

CHAPTER 50

PUBLIC PEACE, SAFETY AND MORALS

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Civil Emergencies

50.010 Short title. Sections 50.010 to 50.040, inclusive, shall be known and may be referred to as the Public Disorder Control and Prevention Ordinance.

[§ 1, Ord. No. 166]

50.012 Definitions. As used in the Public Disorder Control and Prevention Ordinance, unless the context otherwise requires, the words and terms defined in sections 50.014 to 50.024, inclusive, have the meanings ascribed to them in those sections.

50.014 "Affray" defined. If two or more persons, by agreement, fight in a public place, to the terror of the citizens of this county, the persons so offending commit an "affray."
[Part §2, Ord. No. 166]

50.016 "Civil emergency" defined. "Civil emergency" means an affray, rout, riot, unlawful assembly and other public disorders, natural disaster or man-made calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion, within the county or any part thereof which affects life, health, property or the public peace, proclaimed as such by the sheriff pursuant to section 50.026.
[Part §2, Ord. No. 166]

50.018 "Curfew" defined. "Curfew" means a prohibition against any person or persons walking, running, loitering, standing or being upon, in or about any alley, street, highway, public property or public places within the county as designated by the sheriff pursuant to section 50.026, except persons officially designated by the sheriff with reference to such civil emergency.
[Part §2, Ord. No. 166]

50.020 "Riot" defined. If two or more persons actually do an unlawful act of violence, either with or without a common cause of quarrel or even do a lawful act, in a violent, tumultuous and illegal manner, they commit a riot.
[Part §2, Ord. No. 166]

50.022 "Rout" defined. If two or more persons meet to do an unlawful act, upon a common cause or quarrel, and make advances toward it, they commit a rout.
[Part §2, Ord. No. 166]

50.024 "Unlawful assembly" defined. If two or more persons assemble together to do an unlawful act, and separate without doing or advancing toward it, such persons commit an unlawful assembly.
[Part §2, Ord. No. 166]

50.026 Proclamation of civil emergency: Notice; termination.
1. When in the judgment of the sheriff a civil emergency exists, he shall proclaim the existence of the same and the area

or areas affected.

2. The proclamation of a civil emergency and other proclamations issued pursuant to the Public Disorder Control and Prevention Ordinance shall be in writing and shall be signed by the sheriff. They shall then be filed with the county clerk as soon as practicable.

3. The sheriff shall give as much public notice as is reasonable through the news media of the issuance of proclamations pursuant to the Public Disorder Control and Prevention Ordinance.

4. The civil emergency shall cease to exist upon the issuance of a proclamation by the sheriff declaring its termination; but if the state of emergency is still in existence upon the convening of a lawful meeting of the board of county commissioners, the board shall determine whether it concurs in the determination of the sheriff. If the board fails to ratify the action of the sheriff, the state of emergency shall cease to exist.

[§3, Ord. No. 166]

50.028 Civil emergency: Curfew in various areas and times.

1. After proclamation of a civil emergency by the sheriff, he may order a general curfew, applicable to such geographical areas of the county as a whole, as he deems advisable and applicable during such hours of the day or night as he deems necessary in the interest of the public safety and welfare.

2. If a geographical area of the county is designated, the area must be posted prior to the time applicable for such curfew with information showing the time and area covered by the curfew. Such notice shall be posted in sufficient public places to give reasonable notice of the curfew.

[§4, Ord. No. 166]

50.030 Destroying or tampering with notices; penalty. Any person who destroys or otherwise tampers with a notice posted to carry out the provisions and purposes of the Public Disorder Control and Prevention Ordinance, unless authorized by the sheriff, is guilty of violating the Public Disorder Control and Prevention Ordinance and shall be punished as provided in section 125.050.

[§5, Ord. No. 166]

50.032 Sheriff's orders, during civil emergency, relating to certain businesses, activities.

1. A proclamation of a civil emergency issued by the sheriff shall not cover any part or portion of the county not reasonably necessary in controlling a civil emergency.

2. During the existence of a civil emergency by proclamation, the sheriff may, in the area prescribed by the proclamation, order:

(a) A curfew pursuant to section 50.028.

(b) The discontinuance of selling, distributing or giving away gasoline or other flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle or other containers of any kind except in connection with normal home use or legitimate commercial use.

(c) The closing of gasoline stations and other establishments the chief activity of which is selling, distributing or disposing of liquid flammables or combustible products.

(d) The closing of all retail intoxicating liquor stores.

(e) The closing of all establishments serving intoxicating liquor.

(f) The discontinuance of selling, distributing or giving away of any firearms or ammunition of any character whatsoever.

(g) The closing of any or all establishments or portions thereof the chief activity of which is the sale, distribution, dispensing or giving away of firearms of any character whatsoever.

3. The sheriff may issue such other orders as are necessary for the protection of life and property, and to maintain public peace.

[Part §6, Ord. No. 166]

50.034 Conduct which sheriff may prohibit during civil emergency. During the existence of a civil emergency by proclamation, the sheriff may, in the area prescribed by the proclamation, prohibit:

1. A number of persons, as designated by the sheriff, from assembling or gathering on the public streets or parks or other open areas of the county, either public or private.

2. The manufacture, transfer, use, possession or transportation of a fire bomb or any other device, instrument or object designated to explode or produce uncontained combustion.

3. The transporting, possessing or using of gasoline, kerosene or combustible, flammable or explosive liquids or materials in a glass or container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use.

4. The possession of firearms or any other deadly weapon by a person (other than a law enforcement officer) in a place other than that person's place of residence or business.

5. The sale, purchase or dispensing of intoxicating liquors.

6. The sale, purchase or distribution of firearms, ammunition or explosives of any character whatsoever.

7. The use of certain streets, highways or public ways by the public.

[Part §6, Ord. No. 166]

50.036 Additional unlawful conduct; penalty.

1. It is unlawful for any person to:

(a) Act with a state of mind that is sufficient to violate a particular provision or provisions of the Public Disorder Control and Prevention Ordinance and cause an innocent or legally irresponsible person to engage in conduct constituting the offense.

(b) Intend to encourage, promote or facilitate the violation of any provision or provisions of the Public Disorder Control and Prevention Ordinance.

(c) Solicit, request, command, importune or otherwise attempt to cause another person to violate any provision or provisions of the Public Disorder Control and Prevention Ordinance.

(d) Aid, counsel or agree or attempt to aid another person in planning or committing any violation of a provision or provisions of the Public Disorder Control and Prevention Ordinance.

2. Every person who by word, sign or gesture willfully provokes or attempts to provoke another person to commit a breach of the peace is guilty of violating the Public Disorder Control and Prevention Ordinance and shall be punished as provided in section 125.050,

[§7, Ord. No. 166]

50.038 Provisions applicable during civil emergency.

1. Any person upon any public way within the described area who is directed by the authorities to leave the public way but refuses to do so is guilty of violating the Public Disorder Control and Prevention Ordinance and shall be punished as provided in section 125.050.

2. Any person who makes an unreasonable noise or an offensively coarse utterance, gesture or display, or who addresses abusive language to any person present, is guilty of violating the Public Disorder Control and Prevention Ordinance and shall be punished as provided in section 125.050.

[§8, Ord. No. 166]

50.040 Penalty. A person violating any provision of the Public Disorder Control and Prevention Ordinance or an executive order issued by the sheriff pursuant thereto is guilty of a misdemeanor and upon conviction shall be punished as provided in section 125.050.

[§9, Ord. No. 166]

Commercial Handbills

50.042 Definitions. The words and terms set forth in sections 50.044 to 50.050, inclusive, as used in sections 50.042 to 50.062, inclusive, have the meanings ascribed to them in such sections, except where the context clearly indicates a different meaning.

[§1, Ord. No. 236]

50.044 "Commercial handbill" defined. "Commercial handbill" includes any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter or literature not distributed by the United States Postal Service which:

1. Advertises for sale any merchandise, product, commodity or thing; or
2. Directs attention to any business, or to any mercantile or commercial establishment, or to any other commercial activity for the purpose of either directly or indirectly promoting the interests thereof by sales; or
3. While containing reading matter other than advertising matter is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

[§2, Ord. No. 236]

50.046 "Newspaper" defined.

1. "Newspaper" means:
 - (a) Any newspaper of general circulation as defined by general law, any newspaper duly entered with the United States Postal Service in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and
 - (b) Any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.
2. A newspaper as defined in this section is not a handbill.

[§3, Ord. No. 236]

50.048 "Noncommercial handbill" defined. "Noncommercial handbill" means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper booklet or any other printed or otherwise reproduced original or copies of any matter or literature not included in the definitions of a commercial handbill or a newspaper.

[§4, Ord. No. 236]

50.050 "Public place" defined.

1. "Public place" means any and all streets, boulevards, avenues, lanes, alleys or other public ways, and all public parks, squares, spaces, sidewalks, plazas, grounds and buildings.

2. "Public place" does not include a privately owned parking facility, a parking facility leased to any private person, or any other property which is owned by or leased to any private person, notwithstanding the fact that such a parking facility or property is open to public view and use,

[§6, Ord. No. 236]

50.052 Finding by county commissioners. The board finds:

1. No person has an inherent right to conduct his private business upon the public streets, sidewalks and other public places of Washoe County.

2. Washoe County desires to regulate the distribution of handbills equitably and without interfering with constitutional guarantees of free speech, press and religion in order to control the littering of public streets, sidewalks and other public places within its jurisdiction and to protect the property of the county and its inhabitants.

