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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **05/01/2009 - 05/08/2009**, for exact publication dates please see last line of Proof of Publication below.

Signed: _____

Nancy Loga Kei

MAY 11 2009

Subscribed and sworn to before me
LINDA ANDERSON
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 08-5430-2 - Expires January 15, 2012

Linda Anderson

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1401 BILL NO. 1579
ORDINANCE NO. 1401 An Ordinance amending the Washoe County Code at Chapter 25 by expanding the requirement for a Work Permit to employees of Licensed Peddlers, Solicitors or Traveling Merchants; modifying the disqualifying criteria for Work Permits, and, providing other matters properly relating thereto. (BILL NO. 1579) PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled Ordinance are available for public inspection and distribution at the office of the County Clerk of Washoe County, at other office in the County Courthouse in Reno, Nevada, 75 Court Street, Reno, Washoe County, Nevada; and can be found on the County Clerk's website, www.washoecounty.us/clerks. and that said Ordinance was proposed by Commissioner Jung on April 14, 2009, and was passed and adopted without amendment at the regular meeting on April 28, 2009, by the following vote of the Board of County Commissioners: Those Voting Aye: John Breternitz David E. Humke Kitty Jung Bonnie Weber Those Voting Nay: None Those Absent: Robert M. Larkin This Ordinance shall be in full force and effect from and after May 8, 2009, i.e., the date of the second publication of such Ordinance by its title only. IN WITNESS WHEREOF, The Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by

ord 1401

title only. AMY HARVEY, Washoe County Clerk and Clerk of the Board of
County Commissioners 639949 May 1, 8, 2009

SUMMARY: An ordinance amending Washoe County Code at chapter 25 by adding work permit requirements for employees of peddlers, solicitors or traveling merchants.

BILL NO. 1579

ORDINANCE NO. 1401

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 25 BY EXPANDING THE REQUIREMENT FOR A WORK PERMIT TO EMPLOYEES OF LICENSED PEDDLERS, SOLICITORS OR TRAVELING MERCHANTS; MODIFYING THE DISQUALIFYING CRITERIA FOR WORK PERMITS; AND, PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Section 25.023 of the Washoe County Code is hereby amended to read as follows:

25.023 Investigations and fees.

1. All applicants for business licenses issued pursuant to this chapter are subject to investigation by the County prior to issuance of any business license. NRS 239B.010(1)(a) provides that the county may request of and receive from the Federal Bureau of Investigation information on the background and person history of any person who has applied for a license as required by statute or local ordinance which it has the power to deny.

2. Upon receipt of an application for a business license for an adult characterized business, importer or wholesaler of intoxicating liquors business, locksmith or safe mechanic business, massage business, outdoor festival, outdoor community event, secondhand store or pawnbroker business, or peddler or solicitor or traveling merchant, the license division shall request the sheriff to conduct a criminal history background check of the owners or, in the case of a corporate application, the officers and directors, to determine whether cause for denial exists. Each owner, officer, director, or employee as appropriate required to have a criminal history background check shall present himself to the sheriff for a complete set of fingerprint impressions within fourteen (14) days of filing a complete application for a business license with the license division. Each owner, officer and director shall provide the sheriff with written permission authorizing the sheriff to forward the impressions for a criminal history background investigation. Pursuant to NRS 239B.010(1)(a), the sheriff

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shall forward the impressions to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation to determine if a criminal history record exists for the person.

3. The reasonable costs of any investigation or local police records review done by the sheriff pursuant to this section shall be the responsibility of the applicant and shall be paid to the sheriff in advance.

4. The sheriff may waive all or part of the investigation fee or service charge in cases of applications for renewal of licenses or permits or where the applicant has been recently investigated and there does not appear to be a significant change of circumstances since that last investigation.

5. The sheriff may charge an applicant a reasonable fee or service charge in addition to any other fees or service charges specified in this code where the circumstances mandate a more extensive investigation than is normally required. A list of fees set by the Sheriff for criminal background checks shall be posted in a place of clear public view.

6. The officer or employee charged with the duty of making the investigation shall make a report thereon to the license division, favorable or otherwise, after receiving the application or a copy thereof.

7. In addition to any investigation by the sheriff, the license division shall coordinate a review of applications by the appropriate County departments and other public agencies to determine whether the proposed business will comply with all requirements including, without limitation, fire, health, water, sewer, building, and zoning requirements. The license division shall also verify that the licensee has a valid State license(s) and/or a valid County license(s), as required, prior to issuing any license.

[§6, Ord. No. 306; A Ord. Nos. 594, 827, 1138, 1228, 1336, 1383, XXXX]

SECTION 2. Section 25.433 of the Washoe County Code is hereby amended to read as follows:

25.433 Work permit required for peddlers, solicitors, and traveling merchants. No person, except a person operating under a valid license issued in accordance with sections 25.069 to 25.083, inclusive, shall work as a peddler, solicitor, or traveling merchant in the unincorporated area of the county without a valid work permit issued by the sheriff pursuant to sections 25.0451 to 25.0459, inclusive. All employees of a licensed peddler, solicitor or traveling merchant must also

possess a valid work permit. A work permit issued under this section is valid for 5 years from the date of issuance and may be renewed. All work permits must be surrendered to the sheriff when the peddler, solicitor or traveling merchant license expires or is terminated. The sheriff shall not issue a work permit to a person who has been convicted within the past 10 years of a category A, B or C felony, or of a crime in another state which would be a category A, B or C felony if committed in this state, or of a battery punishable as a gross misdemeanor.

[§237, Ord. No. 1138; A Ord. No. XXXX]

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 14th day of April, 2009.
Proposed by Commissioner Larkin.
Passed on the 28th day of April, 2009.

Vote:


Ayes: Humke, Weber, Jung, Breternitz

Nays: none

Absent: Larkin



Chairman
Washoe County Commission



ATTEST:
Amy Harvey
County Clerk

This ordinance shall be in force and effect from and after the 8th day of May, 2009.