

PLEASE STAMP & SIGN FOR PAYMENT

Washoe County Clerk
 Charlotte James
 P. O. Box 11130
 Reno, NV 89520

DESCRIPTION OF LEGAL ADVERTISING
 Bill # 2
 3349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 9.80
 Extra Proofs _____
 Notary Fee 2.00
 Total Amt due 11.80

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
July																							x								x

PROOF OF PUBLICATION

STATE OF NEVADA, ss. Doris Mertz
 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 of Bill #2

_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 23rd day of Jul, 1984 and, Jul 30, the full period of 2 days, the last publication thereof being in the issue of July 30 1984.

Signed Doris Mertz

Subscribed and sworn to before me this 30th day of July, 1984

Alice L. Buffalo
 Notary Public

NOTICE OF COUNTY ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 2, Ordinance No. 2, entitled "An ordinance amending Gaming License Ordinance No. 1 by adding thereto more specific procedures for revoking or suspending gaming licenses and clarifying the fee provisions," was adopted on July 17, 1984, by Commissioners King, Lillard, McDowell, and Ritter.
 Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
 Judi Bailey
 County Clerk
 3349008-Bill #2
 July 23,30-ddb133

ALICE L. BUFFALOE
 Notary Public - State of Nevada
 Washoe County
 My Appointment Expires June 5, 1985

SUMMARY: Revises Gaming License Ordinance No. 1 by amending procedures for revocation or suspension of licenses and clarifies fee provisions.

BILL NO. 2

GAMING LICENSE BOARD ORDINANCE NO. 2

AN ORDINANCE AMENDING GAMING LICENSE ORDINANCE NO. 1 BY ADDING THERETO MORE SPECIFIC PROCEDURES FOR REVOKING OR SUSPENDING GAMING LICENSES AND CLARIFYING THE FEE PROVISIONS.

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

SECTION 1. Gaming License Ordinance No. 1, which is incorporated into the Washoe County Code as sections 30.335 to 30.430, is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this ordinance.

SECTION 2.

30.416 Emergency suspension.

1. Notwithstanding any other provision of this code, a license or permit issued pursuant to sections 30.335 to 30.430, inclusive, is subject to immediate suspension by the sheriff whenever the continued operation of the business constitutes an immediate and clear danger or threat to the health, peace, safety or welfare of the people in Washoe County.

2. Whenever it appears to the sheriff, by complaint of any person or otherwise, that the continued operation of any business constitutes an immediate danger or threat to the health, peace, safety or welfare of the people in Washoe County, the sheriff may conduct such investigation as is necessary to determine whether such threat or danger exists.

3. If it is determined that such a threat or danger exists and that immediate action is necessary to protect the health, peace, safety or welfare of the public, the sheriff may temporarily revoke the license or permit and take whatever action may be necessary to protect the public including, without limitation, the closure of and restriction of access to the business and related areas.

4. At the time of such action, the sheriff shall serve a written complaint setting forth the reasons for such action and shall inform the licensee that he has a right to a speedy hearing if he wishes to contest the action. The complaint shall be served in the manner provided in section 30.417. In circumstances where preparation of such complaint is not practicable, the sheriff shall verbally inform the licensee or any responsible person on the premises of the reasons for the action. If the licensee thereafter makes a written demand to the sheriff for a

hearing, the sheriff shall inform the board of such demand and a hearing shall be held as soon as practicable. If no such written demand is made, then the normal (nonemergency) revocation procedure shall be followed.

SECTION 3.

30.417 Service of complaint and notice.

1. Service of the complaint may be made by the sheriff by personal delivery:

(a) If the licensee is an individual, upon that individual at the place of business;

(b) If the licensee is a partnership, upon any of the partners whether general or limited at the place of business; or

(c) If the licensee is a corporation, upon the resident agent.

2. If the sheriff is unable to make service as provided in subsection 1, service may be made by leaving a copy of the complaint with an employee at the place of business or with a person of suitable age at the address as shown on the license for the licensee or any partner.

3. If the sheriff is unable to make service as provided in subsections 1 or 2, service may be made by posting a copy of the complaint in some conspicuous place on the premises and by mailing a copy to the address shown on the license for the licensee or any partners. Mailing shall be by U. S. mail with a request for acknowledgment of receipt and return if not delivered within 10 days of the first attempt.