[Preamble, Ord. No. 236]

50.054 Depositing and distributing commercial handbills in public places prohibited.

1. It is unlawful for any person to:

(a) Deposit, place, throw, scatter or cast any commercial handbill in or upon any public place within the county.

(b) Hand out or distribute or sell any commercial handbill in any public place.

2. It is not unlawful for any person to hand out or distribute any noncommercial handbill in any public place to any person willing to accept such noncommercial handbill.

[§7, Ord. No. 236]

50.056 Placing commercial handbills in vehicles prohibited.

It is unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial handbill in or upon any automobile or other vehicle parked in any public place. The provisions of this section do not prohibit the handing, transmitting or distributing of any commercial handbill to the owner or other occupant of any automobile or other vehicle who is willing to accept it.

[§8, Ord. No. 236]

50.058 Distribution on uninhabited or vacant private premises of commercial handbills prohibited. It is unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

[§9, Ord. No. 236]

50.060 Distribution of commercial handbills on private premises prohibited without prior consent.

1. It is unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial handbill upon any premises, if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof a sign bearing the words, "No Trespassing," "No Peddlers or Agents," "No Advertisements," or any similar notice, indicating in any manner that the occupants of such premises do not desire to be molested or to have their rights of privacy disturbed, or to have any such handbills left upon such premises.

2. Any person distributing a commercial handbill upon any such premises is required to identify clearly on the container or package or the handbill the name of the distributor, person, agency or company, with his address and telephone number.

[§10, Ord. No. 236]

50.062 Penalty. Any person violating any of the provisions of sections 50.042 to 50.062, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$1,000.

[§11, Ord. No. 236; A Ord. No. 534]

Defrauding of Taxicab Drivers

50.064 Defrauding taxicab drivers unlawful. Any person securing or utilizing the services of a driver of a taxicab within the unincorporated areas of the county with the intent to defraud is guilty of a misdemeanor and shall be punished as provided in section 125.050.

[§1, Ord. No. 311; A Ord. No. 597]

50.066 Securing the services of a taxicab driver with intent to defraud; evidence.

1. Unless otherwise expressly agreed, it shall be presumed that a taxicab driver provides his services with the intention of receiving payment therefor and that the person securing such services agrees to pay for them.

2. Proof that a person secured the services of a taxicab driver and failed or refused to pay the proper fare for such services may be received as evidence that such services were secured and utilized with the intent to defraud.

[\$2, Ord. No. 311; A Ord. No. 597]

False Information To Obtain Lodgings

50.068 False information to secure lodging in commercial place of temporary abode unlawful. It is unlawful for any person, either for himself or representing others, to furnish or attempt to furnish any information known by such person to be false, including but not limited to the name, address, vehicle information, number of occupants, payment information, firm represented or any other information required by an establishment, in order to secure lodging in any motel, hotel, inn, recreational vehicle park or any other commercial place of temporary abode in the unincorporated area of the county.

[\$1, Ord. No. 354]

50.070 Unlawful occupancy of place of temporary abode. It is a violation of sections 50.068 to 50.072, inclusive, for any person who occupies any room or other such space in any commercial place of temporary abode when he knows such room or other such space to have been obtained by false information.

[\$2, Ord. No. 354]

50.072 Penalty. Any person who violates the provisions of sections 50.068 to 50.072, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 125.050.

[\$3, Ord. No. 354]

Concealed Weapon: Permit Required

50.075 Concealed weapon defined. As used in 50.075 to 50.080, inclusive, "concealed weapon" includes:

1. Any explosive substance, other than fixed ammunition;
2. Any dirk, dagger or dangerous knife;
3. Any pistol, revolver or other firearm having a barrel less than 12 inches in length; or
4. Any other weapon concealed or capable of being concealed on the person.

[\$2, Ord. No. 567]

50.076 Possession of concealed weapon without permit or with expired or revoked permit.

1. It is unlawful for any person, unless otherwise authorized by law, to possess a concealed weapon upon his person without having first obtained a permit therefor as provided in sections 50.075 to 50.080, inclusive.

2. It is unlawful for any person who was issued a permit pursuant to sections 50.075 to 50.080, inclusive, to possess a concealed weapon upon his person if the permit has expired or has been revoked.

3. Any person who violates the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 125.050.

4. A conviction of violating the provisions of this section is not an "offense" under NRS 202.350 and cannot be made the basis for a felony conviction at any subsequent date.

5. Nothing in this section prohibits prosecution and conviction of a violation of NRS 202.350 for carrying a concealed weapon without a permit.

[§3, Ord. No. 567; A Ord. No. 636]

50.077 Application.

1. A person seeking a permit to carry a concealed weapon shall make application to the sheriff upon a form provided by the sheriff. The application must contain at least the following information:

(a) The location of the person's residence and his length of residency in the county;

(b) The reasons for the request and the need to carry such a concealed weapon;

(c) A description of the weapon to be carried;

(d) Any criminal record of the applicant;

(e) A set of fingerprints of the applicant; and

(f) Any other information which the sheriff deems necessary to determine the suitability of the applicant to carry such a concealed weapon.

2. Upon receipt of the application the sheriff shall submit the fingerprints to the Federal Bureau of Investigation and may consult any other person or governmental agency to determine the history and character of the applicant.

[§4, Ord. No. 567]

50.078 Fees required.

1. Every application must be accompanied by an investigation service fee in an amount determined by the sheriff to be sufficient to pay the costs of the investigation.

2. The fee for the permit is \$25, payable upon issuance of the

permit.

3. The sheriff may waive the fees set forth in this section for present or past employees of federal, state or local governments.

[\$5, Ord. No. 567; A Ord. No. 773]

50.079 Terms and conditions.

1. Upon receipt of the required information and a determination that the applicant is suitable, the sheriff may issue a permit which authorizes the permittee to carry a concealed weapon under such conditions as will insure the safety of the permittee and the general public. The permit is valid for 1 year after the date of issuance.

2. The sheriff may not issue a permit to any person who is not a resident of Washoe County.

[\$6, Ord. No. 567]

50.080 Conformity with state law. The sheriff may not issue a permit:

1. Which authorizes the carrying of a concealed weapon prohibited by the laws of the State of Nevada; or

2. To a person not eligible to carry a concealed weapon under the laws of the State of Nevada.

[\$7, Ord. No. 567]

50.083 Revocation of concealed weapon permit: Grounds; procedure; surrender of permit.

1. The sheriff or his authorized deputy may, with or without cause, revoke a concealed weapon permit. No hearing is required before or after the revocation of a concealed weapon permit.

2. A revocation pursuant to this section becomes effective when the holder of the permit is personally served with written notice from the sheriff or his deputy that the permit is revoked. The notice shall state that the permit must be surrendered to the sheriff, the undersheriff or the deputy serving the notice within 24 hours after the notice is served.

3. Within 24 hours after service of the notice of revocation, the holder shall surrender his concealed weapon permit to the sheriff, the undersheriff or the deputy who served him with the notice.

4. It is unlawful for the holder of a concealed weapon permit to fail or refuse to surrender the permit in accordance with subsection 3.

5. Any person who violates the provisions of subsection 4 is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 125.050.

[\$1, Ord. No. 773]

Firearms: Discharge Across County Roads,
Near Dwellings and Within Congested Areas

50.090 Definitions. As used in sections 50.090 to 50.158, inclusive:

1. "Congested area" means that portion of the county so determined pursuant to sections 50.094 to 50.154, inclusive, where uncontrolled discharge of firearms would result in the greatest risk of injury to life and limb.
2. "Firearm" means any weapon the discharge of which in the ordinary manner contemplated by its design and construction will or is likely to cause death or great bodily harm.
3. "Peace officer" means any person who lawfully carries a gun, pistol or other firearm in the course of his official duties.

[§1, Ord. No. 136]

50.092 Unlawful discharge of firearms; exemption.

1. It is unlawful for any person to:
 - (a) Discharge any gun, pistol, rifle, shotgun or other firearm in, on or across any county road or highway.
 - (b) Discharge in the unincorporated area of the county, any gun, pistol, rifle or other firearm, with the exception of shotguns, air rifles or B-B guns, within 5,000 feet of any dwelling occupied by another person or persons.
 - (c) Discharge in the unincorporated area of the county, any shotgun, air rifle or B-B gun within 1,000 feet of any dwelling occupied by another person or persons.
 - (d) Discharge any gun, pistol, rifle, shotgun or other firearm within any congested area of the county.
2. This section does not apply to:
 - (a) Peace officers in the lawful discharge of duty;
 - (b) To persons shooting in any regularly established and lawfully authorized and licensed rifle range, gun club or shooting gallery;
 - (c) To any person lawfully discharging a firearm in protection of life or property.

[§2, Ord. No. 136; A Bill No. 296; A Ord. No. 1180]

50.094 Determination of congested areas. The areas described in section 50.096 et seq. within the unincorporated area of the county are hereby determined to be congested areas within the terms of sections 50.090 to 50.158, inclusive.

