

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. 669

..... Ordinance No. 498

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 ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 669, Ordinance No. 498, amending Ordinance No. 2, entitled, "An Ordinance regulating the sale of intoxicating liquors, requiring licensing and regulation of establishments dispensing intoxicating liquors in the unincorporated area of Washoe County; providing penalties for violation of the provisions of this ordinance; and other matters properly relating thereto" by making various amendments to that ordinance was adopted on September 8, 1981, by Commissioners Farr, Ferrari, Brown, and Underwood with Commissioner Williams being absent.

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

81-381

 **LORETTA DICKERSON**
 Notary Public - State of Nevada
 Washoe County
 My Appointment Expires Oct. 25, 1984

RENO NEWSPAPERS, INC. Publishers of
RENO EVENING GAZETTE and NEVADA STATE JOURNAL
PHONE: 786-8989 ● P.O. BOX 280 ● RENO, NEVADA 89520

DESCRIPTION OF LEGAL ADVERTISING
Hearing Sept. 8th. (A)

3349008

TERMS: NET, PLEASE PAY FROM THIS INVOICE. IT'S DUE UPON PRESENTATION AND IS PAST DUE AFTER 15 DAYS.

LEGAL AD _____
EXTRA PROOFS _____
TOTAL AMOUNT DUE 12.25

Washoe County Clerk
● P.O. Box 11130
● Reno, Nv. 89520

MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
September				x																											

PROOF OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF WASHOE } ss.

Alice Buffaloe

being first duly sworn, deposes and says: That she is the legal clerk of THE RENO EVENING GAZETTE, a daily newspaper published in Reno, in Washoe County, in the State of Nevada. That the notice _____ of _____ PUBLIC HEARING _____

_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 4th. day of Sept., 1981 and, _____, the full period of 1 days, the last publication thereof being in the issue of Sept. 4th., 1981.

Signed Alice Buffaloe

Subscribed and sworn to before me this 4th. day of September, 1981

Jo Anne (F.) Wessel
Notary Public

JO ANNE (F.) WESSEL
Notary Public - State of Nevada
Washoe County
My Appointment Expires Nov. 18, 1984

81-382

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Washoe County Liquor Licensing Board will conduct a public hearing on Tuesday, September 8, 1981, at 9:05 a.m., in the Auditorium of the Washoe County Administration Building, 1205 Mill Street, Reno, Nevada, to consider the adoption of Bill 669, an ordinance amending "An Ordinance regulating the sale of intoxicating liquors, requiring licensing & regulation of establishments dispensing intoxicating liquors in the unincorporated area of Washoe County; providing penalties for violation of the provisions of this ordinance; and other matters properly relating thereto" by making various amendments to that ordinance.
Anyone desiring to attend said hearing, to protest or to affirm, may do so by appearing at the above stated time & place.
Judi Bailey
County Clerk
3349008 - Hearing Sept 8(A)
DD - Sept 4 - GAZ

SUMMARY: Makes various amendments to Liquor Board Ordinance No. 2.

BILL NO. 669

LIQUOR BOARD ORDINANCE NO. 498

AN ORDINANCE AMENDING "AN ORDINANCE REGULATING THE SALE OF INTOXICATING LIQUORS, REQUIRING LICENSING AND REGULATION OF ESTABLISHMENTS DISPENSING INTOXICATING LIQUORS IN THE UNINCORPORATED AREA OF WASHOE COUNTY; PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND OTHER MATTERS PROPERLY RELATING THERETO" BY MAKING VARIOUS AMENDMENTS TO THAT ORDINANCE.

THE LIQUOR LICENSING BOARD OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1.

Section 1 of Liquor Board Ordinance No. 2 is hereby amended to read as follows:

SECTION 1. Declaration of Policy

It is found and declared that the public health, safety, morals and welfare of the inhabitants of the County outside the incorporated cities and towns require the regulation and control of all persons engaged in the sale or disposition of intoxicating liquor. All such persons must be licensed and controlled so as to protect the public health, safety, morals, good order and general welfare of the inhabitants of the County outside the incorporated cities and towns and to safeguard the public. It is further found and declared that a liquor license or work permit is a privilege, that the operation of a liquor sales facility when authorized by a license is a privilege to conduct business subject to the provisions of this Ordinance and that any license or work permit may be revoked for a violation of any provision contained in this Ordinance.

SECTION 2.

Section 2 of Liquor Board Ordinance No. 2 is hereby amended to read as follows:

SECTION 2. Definitions.

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

A. "Alcohol" includes any product of distillation of any fermented liquor, rectified either once or more often, whatever may be the origin thereof, and synthetic ethyl alcohol.

B. "Alcoholic liquor" includes the four varieties of liquor; namely, alcohol, spirits, wine and beer, and every liquor or solid, patented or not, containing alco-

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hol and intended for consumption by human beings as a beverage.

C. "Alcoholic liquor license" is used in this ordinance interchangeably with, and to indicate any of the following licenses:

1. Retail Beer License.
2. Retail Beer and Wine License.
3. Tavern License.
4. Package Liquor License.
5. Package Beer and Wine License.
6. Cabaret License.
7. Wholesale Alcoholic Liquor License.

D. "Beer" includes any liquor obtained by the alcoholic fermentation of an infusion or concoction of malt, barley and hops in drinking water.

E. "Club" includes any association of persons, whether incorporated or unincorporated, for the promotion of some common object, but does not include associations organized for any commercial or business purpose or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests.

F. "Cabaret" includes any bar, cocktail lounge, club or tavern having an orchestra or any type of live entertainment, or where dancing is permitted.

