

2. "Curfew" is hereby defined as prohibition against any person or persons walking, running, loitering, standing or being upon, in or about any alley, street, highway, public property or public places within Washoe County as designated by the Sheriff pursuant to Section 3 of this Ordinance, except persons officially designated by the Sheriff with reference to said Civil Emergency.

3. "Sheriff" is hereby defined to mean the Sheriff of Washoe County or in the case of his absence or inability to discharge the powers and duties of his office, then the person next in command of the Washoe County Sheriff's Department.

SECTION 3. Proclamation of Civil Emergency, Notice, Termination.

1. When in the judgment of the Sheriff, a Civil Emergency as defined herein is deemed to exist, he shall proclaim the existence of the same and the area or areas affected.

2. The proclamation of a Civil Emergency and other proclamations issued pursuant to this Ordinance shall be in writing and shall be signed by the Sheriff. They shall then be filed with the Washoe County Clerk as soon as practicable.

3. The Sheriff shall give as much public notice as reasonable through the news media of the issuance of proclamations pursuant to this Ordinance.

4. The Civil Emergency shall cease to exist upon the issuance of a proclamation by the Sheriff declaring its termination; provided that if the state of emergency is still in existence upon the convening of a lawful meeting of County Commissioners of Washoe County, Nevada, the County Commissioners shall determine if they concur in the determination of the Sheriff and if they fail to ratify the action of the Sheriff, the state of emergency shall cease to exist.

SECTION 4. Civil Emergency as to various areas and times.

1. After proclamation of a civil emergency by the Sheriff, he may order a general curfew applicable to such geographical areas of the County as a whole, as he deems advisable and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare. If a geographical area of the County is designated, the area must be posted prior to the time applicable for such curfew, and the time and area covered by the curfew. Such notice shall be posted in sufficient public places to give reasonable notice of such curfew.

SECTION 5. Destroying or tampering with notices.

1. Any person who destroys or otherwise tampers with a notice posted to carry out the provisions and purposes of this Ordinance, unless duly authorized by the Sheriff, shall be guilty of violating this Ordinance and punished as provided herein.

SECTION 6. Orders in regard to Liquor Stores, Bars, Gasoline Stations, Gun Shops, and Conduct which may be Proclaimed as Prohibited.

1. The Sheriff, during the existence of a civil emergency by proclamation, may, in the area prescribed by the proclamation, which said proclamation shall not cover any part or portion of the County not reasonably necessary in controlling a civil emergency as defined herein, prohibit and order the following:

(a) Order a curfew pursuant to Section 4 of this Ordinance.

(b) Order the discontinuance of selling, distributing or giving away gasoline or other flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle or other containers of any kind except in connection with normal home use or legitimate commercial use.

(c) Order the closing of gasoline stations and other establishments the chief activity of which is selling, distributing or disposing of liquid flammables or combustible products.

(d) Order the closing of all retail liquor stores.

(e) Order the closing of all establishments serving alcoholic beverages.

(f) Order the discontinuance of selling, distributing or giving away of any firearms or ammunition of any character whatsoever.

(g) Order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms of any character whatsoever.

(h) Prohibit a designated number of persons, as designated by the Sheriff, from assembling or gathering on the public streets or parks or other open areas of this County, either public or private.

(i) Prohibit the manufacture, transfer, use, possession or transportation of a fire bomb or any other device, instrument or object designated to explode or produce uncontained combustion.

(j) Prohibit the transporting, possessing or using of gasoline, kerosene, or combustible, flammable, or explosive liquids or materials in a glass or container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use.

(k) Prohibit the possession of firearms or any other deadly weapon by a person (other than a law enforcement officer) in a place other than that person's place of residence or business.

(l) Prohibit the sale, purchase or dispensing of alcoholic beverages.

(m) Prohibit the sale, purchase distribution of firearms, ammunition or explosives of any character whatsoever.

(n) Prohibit the use of certain streets, highways or public ways by the public.

(o) Issue such other orders as are necessary for the protection of life, property and to maintain public peace.

SECTION 7. Additional Unlawful Conduct.

It shall be unlawful for any person to do the following:

1. To act with a state of mind that is sufficient to violate a particular provision or particular provisions of this Ordinance and cause an innocent or legally irresponsible person to engage in conduct constituting the offense.
2. To intend to encourage, promote or facilitate the violation of any provision or provisions of this Ordinance, and
 - (a) to solicit, request, command, importune, or otherwise attempt to cause another person to violate any provision or provisions of this Ordinance, or
 - (b) to aid, counsel, or agree or attempt to aid another person in planning or committing any violation of a provision or provisions of this Ordinance.
3. Every person who shall by word, sign or gesture willfully provoke, or attempt to provoke, another person to commit a breach of the peace shall be guilty of violating this Ordinance and punished as provided herein.

SECTION 8. Provisions Applicable During Civil Emergency.

1. Any person upon any public way within the described area who is directed by the authorities to leave the public way but refuses to do so shall be guilty of violating this Ordinance and punished as provided herein.
2. Any person who makes an unreasonable noise or an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present, shall be guilty of violating this Ordinance and punished as provided herein.

SECTION 9. Penalty.

A person violating any provision of this Ordinance or executive order issued by the Sheriff pursuant thereto, shall be guilty of a misdemeanor.

SECTION 10. Provisions Cumulative.

The provision of this Ordinance shall be cumulative to and shall not operate to repeal any other Ordinances.

SECTION 11. Severability.

The provisions of this Ordinance are severable and if any part or provision hereof shall be held void, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Ordinance.

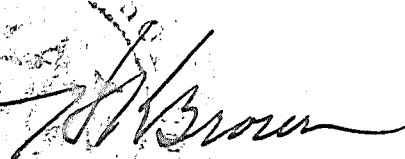
SECTION 12. This Ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by NRS 244.100.

Proposed on the 5th day of APRIL, 1969.
Proposed by Commissioner McKISSICK
Passed on the 25th day of April, 1969,
as an emergency measure.

VOTE:
Ayes: Commissioners: Cunningham, McKissick, Sauer,
McKenzie and Coppa
Nays: Commissioners: None
Absent: Commissioners: None



CHAIRMAN OF THE BOARD

ATTEST: 

COUNTY CLERK

This Ordinance shall be in force and effect from and after the
7th day of May, 1969.