4. If the sheriff is unable to make service as provided in subsections 1, 2 or 3, service may be made by publication in a newspaper of general circulation in the county of a notice that proceedings are being commenced to suspend, cancel, or revoke the license. Such notice shall inform the licensee that a copy of the complaint is on file with the sheriff's office and that a copy may be obtained during normal business hours. A copy of the notice shall also be posted in a public place within the county.

5. Service shall be deemed completed upon personal delivery in the case of service made under subsections 1 or 2, upon posting and mailing in the case of service made under subsection 3, and upon publication and posting in the case of service made under subsection 4.

SECTION 4.

30.418 Hearing.

1. At the time set for the hearing the licensee may appear either in person or by counsel authorized to practice law in the State of Nevada, or both. The hearing shall proceed, as much as practicable, in the same se-

quence as a criminal proceeding and the burden shall be upon the county to establish, by a preponderance of the evidence, that good cause exists for the revocation, suspension, cancellation, or conditioning of the license.

2. No later than 10 days after the conclusion of the hearing, the board shall make findings of fact and order appropriate action. The action of the board may include cancellation, revocation, suspension, reinstatement, no action or imposition of reasonable conditions necessary to insure the health, safety or welfare of the public.

3. If the order is not made and announced at the hearing, then a written copy of such order shall be delivered to the sheriff and served in any reasonable manner on the licensee or his designee, if available for service. If those persons are unavailable for service, the order shall be posted upon the business premises.

4. If the licensee fails to appear at the hearing and any action is ordered, there shall be no reopening or review of the proceedings before the board, except that if it subsequently appears to the satisfaction of the board that the licensee's failure to answer or appear was due to matters beyond his control and not to inexcusable negligence on the part of the licensee, the hearing may be reopened or reviewed by the board.

SECTION 5.

30.419 Suspension, cancellation and revocation of licenses or permits.

1. Any license or permit issued pursuant to the provisions of 30.335 to 30.430, inclusive, or any amendment thereof may be suspended, cancelled or revoked for good cause. Good cause for such suspension, cancellation or revocation includes, but is not limited to:

(a) The existence of unsanitary conditions, noise, disturbances and other conditions at, near or on the premises which cause or tend to cause or create a public nuisance or which injuriously affect the public health, safety or welfare.

(b) The commission of, or permitting or causing the commission of, any act in the operation of the business which act is made unlawful or is prohibited by any applicable law, ordinance, rule or regulation of any city, county, state or the Federal Government.

(c) Fraudulent practices or misrepresentations in the operation of the business, or concealment or misrepresentation of a material fact in procuring the license.

(d) Any action or circumstance which would warrant the denial of the issuance or renewal of the license or permit.

(e) Violation of any of the terms or conditions of the license or permit.

2. Upon failure to tender any required fees for a period of 30 days after the due date, the license shall be

automatically suspended without further notice or proceedings.

SECTION 6. Part 2 of Section 2 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.345, is hereby amended to read as follows:

30.345 Persons not qualified for license.

1. A valid gaming license issued by the State of Nevada for the particular game or device for the particular location is a prerequisite to the issuance and maintenance of a county license. A person who would be classified as unsuitable to be associated with a gambling enterprise as defined in NRS 463.170 will not be considered qualified to hold a county gaming license.

2. Determination by the appropriate state agencies of suitability for a state license or permit shall be prima facie evidence of suitability for a county gaming license or permit. Such determination may be rebutted by a showing that there is relevant evidence which was not available to the state at the time it made its determination, and that knowledge of that evidence would have affected the state's determination.

SECTION 7. Section 3 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.350, is hereby amended to read as follows:

30.350 License required, general business and individual games.

1. It is unlawful for any person, firm, corporation or other association, to conduct a business within the county wherein there is operated any table, slot machine, race or sports book or pool, or other game or device for which a license is required under chapter 463 of NRS without having first obtained and maintained a county business license therefor.

2. Notwithstanding the securing of a general license for the operation of the business it is unlawful to operate, conduct or carry on any individual table, slot machine or other game or device for which a license is required under chapter 463 of NRS without having first obtained and maintained a county license for each table, slot machine or other game or device.

