

### Affidavit of Publication

STATE OF NEVADA,  
County of Washoe—SS.

Mary Hefling

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. 505, Ordinance No. 337

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

December 15, 1976, ~~XXXX~~

and was published in each of the following issues

thereafter:

the date of the last publication being in the issue

of December 22, 1976, ~~XXXX~~

*Mary Hefling*

Subscribed and sworn to before me this, the

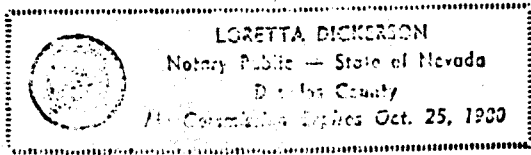
22nd day of December, 1976, ~~XXXX~~

*Loretta Dickerson*  
Douglas,

Notary Public in and for the County of ~~Washoe~~,

State of Nevada.

My Commission expires: October 25, 1980



### PUBLIC NOTICE

#### NOTICE OF COUNTY ORDINANCE

Notice is hereby given that Bill No. 505, Ordinance No. 337, amending Ordinance No. 332, entitled "An Ordinance concerning the establishment, operation, maintenance, advertisement and regulation of child care facilities; providing for the issuance of licenses and permits for the operation of child care facilities; requiring the Building Inspector to visit and inspect premises which are to be used for child care facilities; requiring Health Department inspections and fire inspections of child care facilities; prescribing penalties for the violation thereof; repealing Washoe County Ordinance No. 73; and other matters properly relating thereto, which amending Ordinance provides for the elimination of the requirement that representatives from departments required to make investigations or inspections of child care facilities conduct said investigations or inspections as a team and deletion of the requirement that all members of a family in a family child care home have annual medical examinations, provided that in the alternative a certificate of a three year health record from a physician together with a skin test or chest x-ray for tuberculosis be submitted and that thereafter only a skin test or chest x-ray be required annually", was adopted on December 6, 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 Dec. 15, 27, '76  
Sparks Tribune #76405

*Alex Coon*  
ALEX COON, COUNTY CLERK

76-2263

SUMMARY: Amends Washoe County Ordinance No. 312 to eliminate the requirement that representatives from departments required to make investigations or inspections of child care facilities conduct said investigations or inspections as a team; deletes the requirement that all members of a family in a family child care home have annual medical examinations, provided that in the alternative a certificate of a three year health record from a physician together with a skin test or chest x-ray for tuberculosis be submitted and that thereafter only a skin test or chest x-ray be required annually.

BILL NO. 505

ORDINANCE NO. 337

AN ORDINANCE AMENDING WASHOE COUNTY ORDINANCE NO. 312 ENTITLED "AN ORDINANCE CONCERNING THE ESTABLISHMENT, OPERATION, MAINTENANCE, ADVERTISEMENT AND REGULATION OF CHILD CARE FACILITIES; PROVIDING FOR THE ISSUANCE OF LICENSES AND PERMITS FOR THE OPERATION OF CHILD CARE FACILITIES; REQUIRING THE BUILDING INSPECTOR TO VISIT AND INSPECT PREMISES WHICH ARE TO BE USED FOR CHILD CARE FACILITIES; REQUIRING HEALTH DEPARTMENT INSPECTIONS AND FIRE INSPECTIONS OF CHILD CARE FACILITIES; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF; REPEALING WASHOE COUNTY ORDINANCE NO. 73; AND OTHER MATTERS PROPERLY RELATING THERETO" WHICH AMENDING ORDINANCE PROVIDES FOR THE ELIMINATION OF THE REQUIREMENT THAT REPRESENTATIVES FROM DEPARTMENTS REQUIRED TO MAKE INVESTIGATIONS OR INSPECTIONS OF CHILD CARE FACILITIES CONDUCT SAID INVESTIGATIONS OR INSPECTIONS AS A TEAM AND DELETION OF THE REQUIREMENT THAT ALL MEMBERS OF A FAMILY IN A FAMILY CHILD CARE HOME HAVE ANNUAL MEDICAL EXAMINATIONS, PROVIDED THAT IN THE ALTERNATIVE A CERTIFICATE OF A THREE YEAR HEALTH RECORD FROM A PHYSICIAN TOGETHER WITH A SKIN TEST OR CHEST X-RAY FOR TUBERCULOSIS BE SUBMITTED AND THAT THEREAFTER ONLY A SKIN TEST OR CHEST X-RAY BE REQUIRED ANNUALLY.