[Part §3, Ord. No. 136; A 65-1010; 66-861; 66-898; 66-969; 67-964; 71-662; Ord. Nos. 310, 330, 339, 343, 371, 388, 443, 459, 478, 499]

50.096 Greater Truckee Meadows and environs: Congested area.

The following described area within the unincorporated area of the county is determined to be a congested area: That area beginning at the section corner common to sections 4 and 5, T. 21 N., R. 19 E., and sections 32 and 33, T. 22 N., R. 19 E., M.D.B.&M.; thence south along the section line to a section corner common to sections 8, 9, 16 and 17, T. 21 N., R. 19 E., M.D.B.&M.; thence east along the section line to a section corner common to sections 11, 12, 13 and 14, T. 21 N., R. 19 E., M.D.B.&M.; thence south along the section line to a section corner common to sections 35 and 36, T. 21 N., R. 19 E., M.D.B.&M.; thence east along the township line to the northern section corner common to sections 1 and 2, T. 20 N., R. 19 E., M.D.B.&M.; thence south along the section line to a section corner common to sections 1, 2, 11 and 12, T. 20 N., R. 19 E., M.D.B.&M.; thence east along the section line to the 1/4 corner common to sections 6 and 7, T. 20 N., R. 20 E., M.D.B.&M.; thence north along the center section line to the SE corner of the NE 1/4 of the NW 1/4 of section 6, T. 20 N., R. 20 E., M.D.B.&M.; thence east to the SE corner of the NE 1/4 of the NE 1/4 of section 6, T. 20 N., R. 20 E., M.D.B.&M.; thence south along the section line to a section corner common to sections 5, 6, 7 and 8, T. 20 N., R. 20 E., M.D.B.&M.; thence east to the section corner common to sections 4, 5, 8 and 9, T. 20 N., R. 20 E., M.D.B.&M.; thence continuing east to the section corner common to sections 3, 4, 9 and 10, T. 20 N., R. 20 E., M.D.B.&M.; thence south along the east section line of section 9 to the section corner common to sections 9, 10, 15 and 16, T. 20 N., R. 20 E., M.D.B.&M.; thence east along the north section line of section 15 to the section corner common to sections 10, 11, 14 and 15, T. 20 N., R. 20 E., M.D.B.&M.; thence continuing east along the north section line of section 14 to the section corner common to sections 11, 13 and 14, T. 20 N., R. 20 E., M.D.B.&M.; thence east along the north section line of section 13 to the section corner common to sections 12 and 13, T. 20 N., R. 20 E., M.D.B.&M.; thence northerly along the easterly line of Range 20 East, M.D.M. to the NW corner of section 18, T. 20 N., R. 21 E., M.D.M.; thence easterly along the northerly line of section 18, T. 20 N., R. 21 E., M.D.M. to the NE corner of section 18, T. 20 N., R. 21 E., M.D.M.; southerly along the easterly line of section 18, T. 20 N., R. 21 E., M.D.M. to the SE corner of section 18, T. 20 N., R. 21 E., M.D.M.; thence westerly along the southerly line of section 18, T. 20 N., R. 21 E., M.D.M. to the easterly line of Range 20 East, M.D.M.; thence southerly along the easterly line of Range 20 East, M.D.M. to the easterly 1/4 corner of section 36, T. 20 N., R. 20 E., M.D.M.; thence westerly along the east-west centerline of section 36, T. 20 N., R. 20 E.,

M.D.M. to the center of section 36, T. 20 N., R. 20 E. M.D.M.; thence south along the center section line to the south 1/4 corner of section 36, T. 20 N., R. 20 E., M.D.B.&M.; thence south to the center of section 1, T. 19 N., R. 20 E., M.D.B.&M.; thence west to the 1/4 corner common to sections 1 and 2, T. 19 N., R. 20 E., M.D.B.&M.; thence south along the section line to the SE corner of the NE 1/4 of the NE 1/4 of section 14, T. 19 N., R. 20 E., M.D.B.&M.; thence west to the SW corner of the NW 1/4 of the NE 1/4 of section 14, T. 19 N., R. 20 E., M.D.B.&M.; thence south along the center section line to the center of section 14, T. 19 N., R. 20 E., M.D.B.&M.; thence west to the NW corner of the NE 1/4 of the SW 1/4 of section 14, T. 19 N., R. 20 E., M.D.B.&M.; thence south to the SE corner of the SW 1/4 of the SW 1/4 of section 14, T. 19 N., R. 20 E., M.D.B.&M.; thence east along the section line to the 1/4 corner common to sections 14 and 23, T. 19 N., R. 20 E., M.D.B.&M.; thence south to the 1/4 corner common to sections 26 and 35, T. 19 N., R. 20 E., M.D.B.&M.; thence west to the NE corner of the NW 1/4 of the NW 1/4 of section 35, T. 19 N., R. 20 E., M.D.B.&M.; thence south to the SE corner of the NW 1/4 of the NW 1/4 of section 35, T. 19 N., R. 20 E., M.D.B.&M.; thence west to the SW corner of the NW 1/4 of the NW 1/4 of section 35, T. 19 N., R. 20 E., M.D.B.&M.; thence south along the section line to the section corner common to sections 34 and 35, T. 19 N., R. 20 E., M.D.B.&M.; thence west along the township line to the NW corner of the NE 1/4 of the NE 1/4 of section 3, T. 18 N., R. 20 E., M.D.B.&M.; thence south to the SW corner of the SE 1/4 of the NE 1/4 of section 3, T. 18 N., R. 20 E., M.D.B.&M.; thence east to the 1/4 corner common to sections 2 and 3, T. 18 N., R. 20 E., M.D.B.&M.; thence south to a section corner common to sections 2, 3, 10 and 11, T. 18 N., R. 20 E., M.D.B.&M.; thence east along the section line to the NE corner of the NW 1/4 of the NW 1/4 of section 11, T. 18 N., R. 20 E., M.D.B.&M.; thence south to the SE corner of the NW 1/4 of the NW 1/4 of section 11, T. 18 N., R. 20 E., M.D.B.&M.; thence west to the SW corner of the NW 1/4 of the NW 1/4 of section 11, T. 18 N., R. 20 E., M.D.B.&M.; thence south along the section line to a 1/4 corner common to sections 10 and 11, T. 18 N., R. 20 E., M.D.B.&M.; thence east along the center section line to the center of section 11, T. 18 N., R. 20 E., M.D.B.&M.; thence south to the SE corner of the NE 1/4 of the SW 1/4 of section 14, T. 18 N., R. 20 E., M.D.B.&M.; thence west to the SW corner of the NE 1/4 of the SW 1/4 of section 14, T. 18 N., R. 20 E., M.D.B.&M.; thence south to the SE corner of the SW 1/4 of the SW 1/4 of section 14, T. 18 N., R. 20 E., M.D.B.&M.; thence continuing southerly along the easterly line of the NW 1/4 of the NW 1/4 of section 23, T. 18 N., R. 20 E., M.D.M. to the SE corner of the NW 1/4 of the NW 1/4 of section 23, T. 18 N., R. 20 E., M.D.M.;

thence westerly along the southerly line of the NW 1/4 of the NW 1/4 of section 23, T. 18 N., R. 20 E., M.D.M. to the southeasterly corner of the SW 1/4 of the NW 1/4 of the NW 1/4 of section 23, T. 18 N., R. 20 E., M.D.B.&M.; thence south to the SE corner of the SW 1/4 of the SW 1/4 of the NW 1/4 of section 23, T. 18 N., R. 20 E., M.D.B.&M.; thence west along the center section line to the 1/4 corner common to sections 22 and 23, T. 18 N., R. 20 E., M.D.B.&M.; thence south to a section corner common to sections 22, 23, 26 and 27, T. 18 N., R. 20 E., M.D.B.&M.; thence east to the section corner common to sections 23, 24, 25 and 26, T. 18 N., R. 20 E., M.D.B.&M.; thence south to the SE section corner of section 35, T. 18 N., R. 20 E., M.D.B.&M.; thence west to the NE corner of section 3, T. 17 N., R. 20 E., M.D.B.&M.; thence southerly along the easterly line of section 3, T. 17 N., R. 20 E., M.D.M. to the easterly 1/4 corner of section 3, T. 17 N., R. 20 E., M.D.M.; thence westerly along the east-west centerline of section 3, T. 17 N., R. 20 E., M.D.M. to the center of section 3, T. 17 N., R. 20 E., M.D.M.; thence south along the north-south centerline of section 3 to the 1/4 corner common to sections 3 and 10, T. 17 N., R. 20 E., M.D.B.&M.; thence west to the section corner common to sections 3, 4, 9 and 10, T. 17 N., R. 20 E., M.D.B.&M.; thence south to the 1/4 corner common to sections 9 and 10, T. 17 N., R. 20 E., M.D.B.&M.; thence west along the east-west centerline of section 9 to the 1/4 corner common to sections 8 and 9, T. 17 N., R. 20 E., M.D.B.&M.; thence north to the section corner common to sections 4, 5, 8 and 9, T. 17 N., R. 20 E., M.D.B.&M.; thence west to the 1/4 corner common to sections 5 and 8, T. 17 N., R. 20 E., M.D.B.&M.; thence south to the center of section 8, T. 17 N., R. 20 E., M.D.B.&M.; thence west to the NE corner of the NW 1/4 of the SW 1/4 of section 8, T. 17 N., R. 20 E., M.D.M.; thence southerly to the SE corner of the NW 1/4 of the SW 1/4 of section 8, T. 17 N., R. 20 E., M.D.M.; thence westerly to the SW corner of the NW 1/4 of the SW 1/4 of section 8, T. 17 N., R. 20 E., M.D.M.; thence south along the westerly line of section 8 and 17, T. 17 N., R. 20 E., M.D.M. to the section corner common to sections 17, 18, 19 and 20, T. 17 N., R. 20 E., M.D.B.&M.; thence west to the SW section corner of section 18, T. 17 N., R. 20 E., M.D.B.&M.; thence north to the NW section corner of section 7, T. 17 N., R. 20 E., M.D.B.&M.; thence east to the SW corner of the SE 1/4 of the SE 1/4 of section 6, T. 17 N., R. 20 E., M.D.M.; thence northerly to the NW corner of the SE 1/4 of the SE 1/4 of section 6, T. 17 N., R. 20 E., M.D.M.; thence easterly to the NE corner of the SE 1/4 of the SE 1/4 of section 6, T. 17 N., R. 20 E., M.D.M.; thence continuing easterly along the northerly line of the southerly half of the southerly half of section 5, T. 17 N., R. 20 E., M.D.M. to the westerly line of section 4, T. 17 N.,

