

**Affidavit of Publication**

STATE OF NEVADA,  
County of Washoe—SS.

Betty A. Woodward

being duly sworn, deposes and says that he is the

Record Clerk

of The SPARKS TRIBUNE, a weekly newspaper,  
published in Sparks, Washoe County, Nevada; that  
he has charge of and knows the advertising ap-  
pearing in said newspaper, and the

Notice of County Ordinance

Bill No. 471, Ordinance No. 306

of which a copy is hereunto attached, was first  
published in said newspaper in its issue dated

February 4, 1976

and was published in each of the following issues  
thereafter:

the date of the last publication being in the issue

of February 11, 1976

*Betty A. Woodward*

Subscribed and sworn to before me this, the

11th day of February, 1976

*Lucille Lee*

Notary Public in and for the County of Washoe,  
State of Nevada.

My Commission expires: Jan 16, 1978

LUCILLE LEE  
Notary Public—State of Nevada  
Washoe County  
My Commission Expires Jan. 16, 1978

NOTICE OF COUNTY ORDINANCE

Notice is hereby given that Bill No. 471, Ordinance No. 306, entitled "An Ordinance to fix, impose and collect a license tax on all character of lawful trades, callings, industries, occupations, professions and business conducted in the County of Washoe, outside of the limits of incorporated cities and towns in Washoe County; fixing a penalty for the violation thereof; and repealing all Ordinances and parts of Ordinances in conflict therewith; providing for the licensing for sale at retail of shells, cartridges or bombs containing or capable of emitting tear gas, or any weapon designated for the use of such shell, cartridge or bomb; and repealing Washoe County Ordinances No. 31, 32, 46 and 195," was adopted on January 26, 1976 by Commissioners Scott, Grow, Rusk, Nelson and Gaunt all voting aye.

Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.

Publish Feb. 4, 11, '76

*Alex Coon*  
ALEX COON, COUNTY CLERK

**SUMMARY:** Provides for the fixing, imposition and collection of license taxes on all business conducted in the unincorporated area of Washoe County; fixes penalties for violation thereof; provides for the licensing for sale at retail of shells, cartridges, or bombs containing or capable of emitting tear gas, or any weapon designated for the use of such shell, cartridge, or bomb; repeals Washoe County Ordinances No. 31, 32, 46 and 195.

BILL NO. 471

ORDINANCE NO. 306

AN ORDINANCE TO FIX, IMPOSE AND COLLECT A LICENSE TAX ON ALL CHARACTER OF LAWFUL TRADES, CALLINGS, INDUSTRIES, OCCUPATIONS, PROFESSIONS AND BUSINESS CONDUCTED IN THE COUNTY OF WASHOE, OUTSIDE OF THE LIMITS OF INCORPORATED CITIES AND TOWNS IN WASHOE COUNTY; FIXING A PENALTY FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR THE LICENSING FOR SALE AT RETAIL OF SHELLS, CARTRIDGES OR BOMBS CONTAINING OR CAPABLE OF EMITTING TEAR GAS, OR ANY WEAPON DESIGNATED FOR THE USE OF SUCH SHELL, CARTRIDGE OR BOMB; AND REPEALING WASHOE COUNTY ORDINANCES NO. 31, 32, 46 AND 195.

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

SECTION 1. Definitions of Terms Used in this Ordinance.

- A. Board: The term "board" shall mean the Board of County Commissioners in all cases except where, as provided in NRS 244.335 through 244.353, or any other law or ordinance, either the County License Board or the County Liquor Board is granted exclusive jurisdiction, in which cases "board" shall mean the board possessing such exclusive jurisdiction.
- B. Canvasser or Solicitor: The term "canvasser" or "solicitor" shall mean one who takes orders for future deliveries, or for intangible services, or solicits subscriptions, in public places, or from house to house, and not from an established place on private premises (solicitation of funds or orders by telephone is not considered canvassing in this sense of the word).
- C. Charitable Solicitation: The term "charitable solicitation" means any direct or indirect request for money, credit, property, or anything of value based on the representation that such money, credit, property, or other thing of value will be used for a charitable or welfare purpose. Such charitable or welfare purpose is any purpose represented to benefit the poor, destitute, underprivileged, sick, or otherwise needy; or to benefit any defense or general welfare fund of the United States, or of the State of Nevada, or any other state of this Union; or to benefit any group seeking the improvement or beautification of the state, city, or community; or to benefit any maternal or social organization or association; or to benefit any educational institutions presently existing or contemplated in the future. A charitable solicitation shall be deemed completed when communicated to any person then located outside the incorporated areas of Washoe County, whether or not the person making the solicitation is located within the unincorporated area of Washoe County, and whether or not the person making such solicitation receives any contribution whatsoever.
- D. Employee: The term "employee," in relation to employment in a massage parlor, means any person over 18 years of age, other than a masseur, who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or patrons.

- E. Escort: The term "escort" means any person who, for a fee, commission, hire, reward or profit, accompanies other persons to or about social affairs, places of entertainment or of amusement, or who consorts with others, for hire or reward, about any place of public resort or within any private quarters.
- F. Escort Bureau: The term "escort bureau" means any person, business or agency which, for a fee, commission, hire, reward or profit, furnishes or offers to furnish escorts, or persons who, for hire or reward, accompany others to or about social affairs, places of entertainment or amusement, or who consort with others, for hire or reward, about any place of public resort or within any private quarters.
- G. Farm Products: The term "farm products" shall mean all agricultural, horticultural, viticultural and vegetable products of the soil, poultry and poultry products, livestock and livestock products and hay, but not timber products, or milk and milk products.
- H. Farmer's Market: The term "farmer's market" shall mean a place of business where the actual producer of farm products can bring the products for direct sale to consumers.
- I. Itinerant Merchant: The term "itinerant merchant" means any merchant engaging or intending to engage in business as a merchant in the County for a period of time not exceeding one hundred (100) days.
- J. Massage: The term "massage" means any method of treating the superficial parts of a patron for medical, hygienic, exercise, or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating, or stimulating with the hands or any instrument, or by the application of air, liquid, or vapor baths of any kind whatever.
- K. Masseur: The term "masseur" means any person who engages in the practice of massage as herein defined. The use of the masculine gender shall include, in all cases, the feminine gender as well.
- L. Patron: The term "patron," in relation to a massage parlor, means any person over 18 years of age who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.
- M. Peddler: The term "peddler" shall mean one who sells tangible commodities from house to house, store to store, or on the streets, or in any public place; his sales are not made from one established spot excepting where they are made in the street or other public place and he makes delivery at the time of the sale. Whether or not he collects at the time of the sale is immaterial.
- N. Permanent Fixed Place of Business: The term "permanent fixed place of business," in relation to a photographer, means a room, rooms, or studio ordinarily kept open to the public during regular business hours at which there is in attendance during such hours a photographer, or an employee thereof, and at which there is kept photographic equipment for the purpose of taking, developing and finishing pictures.
- O. Person: The term "person" shall be construed to mean any person, real or fictional, such as any firm, partnership, corporation, or other business entity.

- P. Photographer: The term "photographer" means any person engaged in the business of taking pictures or views by or with photographic equipment, whether the business is carried on as a sideline to the sale of merchandise other than pictures or solely carried on for the purpose of dealing in pictures. It shall also include persons engaged in the business of engraving, enlarging, retouching or reconditioning photographs.
- Q. Resident Photographer: The term "resident photographer" means any person who has a permanent fixed place of business in the State of Nevada.
- R. Restaurant: The term "restaurant" shall be construed to include any place where food or drink (other than alcoholic liquor) is prepared or served to the public for consumption on the premises; and the term "food" shall include beverages other than alcoholic liquor.
- S. Sunset: The term "sunset" for the purposes of this section, means the sunset time for the particular day involved as listed in the sunset table prepared by the Nautical Almanac Office of the United States Naval Observatory, Washington, D. C.
- T. Transient Photographer: The term "transient photographer" means any itinerant photographer, picture or view taker, coupon salesman, enlargement solicitor, or canvasser therefor, whose place of business is outside the State of Nevada, or who represents a person engaged in business outside of the State of Nevada, or who has not a permanent fixed place of business in the State of Nevada.
- U. Transient Vendor or Transient Merchant: The term "transient vendor" or "transient merchant" shall mean one who sells commodities from private premises but remains at one place for the purpose of temporary periods only, generally not more than six weeks.