3. Where the machine, game or device is owned by a person other than the owner or operator of the business wherein it is located, the license may be obtained by either the owner of the machine, game or device or the person in possession of the premises unless the possessor of the premises receives a portion or percentage of the revenue therefrom, in which case the license must be obtained by the possessor of the premises. In any event the premises must be approved by the sheriff and the State of Nevada for the location of the machine, game or device.

SECTION 8. Section 8 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.390, is hereby amended to read as follows:

30.390 License Fees. Separate from and in addition to the monthly fees provided in NRS 463.390 for the licensing of individual games, tables, machines or other gambling devices, there shall be a quarterly license fee for the operation of a business wherein games, tables, machines or devices are operated. The amount of that fee shall be determined on the basis of the number and types of games, tables, machines or devices contained on the premises.

1. The fee shall be the cumulative total of the calculations based on the following formula:

(a) \$29.44 for each card game, including but not limited to, stud and draw poker, bridge, whist, solo and panguini for money.

(b) \$11.77 for each slot machine unit whether operated solely by a single handle or in combination with another unit with the same handle.

(c) \$58.88 for each game or device other than those described in paragraphs (a) and (b).

2. The fee will be due and payable quarterly in advance on January 1, April 1, July 1, and October 1 and will not be refundable after the license is issued.

SECTION 9. Section 9 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.395, is hereby amended to read as follows:

30.395 Investigation, recommendation by sheriff, issuance.

1. Upon receipt of a completed application accompanied by proof that the applicant holds a valid license issued by the State of Nevada authorizing the particular games or devices at the specified location and a tender of the required fees, the sheriff shall forthwith conduct an investigation of suitability of each applicant. The investigation should be completed in the shortest possible time, but the sheriff shall make a complete investigation and shall be given a reasonable amount of time to verify any information presented or ascertained. It is the intent of sections 30.335 to 30.430, inclusive, that all investigations be completed within 90 days. However, if it is not possible for the sheriff to complete an investigation within 90 days after receipt of the application, the sheriff shall report that fact to the board. The board may order additional time for the investigation, or it may direct the sheriff to make a report based upon the investigation completed at that time. Two or more applicants may join in one petition if the application is sought for the same location and for the same number of games.

2. Upon the completion of the investigation, the sheriff shall refer the application to the board, together with a recommendation of suitability and all facts upon which such recommendation is based. The recommendation and all facts upon which it is based are privileged information and are confidential to the board and its staff. All applications shall be read at the next meeting of the board after the completion of the investigation. The board may approve or disapprove the application at such meeting or at any subsequent regular or recessed regular meeting thereof. A majority vote of the total membership of the board is required for approval or disapproval of any application.

3. After approval by the board, the sheriff shall issue the license. The license is valid for a period of 1 year provided that all subsequently required fees or reports are timely made.

SECTION 10. Section 10 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.400, is hereby amended to read as follows:

30.400 Renewal; notice of due date: Form of application.

1. The sheriff may attempt to notify each licensee of the due date of any fees required in this chapter. However, neither the sheriff's failure to attempt to so notify nor the failure of the licensee to actually receive such notice excuses the licensee from a timely tender of such fees.

2. An application for renewal must be made on such form as the sheriff may designate which shall contain substantially the following information and requirements:

(a) A statement that there has been no change in ownership or location of the gambling establishment, games or devices during the preceding quarter of the calendar year.

(b) A statement that the licensee has a valid state gaming license which has not been revoked, suspended, conditioned or limited during the preceding quarter of the calendar year.

(c) A statement of the number of games, slot machines and other gaming devices for which the license is sought, which number shall not be greater than those allowed under the license issued by the State of Nevada.

3. If it appears that there has been no substantial change in the operation of the business since the last complete application, the sheriff shall issue a new license.

4. If there has been a substantial change in the operation of the business, the sheriff may require any information on the application for renewal which would be required on an application for a new license and may proceed in the same manner as provided for an application for a new license.

SECTION 11. Section 11 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.405, is hereby amended to read as follows:

30.405 Location near schools and churches. No gaming license shall be granted for the conducting of a gaming establishment within 500 feet of any school, church, edifice, building or structure erected and used exclusively for devotional services or religious worship, nor shall a gaming license be issued in those areas of the county where operation of the business would create or constitute a public nuisance.