R. 20 E., M.D.M.; thence northerly along the westerly line of section 4, T. 17 N., R. 20 E., M.D.M. to the southerly line of Township 18 North, M.D.M.; thence west along the southerly line of Township 18 North, M.D.M. to the NW section corner of section 1, T. 17 N., R. 19 E., M.D.B.&M.; thence south to the section corner common to sections 1, 2, 11 and 12, T. 17 N., R. 19 E., M.D.B.&M.; thence westerly along the northerly line of section 12, T. 17 N., R. 19 E., M.D.M. to the NE corner of the NW 1/4 of the NW 1/4 of section 12, T. 17 N., R. 19 E., M.D.M.; thence southerly along the easterly line of the westerly half of the westerly half of section 12, T. 17 N., R. 19 E., M.D.M. to east-west centerline of section 12, T. 17 N., R. 19 E., M.D.M.; thence easterly along the east-west centerline of section 12, T. 17 N., R. 19 E., M.D.M. to the center of section 12, T. 17 N., R. 19 E., M.D.M.; thence southerly along the north-south centerline of section 12, T. 17 N., R. 19 E., M.D.M. to the southerly line of the northerly half of the southerly half of the SW 1/4 of section 12, T. 17 N., R. 19 E., M.D.M.; thence westerly along the southerly line of the northerly half of the southerly half of the SW 1/4 of section 12, T. 17 N., R. 19 E., M.D.M. to the easterly line of section 11, T. 17 N., R. 19 E., M.D.M.; thence southerly along the easterly line of section 11 and 14, T. 17 N., R. 19 E., M.D.M. to the easterly 1/4 corner of section 14, T. 17 N., R. 19 E., M.D.M., thence west along the center section line of section 14, T. 17 N., R. 19 E., M.D.M. to the center of section 14, T. 17 N., R. 19 E., M.D.M.; thence southerly along the centerline of section 14, T. 17 N., R. 19 E., M.D.M. to the southerly 1/4 corner of section 14, T. 17 N., R. 19 E., M.D.M.; thence westerly along the southerly line of sections 14 and 15, T. 17 N., R. 19 E., M.D.M. to the SW corner of SE 1/4 of the SE 1/4 of section 15, T. 17 N., R. 19 E., M.D.M.; thence northerly along the westerly line of the easterly half of the easterly half of section 15, T. 17 N., R. 19 E., M.D.M. to the east-west centerline of section 15, T. 17 N., R. 19 E., M.D.M.; thence westerly along the east-west centerline of section 15, T. 17 N., R. 19 E., M.D.M. to the center of section 15, T. 17 N., R. 19 E., M.D.M.; thence northerly along the north-south centerline of section 15, T. 17 N., R. 19 E., M.D.M. to the northerly 1/4 corner of section 15, T. 17 N., R. 19 E., M.D.M.; thence west along the northerly section line of sections 15 and 16, T. 17 N., R. 19 E., M.D.M. to the easterly right-of-way of Mt. Rose Highway; thence northerly along said easterly right-of-way to the westerly line of section 3, T. 17 N., R. 19 E., M.D.M.; thence northerly along the westerly line of section 3, T. 17 N., R. 19 E., M.D.M. to the southerly line of Township 18 North, M.D.M.; thence easterly along the southerly line of Township 18 North, M.D.M. to the westerly line of the easterly half of the westerly

half of section 34, T. 18 N., R. 19 E., M.D.B.&M.; thence north to the southerly line of section 27, T. 18 N., R. 19 E., M.D.B.&M.; thence east to the southerly 1/4 corner of section 27, T. 18 N., R. 19 E., M.D.M.; thence northerly along the north-south centerline of sections 27, 22, 15, 10 and 3, T. 18 N., R. 19 E., M.D.M. to the center of section 3, T. 18 N., R. 19 E., M.D.M.; thence west to the center of section 5, T. 18 N., R. 19 E., M.D.B.&M.; thence north to the center of section 32, T. 19 N., R. 19 E., M.D.B.&M.; thence west to the center of section 31, T. 19 N., R. 19 E., M.D.B.&M.; thence north to the center of section 19, T. 19 N., R. 19 E., M.D.B.&M.; thence west to the E 1/4 corner of section 24, T. 19 N., R. 18 E., M.D.B.&M.; thence north to the SE corner of the NE 1/4 of the NE 1/4 of section 24, T. 19 N., R. 18 E., M.D.B.&M.; thence west to the SW corner of the NE 1/4 of the NW 1/4 of section 24, T. 19 N., R. 18 E., M.D.B.&M.; thence north to the NW corner of the NE 1/4 of the SW 1/4 of section 13, T. 19 N., R. 18 E., M.D.B.&M.; thence west to the center of section 14, T. 19 N., R. 18 E., M.D.B.&M.; thence south to the 1/4 corner common to sections 14 and 23, T. 19 N., R. 18 E., M.D.B.&M.; thence west to the section corner common to sections 14, 15, 22 and 23, T. 19 N., R. 18 E., M.D.B.&M.; thence south to the SE corner of the NE 1/4 of the NE 1/4 of section 22, T. 19 N., R. 18 E., M.D.B.&M.; thence west to the SW corner of the NW 1/4 of the NW 1/4 of section 22, T. 19 N., R. 18 E., M.D.B.&M.; thence north to the section corner common to sections 15, 16, 21 and 22, T. 19 N., R. 18 E., M.D.B.&M.; thence west to the 1/4 corner common to sections 17 and 20, T. 19 N., R. 18 E., M.D.B.&M.; thence south to the 1/4 corner common to sections 29 and 32, T. 19 N., R. 18 E., M.D.B.&M.; thence west to the section corner common to sections 29, 30, 31 and 32, T. 19 N., R. 18 E., M.D.B.&M.; thence south to the SE corner of section 31, T. 19 N., R. 18 E., M.D.B.&M.; thence west along the township line to the intersection with the Nevada-California state boundary line; thence north along the state line to the section line common to sections 6 and 7, T. 19 N., R. 18 E., M.D.B.&M.; thence east along the section line to the section corner common to sections 4, 5, 8 and 9, T. 19 N., R. 18 E., M.D.B.&M.; thence northerly along the westerly line of section 4, T. 19 N., R. 18 E., M.D.M. and section 33, T. 20 N., R. 18 E., M.D.M. to the section corner common to sections 28, 29, 32 and 33, T. 20 N., R. 18 E., M.D.B.&M.; thence easterly along the northerly line of sections 33, 34 and 35, T. 20 N., R. 18 E., M.D.M. to the SW corner of section 25, T. 20 N., R. 18 E., M.D.M.; thence north to the 1/4 corner common to sections 25 and 26, T. 20 N., R. 18 E., M.D.B.&M.; thence easterly along the east-west centerline of section 25, T. 20 N., R. 18 E., M.D.M. and sections 29 and 30, T. 20 N., R. 19 E., M.D.M. to the easterly 1/4 corner of section 29,