SECTION 2. License Required for Engaging in Business.  
It shall be unlawful for any person or persons, firm, association, or corporation to engage in any business, trade, calling, industry, occupation, or profession in the County of Washoe, outside of the limits of incorporated cities and towns in said county without first procuring a license therefor from the County of Washoe.

SECTION 3. Applications.  
Applications for all licenses and permits required by ordinance shall be made in writing to the Sheriff's Department in the absence of any provision herein to the contrary. Each application shall state the name of the applicant, the permit or license desired, the location to be used, if any, the time covered and the fee to be paid; and each application shall contain such additional information as may be needed for the proper guidance of the proper officials in the issuing of the permit or license applied for.

SECTION 4. Forms.  
Forms for all licenses and permits, and applications therefor, shall be prepared and kept in a file at the Sheriff's Department.

SECTION 5. Persons Subject to License.  
Whenever a license is required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, any person or corporation shall be subject to the requirement if by himself or through an agent, employee, or partner, he holds himself forth as being engaged in the business or occupation; or solicits patronage

therefor, actively or passively; or performs or attempts to perform any part of such business or occupation in the County.

SECTION 6. Investigations.

Upon the receipt of an application for a license or permit, an inspection or investigation may be made at the discretion of the Sheriff before the issuance of such permit or license. Any reasonable investigation costs shall be the responsibility of the applicant. The officer charged with the duty of making the investigation or inspection shall make a report thereon, favorable or otherwise, within 10 days after receiving the application or a copy thereof. All other investigations except where otherwise provided herein, shall be made by the Sheriff's Department or by some other officer designated by the Board.

SECTION 7. Fees.

In the absence of any provision herein to the contrary, all fees and charges for licenses or permits shall be paid in advance at the time application therefor is made to the Sheriff. When an applicant has not engaged in the business until after the expiration of part of the current license year, the license fee shall be prorated by quarters and the fee paid for each quarter or fraction thereof during which the business has been or will be conducted. Annual license fees shall be as follows:

- A. Any business, trade, calling, industry, occupation, or profession not specifically mentioned elsewhere in this ordinance shall pay a license fee of \$40.00 dollars per annum.
- B. Auto court, motels, hotels, guest ranches, guest houses, apartments, mobile home parks, \$15.00 dollars per annum for five units or fraction thereof, plus \$3.00 dollars per annum for each additional unit, room, trailer space, or cottage over five.

SECTION 8. Temporary Licenses.

For a temporary business or event, a temporary license may be issued which shall be valid for a stated period not to exceed 15 calendar days, upon the payment of one-fourth of the applicable annual license fee.

SECTION 9. Termination of Licenses.

All annual licenses shall terminate on the last day of the calendar year of the County where they are issued, where no provision herein to the contrary is made. The Sheriff shall mail to all licensees of the County a statement of the time of expiration of the license held by the licensee, if an annual license, three weeks prior to the date of such expiration. A failure to send out such notice or the failure of the licensee to receive it shall not excuse a licensee or provide a defense to an action for operation without license.

SECTION 10. Building and Premises.

No license shall be issued for the conduct of any business, and no permit shall be issued for any thing or act if the premises and building to be used for the purpose do not fully comply with the requirements of the County. No such license or permit shall be issued for the conduct of any business or performance of any act which would involve a violation of the zoning ordinance of this County.

SECTION 11. Change of Location.

The location of any licensed business or occupation, or of any permitted act, may be changed provided 10 days' notice thereof is given to the Sheriff in the absence of any provision herein to the contrary, provided that the building and zoning requirements

of the ordinance are complied with.

SECTION 12. Nuisances.

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact, as defined in NRS 40.140.

SECTION 13. Inspections.

Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance, or are reasonably necessary to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to be inspected to admit the inspection or licensing official for the purpose of making the inspection at any reasonable time that admission is requested. Whenever an analysis of any commodity or material is reasonably necessary to secure conformance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee to give to any authorized officer or employee of the County requesting the same sufficient samples of such material or commodity for such analysis upon request.

In addition to any other penalty which may be provided, the Board may revoke the license of any licensed proprietor of any licensed business in the County who refuses to permit any such officer or employee who is authorized to make such inspection or take such sample to make the inspection or take an adequate sample of the said commodity, or who interferes with such officer or employee while in the performance of his duty in making such inspection, provided that no license shall be revoked for such cause unless written demand is made upon the licensee or person in charge of the premises, in the name of the County, stating that such an inspection or sample is desired at the time it is sought to make the inspection or obtain the sample.

Pursuant to Ordinance 57, Art. 5§C (p. 11), telephone only businesses require no inspection.

SECTION 14. Suspension, Cancellation, and Revocation of Licenses.

Any license issued pursuant to the provisions of this ordinance or any amendment thereof may be suspended, cancelled, or revoked for good cause. Good cause for such suspension, cancellation, or revocation shall include, but is not limited to:

- A. The existence of unsanitary conditions, noise, disturbances, and other conditions at, near, or on the premises which cause or tend to cause or create a public nuisance or which injuriously affects the public health, safety or welfare.
- B. The commission of, or permitting or causing the commission of, any act in the operation of the business, which act is made unlawful or is prohibited by any applicable law, ordinance, rule or regulation of any city, county, state, or federal government; and
- C. Fraudulent practices and misrepresentations in the operation of the business, or concealment or misrepresentation in procuring the license.

SECTION 15. Procedure for Suspension, Cancellation, or Revocation of License.

Any license issued pursuant to the provisions of this ordinance may be suspended, cancelled or revoked in the following manner:

- A. The Board, on its own motion or initiative, or upon complaint of any person, may institute proceedings to suspend, cancel,

or revoke a license by having served upon the licensee a notice or complaint setting forth the reasons alleged to constitute grounds for the suspension, revocation, or cancellation. Service may be made personally, or by mailing by certified mail to the last known address of the licensee as shown on his most recent application. If, after all reasonable efforts, the licensee is not actually served, service may be accomplished by publication.

- B. The licensee shall, within 5 days of the receipt of such notice or complaint, unless an extension of time be granted by the Board, file with the clerk of the Board a written answer, under oath, to such complaint.
- C. The Board shall fix a day and time for a hearing at which the licensee will be given an opportunity to be heard and present evidence, by witnesses or otherwise, in his behalf.
- D. If the licensee fails to file a written answer within the time required, or if the licensee fails to appear at the place and time designated for the hearing, the Board may order the license suspended, cancelled, or revoked.
- E. The Board shall, within 10 days from the date of such hearings, enter its order to suspend, cancel or revoke said license.
- F. As an alternative to the procedure outlined in subsections A through E above, the Board may, on its own initiative, or upon the complaint of any person, require the licensee to appear before the Board at a fixed time and place and then and there show cause, if any he may have, why his license should not be suspended, cancelled or revoked. The hearing shall be held not less than 5 days from the date of service upon the licensee of the order to show cause. Service of such order may be made as described in subsection A above. The failure by the licensee to appear at the time and place designated by the Board shall, of itself, constitute sufficient grounds for suspension, cancellation, and revocation of his license.
- G. In the event the licensee shall fail to answer or appear at such hearing and the revocation of his license be ordered, there shall be no reopening or review of the proceedings before the Board, except when it shall subsequently appear to the satisfaction of the Board that the licensee's failure to answer or appear was due to matters beyond his control and not to inexcusable negligence on the part of the licensee.

SECTION 16. Posting Licenses.

It shall be the duty of any person conducting a licensed business in the County to keep his license posted in a prominent place on the premises used for such business at all times.

SECTION 17. Vehicle Tag.