76-2263

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

SECTION 1.

Section 4 of Washoe County Ordinance No. 312 is hereby amended to read as follows:

SECTION 4. Licensing Procedures.

No person shall operate a child care facility without having a valid unrevoked license issued by the Washoe County Welfare Department pursuant to the provisions of this ordinance. No person having the care, custody, control or guardianship of any child under the age of 16 years shall place such child in a child care facility operated or maintained by any person who does not have a valid unrevoked license issued by the Washoe County Welfare Department.

Every individual, corporation, partnership, voluntary association or other public or private organization required to be licensed under this ordinance shall make application to the Washoe County Welfare Department upon forms furnished for that purpose by the Department. Such applications shall be fully completed and

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signed by the applicant. Each application where care is given for compensation shall be accompanied by an application fee of \$.50 per child, such fee to be paid to the Washoe County Welfare Department. The application fee shall not be returned to the applicant whether or not a license is issued.

Upon receipt of a properly completed application for a child care license and the application fee, the Welfare Department shall initiate an investigation of the applicant, the proposed facility and the proposed plan of care for and supervision of the children and the management plan of the facility. The facility must comply with all applicable life safety, environmental health, building and zoning codes, as certified to by the appropriate agency having jurisdiction. All original applications for a license must be either approved or disapproved by the Department within sixty (60) days of receipt of the application, provided that said period may be extended not to exceed an additional thirty (30) days if reports required from other departments or agencies have not been received by the Department. Annual investigations shall be conducted by a child care licensing specialist from the Washoe County Welfare Department, a public health nurse from the Washoe County District Health Department, and a community health sanitarian from the Washoe County District Health Department, as well as by representatives from other departments when those departments have a requirement to conduct an inspection or investigation of a child care facility. Subsequent to initial licensing, the Welfare Department shall cause an inspection of a licensed child care facility to be conducted at least once each quarter of the year.

If the results of the investigation satisfy the Department that all of the applicable rules and regulations as herein set out are satisfied, a license shall be issued which shall be in effect for a period of one year from issuance.

If the results of the investigation satisfy the Department that all of the applicable rules and regulations cannot be met immediately, but can and will be met within sixty (60) days or less after completion of licensure survey, and the deviations do not threaten the health, safety, or welfare of the children, then a non-renewable provisional license may be issued for a period not to exceed sixty (60) days from the date of issue. Such provisional licenses may in no instance be issued to a child care facility whose prior application for a license has been denied or whose license has been revoked.

Each license shall be displayed in a prominent place within the child care facility. The license shall be valid only for the premises therein described and is not transferrable to any other licensee or location.

All licenses will specify the period for which they are in force and effect, the type of facility as determined in accordance with the definitions herein, the name and address of the facility, the authorized hours of operation; and the maximum number and ages of children for which the facility is authorized to provide care, maintenance and supervision.

The number of children for which a facility will be licensed shall be determined by the type of facility provided and by the staffing and space requirements and capability of the physical plant as set forth in this ordinance. No facility shall accept for care at any given time more children than the number specified on the license.

- A. Renewal. The licensee of a child care facility shall apply for a renewal of a license not more than sixty (60) days nor less than thirty (30) days prior to the expiration of the license. Application shall be upon forms furnished by the Department. Such application shall be fully completed and signed by the applicant and shall be accompanied by an application fee of \$.50 per child. A renewal survey will not be scheduled until the application and fee are received. Renewal applications shall be approved or disapproved by the Department prior to the expiration of the license. If, after investigation, the Department determines that the facility is still in compliance with the regulations, the license will be renewed for a period of one year.
- B. Denial or Revocation and Notice. Any applicant whose application has been disapproved by the Department shall be given prompt written notice thereof by certified or registered mail to the address shown on the application. The notice shall contain a statement of the reasons for the denial, and shall inform the applicant that he may, within ten (10) calendar days after receipt of the notice of denial, file a notice of appeal with the Washoe County Manager. Within twenty (20) calendar days after receipt of the notice of appeal by the County Manager, the Board shall hold a hearing. Notice of the hearing shall be given no less than five (5) calendar days prior to the date set for the hearing. Failure to appeal as aforesaid shall automatically make the denial final. The Department may revoke the license of any facility regulated and licensed under this ordinance should the licensee:
1. Be convicted of any offense involving moral turpitude, the record of conviction being conclusive evidence thereof;
  2. Be legally adjudicated insane or mentally incompetent, the record of such adjudication being conclusive evidence thereof;
  3. Consistently fail to maintain standards established by adoption of this ordinance;
  4. Refuse to submit to the Department any reports or refuse to make available to the Department any records required by it in making investigation of the facility for licensing purposes;
  5. Fail or refuse to submit to any investigation or inspection by the Department or to admit authorized representatives of the Department at any reasonable time for the purpose of investigation or inspection;