T. 20 N., R. 19 E., M.D.M.; thence north along the westerly line of sections 28 and 21, T. 20 N., R. 19 E., M.D.M. to the SE corner of section 17, T. 20 N., R. 19 E., M.D.M.; thence west to the section corner common to sections 17, 18, 19 and 20, T. 20 N., R. 19 E., M.D.B.&M.; thence north to the section corner common to sections 7, 8, 17 and 18, T. 20 N., R. 19 E., M.D.B.&M.; thence west to the section corner common to sections 7 and 18, T. 20 N., R. 19 E., and sections 12 and 13, T. 20 N., R. 18 E., M.D.B.&M.; thence north along the range line common to section 12, T. 20 N., R. 18 E., and section 7, T. 20 N., R. 19 E., to an intersection with the southerly right-of-way of the Western Pacific Railroad; thence westerly along the southerly right-of-way of the Western Pacific Railroad to an intersection with the north-south center section line of section 11, T. 20 N., R. 18 E., M.D.B.&M.; thence north to an intersection with the southerly right-of-way of U.S. Highway 395; thence northwesterly along the southerly right-of-way of U.S. Highway 395 to an intersection with the section line common to sections 29 and 32, T. 21 N., R. 18 E., M.D.B.&M.; thence west to an intersection with the state boundary line of Nevada and California; thence north along the state boundary line to an intersection with the section line common to sections 18 and 19, T. 21 N., R. 18 E., M.D.B.&M.; thence east to a section corner common to sections 17, 18, 19 and 20, T. 21 N., R. 18 E., M.D.B.&M.; thence north to the NW corner of the SW 1/4 of the SW 1/4 of section 17, T. 21 N., R. 18 E., M.D.B.&M.; thence east to the NW corner of the SE 1/4 of the SE 1/4 of section 17, T. 21 N., R. 18 E., M.D.B.&M.; thence north to the NW corner of the SE 1/4 of the NE 1/4 of section 17, T. 21 N., R. 18 E., M.D.B.&M.; thence east to the NE corner of the SE 1/4 of the NE 1/4 of section 17, T. 21 N., R. 18 E., M.D.B.&M.; thence northerly along the westerly line of sections 16 and 9, T. 21 N., R. 18 E., M.D.M. to the NW corner of section 9, T. 21 N., R. 18 E., M.D.M.; thence easterly along the northerly line of section 9, T. 21 N., R. 18 E., M.D.M. to the NW corner of section 9, T. 21 N., R. 18 E., M.D.M.; thence southerly along the easterly line of section 9, T. 21 N., R. 18 E., M.D.M. to the NW corner of section 15, T. 21 N., R. 18 E., M.D.M.; thence easterly along the northerly line of section 15, T. 21 N., R. 18 E., M.D.M. to the NE corner of section 15, T. 21 N., R. 18 E., M.D.M.; thence southerly along the easterly line of section 15, T. 21 N., R. 18 E., M.D.M. to the SE corner of section 15, T. 21 N., R. 18 E., M.D.M.; thence westerly along the southerly line of section 15, T. 21 N., R. 18 E., M.D.M. to the NE corner of section 21, T. 21 N., R. 18 E., M.D.M.; thence south to the section corner common to sections 21, 22, 27 and 28, T. 21 N., R. 18 E., M.D.B.&M.; thence east to the NE corner of the NW 1/4 of the NW 1/4 of section 27, T. 21 N., R. 18 E., M.D.B.&M.; thence

south to an intersection with the northerly right-of-way of U.S. Highway 395; thence southeasterly along the northerly right-of-way of U.S. Highway 395 to an intersection with the north-south center of section line of section 2, T. 20 N., R. 18 E., M.D.B.&M.; thence north to the N 1/4 corner of section 2, T. 20 N., R. 18 E., M.D.B.&M.; thence west to the S 1/4 corner of section 35, T. 21 N., R. 18 E., M.D.B.&M.; thence north to the N 1/4 corner of section 26, T. 21 N., R. 18 E., M.D.B.&M.; thence west to the section corner common to sections 22, 23, 26 and 27, T. 21 N., R. 18 E., M.D.B.&M.; thence northerly along the westerly line of sections 23 and 14, T. 21 N., R. 18 E., M.D.M. to the NE corner of section 14, T. 21 N., R. 18 E., M.D.M.; thence easterly along the northerly line of section 14, T. 21 N., R. 18 E., M.D.M. to the southerly 1/4 corner of section 11, T. 21 N., R. 18 E., M.D.B.&M.; thence northerly along the north-south centerline of sections 11 and 2, T. 21 N., R. 18 E., M.D.M. to the N 1/4 corner of section 2, T. 21 N., R. 18 E., M.D.B.&M.; thence east to the section corner common to sections 4 and 5, T. 21 N., R. 19 E., and sections 32 and 33, T. 22 N., R. 19 E., M.D.B.&M.; and being the point of beginning.

[Part §3, Ord. No. 136; A 65-1010; 66-861; 66-898; 66-969; 67-964; 71-662; A Ord. Nos. 310, 339, 343, 371, 388, 443, 459, 478, 499, 861, 940; 1046, 1180]

50.100 Mustang - Lockwood areas: Congested area. The following described area within the unincorporated area of the county is determined to be a congested area: All of sections 4 and 9, the west half (W ½) of section 10 lying northerly of Interstate Highway 80, the northwest quarter of the northwest quarter (NW 1/4 of the NW 1/4) of section 15, the east half (E ½) of section 16 lying northerly of the middle of the Truckee River, the west half (W ½) of section 16 lying between Interstate Highway 80 and the middle of the Truckee River, and section 17 lying between Interstate Highway 80 and the middle of the Truckee River; all of the above described parcels of land lying and being in T. 19 N., R. 21 E., M.D.B.&M.

[Part §3, Ord. No. 136; A 65-1010; 66-861; 66-898; 66-969; 67-964; 71-662; Ord. Nos. 310, 330, 339, 343, 371, 388, 443, 459, 478, 499, 767]

50.102 Wadsworth: Congested area. The following described area within the unincorporated area of the county is determined to be a congested area: All that certain area within the following described parcels of land within the unincorporated area of Washoe County: The NW 1/4 of section 3 and the NE 1/4 of section 4, all in T. 20 N., R. 24 E., M.D.B.&M.

[Part §3, Ord. No. 136; A 65-1010; 66-861; 66-898; 66-969;

67-964; 71-662; Ord. Nos. 310, 330, 339, 343, 371, 388, 443, 459, 478, 499]

50.104 Spanish Springs area: Congested area. The following described area within the unincorporated area of the county is determined to be a congested area: All of sections 23, 26, 27, 33, 34, 35 and 36 and the east ½ of section 22, T. 21 N., R. 20 E., M.D.B.&M., and all of sections 1, 2, 3, 4, 10, 11 and 12, T. 20 N., R. 20 E., M.D.B.&M., and all of section 6 and the west ½ of section 7, T. 20 N., R. 21 E., M.D.B.&M.; and the southwest 1/4 of the northwest 1/4 and the northwest 1/4 of the southwest 1/4 section 30, T. 21 N., R. 21 E., M.D.B.&M., and the south ½ of the north ½ and the south ½ of section 25, T. 21 N., R. 21 E., M.D.M.

[Part §3, Ord. No. 136; A 65-1010; 66-861; 66-898; 66-969; 67-964; 71-662; Ord. Nos. 310, 330, 339, 343, 371, 388, 443, 459, 478, 499; 1046, 1180]

50.106 Incline Village: Congested area. The Incline Village area is determined to be a congested area and is specifically described as: All of sections 3, 8, 9, 10, 11, 14 and 15; all of sections 18, 19 and 30 bounded by the California-Nevada state boundary line and Lake Tahoe; all of sections 16, 17, 21, 22 and 23, T. 16 N., R. 18 E., M.D.B.&M.

[§2, Ord. No. 647]

50.108 New Washoe City: Congested area. The New Washoe City area is determined to be a congested area and is specifically described as: All that portion of section 25, T. 17 N., R. 19 E., M.D.B.&M., lying easterly of East Lake Boulevard; all of sections 30, 31 and 32, T. 17 N., R. 20 E., M.D.B.&M.; all of sections 5 and 6, T. 16 N., R. 20 E., M.D.B.&M.

[§3, Ord. No. 647]

50.110 Old Washoe City: Congested area. The Old Washoe City area is determined to be a congested area and is specifically described as: The NW 1/4 of section 24 and all of section 23, T. 17 N., R. 20 E., M.D.B.&M.

[§4, Ord. No. 647]

50.116 Painted Rock: Congested area. The Painted Rock area is determined to be a congested area and is specifically described as follows: Those portions of sections 13, 14 and 23, T. 20 N., R. 23 E., and sections 7, 8, 9, 17 and 18, T. 20 N., R. 24 E., M.D.B.&M., which lie between the middle of the Truckee River, Interstate Highway 80 and the Washoe-Storey County steel truss bridge in said section 23; all of the easterly half of

section 8, T. 20 N., R. 24 E., M.D.M. lying westerly of the Pyramid Lake Indian Reservation Boundary and northerly of Interstate 80 and that portion of the westerly half of section 8, T. 20 N., R. 24 E., M.D.M. lying southerly of the southerly line of the northerly half of the northerly half of section 8, T. 20 N., R. 24 E., M.D.M. and northerly of Interstate 80.

[§7, Ord. No. 647; A Ord. No. 1180]

50.118 Hungry Valley: Congested area. The Hungry Valley area is determined to be a congested area and is specifically described as: All of sections 4, 9 and 16 in T. 21 N., R. 20 E., M.D.B.&M.

[§2, Ord. No. 940]

50.120 Franktown/Washoe Valley: Congested area. The Franktown/Washoe Valley area is determined to be a congested area and is specifically described as: All of section 22, T. 16 N., R. 19 E., M.D.M. excepting the NW 1/4 of section 22, T. 16 N., R. 19 E., M.D.M., all of section 23, T. 16 N., R. 19 E., M.D.M. lying westerly of U.S. 395 and the southerly half of section 14, T. 16 N., R. 19 E., M.D.M. lying westerly of U. S. 395.

[§1, Ord. No. 1180]

(Sections 50.121 to 50.150, inclusive, have been reserved for future use upon the creation of additional congested areas.)

50.152 Congested area: Effect of annexation by city. Any part or parts of congested areas described in section 50.094 et seq. which subsequently become a part of an incorporated city by annexation shall cease to exist as congested areas.

[Part §7, Ord. No. 136; added by Bill No. 263]

50.154 Posting of congested areas.

1. Boundaries of congested areas described in section 50.094 et seq. shall be posted by signs in a manner and at such places as are reasonably calculated to give notice of firearm restrictions contained in sections 50.090 to 50.158, inclusive.

2. The county engineer shall erect and maintain the signs of a kind and quality comparable to road information signs in a manner designed to attract the attention of persons entering the area.