Whenever the number of vehicles used is the basis of a license fee, the Sheriff shall furnish each licensee with a tag or sticker for each vehicle covered by the license, and such tag or sticker shall be posted in a conspicuous place on each such vehicle while it is in use.

SECTION 18. Merchants, Auctioneers.

- A. License required. It shall be unlawful for any person, firm, or corporation to conduct an auction in this County or to do

business as an auctioneer, whether the goods sold are owned by the auctioneer or not, without having first obtained a license therefor as is herein provided.

- B. Applications. Applications for auctioneers' licenses, or for a single auction, shall state thereon the place of business intended to be occupied, if any, or the place of such auction; and such applications shall give the names of any employees, not to exceed two, who are to be authorized to conduct auctions under the authority of the license granted.
- C. Character of applicant. No license shall be issued to any person other than a person of good character; the Sheriff shall investigate the character of such applicant before the license shall be issued.
- D. Employees. Every person licensed as an auctioneer may designate as many as two employees who may be authorized by him to conduct auctions. The employer shall be liable for any violation of this ordinance committed by such employee while conducting an auction.
- E. Exemptions. Nothing in this article shall be held to apply to any public auction or sale made or conducted by a public officer by virtue of any judicial order or process or by virtue of any power or authority contained in a mortgage or trust deed.
- F. Fees. The fees for auctioneers' licenses shall be for a license of one day \$10.00 dollars. For an annual license \$40.00 dollars.

SECTION 19. Vending Machines.

- A. License required. It shall be unlawful to sell or give away any merchandise by means of a vending machine in this County without first being licensed to do so by the County.
- B. Applications. Application for such licenses should be made in writing to the Sheriff. Such application shall contain the name of the applicant, the address at which such sales are to be made, the number of vending machines, and shall be filed with the Sheriff together with the license fee hereinafter required.
- C. Fees required. The annual fee for a license as herein required shall be \$10.00 dollars per machine.
- D. Penalty. Any person, firm, or corporation violating the provisions of this ordinance or permitting the same to be violated by their employees shall be subject to a fine of not less than \$50.00 nor more than \$100.00 for each offense. The holder of such license may also suffer the penalty of having his license for such sale revoked for any such violation. Revocation shall be in writing and signed by the Board.



SECTION 20. Itinerant Merchants.

- A. License required. It shall be unlawful to do business in the County as an itinerant merchant without having first secured a license therefor as is herein provided. For the purpose of this ordinance any merchant engaging or intending to engage in business as a merchant in the County for a period of time not exceeding one hundred days shall be considered an itinerant merchant, provided that peddlers shall not be considered itinerant merchants.
- B. Applications. Every application for such a license shall set forth the commodities to be sold, and the place intended to be occupied and used for the business.
- C. Fees. The fees for such licenses shall be \$25.00 dollars for one month and 7/10.00 dollars for one day.

SECTION 21. Junk Dealers.

- A. License required. It shall be unlawful to operate or carry on the business of a junk dealer or to keep any junk shop, store or place for the purchase or sale of junk, rags, old rope, paper, bagging, old iron, brass, copper, or empty bottles, without having first obtained a license therefor as is provided hereinafter.
- B. Applications. Applications for such licenses shall be made in conformance with the provisions of the ordinance relating to licenses.
- C. Fees. The fee to be paid for such licenses shall be: For an annual license \$150.00 dollars for each junk shop or junkyard and then an additional fee of \$5.00 dollars for each vehicle used in the conduct of any business, provided that a junk dealer not maintaining a store or yard in the County shall pay 7/10.00 dollars per vehicle used.
- D. Premises. Any premises, area, or piece or parcel of land licensed and used as a junkyard shall have not more than two entrances and two exists each of which shall not exceed 15 feet in width at the perimeter of such premises. Such premises, areas, pieces or parcels of land shall be enclosed with either a solid nontransparent wall or fence or link weave steel wire or combination thereof with a minimum height of 7 feet from the ground level excepting for entrances and exits. The fence or wall shall not contain any poster or advertising of any kind excepting one sign of the licensee not exceeding 100 square feet in size.
- E. Stolen goods. Every keeper of a junk shop who shall receive or be in possession of any goods, articles, or things of value which may have been lost or stolen shall upon demand produce such article or thing to any member of the Sheriff's Department or other law enforcement agency for examination.
- F. Vehicles. Every vehicle used by a junk dealer in the conduct of his business, shall bear thereon in legible characters the name and address of the owner and proprietor thereof.

SECTION 22. Peddlers.

- A. License required. It shall be unlawful for any person, firm, or corporation to engage in the business of hawker or peddler of any merchandise, article, or thing without having first secured a license therefor.

- B. Applications. Applications for such licenses shall be made to the Sheriff, and shall state thereon the description and number of vehicles, if any, intended to be operated, and of merchandise to be peddled; and the permanent address of the peddler.
- C. Fee. The fee for such license shall be \$40.00 dollars for an annual license.
- D. Street peddlers. No peddler shall operate on any street, sidewalk, park, parkway, or in any other public place unless his peddler's license specifies that peddling in such public place is permitted thereunder.
- E. Fraud. Any licensed peddler or hawker who shall be guilty of any fraud, cheating or misrepresentation, whether through himself or through an agent or employee, while acting as a peddler in this County, or who shall barter, sell, or peddle any goods, or merchandise, or wares other than those specified in his application for a license shall be deemed guilty of a violation of this ordinance.
- F. Penalty. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than \$25.00 dollars nor more than \$500.00 dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- G. Hours for peddling and soliciting. Each permit shall contain authorization for the applicant to make solicitations in the county on all days except Sundays and holidays between the hours of nine o'clock a.m. and five o'clock p.m., or sunset, whichever is earlier, only. Solicitation at any other time or on any other day constitutes a misdemeanor and shall be punished as provided in subsection F of this section.
- H. Peddling or soliciting on posted premises. It is unlawful for any peddler or solicitor to contact, accost or approach for purpose of solicitation or peddling any premises if requested by anyone thereon not to do so, or if there is placed on the premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Solicitors or Agents," "No Salesmen" or any similar notice, indicating in any manner that the occupants of the premises do not desire to be molested or to have their right or privacy disturbed.
- It is unlawful for any peddler or solicitor to distribute, deposit, place, throw, scatter or cast any material advertising the cause for which they are soliciting upon any residential premises, if requested by anyone thereon not to do so, or if there is placed on the premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Solicitors or Agents," "No Peddlers or Agents," "No Advertisement" or any similar notice, indicating in any manner that the occupants of the premises do not desire to be molested, or to have their right of privacy disturbed, or to have any such advertising materials left upon such premises.
- ✓ I. Permit-Suspension or Revocation. The Sheriff may suspend, and the Board, after a report by the Sheriff, may revoke, any peddler's or solicitor's permit if any person complains that the peddler or solicitor has:
- A. Misrepresented his goods;

- B. Violated any ordinance of the county;
  - C. Conducted himself in a disorderly manner;
  - D. Entered upon the premises of any person without the permission of consent of such person.
- J. Exceptions. Pursuant to NRS 650.040, the provisions of this ordinance as they relate to "Peddlers" do not apply to persons engaged in the disposal of fruits, vegetables, eggs or honey if the vendor is a bona fide producer or grower thereof and transports such products from the place of production or growing to the place of sale in a vehicle owned by him.

SECTION 23. Second Hand Stores.

- A. License required. No person, firm, or corporation shall operate or conduct a second hand store in this County without having first obtained a license therefor and without complying with the provisions of this ordinance. The annual license fee for a second hand store shall be 440.00 dollars and no license shall be issued except upon payment of this fee.
- B. Application. Applications for such licenses shall be made to the Sheriff in writing and shall state the location intended to be occupied. Upon receipt of any such application the Sheriff shall investigate the character of the applicant and shall record in writing the results of his investigation. No license shall be issued to any person of bad character nor to any person who shall have been convicted of the felonies of receiving stolen goods, burglary, or robbery.
- C. Records. Every person operating a second hand store shall keep a record of articles purchased, which record together with the articles themselves shall be open to inspection by any member of the Sheriff's Department or other law enforcement agency at any and all reasonable hours.

