

### 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. 668.....  
.....Ordinance No. 497.....  
.....  
.....

.....of which a copy is hereunto attached, was first  
published in said newspaper in its issue dated  
.....September 16....., 19 81  
and was published in each of the following issues  
thereafter: .....September 23, 1981.....  
the date of the last publication being in the issue  
of.....September 23....., 19 81

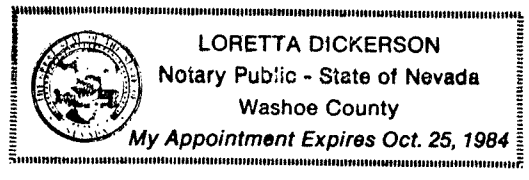
.....*Mary Hefling*.....  
Subscribed and sworn to before me this, the

.....23rd day of September....., 19 81  
.....*Loretta Dickerson*.....

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

My Commission expires: October 25, 1984

**NOTICE OF COUNTY OR-  
DINANCE**  
NOTICE IS HEREBY  
GIVEN that Bill No. 668,  
Ordinance No. 497, amending  
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 con-  
ducted in the County of Washoe,  
outside of the limits of in-  
corporated cities and towns in  
Washoe County; fixing a penalty  
for the violation hereof; 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 Nos., 31, 32, 46, and  
195" by providing for regulation  
of owners and operators of  
carnivals and circuses and their  
employees was adopted on  
September 8, 1981, by Com-  
missioners Farr, Ferrari, Brown  
and Underwood with Com-  
missioner Williams being ab-  
sent.  
Typewritten copies of the  
Ordinance are available for  
inspection by all interested  
persons at the office of the  
County Clerk.  
Judi Bailey, County Clerk  
Pub: Sept. 16, 23, 1981



SUMMARY: Amends County Ordinance No. 306 by providing for regulation of owners and operators of carnivals and circuses and their employees.

BILL NO. 668

ORDINANCE NO. 497

AN ORDINANCE AMENDING "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 NOS. 31, 32, 46 and 195" BY PROVIDING FOR REGULATION OF OWNERS AND OPERATORS OF CARNIVALS AND CIRCUSES AND THEIR EMPLOYEES.

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

SECTION 1. Section 1 of Washoe County Ordinance No. 306 is hereby amended to read as follows:

SECTION 1. Definitions.

As used in this Ordinance, unless the context otherwise requires:

- A. "Board" means 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" means the board possessing such exclusive jurisdiction.
- B. "Canvasser" or "solicitor" includes any person 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" includes 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. A 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 fraternal or social organization or association; or to benefit any educational institution presently existing or contemplated in the future. A charitable solicitation is deemed completed when it is communicated to any person then located outside the incorporated areas of Washoe County,

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whether the person making the solicitation is located within the unincorporated area of Washoe County, or whether the person making the solicitation receives any contribution whatsoever.

- D. "Distress merchandise sale" includes any offer to sell to the public, or sale to the public, of goods, wares or merchandise on the implied or direct representation that the sale is in anticipation of the termination of a business at its present location or that the sale is being held other than in the ordinary course of business. "Distress merchandise sale" include any sale advertised either specifically or in substance to be a "fire sale," "smoke and water damage sale," "adjustment sale," "save us from bankruptcy sale," "insolvent sale," "insurance salvage sale," "mortgage sale," "assignee's sale," "adjuster's sale," "must vacate sale," "quitting business sale," "receiver's sale," "loss of lease sale," "forced out of business sale," "Creditor's committee sale," "wholesaler's close-out sale," "liquidation sale" or "removal sale."
- E. "Employee"
1. In relation to employment in a massage parlor, includes 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.
  2. In relation to employment at a carnival or circus, includes any person:
    - a. Employed in any capacity by the owner or operator of the carnival or circus.
    - b. Operating a concession, and any person employed by him, if the concession is operated as a traveling business in conjunction with the carnival or circus.

"Employee" does not include any person employed by a concession operator if the operator is not an agent or employee of the owner or operator of the carnival or circus and the concession operator has an unexpired business license issued by the City of Reno, the City of Sparks or Washoe County to engage in that occupation on a continuing basis.
- F. "Escort" means any person who, for a fee, commission, hire, reward or profit, accompanies any other person 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.
- G. "Escort bureau" includes any person, business or agency which, for a fee, commission, hire, reward or profit, furnishes or offers to furnish escorts, or any person who, for hire or reward, accompanies

any other person to or about social affairs, places of entertainment or amusement, or who consorts with others, for hire or reward, about any place of public resort or within any private quarters.