[§4, Ord. No. 136]

50.156 Destruction of signs. It is unlawful for any person to tear down, mutilate or destroy any sign erected pursuant to the provisions of section 50.154.

[§5, Ord. No. 136]

50.158 Penalties. Any person violating any of the provisions of sections 50.090 to 50.158, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment in the county jail for a term of not more than 6 months, or by both fine and imprisonment.

[\$6, Ord. No. 136; A Ord. No. 534]

Firearms: Nighttime Shooting
and Spotlight Hunting

50.160 Definitions. As used in sections 50.160 to 50.166, inclusive:

1. "Firearm" means any weapon the discharge of which in the ordinary manner contemplated by its design and construction will, or is likely to, cause death or great bodily harm.

2. "Peace officer" means any person who lawfully carries a firearm in the course of his official duties.

[\$1, Ord. No. 485]

50.162 Nighttime shooting and spotlight hunting prohibited. Except as otherwise authorized by law, it is unlawful for any person to discharge a firearm of any kind between one-half hour after sunset and one-half hour before sunrise or shine a spotlight between one-half hour after sunset and one-half hour before sunrise for the purpose of hunting a wild animal in the unincorporated areas of the county.

[\$2, Ord. No. 485]

50.164 Exceptions. Sections 50.160 to 50.166, inclusive, do not apply to:

1. Any peace officer discharging a firearm or shining a spotlight in the necessary performance of his duties.

2. The discharge of a firearm in a shooting gallery or any designated pistol or rifle range.

3. The discharge of a firearm or shining of a spotlight by any person or his agent in the necessary defense or protection of himself, his family or his property.

[\$3, Ord. No. 485]

50.166 Penalty. Any person who violates any of the provisions of sections 50.160 to 50.166, inclusive, is guilty of a misdemeanor, and upon conviction shall be punished as provided in section 125.050.

[\$4, Ord. No. 485]

Loitering In or About School
Buildings and Grounds

50.168 Loitering about school buildings, grounds unlawful.

1. Except as provided in subsection 2, it is unlawful for any person to loiter in or about any school building or grounds or in or about adjoining streets and accesses of school grounds without written permission from the principal, custodian or other person in charge thereof, or in violation of posted regulations governing the use thereof.

2. The provisions of subsection 1 do not apply to:

(a) Authorized school personnel.

(b) The parent or legal guardian of a pupil in regular attendance at the school.

[§1, Ord. No. 71]

50.170 Penalty. Any person who violates the provisions of sections 50.168 to 50.170, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 125.050.

[§2, Ord. No. 71]

Urinating or Defecating on Public Property
or in Public View Unlawful

50.171 Urinating or defecating on public property or in public view unlawful.

1. It is unlawful for any person to urinate or defecate:

(a) On any highway, road, alley, sidewalk or public parking lot; or

(b) In any place open to public view.

2. As used in subsection 1:

(a) The words "highway," "road" and "alley" have the meaning ascribed to them in chapter 70 and include the entire width between the boundary lines of such ways;

(b) The word "sidewalk" has the meaning ascribed to it in section 70.135.

3. A violation of this section is a misdemeanor and shall be punished as provided in section 125.050.

[§1, Ord. No. 676]

Minors: Curfews

50.172 Minors under 16 years of age: Curfew; sheriff's powers.

1. Except as provided in subsection 2, it is unlawful for any minor under the age of 16 years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other vacant areas within the unincorporated area of the county between the hours of 11 p.m. and 5 a.m. any night preceding a school day, and between the hours of midnight and 5 a.m. on any other day.

2. Upon the written request of the principal or superintendent of any high school in the county or upon written request on behalf of any official governmental agency or upon written request by the lawful representative of any church in the county directed to the sheriff, the sheriff is empowered to extend the curfew on special occasions to 1 a.m.

3. Each violation of the provisions of this section constitutes a separate offense.

[Part §1, Ord. No. 134; A Bill No. 267; Ord. No. 267]

50.174 Minors between 16 and 18 years of age: Curfew; sheriff's powers.

1. Except as provided in subsection 2, it is unlawful for any minor between the ages of 16 years and 18 years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other vacant areas within the unincorporated area of the county between the hours of midnight and 5 a.m. any night preceding a school day, and between the hours of 1 a.m. and 5 a.m. on any other day.

2. Upon the written request of the principal or superintendent of any high school in the county or upon written request on behalf of any official governmental agency or upon written request by the lawful representative of any church in the county directed to the sheriff, the sheriff is empowered to extend the curfew on special occasions.

3. Each violation of the provisions of this section constitutes a separate offense.

[Part §1, Ord. No. 134; A Bill No. 267; Ord. No. 267]

Minors: Intoxicating Liquor

50.176 Definitions. As used in sections 50.176 to 50.188, inclusive, unless the context otherwise requires:

1. "Intoxicating liquor" means beer, wine, gin, whiskey, cordials, ethyl alcohol or rum, and every liquid or solid, patented or not, containing one-half of 1 percent or more of alcohol by volume and which is used for beverage purposes.

2. "Minor" includes any person under the age of 21 years.

[Part §1, Ord. No. 138]

50.178 Furnishing intoxicating liquor to minor unlawful. It is unlawful for any person other than a parent, guardian or physician to sell, deliver or give away or otherwise furnish any intoxicating liquor to any person under the age of 21 years, or leave or deposit any such intoxicating liquor in any place with the intent that it may be procured by any person under the age of 21 years.

[Part §2, Ord. No. 138]

50.180 Purchase, consumption of intoxicating liquor by minor in licensed establishment unlawful; liability of consenting parent, guardian. It is unlawful for:

1. Any person under the age of 21 years to purchase or consume any intoxicating liquor in any establishment licensed under the provisions of Liquor Board Ordinance No. 2 (sections 30.010 to 30.330, inclusive, of this code) enacted by the county liquor board of Washoe County.

2. Any parent or guardian of a person under the age of 21 years to permit such person to purchase or consume any intoxicating liquor in any establishment licensed under the provisions of Liquor Board Ordinance No. 2 (sections 30.010 to 30.330, inclusive, of this code) enacted by the county liquor board of Washoe County.

[Part §2, Ord. No. 138]

50.182 Possession or consumption of intoxicating liquor by minor unlawful.

1. Except as provided in subsection 3 below, it is unlawful for any person under the age of 21 years to:

(a) Consume or have in his custody or possession any intoxicating liquor.

(b) Be impaired to any degree by the use of an intoxicating liquor.

2. For the purposes of this section, "impairment" is defined as any observable signs or symptoms commonly associated with the use of intoxicating liquor.

3. Unlawful possession, consumption, or impairment does not include:

(a) Possession or consumption for an established religious purpose.

(b) Possession in the presence of the person's parents, spouse or legal guardian who is at least 21 years of age or older, when not in a public place.

(c) Possession in accordance with a prescription issued by a person statutorily authorized to issue prescriptions.

(d) The selling, handling, serving or transporting of alcoholic beverages by a person in the course of his lawful employment by a licensed manufacturer, wholesaler or retailer of alcoholic beverages.

[Part §2, Ord. No. 138; A Ord. No. 1123]

50.184 Unlawful alteration, forgery of identification to allow minor to obtain intoxicating liquor. It is unlawful for any person to counterfeit, forge, alter, erase or obliterate any card, writing, paper or document which bears the age of the holder or purported holder thereof, with the intention that such card, writing, paper or document should be used by a person under the age of 21 years for the purpose of obtaining any intoxicating liquor, or to sell, lend or give away any such card, writing, paper or document to a person under the age of 21 years.

[Part §2, Ord. No. 138]

50.186 Use by minor of altered, forged identification to obtain intoxicating liquor unlawful. It is unlawful for any person under the age of 21 years to use or attempt to use or proffer any counterfeited, forged, erased or obliterated card, writing, paper or document of the kind mentioned in section 50.184 for the purpose of obtaining any intoxicating liquor.

[Part §2, Ord. No. 138]

50.188 Penalty. Any person found guilty of violating any of the provisions of sections 50.176 to 50.188, inclusive, shall be punished as provided in section 125.050.

[\$3, Ord. No. 138]

Minors: Obscene Material

50.190 Definitions. As used in sections 50.190 to 50.210, inclusive, unless the context otherwise requires, the words and terms defined in sections 50.192 to 50.204, inclusive, have the meanings ascribed to them in such sections.

[Part §1, Ord. No. 160]

50.192 "Harmful to minors" defined. "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement or sadomasochistic abuse when it:

1. Predominantly appeals to the prurient, shameful or morbid interest of minors; and
 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
 3. Is utterly without redeeming social importance for minors.
- [Part §1, Ord. No. 160]

50.194 "Knowingly" defined. "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry, of both:

1. The character and content of any material described in sections 50.190 to 50.210, inclusive, which is reasonably susceptible of examination by the defendant; and
 2. The age of the minor;
- but an honest mistake shall constitute an excuse from liability under sections 50.190 to 50.210, inclusive, if the defendant made a reasonable, bona fide attempt to ascertain the true age of such minor,
- [Part §1, Ord. No. 160]

50.196 "Minor" defined. "Minor" means any person under the age of 18 years.

[Part §1, Ord. No. 160]

50.198 "Nudity" defined. "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full, opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernible turgid state.