G. "Wholesaler" includes any person in possession of alcoholic liquors for the purpose of sales to retail outlets.

H. "Licensee" includes any person to whom an alcoholic liquor license has been issued and is used herein in the plural as well as the singular sense.

I. "Licensing board" means the Liquor Licensing Board of Washoe County.

J. "Main bar" means a bar where alcoholic liquors are dispensed by the drink.

K. "Package liquor establishment" includes any place where alcoholic liquor is sold or otherwise lawfully

distributed for consumption off premises. Each package liquor establishment must have a package liquor license. A package liquor license does not permit the sale of draft or bottled beer in such licensed establishment unless a retail beer license is also obtained.

L. "Person" includes a natural person, firm, association, partnership, corporation or other entity.

M. "Service bar" includes any bar wherein drinks are prepared for service only at tables in hotels, restaurants or casinos, and does not permit sales direct to the customers at such bar. Service bars are permitted in hotels, restaurants and in casinos.

N. "Special events permit" -The Board may approve a special events license for the sale of alcoholic liquor at such locations and as specified on such license for a period of not more than one week.

O. "Spirits" includes any liquor which contains alcohol obtained by distillation, mixed with drinkable water and other substances in solution, including rum, brandy, whiskey and gin.

P. "Tavern" includes any place where alcoholic liquors are sold at retail by the drink to the general public.

Q. "Wine" includes any alcoholic liquor obtained by the fermentation of natural sugar contents of fruits or other agricultural products containing sugar, including fortified wines such as port, sherry and champagne.

SECTION 3.

Section 22 of Liquor Board Ordinance No. 2 is hereby amended to read as follows:

A. No person may be employed as an employee of a liquor licensee in the selling, serving or other disposition of alcoholic liquor unless he is the holder of a work permit issued by the Sheriff. No work permit is required of any person employed in a package liquor establishment.

B. The initial and renewal application for a work permit shall be made on forms provided by the Sheriff and shall be accompanied by a nonrefundable service charge fixed by the Sheriff to process the application.

C. Upon receipt of the completed application and nonrefundable service charge, the Sheriff shall take thumb and fingerprint impressions of the applicant; process the application and issue or deny the permit.

D. The Sheriff may deny or revoke a work permit if the applicant or holder thereof has:

1. Failed to disclose, misstated or otherwise attempted to mislead the Board or Sheriff with respect to any material fact contained in the application for issuance or renewal of a work permit;
2. Knowingly failed to comply with the provisions of this ordinance at a place of previous employment;
3. Committed, attempted or conspired to commit any crime of moral turpitude, embezzlement or larceny against his employer or any other liquor licensee, or any violation of any law pertaining to the sale or disposition of alcoholic liquor, or any other crime which is inimical to the declared policy of this County concerning the sale or disposition of alcoholic liquor;
4. Been convicted of any felony or gross misdemeanor;
5. Been identified as being a member or associate of organized crime, or as being of notorious and unsavory reputation;
6. Been placed and remains in the constructive custody of any federal, state or municipal law enforcement authority;

E. If a work permit is denied or revoked by the Sheriff, the applicant or holder thereof shall be advised of the reason or reasons therefor and may appeal that decision in writing to the Board not later than 60 days thereafter. A failure to appeal the decision of the Sheriff within 60 days constitutes an admission that the decision is well founded and precludes further administrative or judicial review.

F. When an appeal is filed, the Board shall hold a hearing to review the decision made by the Sheriff and the reason or reasons therefor. At the hearing, the Board shall take any testimony and evidence deemed necessary. After the hearing, the Board shall review the testimony and evidence and shall, within 30 days from the date of the hearing, announce its decision sustaining or reversing the decision of the Sheriff.

G. Any applicant or holder of a work permit aggrieved by the decision of the Board may seek judicial review thereof.

H. A work permit remains valid for a period of 3 years from the date of its issuance and is nontransferrable from one place of employment to another. A work permit may be renewed at the end of the 3-year period and must be renewed if the holder thereof commences employment with any other liquor licensee.

I. All records acquired or compiled by the Sheriff or Board relating to any application made pursuant to this section and all lists of persons to whom work permits have been issued or denied are confidential and must not be disclosed except in the proper administration of this ordinance or to an authorized agency of criminal justice. Any record of the Sheriff or Board which shows that the applicant has been convicted of a crime in another state must show whether the crime was a misdemeanor, gross misdemeanor, felony or other class of crime as classified by the state in which the crime was committed. In a disclosure of the conviction, reference to the classification of the crime must be based on the classification in the state where it was committed.

SECTION 4. Section 40 of Liquor Board Ordinance No. 2 is hereby amended to read as follows:

SECTION 40. Denial, Suspension, Cancellation or Revocation of license.

Any license applied for or issued pursuant to this ordinance may be denied, suspended, cancelled or revoked by the Sheriff on the same grounds specified in section 22 of this Ordinance for denial or revocation of a work permit.

SECTION 5. Section 46 of Liquor Board Ordinance No. 2 is hereby amended to read as follows:

SECTION 46. Penalties for violation
Willful violation of any of the provisions of this ordinance may result in revocation of that person's work permit or his license to do business within Washoe County by the Board. In addition, any person violating the provisions of this ordinance is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$1,000, by a term of imprisonment in the County Jail of not more than 6 months, or by both such fine and imprisonment.

SECTION 5. Section 49 of Liquor Board Ordinance No. 2 is hereby repealed.

SECTION 6.

~~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 25 day of August, 1981.

Proposed by Commissioners s. Farr, Ferrari, Brown, Underwood & Williams


Passed on the 8th day of September, 1981.

Vote:

Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:


 Chairman of the Board

ATTEST:


 County Clerk

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