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Whereupon a recess was taken until Saturday, May 5, 1923 at 10:00 o'clock A.M.

Attest: E. H. Beemer, Clerk.

Robert Nelson
Chairman.

BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, STATE OF NEVADA.

THURSDAY,

APRIL 16, 1923.

10:00 O'CLOCK A. M.

PRESENT:

HON. ROBERT NELSON,

CHAIRMAN

J. C. DURHAM,

COMMISSIONER:

GEO. E. TROSI,

COMMISSIONER:

E. H. BEEMER,

CLERK.

The board met pursuant to recess taken april 5, 1923 and transacted the following business, -to-wit:

WASHOE COUNTY ORDINANCE.

AN ORDINANCE LICENSING AND REGULATING THE USE OF MOTOR TRUCKS AND MOTOR VEHICLES OPERATING WITHIN, THROUGH OR ACROSS ANY PART OR PORTION OF WASHOE COUNTY, NEVADA: PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE TO AUTOMOBILE COMMON CARRIERS: REGULATING AUTOMOBILE COMMON CARRIERS AND OTHER MATTERS RELATING THERETO.

The Board of County Commissioners of the County of Washoe, State of Nevada, acting under the authority of that certain Act of the Legislature of the State of Nevada entitled "An Act to regulate the use and operation of motor trucks and motor vehicles, to define and classify them, to protect the public roads and highways of Nevada, to secure revenues for their improvement and maintenance, to provide for the issuance of certificates of public convenience and licenses by boards of county commissioners and the enactment of ordinances therefor, and other matters properly appertaining thereto, to prescribe penalties for the violation thereof, and repealing all acts and part of acts in conflict therewith", approved March 21, 1923, do ordain as follows:

SECTION I. DEFINATION OF TERMS. Motor trucks and motor vehicles, for the purposes of this ordinance, are defined as wheeled vehicles, propelled by steam, electricity, or gasoline, and used for the transportation of persons or merchandise for hire or used in the business of a common carrier of freight, merchandise, or passengers, not including railroad and railway cars and motor vehicles running only upon rails or tracks, or road, steam, electric, or gasoline rollers.

Any highway of Portland cement concrete, bituminous concrete, asphalt, or other hard surface, shall be considered a highway of the first class.

Any highway with a surface of gravel, crushed rock, or shale shall be considered a highway of the second class.

Any public earth, gravel, or rock road not included in the foregoing two classes is to be considered a highway of the third class.

SEC. 2. LICENCES REQUIRED AFTER JULY 1, 1923. It shall be unlawful from and after July 1, 1923, for any motor truck or motor vehicle, as defined by Section 1 hereof, to operate, run, or travel within, through, or across any part or portion of Washoe County, Nevada, with-

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out the owner, licensee, operator, or user thereof, or the party or parties responsible for its operations, first having applied for and received from the Board of County Commissioners of Washoe County, Nevada, a license so to do, and without first having paid the license fee therefor, as hereinafter provided.

SEC. 3. FEE FOR PASSENGER SERVICE WITHIN COUNTY WITHOUT ROUTE. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying passengers only for hire, and not operated over fixed routes or between certain definite points, and operated mainly in Washoe County, Nevada, shall be the sum of one (\$1.00) dollar for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity.

SEC. 4. FEE FOR FREIGHT SERVICE WITHIN COUNTY, WITHOUT ROUTE. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying merchandise or freight for hire only, or in combination with carrying passengers for hire, and not operated over fixed routes or between certain definite points, and operated mainly in Washoe County, Nevada, shall be the sum of one and ten-one-hundredths (\$1.10) dollars for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity.

SEC. 5. FEE FOR PASSENGER SERVICE FROM OUTSIDE COUNTIES WITHOUT ROUTE. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying passengers only for hire, and not operated over fixed routes or between certain definite points, and operated mainly in some county of the State of Nevada other than Washoe County, and making occasional trips from such other county into said Washoe County, shall be the same as is charged by such other county for the same class of motor trucks and motor vehicles operated mainly in Washoe County and making occasional trips from Washoe County into such other county, and, if none be charged by such other county, none shall be charged by Washoe County.

SEC. 6. FEE FOR FREIGHT SERVICE FROM OUTSIDE COUNTIES, WITHOUT ROUTE. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying merchandise or freight for hire only, or in combination with carrying passengers for hire, and not operated over fixed routes or between certain definite points, and operated mainly in some county of the State of Nevada other than Washoe County, and making occasional trips from such other county into said Washoe County, shall be the same as is charged by such other county for the same class of motor trucks and motor vehicles operated in Washoe County and making occasional trips from Washoe County into such other county, and, if none be charged by such other county, none shall be charged by Washoe County.

SEC. 7. FEE FOR PASSENGER SERVICE WITHOUT ROUTE, NOT OTHERWISE PROVIDED FOR. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying passengers only for hire, and not operated over fixed routes or between certain definite points, and not herein otherwise provided for, shall be the sum of twenty cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity.