SECTION 24. Sidewalk Sales.

- A. License required. It shall be unlawful for any person, firm, corporation, transient, merchant, church, club, charitable institution, hawker, or peddler to vend, sell, dispose, or offer to vend, sell, dispose, or display any goods, wares, merchandise, produce or vegetables, on any public walk, street, alley, or anywhere within the County, without having first obtained a license from the Sheriff for that purpose and having paid a license fee therefor as hereinafter provided.
- B. Application. Application for license to vend, sell, dispose, or display merchandise, goods, wares, produce or vegetables, shall be made in writing to the Sheriff. The application shall contain the name of the applicant, if any individual, the names of partners, if a co-partnership, or the names of the principal officers, if a corporation, church, club, or charitable institution, and shall include the location of the place or places where such merchandise, goods, wares, produce or vegetables, are to be so displayed and sold.
- C. License fee. The license fee to be charged for such application is 25.00 dollars. No license shall be valid for more than seven days.
- D. Regulations. No street or alley shall be blocked by any merchandise offered for sale hereunder. A two foot passageway

for pedestrians shall be left open, and merchandise shall be securely and adequately placed so that it will not endanger passersby or fall or extrude into any street or alley. Such sales shall not be operated in any manner which would create a nuisance, or create a fire hazard.

- E. Inspections. The Sheriff shall make or cause to be made sufficient inspections to insure the compliance with the provisions of this ordinance and other applicable provisions of the county ordinances by the personnel conducting such sales.
- F. Penalty. Any person, firm, or corporation violating any provision of this ordinance shall be fined not less than \$25.00 dollars nor more than \$500.00 dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 25. Massage Businesses.

- A. Permit required. Business permit required. No person shall engage in or carry on the business of massage unless he has a valid massage business permit issued by the County pursuant to the provisions of this ordinance for each and every separate office or place of business conducted by such person within the County.

Masseurs permit required. No person shall practice massage as a masseur employee or otherwise unless he has a valid and subsisting masseurs permit issued to him by the County pursuant to the provisions of this ordinance.

- B. Application for massage business permit. Any person desiring a massage business permit shall file a written application to the Sheriff on a form to be furnished by the Sheriff. The applicant shall accompany the application with a tender of the correct permit fee as hereinafter provided and shall, in addition, furnish the following:
1. The type of ownership of the business, i.e., whether individual, partnership, corporation, or otherwise;
  2. The name, style, and designation under which the business or practices are to be conducted;
  3. The business address and all telephone numbers where the business is to be conducted.
  4. A complete list of the names and residence addresses of all masseurs and employees in the business and the name and residence addresses of the manager or other person principally in charge of the operation of the business;
  5. The following personal information concerning the applicant, if an individual; and concerning each stockholder holding more than 10 percent of stock of the corporation, each officer and each director, if the applicant is a corporation; and concerning the partners, including limited partners, if the applicant is a partnership; and concerning the manager or other person principally in charge of the operation of the business:
    - a. Name, complete residence address, and residence telephone numbers.
    - b. The two previous addresses immediately prior to the present address of the applicant.

- c. Written proof of age.
  - d. Height, weight, color of hair and eyes, and sex.
  - e. Two front face portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size.
  - f. The massage or similar business history and experience, including but not limited to whether or not such person has previously operated in this or in another city or state under license or permit or has had such license or permit denied, revoked, or suspended, and the reason therefor, and the business activities or occupations subsequent to such action of denial, suspension, or revocation.
  - g. All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted, and the offense for which convicted, and the circumstances thereof.
  - h. A complete set of fingerprints taken and to be retained on file by the Sheriff's Department.
- 6. Such other information, identification, physical examination of the person as shall be deemed necessary by the Sheriff to discover the truth of the matters here and before required to be set in the application.
  - 7. Authorization for the County, its agents and employees, to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.
  - 8. The names and addresses of three adult residents of the County who will serve as character references. These references must be persons other than relatives and business associates.
  - 9. Written declaration by the applicant, under penalty of perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated and signed in the County.
- C. Application for masseurs permit. Any person desiring a masseurs permit shall file a written application with the Sheriff on a form to be furnished by the Sheriff. The applicant shall tender with the application the correct permit fee as hereinafter provided and shall, in addition, furnish the following:
- 1. The business address and telephone numbers where the massage is to be practiced.
  - 2. The following personal information concerning the applicant:
    - a. Name, complete residence address and residence telephone numbers.
    - b. The two previous addresses immediately prior to the present address of the applicant.
    - c. Written proof of age.

- d. Height, weight, color of hair and eyes, and sex.
  - e. Two front face portrait photographs taken within 30 days of the date of application and at least two inches by two inches in size.
  - f. The massage or similar business history and experience, including but not limited to whether or not such person had previously operated in this or another city or county or state under license or permit has had such license or permit denied, revoked, or suspended and the reason therefor, and the business activities or occupations subsequent to such action of denial, suspension, or revocation.
  - g. All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted, and the offense for which convicted, and the circumstances thereof.
  - h. A complete set of fingerprints taken and to be retained on file by the Sheriff or his authorized representatives.
  - i. A statement in writing from a licensed physician in the state that he has examined the applicant and believes the applicant to be free of all communicable diseases.
3. Such other information, identification, and physical examination of the person deemed necessary by the Sheriff in order to discover the truth of the matters here and before required to be set forth in the application.
  4. Authorization for the County its agents and employees to seek information and conduct an investigation into the truth of the statement set forth in the application and the qualifications of the applicant for the permit.
  5. Written declaration by the applicant, under penalty of perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated and signed in the County.
- D. Approval by Sheriff. Upon receiving the application for a massage business or masseurs permit, the Sheriff shall conduct an investigation into the applicant's moral character and personal and criminal history. The Sheriff may, in his discretion, require a personal interview of the applicant, and such further information, identification, and physical examination of the person as shall bear on the investigation.

In the case of applications for massage business permits, the Sheriff shall cause to be conducted an investigation on the premises where the massage is to be carried on, for the purpose of assuring that such premises comply with all the sanitation requirements as set forth in the ordinance and with the regulations of public health, safety, welfare.

- ✓ Before any permit shall issue under this article, the Sheriff shall first sign his approval of the application.
- E. Issuance or denial of massage business permit. The Sheriff will issue a massage business permit within 45 days of receipt of the application unless he finds that:
1. The correct permit fee has not been tendered to the County, and in the case of a check or bank draft, dishonored with payment upon presentation;

2. The operation, as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to, the County's building, zoning, and health;
  3. The applicant, if an individual; or any of the stockholders holding more than 10 percent of the stock of the corporation, any of the officers and directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other persons principally in charge of the operation of the business, having been convicted of any crime involving dishonesty, fraud, or deceit, unless such conviction occur at least five years prior to the date of the application;
  4. The applicant has knowingly made any false, misleading, or fraudulent statement of fact in the permit application or in any document required by the County in conjunction therewith;
  5. The applicant has had a massage business, masseur, or other similar permit or license denied, revoked or suspended for any of the above causes by this County or any other state or local agency within five years prior to the date of the application;
  6. The applicant, if any individual, or any of the officers and directors, if the applicant is a corporation; or any of the partners, including limited partners, if the applicant is a partnership; and the manager or other person principally in charge of the operation of the business, is not over the age of 18 years.
- F. Display of permits. The massage permittee shall display his permit, and that of each and every masseur employed in the establishment, in an open and conspicuous place on the premises of the massage business.
- G. Fee. The permit fee for a massage business shall be \$40.00 dollars per year or any part thereof. The permit fee for masseurs shall be \$25.00 dollars per year or any part thereof.
- H. Revocation or suspension of permit. Any massage business or masseurs permit issued under this ordinance shall be subject to suspension or revocation by the Sheriff for violation of any provision of this article or for grounds that would warrant the denial of issuance of such permit in the first instance. The Sheriff, upon such revocation or suspension, shall state his reasons in writing specifying the particular grounds for such revocation or suspension.
- I. Keeping of records. Every person who operates a massage business or practices or provides a massage shall at all times keep an appointment book in which the name of each and every patron shall be entered, together with the time, date, and place of service, and the service provided. Such appointment books shall be available at all times for inspection by the Sheriff or his authorized representatives.
- J. Transfers prohibited. No massage business and masseur permits are transferrable, separate or divisible, and such authority as a permit confers shall be conferred only upon the permittee named therein.
- K. Sanitation and safety requirements. All premises used by permittees hereunder shall comply with local health regulations.