[Part §1, Ord. No. 160]

50.200 "Sadomasochistic abuse" defined. "Sadomasochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

[Part §1, Ord. No. 160]

50.202 "Sexual conduct" defined. "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic

area, buttocks or, if such person is a female, breast.

[Part §1, Ord. No. 160]

50.204 "Sexual excitement" defined. "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

[Part §1, Ord. No. 160]

50.206 Sale or exhibiting for sale of obscene material prohibited. It is unlawful for any person in the unincorporated area of the county knowingly to exhibit for sale, sell or loan for monetary consideration to a minor:

1. Any picture, photograph, drawing, sculpture, motion picture film or similar visual representation or image of a person or of the human body which depicts nudity, sexual conduct or sadomasochistic abuse and which is harmful to minors; or

2. Any book, pamphlet, magazine, printed matter, however reproduced, or sound recording which contains any matter enumerated in subsection 1, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sadomasochistic abuse and which, taken as a whole, is harmful to minors.

[§2, Ord. No. 160]

50.208 Exposing minors to harmful materials. It is unlawful for any person in the unincorporated area of the county knowingly to:

1. Exhibit for a monetary consideration to a minor; or

2. Sell to a minor an admission ticket or pass for; or

3. Admit a minor for a monetary consideration to premises whereon there is exhibited a motion picture, show or other presentation which, in whole or in part, depicts nudity, sexual conduct or sadomasochistic abuse and which is harmful to minors.

[§3, Ord. No. 160]

50.210 Penalty. Any person violating any of the provisions of sections 50.190 to 50.210, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 125.050.

[§4, Ord. No. 160]

Misdemeanors

50.212 Misdemeanors pursuant to NRS. The commission of any act, or the failure to perform any act, within the county, outside the corporate limits of the incorporated area of the

county, which act or failure to act is made a misdemeanor by the provisions of NRS and all amendments thereto, constitutes a misdemeanor under sections 50.212 to 50.214, inclusive.

[§1, Ord. No. 184]

50.214 Penalty. Any person who violates any of the provisions of sections 50.212 to 50.214, inclusive, is guilty of a misdemeanor, and upon conviction shall be punished as provided in section 125.050.

[§2, Ord. No. 184]

Motorcycles/Off-road Vehicles: Driving on
Private Property

50.216 Definitions. As used in sections 50.216 to 50.226, inclusive, unless the context otherwise requires, the words and terms defined in sections 50.218, 50.219 and 50.220 have the meanings ascribed to them in those sections.

[§2, Ord. No. 1188]

50.218 "Motorcycle" defined. "Motorcycle" means every motor vehicle equipped with a seat or a saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, including a power cycle, but excluding a tractor.

[§1, Ord. No. 238]

50.219 "Off-road vehicle" defined. "Off-road vehicle" means any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain, except that such terms exclude:

(a) Any military, fire, emergency, or law enforcement vehicle when used for official business; and

(b) Any vehicle whose use is otherwise expressly authorized by law.

[§1, Ord. No. 1188]

50.220 "Off-road vehicle area" defined. "Off-road vehicle area" means any real property in the unincorporated area of the county, other than a dedicated street, private street or road, authorized by a public agency for recreational vehicle use, where riders of motorcycles or off-road vehicles drive their vehicles for recreational purposes, and in addition shall include an off-road vehicle course as defined herein.

[§2, Ord. No. 238; A Bill No. 401; A Ord. Nos. 1188, 1214]

50.221 "Off-road vehicle course" defined. "Off-road vehicle course" means a defined area on real property intended for multiple or repetitive use by motorcycles or off-road vehicles, to include areas with defined courses such as a race circuit or obstacle course and areas containing one or more ramps, water ponds, jumps, and similar features configured for recreational use.

[\$1, Ord. No. 1214]

50.222 Finding. The board of county commissioners finds that certain reasonable restrictions on the riding of motorcycles or off-road vehicles in off-road vehicle areas are necessary to preserve the comfortable enjoyment of life and property of the other citizens of the county and so as not to interfere with the peace and safety of the citizens of the county.

[Preamble, Ord. No. 238; A Ord. Nos. 1188, 1214]

50.224 Unlawful acts.

1. It is unlawful for any person to drive a motorcycle or an off-road vehicle in an off-road vehicle area:

(a) Within 500 feet of any residence owned or occupied by another, except for purposes of ingress onto or egress from the person's property, or

(b) At a distance of more than 500 feet from any residence, if the operation disturbs the peace and quiet of any person within said residence.

2. Nothing contained in this section shall be construed to permit any motorcycle or off-road vehicle to be driven so as to disturb the peace and quiet of any neighborhood.

3. Off-road vehicle courses are allowed only as authorized in chapter 110 of this code.

[\$3, Ord. No. 238; A Bill No. 401; A Ord. Nos. 1188, 1214]

50.226 Penalty. Any person who violates any of the provisions of sections 50.216 to 50.226, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$1,000.

[\$4, Ord. No. 238; A Ord. No. 534]

Poisons in Open Areas

50.228 Application for permit to place poisons in open areas. Any person desiring to place, or to cause to be placed, poisons or poisonous articles and substances in open areas, whether fenced or unfenced, for the purpose of safeguarding livestock, poultry or other animals shall first make application to the

sheriff for a permit.

[\$1, Ord. No. 41]

50.230 Contents of application. The application shall state:

1. The name and address of the applicant.
2. The type and quantity of the poison to be used.
3. The manner of usage.
4. The area in which such poison is to be utilized.
5. The purpose for which the application is made.
6. That the applicant is the owner of the land on which the poison is to be placed or is entitled to the use or possession of the land.

[\$2, Ord. No. 41]

50.232 Sheriff to issue permit; conditions.

1. The sheriff shall investigate the application, and as a result thereof he may issue a permit authorizing such placing of poison or poisonous substances.

2. The permit shall be valid for 3 months from the date of issuance, and may be renewed, at the discretion of the sheriff, upon application by the permit holder.

3. No permit shall be issued, nor shall such be valid, for the placing of poison within 2,000 yards of any residence, dwelling or water supply.

[\$3, Ord. No. 41]

50.234 Posting of warning notices when poison placed in open area.

1. Immediately after placing poison or poisonous substances in an authorized area, the permit holder shall place or cause to be placed upon the premises a notice, which notice shall be of a minimum size of 8 inches by 11 inches with lettering thereon of sufficient size and import to warn persons approaching of the existence of the poison.

2. The notices shall be posted in such places as may be necessary to warn fully any such persons, but in no event shall the notices be more than 300 feet apart.

[\$4, Ord. No. 41]

50.236 Penalty. Any person who places poisons or causes poisons to be placed other than in accordance with the provisions of sections 50.228 to 50.236, inclusive, is guilty of a misdemeanor, and shall be punished as provided in section 125.050.

[\$5, Ord. No. 41]

Prostitution and Pandering

50.238 Unlawful acts. It is unlawful in any unincorporated area of the county for any person to:

1. Commit prostitution, or to offer to secure another for the purpose of prostitution or for any other lewd or indecent act, or to induce, entice or procure a person who is in any thoroughfare or public or private place to commit any such acts, or who in any way aids or abets or participates in the doing of any of the acts enumerated in sections 50.238 to 50.242, inclusive.

2. Keep, set up, maintain or operate, lease or rent any place, structure, building or conveyance for the purpose of prostitution.

3. Occupy any place, structure, building or conveyance for the purpose of prostitution, or for any person to permit any place, structure, building or conveyance owned by him or under his control to be used for the purpose of prostitution, with the knowledge or reasonable cause to know that the same is, or is to be used for, such purpose, or for any person to lease or rent to another person any place, structure, building or room for the purpose of prostitution.

4. Receive or to offer or agree to receive any person into any place, structure, building or conveyance for the purpose of prostitution, or to permit any person to remain there for such purpose.

5. Transport or direct any other person to any place within the county, when the announced purpose of such person is to be transported or directed to any such place for the purpose of prostitution, or to offer or agree so to transport or direct any such other person.

[\$1, Ord. No. 137]

50.240 Evidence.

1. In prosecutions under sections 50.238 to 50.242, inclusive, common fame or reputation is competent evidence to prove that the defendant is a prostitute, solicitor or procurer, or that the house or place mentioned in the complaint is a house of prostitution. Any house or place used or occupied for the purpose of prostitution or where prostitution is practiced or carried on is taken and deemed to be a house of prostitution. It is not necessary in a prosecution in which the defendant is charged with being a prostitute to prove an overt act of sexual intercourse against the defendant.

2. In the trial of any person charged with a violation of the provisions of sections 50.238 to 50.242, inclusive, testimony of a prior conviction, or testimony concerning the reputation of any

place, structure or building or of the person or persons who reside in or frequent the same, or of the defendant shall be admissible in evidence in support of the charge.

[§2, Ord. No. 137]

50.242 Penalty. Any person who violates the provisions of sections 50.238 to 50.242, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not less than \$100 nor more than \$1,000, or by imprisonment in the county jail for a term not to exceed 6 months, or by both fine and imprisonment.

[§3, Ord. No. 137; A Ord. No. 534]

Ski Areas and Trails; Skier's Responsibility

50.244 Definitions. As used in sections 50.244 to 50.248, inclusive, the following words and phrases shall be construed to have the following meanings:

1. "Inherent risks of skiing" is defined, but not limited to this definition, as those dangers or conditions which are an integral part of the sport of skiing, whether natural, man-made or man-modified, including, but not limited to, changing weather conditions, variation or steepness of terrain, snow or ice conditions, surface or subsurface conditions, bare spots, creeks, gullies, forest growth or rocks, stumps, lift towers and other structures and their components, collision with other skiers and obstacles and a skier's failure to ski within the skier's own ability.