6. Fail to provide, maintain, equip, and keep in safe and sanitary condition premises established or used for child care pursuant to prescribed minimum standards applicable to such facility.

Provided, however, that such licensee shall first be given prompt written notice of the proposed revocation, stating the specific acts or conditions which constitute lack of conformity to the conditions of the license and/or the regulations for child care facilities, the dates or time span involved, a date for termination of operation, and right of appeal as previously set forth.

A probational license may be granted to a licensed facility by the decision of the Board following a hearing, said probational license to be subject to conditions set by the Board.

Notwithstanding any of the notice and appeal provisions above set forth, if the Welfare Director finds that the health or safety of the children so requires, it shall be the duty of the Welfare Director to order immediate revocation of the license. The licensee shall be given written notice of the order by personal service, and said order shall be deemed effective upon service. The notice shall contain a statement of facts constituting the alleged emergency necessitating revocation and shall inform the licensee of the right of appeal as previously set forth. Every licensee shall be deemed to have accepted his license subject to such right of revocation.

Whenever the Welfare Department has reason to believe that a facility is operating without a license, or a licensed facility is not conforming to the conditions of the license and/or the regulations for child care facilities, the Welfare Department shall make an investigation to determine the facts. The Welfare Department shall have the authority to enter and inspect the premises where the violation is alleged to occur and to conduct such other investigations as may be indicated.

Any person who operates a child care facility without a valid license issued by the Welfare Department shall be guilty of a misdemeanor.

On a report of an unlicensed child care facility, the licensing entity shall investigate, attempt to license, force discontinuance, or prosecute.

Injunctive Proceedings. In cases of repetitious or continuous violation of this ordinance, the Welfare Director may refer such violations to the District Attorney for appropriate injunctive relief pursuant to Nevada statute.

SECTION 2.

Section 22 of Washoe County Ordinance No. 312 is hereby amended to read as follows:

SECTION 22. Family Child Care Home.

A family child care home, in addition to meeting the requirements of this section, shall meet the general standards for all child care facilities as set forth in the preceding sections. If the residence is rented or leased by applicant, the applicant shall provide the Department written authorization from the owner approving child care on the premises.

The licensee of a family day care home shall be able to accept the extra responsibility of other children without jeopardizing her health or ordinary care of her children and family. The relationships of all members of a family day care home shall be such as to secure a wholesome atmosphere for children.

All members of the family must be in good health, physically and mentally and free of disabilities which would adversely affect the care of the children. Prior to licensure the applicant and all members of a family child care home, whether related or not to the applicant, and all adult roomers, shall be required to supply the Department a current report of a medical examination verifying that they are free from physical and/or mental health problems which would have a harmful effect on the children, or in the alternative, a certificate of a three year health record from a physician together with a skin test or chest x-ray for tuberculosis may be submitted. Thereafter only the skin test or chest x-ray is required annually. Medical examination reports shall be dated and signed by a licensed physician.

In family child care homes offering night care, children shall not sleep in the same room with an adult.

The income of the licensee of a family child care home, including the licensee's spouse, whether from employment or other sources, must be regular and sufficient to maintain an adequate standard of living for the family. The licensee shall not be employed outside the home.

SECTION 3.

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 15 day of November, 1976.  
Proposed by Commissioners Scott, Rusk, Nelson and Gaunt.  
Passed on the 6th day of December, 1976.

Vote:

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

  
Chairman of the Board

ATTEST  
  
By Alexander CLERK DEPUTY  
Clerk

This Ordinance shall be in force and effect from and after the 22nd day of December, 1976.