- H. "Farm products" includes 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.
- I. "Farmer's market" includes any place of business where the actual producer of farm products can bring the products for direct sale to consumers and any place where the business of ranching, including haying and pasturing, is carried on.
- J. "Farming, Ranching and Livestock Grazing" includes the boarding of animals in conjunction with a farming or ranching operation.
- K. "Massage" includes 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.
- L. "Masseur" includes any person who engages in the practice of massage. The use of the masculine gender includes, in all cases, the feminine gender.
- M. "Patron" in relation to a massage parlor, includes 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.
- N. "Peddler" includes any person who sells tangible commodities from house to house, store to store, on the streets or in any public place and whose sales are not made from one established spot except 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.
- O. "Permanent fixed place of business" in relation to a photographer, includes any room or studio ordinarily kept open to the public during regular business hours at which there is in attendance during such hours a photographer or his employee and at which there is kept photographic equipment for the purpose of taking, developing and finishing pictures.
- P. "Person" includes a natural person, a firm, partnership, corporation, or other business entity.
- Q. "Photographer" includes 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 carried on solely for the purpose of dealing in pictures. "Photographer"

also includes any person engaged in the business of engraving, enlarging, retouching or reconditioning photographs.

- R. "Restaurant" includes any place where food or drink (other than alcoholic liquor) is prepared or served to the public for consumption on the premises.
- S. "Sunset" for the purpose 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. "Traveling merchant" includes:
  1. Any merchant entering into business at any place within the State of Nevada for a period of less than 6 months;
  2. Any person vending from any freight car standing on sidetracks or from any motortruck or other vehicle; and
  3. Any hawker, street vendor, peddler or traveling manufacturer.

SECTION 2. Washoe County Ordinance No. 306 is hereby amended by adding thereto a new section which shall read as follows:

SECTION 35. Carnivals and Circuses.

- A. Definitions. As used in this section, unless the context otherwise requires:
  1. "Carnival" includes any traveling business providing commercial entertainment consisting of side shows, concessions, rides, games of chance and other amusements.
  2. "Circus" includes any traveling business providing commercial performances by acrobats, trained animals, clowns, jugglers and others within a tent or arena.
- B. Certificate required. Any person who desires to work as an employee at a carnival or circus in the unincorporated area of Washoe County must register with, and receive an employment certificate from, the Washoe County Sheriff. Application for the certificate may be made to the Sheriff and must be accompanied by a nonrefundable fee of \$12. If the applicant is a minor under the age of 14 years, the application must be accompanied by the fee and written permission for such employment signed by a juvenile master, referee or probation officer authorized to grant such permission by a judge of the District Court.
- C. Application process. Upon receipt of the completed application, the fee of \$12 and, when required, written permission to work as a carnival or circus employee, the Sheriff shall process the application by taking impressions of the thumbprints and fingerprints of the applicant, photo-

graphing him and conducting an investigation of his background. At the conclusion of the investigation, and except as provided in subsection D of this section, the Sheriff shall issue the work certificate.

- D. Denial, revocation of work certificate. The Sheriff may deny or revoke a work certificate if, after investigation, he determines that the applicant therefor or holder thereof:
1. Has furnished false information in his application for the certificate;
  2. Has been charged with the commission of a crime and his arrest is sought by a law enforcement agency of this or any other state;
  3. Has been convicted of a crime involving moral turpitude (including sexual assault, lewd and lascivious conduct, indecent or obscene exposure, or the infamous crime against nature) with a person under the age of 18 years;
  4. Would pose a physical threat to the safety of carnival or circus patrons.
- E. Term of work certificate. A work certificate issued by the Sheriff entitles the person to whom it is issued to work as an employee at a carnival or circus for the period of time that the carnival or circus is in operation in the unincorporated area of the County or for a period of 30 days, whichever period of time is the shorter. At the end of that period of time the permit expires and a new application must be submitted.
- F. Employment of persons without work certificate prohibited. It is unlawful for any person to employ any other person at a carnival or circus unless the employee possesses a valid work certificate issued by the Sheriff.
- G. Performing work without work certificate prohibited. It is unlawful for any person to work at a carnival or circus without a valid work certificate issued by the Sheriff.
- H. Information to be furnished to Sheriff by owners or operators of carnivals or circuses. In addition to information required to be furnished to the Sheriff by employees at a carnival or circus, the owner or operator of the carnival or circus must submit to the Sheriff a schedule of the locations where, and dates on which, the carnival or circus will be appearing during the next 6 months following its performance in the County. That information and information furnished by the carnival or circus employees shall be maintained in a confidential manner by the Sheriff for use when needed in any judicial proceeding or when the Sheriff deems it necessary to communicate with the owner or operator of the carnival or circus when that person is outside the boundaries of Washoe County.

SECTION 3. Existing sections 35 to 38, inclusive, of Washoe County Ordinance No. 306 are hereby renumbered as sections 36 to 39, inclusive, of that ordinance.

SECTION 4. Existing section 39 of Washoe County Ordinance No. 306 is hereby repealed.

Proposed on the 25th day of August, 1981.

Proposed by Commissioner Ferrari

Passed on the 8th day of September, 1981.

Vote:

Ayes: Commissioners: Farr, Ferrari, Brown & Williams

Nays: Commissioners: None

Absent: Commissioners: Williams

*Bill Farr*  
\_\_\_\_\_  
Chairman of the Board

ATTEST:

*Judi Bailey*  
\_\_\_\_\_  
County Clerk

This ordinance shall be in force and effect from and after the 23 day of September, 1981.