2. "Injury" means any personal injury, death, or property damage or loss suffered by a skier, ski area operator or ski area.

3. "Skier" means any person who is within the boundaries of a ski area for the purpose of engaging in the sport of skiing, alpine, nordic or snowboarding, or any person who is within the boundaries of the ski area for the purpose of observing any skiing activity.

4. "Ski area" means any area designated and maintained by a ski area operator for the purpose of skiing or for the observance of any skiing activity as defined in NRS 455A.040.

5. "Ski area operator" means any person, corporation or association, or their agent, officer, employee or representative, who operates a ski area within Washoe County.

[§1, Ord. No. 412; A Ord. No. 864]

50.245 Assumption of risks.

1. Any skier accepts and assumes the inherent risks of skiing insofar as the risks are reasonably obvious, expected or necessary.

2. Skiers who ski in any area not designated for skiing within the ski area control boundary, or who ski outside of a posted area boundary, assume the inherent risks thereof.

[§2, Ord. No. 864]

50.246 Trespass on closed ski areas prohibited.

1. It is unlawful for any person knowingly to ski in a ski area which is closed to the public.

2. Knowledge of the closures of any ski area shall be presumed where signs have been conspicuously posted on each side, or upon or near the boundary of the closed area warning persons not to trespass.

[§2, Ord. No. 412]

50.247 Operator's notice of duty. Ski area operators shall provide notice to skiers of their duties as delineated in section 50.248 in a manner reasonably calculated to inform skiers of those duties.

[§3, Ord. No. 864]

50.248 Skier duties. Skiers shall have the following duties:

1. Skiers shall be the sole judges of the limits of their skills and their abilities to meet and overcome the inherent risks of skiing, and shall maintain reasonable control of speed and course.

2. Skiers shall familiarize themselves with the posted information supplied by the ski area operator on location and degree of difficulty of trails and slopes to the extent reasonably possible before skiing on any slope or trail.

3. Skiers shall not cross the uphill track of any surface lift except at points clearly designated by the ski area operator.

4. Skiers shall not overtake any other skier except in such a manner as to avoid contact with the overtaken skier, and shall grant the right-of-way to the overtaken skier.

5. Skiers shall yield to other skiers when entering a trail or starting downhill.

6. Skiers shall wear retention straps or other devices to prevent runaway skis.

7. Skiers shall not board rope tows, wire rope tows, J-bars, T-bars, ski lifts or other similar devices unless they have sufficient ability to use such devices, and shall pay attention at all times and follow any written or verbal instructions that are given by the ski area operator or representative regarding

the use of the devices delineated in this section. Any skier who uses a lift shall be presumed to have sufficient dexterity to negotiate the lift. Each skier shall maintain control of speed and course as he/she is getting on or getting off the lift. No skier shall embark without first understanding proper loading, riding and unloading procedures.

8. Skiers shall not ski faster than is safe. Each skier has the duty to ski in a safe and reasonable manner, under sufficient control to be able to stop or avoid other skiers or objects.

9. A skier who is bodily injured, if reasonably possible, shall give notice of the injury to the ski area operator before leaving the area.

10. Skiers shall not embark or disembark from a ski lift except at designated areas, or by the authority of the ski lift operator.

11. Skiers, when involved in a skiing collision with another skier which results in bodily injury to the other skier, shall not depart from the ski area without first leaving their names and addresses with the ski area operator of the ski area where such injury occurred, or its designated agent.

Any violation of the duties delineated in this section shall create a presumption that the person so violating the duty intended all the foreseeable consequences of such violation.

[§3, Ord. No. 412; A Ord. No. 864]

50.249 Skiers in competition.

1. The ski area operator shall, prior to the beginning of any skiing competition, alpine, nordic or snowboarding, allow each competitor a reasonable visual inspection of the course or area within which the competition is to be held.

2. Absent gross or wanton negligence, no liability shall attach to the ski area operator for the injury or death of any competitor proximately caused by such competitor's engaging in a skiing competition.

[§4, Ord. No. 864]

50.250 Penalty. Any person who violates the provisions of sections 50.246 or 50.248(11) is guilty of a misdemeanor and shall be punished as provided in section 125.050.

[§4, Ord. No. 412; A Ord. No. 864]

Graffiti

50.260 Definitions. As used in sections 50.260 to 50.270, inclusive:

1. "Aerosol paint container" means any aerosol container,

regardless of the material from which it is made, which is adapted or made for the purpose of spraying paint or other substance capable of defacing property.

2. "Graffiti" means any unauthorized inscription, word, figure, or design that is marked, etched, scratched, drawn, or painted on the public or private property, real or personal, of another, which defaces such property and cannot be removed with soap and water.

3. "Graffiti materials" means materials used to facilitate the placement of graffiti, as defined above, including but not limited to, aerosol paint containers, aerosol paint container tips, broad-tipped markers with a width greater than 1/4 inch, paint sticks, graffiti sticks, engraving devices, etching tools and chemicals or any other implement capable of marking on and/or scarring glass, metal, concrete or wood.

4. "Paint stick or graffiti stick" means a device containing a solid form of paint, wax epoxy, or other similar substance capable of being applied to a surface by pressure, and upon application, leaving a mark at least one-sixteenth of an inch in width.

[§2, Ord. No. 1016; A Ord. No. 1265]

50.261 Possession of graffiti materials.

1. It shall be unlawful for any person under the age of eighteen (18) years to possess any graffiti materials while on any school property, grounds, facilities, buildings, or structures or within 500 feet of those specific locations except where necessary for proper school or authorized art related purposes, or upon public property except with the prior approval of the appropriate public entity for proper educational, recreational, or other authorized purposes, or upon private property without the prior consent of the owner or occupant of such private property.

2. It shall be unlawful for any person to possess any graffiti materials with the intent to place graffiti on any public property while in or upon any public facility, school, park, playground, swimming pool, recreational facility, or other public building or structure owned or operated by the County or while in or within fifty (50) feet of any underpass, bridge abutment, storm drain, or similar types of infrastructure unless otherwise authorized by the County. Possession of more than three items defined as graffiti materials by any person while in or upon any location specified in this subsection shall create a rebuttable presumption that such person did intend to place graffiti on property.

[§2, Ord. No. 1265]

50.2611 Accessibility to graffiti materials.

1. For purposes of this section only, graffiti materials shall be defined as aerosol paint containers, broad-tipped markers with a surface area greater than 1/4 inch width, paint sticks and etching cream.

2. Sale of graffiti materials. It shall be unlawful for any person, other than a parent, legal guardian, school teacher or authorized art instructor, to sell, exchange, give, loan, or otherwise furnish or cause or permit to be exchanged, given, loaned, or otherwise furnished, any graffiti materials to any juvenile without the prior written consent of the parent or guardian of the juvenile.

3. Display and storage.

(a) Every person who owns, conducts, operates, or manages a retail commercial establishment selling graffiti materials shall store the graffiti materials in an area continuously observable, through direct visual observation or surveillance equipment by employees of the retail establishment during the regular course of business.

(b) In the event that a commercial retail establishment is unable to store the graffiti materials as provided above, the establishment shall store the graffiti materials in an area not accessible to the public in the regular course of business without employee assistance.

[\$3, Ord. No. 1265]

50.262 Defacing property unlawful. It shall be unlawful for any person to mark, etch, scratch, draw, or paint graffiti on the property of another.

[\$3, Ord. No. 1016]

50.264 Penalties. Any person who violates the provisions of section 50.262 is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 125.050.

[\$4, Ord. No. 1016]

50.266 Reward.

1. If sufficient money is available in the graffiti reward and abatement fund, the sheriff may offer a reward, not to exceed \$1000, for information leading to the identification, apprehension, and conviction of a person who violates section 50.262.

2. The reward shall be paid out of the graffiti reward and abatement fund upon approval of the board of county commissioners.

[\$5, Ord. No. 1016]

50.270 Abatement.

1. Graffiti is unlawful and is a public nuisance.

2. Graffiti may be removed by any one or more of the following methods:

(a) The person who applied the graffiti shall be responsible for the removal of the graffiti;

(b) If the graffiti is applied by a juvenile, the parents or legal guardians of the juvenile shall be responsible for the removal of the graffiti;

(c) The property owner or the owner's designated representative may remove the graffiti at the property owner's expense;

(d) The sheriff is authorized to remove or repair defacement caused by the application of graffiti on any public building, wall, fence, or other structure or on any private building, wall, fence, or other structure where such graffiti is visible from any public right-of-way;

(e) Removal or repair by the sheriff shall be at the expense of the county, provided that the property owner authorizes removal of the graffiti. The county shall utilize funds from the graffiti reward and abatement fund if available. The removal or repair work may be undertaken by volunteers or individuals required to perform community service or sentenced to perform labor by order of any court, under supervision of the sheriff;

(f) If the owner of private property defaced by graffiti visible from any public right-of-way fails within 15 days after discovery or a reasonable time thereafter to remove the graffiti and fails or refuses to authorize the county to remove the graffiti, the district attorney or the board of county commissioners may act to abate the nuisance as provided by law, at the property owner's expense.

[S6, Ord. No. 1016]