- L. Supervision. A permittee shall have the premises supervised at all times when open for business. Any business rendering massage services shall have one person who qualifies as a masseur on the premises at all time while the establishment is open. The permittee shall not violate, or permit others to violate, any applicable provision of this ordinance. The violation of any provision by any agent or employee of the permittee shall constitute a violation by the permittee.
- M. Persons under age 18 prohibited on the premises. No person shall permit any person under the age of 18 years to enter or remain on the premises of any massage business establishment, as masseur, employee, or patron, unless such person is on the premises on lawful business.
- N. Alcoholic beverages prohibited. No person shall sell, give, dispense, provide, or keep or cause to be sold, given, dispensed, provided, or kept, any alcoholic beverage on the premises of any massage business.
- O. Exceptions. The provisions of this article shall not apply to hospitals, nursing homes, sanitariums, or persons holding an unrevoked certificate to practice the healing arts under the laws of the state, or persons working under the direction of any such persons or in any such establishment, nor shall this article apply to barbers or cosmetologists lawfully carrying out their particular profession or business and holding a valid, unrevoked license or certificate of registration issued by the state.
- P. Penalties. Any person, firm, or corporation violating any of the provisions of this ordinance shall be fined not less than \$25.00 dollars nor more than \$500.00 dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 26. Retail Sale of Shells, Cartridges or Bombs Capable of Emitting Tear Gas and Any Weapon Designed For the Use of Such Shells, Cartridges, or Bombs.

Notwithstanding any provision of this ordinance to the contrary, the Sheriff of Washoe County may grant a license in a form to be prescribed by him, effective for not more than one year from the date of issuance, to permit the sale at retail, within the County, including the incorporated cities therein at the place specified in the license, of shells, cartridges, or bombs containing or capable of emitting tear gas, or any weapon designed for the use of such shells, cartridges, bombs or weapons, subject to the following conditions, upon breach of any of which the license shall be subject to forfeiture:

- A. Such business shall be carried on only in the building designated in the license.
- B. Such license or certified copy thereof must be displayed on the premises in a place where it may easily be read.
- C. No such shell, cartridge, bomb, or weapon shall be delivered to any person not authorized to possess or transport the same under the provisions of NRS 202.370 to 202.440, inclusive, and Washoe County Ordinance No. 202. No protective system involving the use of shells, cartridges, bombs, or weapons shall be installed,



nor shall supplies be sold for the maintenance of such system, unless the licensee has personal knowledge of the existence of a valid permit for the operation of and maintenance of such system issued pursuant to Washoe County Ordinance No. 202.

- D. A complete record must be kept of sales made under the authority of the license, showing the name and address of the purchaser, the quantity and description of the articles purchased, together with the serial number, if any, the number and date of issuance of the purchaser's permit, and the signature of the purchaser or purchasing agent. No sale shall be made unless the permit authorizing possession and transportation of shells, cartridges, bombs, or weapons is displayed to the seller and the information herein required is copied therefrom. This record shall be open to the inspection of any peace officer or other person designated by the Sheriff of Washoe County.
- E. An annual fee of One Hundred Dollars (\$100.00) shall be paid by the applicant to the Sheriff of Washoe County for such license, and the same shall be deposited in the general fund of Washoe County.
- F. The Sheriff may, in his sole discretion, revoke any license issued under the provision of this section, with or without cause, at any time, and the procedure for suspension, cancellation, or revocation of a license as provided within this ordinance shall not be applicable to a license issued under this section.

SECTION 27. Gaming and Liquor Licenses.

- A. Gaming and liquor license fee shall be payable quarterly in advance in accordance with the following schedule:
  1. Tavern license, including but not limited to bars, cocktail lounges or saloons without live entertainment where dancing is prohibited, \$100.00 dollars per quarter or fraction thereof.
  2. Cabaret license, including but not limited to bars, cocktail lounges or saloons having live entertainment or where dancing is permitted, \$150.00 dollars per quarter or fraction thereof.
  3. Package liquor license, including but not limited to retail stores selling alcoholic liquors for consumption off the premises, \$60.00 dollars per quarter or fraction thereof.
  4. Retail beer license, including but not limited to retail stores selling beer for consumption off the premises, \$15.00 dollars per quarter or fraction thereof.
  5. Retail beer and wine license, including but not limited to licensed restaurants serving beer and wine for consumption with meals, \$50.00 dollars per quarter or fraction thereof.
  6. Wholesale alcoholic liquor license, including but not limited to establishments in possession of alcoholic liquors for resale to retail outlets, \$100.00 dollars per quarter or fraction thereof.

7. Service bars - Additional fee.  
For every service bar, as defined in Liquor Board Ordinance No. 2, within an already licensed premises, \$50.00 dollars per quarter or fraction thereof.
8. Gaming license--card games, including, but not limited to, stud and draw poker, bridge, whist, solo and panguingui for money shall be licensed independent of other games mentioned in this ordinance, at the rate of \$25.00 dollars per quarter or fraction thereof. For each game or device licensed excepting those games above enumerated and except slot machines, the license shall be \$50.00 dollars per quarter or fraction thereof. For slot machines the license shall be \$10.00 dollars per quarter or fraction thereof, for each and every unit paying in identical denominations operated thereby.
- B. No license fee or portion thereof shall be refunded after the license is issued and payment is made therefor.

SECTION 28. Tent Shows and Circuses.

- A. License fee for circuses, tent shows. From and after the passage of this ordinance, it shall be unlawful for any person, firm, corporation or association to engage in the business of a tent show, carnival, menagerie, zoo or circus without first securing a license therefor from the Sheriff of Washoe County and paying a license of not less than \$300 per day; provided that upon written application of any executive officer of any local post or unit of any national organization of exservicemen, acting in his official capacity, such license or licenses shall be issued without charge for not to exceed 2 weeks in any calendar year, where the local post or unit is to participate in such show or the proceeds thereof; provided further that the approval of the location of such tent show, carnival, menagerie, zoo or circus shall first be approved by the Chairman of the Board of County Commissioners of Washoe County before any license shall be issued.

SECTION 29. Photographers.

- A. Licenses required: Fees.
1. Any resident person conducting the business of photography in any unincorporated area in Washoe County shall first obtain a license so to do from the Sheriff of Washoe County.
  2. Any person engaging in the business or occupation of a transient photographer within any unincorporated area of Washoe County shall first obtain a license from the Sheriff of Washoe County, the license fee to be in the sum of \$2.50 per day.
- B. Soliciting without invitation a nuisance. The practice of going in and upon private premises, grounds or residences, business establishments or offices, in any unincorporated area of Washoe County, Nevada, by solicitors or canvassers endeavoring to secure, or securing, orders for the sale, distribution or gifts of photographic work of any nature by means of coupons, or otherwise, without first having been requested or invited so to do by the owner or owners, or occupant or occupants, of the private residence, grounds, or premises, business establishments or offices is hereby declared to be a nuisance.

- C. Penalties. Any person violating any of the provisions of this act shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment in a county jail for not more than 6 months, or by both fine and imprisonment.

SECTION 30. Escorts and Escort Bureaus.