SECTION 12. Section 12 of Gaming License Board Ordinance No. 1, which is incorporated into the Washoe County Code as 30.410, is hereby amended to read as follows:

30.410 Grounds for refusal to grant, renew gaming license.

1. The board may refuse to grant or renew a gaming license to any person if it appears to the board that:

(a) The applicant or licensee is not a suitable person to hold a gaming license as provided in section 30.345.

(b) The applicant or licensee has not properly and fairly conducted such slot machine, device or game.

(c) The applicant or licensee has violated any of the provisions of this code or applicable state or federal law or has committed any illegal act which involves moral turpitude.

2. Investigative fees which have been paid are not refundable, whether or not the license has been issued or renewed.

SECTION 13. Section 14 of Gaming License Ordinance No. 1, which is incorporated into the Washoe County Code as 30.420, is hereby amended to read as follows:

30.420. Procedure for suspension, cancellation or revocation of license. Whenever it appears to the board, by complaint of any person or otherwise, that a licensee or permittee is violating any provision of this code or any other applicable law or any of the conditions of the license or permit, the board may commence proceedings to suspend, cancel, revoke, terminate or condition such license or permit in substantially the following manner:

1. The board shall direct the sheriff to conduct whatever investigation is necessary and, if warranted, to prepare a complaint and cause it to be served in the manner provided in section 30.417.

2. The complaint shall set forth the reasons alleged to constitute grounds for action. It shall be accompanied by a notice that a written answer must be filed with the board within 7 days after service of the complaint, which period may be extended by the board only upon a showing of

good cause. If the notice does not specify a hearing date, it shall inform the licensee that the hearing will be scheduled at the convenience of the board. In such case the licensee must contact the county manager's office to obtain the hearing date.

3. The answer must be made under oath and fully answer and respond to all allegations and specify all excuses or defenses of the licensee. The answer shall also contain the names, addresses, and telephone numbers of at least two persons upon whom any future notices or process may be served during normal daytime business hours. Persons at locations other than the place of business may be included only if no person is present at the place of business, but the persons at other locations must be within Washoe County and not located more than 20 miles from the location of the business.

4. The board may also set a date and location for the hearing and include that date and location in the notice. Except in the case of an emergency, the date shall be not less than 5 days after the last day for filing of the answer. In setting the hearing date the board may anticipate that service will occur at such time as to allow any applicable time periods to be met, but may also provide in the notice that if service occurs less than 12 days before the date specified for the hearing, the hearing will be held on the date of the next following regular meeting of the board unless an alternate time is stated in the notice.

5. If the licensee fails to file a written answer, the board may hear the matter as scheduled in the notice. If no date was included in the notice and no answer was filed within the required time, then the board may, without any further notice, hear the matter at any regularly or specially scheduled meeting.

6. If the board has not set and included a hearing date in the notice, it may subsequently set a date which shall be not less than 5 days after the filing of the answer and shall give the licensee written notice of that date not less than 5 days before the hearing date.

7. Any notices subsequent to that accompanying the complaint may be served on the licensee or any of those persons designated by the licensee pursuant to subsection 3.

Proposed on the 26 day of June, 1984.

Proposed by Commissioners Williams, King, Ritter, McDowell & Lillard

Passed on the 17 day of July, 1984.

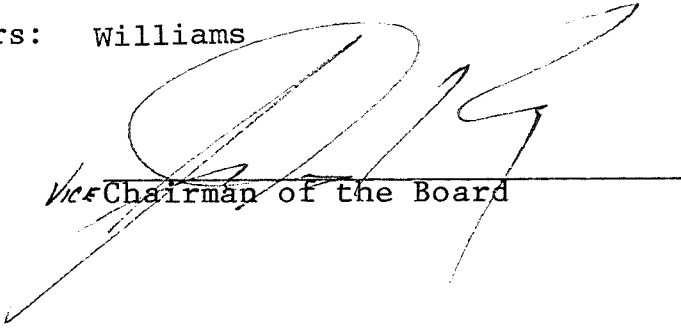
Vote:

Ayes: Commissioners: King, Ritter, McDowell and Lillard

Nays: Commissioners: None

Absent: Commissioner: Williams

Absent: Commissioners: Williams


Vice Chairman of the Board

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after
the 30 day of July, 1984.