- A. The Board of County Commissioners of the County of Washoe does hereby find that the business or practice of furnishing or arranging, for a fee, commission, hire, reward or profit for persons to accompany other persons to or about social affairs, places of entertainment or amusement, or who may consort with others for hire or reward, about any place of public resort or within any private quarters, is detrimental to the public health, safety and welfare and is contrary to the best interests of the citizens of Washoe County.
- B. It shall be unlawful for any person, firm, corporation or business to operate an escort bureau or to furnish or arrange, for a fee, commission, hire, reward or profit, for escorts to accompany other persons to or about social affairs, places of entertainment or amusement, or to consort with others about any place of public resort or within any private quarters, in the unincorporated areas of Washoe County.
- C. Any person, firm or corporation violating or failing to comply with the provisions of this ordinance shall, upon conviction be punished by a fine not to exceed \$500.00.

SECTION 31. Farmers' Market.

- A. A farmers' market may be organized by a person, firm, association or corporation for the purpose of renting space to the producers of farm products, and a farmer's market is to be licensed in accordance with the procedures set forth in Sections 3 - 13 of this ordinance.
- B. A person who sells farm products within the farmers' market is not required to be licensed.
- C. It is unlawful for any person to sell, within the farmers' market, any product which is not a farm product.

SECTION 32. Outdoor Festivals.

- A. License required for outdoor festivals. In addition to the requirements of the preceding sections, the following provisions shall also apply to applications for a license for the holding of an outdoor festival.
- B. License application. Application for a license to conduct an outdoor festival shall be made in writing to the County Sheriff at least sixty (60) days prior to the time indicated for the commencement of the planned activity and shall be accompanied by a nonrefundable application fee of \$100, and shall contain the following information:
1. The name, age, residence and mailing address of the person making said application. If the application is made by a partnership, the names and addresses of the partners must appear, and the partners shall be included, individually as licensees. Where the applicant is a corporation, the application must also be joined in the presi-

dent, vice president, secretary, and treasurer thereof, as individual licensees, and must contain the addresses of said corporate officers; and a certified copy of the Articles of Incorporation shall be submitted with the application.

2. A statement of the kind, character, or type of festival which the applicant proposes to conduct, operate or carry on.
  3. The address or legal description of the place where the proposed festival is to be conducted, operated or carried on. Additionally, the applicant must submit proof of ownership of the place where the festival is to be conducted or a statement signed by the owner of the premises indicating his consent that the site be used for the proposed festival.
  4. Proof that notice of the intent to apply for a license for the holding of such festival has been given to all landowners or occupiers located within one (1) mile from any portion of the site of said festival not more than one (1) week prior to the date of such application.
  5. The date or dates and the hours during which the festival is to be conducted.
  6. An estimate of the number of customers, spectators, participants and other persons expected to attend the festival for each day it is conducted.
  7. The applicant shall provide names and addresses of anyone contributing, investing or having an expected financial interest greater than \$500 in producing the festival.
- C. Festival plans. Every application shall contain a detailed explanation of the applicant's plans to provide security and fire protection, water supply and facilities, sanitation facilities, medical facilities and services, vehicle parking space, vehicle access and on-site traffic control, and, if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities. The applicant's plans shall include provisions for cleanup of the premises and removal of rubbish after the event has concluded. A plot plan showing arrangement of all facilities, including those for parking, egress, and ingress, shall be submitted with said application.

Eight (8) copies of all such required plans shall be submitted with each application.

- D. Processing application. The Sheriff shall retain one copy of the plans required by Section 12 hereof, and shall transmit the remaining copies of the application and a copy of the receipt for the application fee to the Clerk of the Board who shall set the application for public hearing at a regular meeting of the Board, not less than 15 days nor more than 30 days thereafter, and shall give not less than 10 days written notice thereof to the applicant. The Clerk shall promptly give notice of hearing and copies of the application to the Sheriff, the District Attorney, the County Health Officer, the Director of Public Works, the Director of the Regional Planning Commission, and the Director of the County Building Department,

who shall investigate the application and report in writing to the Board not later than the hearing, with appropriate recommendations related to their official functions, as to granting a license and conditions thereof.

- E. Consideration of application by Board. Based upon the testimony of the witnesses and evidence presented at said hearing, including the report of said department heads, the Board shall grant the license, deny the license, or set conditions which must be met, or security given that they will be met, before a license may be granted. If conditions are imposed by the Board, the applicant shall furnish or cause to be furnished to said Clerk proof that all conditions have been met before the license may be issued.
- F. Issuance: License fee, nontransferable license. When the County Clerk certifies that conditions have been met, the Sheriff shall, upon payment of \$300.00 per day of operation, issue a license specifying the name and address of the licensee, the kind of festival licensed and the number of days' operation authorized. The licensee shall keep said license posted in a conspicuous place upon the premises at which the festival is conducted.
- G. License valid only for one festival. Any license issued for such an outdoor festival shall be valid only for the festival thereby authorized and not for any other festivals.
- H. Licensing conditions. At the hearing required under Section 14, the Board may establish conditions which must be met prior to the issuance of any license under this Chapter, except that the Board may take a matter under submission, before determining which conditions shall be imposed. Where the Board takes a matter under submission, written notice of any conditions imposed as prerequisite to the issuance of a license must be mailed to the applicant within fifteen (15) days of the original hearing. Conditions may be imposed by the Board pursuant to the County's general police power which may be necessary, under all the circumstances, for the protection of the health, welfare, safety and property of local residents and persons attending festivals in the County, including, without limitation, the following:
  1. Police protection. Every licensee may be required to employ police protection, at his own expense. The number and type of officers as may be necessary to provide for the preservation of order and protection of persons and property in and around the place of the festival shall be determined and specified by the Sheriff of Washoe County. Funds to employ this specified number of law enforcement officers at the current hourly salary rate for Sheriff's Deputies, plus other necessary incidental expenses, such as travel allowances should it be necessary to engage officers from other localities, shall be deposited with the County at least ten (10) days prior to the specified date the activity is to occur. Where the Sheriff specifies the employment ordinance, said peace officers shall be under the complete direction and control of the Sheriff of the County of Washoe. The Sheriff must be satisfied that the requisite number of peace officers will be provided at all times of operation, plus any specified reasonable time prior to and following the event, before a license is issued.
  2. Water facilities. Every licensee shall provide an ample supply of potable water for drinking and sanitation purposes on the premises of the festival. Location and quality of water facilities on the premises must be approved by the Health Officer prior to issuance of a license.

The minimum supply of water required for a festival shall be as determined by the Health Officer to be necessary for reasonable health standards. All water shall meet U. S. Public Health Service standards. Public and private flush type water closets, lavatories and drinking facilities shall be required as determined by the Health Officer. Sewage and drainage systems relating to such facilities shall meet the requirements of the County Board of Health and be subject to the prior approval of that Board.

3. Food concessions and attendant sanitary facilities. Where the proposed festival is to be held at a location which is, in the opinion of the Health Officer, considering the needs of the number of people expected to attend, the accessibility of existing facilities, and the capacity of such facilities, a substantial distance from adequate public eating places, food handling places or like establishments, applicant shall provide such food concessions or facilities at the premises as may be required by the Health Officer to adequately feed the number of persons expected to be in attendance.

Every licensee shall provide such sanitation facilities for the sole use of employees of the food concessions or operations as may be required by the Health Officer.

4. Sanitation facilities required. Every licensee shall provide sanitation facilities for the use of persons attending the festival, including without limitation, flush type water closets, lavatories, and trash receptacles, of a quality and number as required by the Health Officer.

Where flush type water closets cannot be made available for the persons in attendance the Health Officer may allow the use of portable chemical toilets which shall be emptied and recharged at the licensee's expense as necessary pursuant to procedures established by the Health Officer.

A signed contract with a licensed refuse collector shall be submitted to the Board and a copy of same filed with the Health Officer. Removal of all trash and refuse shall be at the licensee's expense. The pick up and removal of refuse, trash, garbage and rubbish shall be at such intervals as shall be required by the Health Officer.

5. Medical facilities. The applicant shall provide, as required by the Health Officer, emergency medical treatment facilities on the premises of the festival.

The location of such facilities, number of doctors, nurses and other aides needed to staff said facilities and the type and quantity of medical supplies, drugs, ambulances, and other equipment that must be on the site shall be determined and approved by the Health Officer prior to the issuance of any license under this ordinance.

The Health Officer shall calculate the need for medical services, based on the number of persons expected to attend a festival, their expected age group, the duration of events planned and the possibility of exposure to inclement weather and outdoor elements, and the availability of other existing

facilities. Traffic lanes and other adequate space shall be designated and kept open for access and travel for ambulance, helicopter and other emergency vehicles to transport patients or staff to appropriate on and off-site treatment facilities.

6. Parking areas. Every licensee shall provide adequate parking space for persons attending the festival by motor vehicle.

Persons desiring to operate or conduct a festival may be called upon to provide a separate parking space for every two (2) persons expected to attend the festival by motor vehicle. Such individual parking spaces shall be clearly marked and shall not be less than twelve (12) feet wide and twenty (20) feet long. The Building Inspector and the Planning Commission must approve an applicant's "parking plan" before a license may be issued.

7. Access and parking control. Every licensee shall provide adequate ingress and egress to festival premises and parking areas therefor. Necessary roads, driveways and entranceways shall exist to insure orderly flow of traffic into the premises from a highway or road which is a part of or connects with the County system of highways or highway maintained by the State of Nevada. A special accessway for fire equipment, ambulances and other emergency vehicles may be required. The Superintendent of the County Road Department must approve the licensee's plan for ingress and egress before a license shall be issued.

Additionally, any applicant may be required to show that qualified traffic guards are under his employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the festival area.

8. Hours of operation. All festivals which are subject to licensee under this Chapter shall close and cease operation continuously between the hours of 12 o'clock midnight and 9 o'clock a.m. of each and every day.

9. Illumination. Every licensee planning to conduct a festival after dark, or planning to allow, or who does allow, persons attending festival to remain on the premises after dark, shall provide electrical illumination to insure that those areas which are occupied are lighted at all times. The Building Inspector must approve an applicant's lighting plan as a prerequisite to issuance of a license hereunder. A licensee may be required to illuminate specific areas on the premises with such amount of intensity as shall be sufficient to insure the safety of persons attending the festival.

10. Overnight camping facilities. Every licensee authorized to allow persons who attend the festival to remain on the premises overnight shall provide camping facilities and overnight areas meeting the requirements of all County Ordinances and State laws relating thereto.

11. Bonds. Any licensee may be called upon to post as prerequisite to the issuance of any license an indemnity bond and/or a performance bond in favor of the County in connection with the operation of a festival. Bonds required by this Chapter must be approved by office of the District Attorney prior to the issuance of a license. An applicant may be required to submit a surety bond written by a corporate bonding company authorized to do business in the State of Nevada by the Commissioner of Insurance, in a penal amount determined by the Board. Said bond shall indemnify the County of Washoe, its

agents, officers, servants and employees and the Board. Said bond against any and all loss, injury and damage of any nature whatsoever arising out of, or in any way connected with, said festival, and shall indemnify against loss, injury and damage to both person and property. Additionally, the County may demand the applicant provide a corporate surety bond written by a corporate bonding company authorized to do business in the State of Nevada, indemnifying the County of Washoe and the owners of property used for or adjoining the festival site for any costs necessitated for cleaning up and/or removing debris, trash, or other waste from, in and around the premises. Said bond shall be in an amount determined by the Board to be necessary, under all the circumstances, to adequately protect the County.

12. Fire protection. Every licensee shall provide at his own expense adequate fire protection as determined by the fire protection agency or agencies having jurisdiction over the area where the event is to be conducted.

If the event is located in a hazardous fire area as determined by the Chief of the responsible fire protection agency or agencies, considering all relevant factors, including, without limitation, the location and nature of the festival and the nature of the surrounding area, and probable weather conditions, the applicant shall employ a suitable number of Fire Guards approved by the Chief of the responsible fire protection agency or agencies. Flammable vegetation and other fire hazards shall be removed in a manner and in such quantity as determined by the Fire Chief(s). First aid fire extinguishment equipment shall be provided as directed by the Fire Chief(s).

13. Financial statements. Each licensee shall be required to provide a financial statement to give assurance of the ability of the promoters and/or applicants to meet the conditions of the permit.

14. Communication system. Licensee shall provide telephone service at the site of the festival. Such service shall be connected to and a part of the Bell Telephone Company of Nevada system or some other public system which connects thereto, and shall be provided for the use of the persons attending the festival and shall be available at a charge not to exceed that charged a person using such public telephone service at places other than the site of the festival.

- I. Grounds for Denial of License; Notice of Denial. After holding the public hearing, the Board may deny issuance of license if it finds any of the following:

1. That the applicant fails to meet the conditions imposed pursuant to the provisions of this ordinance.
2. That the proposed festival will be conducted in a manner and/or location not meeting the health, zoning, fire or building and safety standards established by the ordinance of the County of Washoe or the laws of the State of Nevada.
3. That the applicant has knowingly made a false, misleading or fraudulent statement of material fact in the application for license, or in any other document required pursuant to this Chapter.
4. That the applicant, his employee, agent, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate, or manager, or having a financial interest as described in Section 11, has previously conducted or been interested in the type of festival



being applied for which resulted in the creation of a public or private nuisance.

5. That the applicant, his employee, agent or any person associated with applicant as partner, director, officer, stockholder, associate, or manager, or any person having a financial interest as described in Section 11 has been convicted in a court of competent jurisdiction, by final judgment of:
  - a. An offense involving the presentation, exhibition, or performance of an obscene production, motion picture or place; or of selling obscene matter; or
  - b. An offense involving lewd conduct; or
  - c. An offense involving the use of force and violence upon the person of another; or
  - d. An offense involving misconduct with children; or
  - e. An offense which was, where committed, or would in Nevada be, a felony; or
  - f. An offense involving illegal use of drugs.

Where the application is denied, the Clerk of the Board shall mail to the applicant written notice of denial within fourteen (14) days of said action, which notice shall include a statement of the reasons the application was denied.

J. Revocation of License. The Board shall have the power to revoke any license, or to revoke and reinstate any license upon suitable conditions, when the following causes exist:

1. The licensee fails, neglects or refuses to pay to the Sheriff the fee prescribed by this ordinance.
2. The licensee, his employee or agent, fails, neglects or refuses to fulfill any or all of the conditions imposed or maintain facilities required pursuant to this ordinance.
3. The licensee allows the festival to be conducted in a manner which violates any law or regulation established by the ordinances of the County of Washoe or the laws of the State of Nevada.
4. The licensee allows the festival to be conducted in a disorderly manner or knowingly allows any person to remain on the premises of the festival while under the influence of intoxicating liquor, or any narcotic or dangerous drug.
5. The licensee, his employee or agent, is convicted of any of the offenses enumerated under Section 32(I)(5) of this ordinance.
6. The required number of facilities or personnel are not provided by reasons of the admission of persons in excess of the estimated number.

K. Complaint and Revocation of License. Any person may file a complaint with the Clerk of the Board, or with the Sheriff who shall refer such complaint to the Clerk as soon as possible, to petition the Board to conduct a hearing concerning the revocation of the license of any licensee. The Clerk of the Board shall notice the petitioner for hearing in accordance

with the provisions of Section 14 of this ordinance provided, however, that the time provisions of that section shall not be applicable if the festival is scheduled to commence at a date sooner than that on which the hearing would be held. If the festival has not yet commenced, and a special hearing as provided in NRS 244.090 can be called before the commencement of the festival, with reasonable notice having been given to the licensee, such special hearing shall be held and shall otherwise proceed as provided in Section 14 of this ordinance. If such special hearing cannot be held due to lack of time prior to commencement of the festival, or unavailability of a quorum of the Board, or for whatever the reason, or if the festival is in progress, the Sheriff may, if he finds after an investigation that cause exists for revocation of the license, order the festival to close and shall thereupon post a notice of closure on the premises and at such a place as he shall deem necessary to convey notice of such closure to persons approaching said festival. Such closure order shall have the same effect as a revocation of the license, and any reference in this ordinance to a festival for which the license has been revoked shall include a festival which has been ordered closed by the Sheriff.

Following such closure order, a licensee may request a hearing before the Board which shall be granted within ten (10) days of such request.

- L. Violations; Remedies of County. It shall be unlawful for any licensee, employee, agent or person associated with said licensee, to do any of the following:
1. Conduct or operate, or participate in, either directly by performing or indirectly by providing supplies or services unless authorized to do so by the County, a festival for which a license has not been issued, or to continue to conduct or operate or so participate in a festival for which a license has been revoked.
  2. Sell tickets or otherwise admit persons to a festival without a license first having been obtained, or continue to sell tickets or otherwise admit persons to a festival for which a license has been revoked.
  3. Operate, conduct or carry on any festival in such a manner as to create a public or private nuisance.
  4. Allow any person on the premises of the licensed festival to cause or create a disturbance in, around, or near any place of festival, by offensive or disorderly conduct.
  5. Knowingly allow any person to consume, sell, or be in possession of intoxicating liquor while in a place of a festival except where such consumption or possession is expressly authorized under the terms of this ordinance and under the laws of the State of Nevada.
  6. Knowingly allow any person at the licensed festival to use, sell, or be in possession of any narcotic or dangerous drug while in, around, or near a place of the festival.

SECTION 33. Charitable Solicitations.

- A. License required. Any person desiring to solicit funds for charitable or welfare purposes in the unincorporated area of Washoe County shall file with the Sheriff a verified application for a charitable solicitation permit on a form

approved by the Sheriff. The Sheriff shall cause such forms to be prepared and printed containing such questions as he finds necessary and desirable. The Board may order corrections or amendments or other changes in the form. Such forms shall include, but not be limited to, the following information:

1. Name and address of the organization or person upon whose behalf or sponsorship the solicitation is to be made;
  2. Evidence indicating that the applicant has been granted a tax exempt status;
  3. The purpose for which the solicitation is to be made and the period of time in which any amounts solicited are to be spent;
  4. The name of the person responsible for the control of the solicitation and distribution of the proceeds;
  5. Any agent or agency employed to solicit or collect funds, if such is the case. The address of the agent or agency and a copy of the agreement or contract between the agent and the applicant;
  6. The period of time the solicitation shall be conducted;
  7. The applicant's last solicitation experience in the County, including dates of the last prior solicitation, and the results of that solicitation;
  8. The number of individual solicitors to be used by the applicant.
- B. Conditions of issuance. The Sheriff shall issue a charitable solicitation permit only if he finds that:
1. All of the statements made in the application are true;
  2. The applicant has a good character and reputation for honesty and integrity, or if the applicant is not an individual person, that every official and managing agent of the applicant has a good character and reputation for honesty and integrity;
  3. Control and supervision of the solicitation and distribution of the proceeds will be by responsible and reliable persons;
  4. The applicant is not engaged in any fraudulent transaction or enterprise;
  5. The solicitation will not be a fraud upon the public;
  6. The exact purpose from which the solicitation is to be made is, in fact, a charitable or welfare purpose with a substantial benefit to be derived by the citizens of this County;
  7. The solicitation is primarily intended to finance the exact purpose described in the application and will not be conducted primarily for private profit;
  8. The solicitation is prompted solely by the desire to finance the charitable cause described in the application;
  9. The solicitation and its related activities will not be

detrimental to the health, life, or property of the citizens of this County;

10. The costs of raising funds will be reasonable. Any costs in excess of 25% of the amount collected shall be considered prima facie unreasonable;
  11. No part of the solicitation is conducted by lottery or other device prohibited by law;
  12. No person shall, for pecuniary compensation or consideration, conduct or make other solicitations by telephone or on behalf of any actual or purported charitable use, purpose, association, corporation, or institution. The provisions of this subsection do not apply to any communication by telephone between persons personally known to each other;
  13. The applicant is maintaining a system of complete accounting.
- C. Solicitor's identification. Each applicant granted a charitable solicitation permit shall supply each of its solicitors with a card bearing the name and address of the solicitor, the date issued, the date of expiration, a statement that the permit does not constitute an endorsement by Washoe County, and a statement showing that the person carrying the permit is authorized by the applicant to solicit funds in Washoe County.
- D. Permit expiration. Each charitable solicitation permit shall expire at the term of the solicitation period specified on the permit, which shall not exceed 90 days from the date of issuance.
- E. Permit revocation. The Sheriff may revoke a charitable solicitation permit if any of the provisions of this section are being violated.
- F. Appeal procedures. Any applicant who has been denied a charitable solicitation permit by the Sheriff, or whose application has been neither granted or denied within 30 days from the date of filing, or whose permit has been revoked by the Sheriff, may appeal in writing to the Board by filing an appeal with the County Clerk.
- The Board shall within 30 days from the date of the filing of the appeal, and after a hearing at a time and place fixed by the Board, grant, deny, reinstate, or refuse to reinstate such permit.
- G. Financial report - public inspection. Any person issued a charitable solicitation permit shall furnish to the County Clerk on a standard form provided by the County Clerk within 30 days after the solicitation has been completed, a detailed report financial statement showing the amount raised by the solicitation, the amount expended in collecting such funds, including a detailed report of wages, fees, commissions, and expenses paid to any person in connection with such solicitation.

The report furnished to the County Clerk by the persons or person issued a permit shall be available for public inspection at the Office of the County Clerk at any reasonable time. When requested to do so by the Sheriff, the permit holder shall additionally make available to the Sheriff all books,

records, and papers for the purpose of insuring the accuracy of the report furnished to the County Clerk.

SECTION 34. Penalty.

Any person or persons, firm, association or corporation who shall violate any of the terms or provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in the sum of \$500 or imprisoned in the County Jail by a term not to exceed 6 months, or by both fine and imprisonment. It is provided, however, that the County of Washoe retains any and all civil remedies, including the right of civil injunction for the prevention of said violations and for the recovery of monetary damages.

SECTION 35. Repeal.

Washoe County Ordinances No. 31, 32, 46, 195 and all other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 36. Saving Clause.

If any clause, sentence, section, provision or part of this ordinance shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not invalidate, impair or affect the remainder of this ordinance, which shall remain in full force and effect.

SECTION 37.

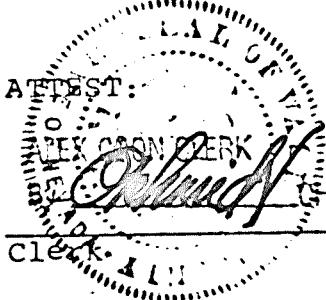
This ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by NRS 244.100.

Proposed on the 15th day of January, 1976.  
Proposed by Commissioners Scott, Grow, Rusk, Nelson and Gaunt.  
Passed on the 26th day of January, 1976.

Vote:

Ayes: Commissioners: Scott, Grow, Rusk, Nelson and Gaunt.  
Nays: Commissioners: None  
Absent: Commissioners: None

  
Chairman of the Board

ATTEST:  
  
Clerk. Chief Deputy

This Ordinance shall be in force and effect from and after the 11th day of February, 1976.

## ORDINANCE NO. 306

Amended by Ordinance No. 318, Bill No. 485, Item 76-1159

Amended by Ordinance No. 353, Bill No. 521, Item 77-1753

Amended by Ordinance No. 419, Bill No. 588, Item 79-357

Amended by Ordinance No. 423, Bill No. 592, Item 79-641

Section 1 amended, Section 35 (Carnivals and Circuses) added by  
Bill 668, Ordinance 497, effective September 23, 1981.

Title amended and Sections 7, 8, 18 through 28, 32 amended, new Section 37, present  
Sections 37, 38 and 39, renumbered to 38, 39 and 40, by Ordinance 522 (Bill 693),  
effective December 23, 1981 (fee increases, temporary licenses for new businesses,  
and revises selling certain tear gas devices requirements at retail).