SEC. 8. FEE FOR FREIGHT SERVICE WITHOUT ROUTE, NOT OTHERWISE PROVIDED FOR. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying merchandise or freight for hire only, or in combination with carrying passengers for hire, and not operated over fixed routes or between certain definite points,

and not herein otherwise provided for, shall be the sum of twenty-five cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity.

SEC. 9. FEE FOR PASSENGER SERVICE WITH ROUTE IN WASHOE COUNTY ONLY. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying passengers only for hire, and operated over a fixed route or between certain definite points, where the line of travel does not pass into or through any county of the State of Nevada other than Washoe County shall be as follows:

For each motor truck or motor vehicle or trailer operating upon any highway of the first class, the sum of one and fifty one-hundredths (\$1.50) dollars for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the second class, the sum of seventy-five cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the third class, the sum of fifteen cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; provided, that where the route is over roads or highways included under two or more of the classes as herein defined, in such case the license fee shall be based upon the class of road comprising the greatest length in such route; provided, however, that in the event the length of road of the first and second classes in such route constitute more than one-half of the total length the licensee shall pay a license of the first class or for operating upon a road or highway of the first class.

SEC. 10. FEE FOR FREIGHT SERVICE WITH ROUTE IN WASHOE COUNTY ONLY. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying merchandise or freight for hire only, or in combination with carrying passengers for hire, and operated over a fixed route or between certain definite points, where the line of travel does not pass into or through any county of the State of Nevada other than Washoe County, shall be as follows:

For each motor truck or motor vehicle or trailer operating upon any highway of the first class, the sum of two (\$2.00) dollars for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the second class, the sum of one (\$1.00) dollar for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the third class, the sum of twenty-five cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; provided, that where the route is over roads or highways included under two or more of the classes as herein defined, in such case the license fee shall be based upon the class of road comprising the greatest length in such route; provided, however, that in the event the length of road of the first and second classes in such route constitute more than one-half of the total length the licensee shall pay a license of the first class or for operating upon a road or highway of the first class.

SEC. 11. FEE FOR PASSENGER SERVICE WITH ROUTE IN WASHOE AND OTHER COUNTIES. The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying passengers only for hire and operated over a fixed route or be-

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tween certain definite points, where the line of travel passes into or through one or more counties of the State of Nevada in addition to Washoe County, shall be computed upon the following scale, and paying that proportion thereof according to mileage which the mileage of the route in the State of Nevada; provided, however, that the license fees paid to Washoe County and the other county or counties shall at least total the entire fee named below, and if the total be less, then the balance shall be paid to Washoe County in addition to the amount hereinbefore fixed:

For each motor truck or motor vehicle or trailer operating upon any highway of the first class, the sum of one and fifty one-hundredths (\$.50) dollars for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the second class, the sum of seventy-five cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the third class, the sum of fifteen cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; provided, that where the route is over roads or highways included under two or more of the classes as herein defined, in such case the license fee shall be based upon the class of road comprising the greatest length in such route; provided, however, that in the event the length of road of the first and second classes in such route constitute more than one-half of the total length the licensee shall pay a license of the first class or for operating upon a road or highway of the first class.

SEC. 12. FEE FOR FREIGHT SERVICE WITH ROUTE IN WASHOE AND OTHER COUNTIES.

The annual license fee, or for a fraction thereof, for each motor truck or motor vehicle or trailer employed in carrying merchandise or freight for hire only, or in combination with carrying passengers for hire, and operated over a fixed route or between certain definite points, where the line of travel passes into or through one or more counties of the State of Nevada, in addition to Washoe County, shall be computed upon the following scale, and paying that proportion thereof according to mileage which the mileage of the route in Washoe County bears to the entire mileage of the route in the State of Nevada; provided, however, that the license fees paid to Washoe County and the other county or counties shall at least total the entire fee named below, and if the total be less than the balance shall be paid to Washoe County, in addition to the amount hereinbefore fixed:

For each motor truck or motor vehicle or trailer operating upon any highway of the first class, the sum of two (\$2.00) dollars for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the second class, the sum of one (\$1.00) dollar for each one hundred (100) pounds of weight of said vehicle and load; based on the vehicle loaded to its capacity; for each motor truck or motor vehicle or trailer operating upon any highway of the third class, the sum of twenty-five cents for each one hundred (100) pounds of weight of said vehicle and load, based on the vehicle loaded to its capacity; provided, that where the route is over roads or highways included under two or more of the classes as herein defined, in such case the license fee shall be based upon the class of road comprising the greatest length in such route; provided, however, that in the event the length of road of the first and second classes in such route constitute more than one-half of the total length the licensee shall pay a license of the first class or for operating upon a road

or highway of the first class.

SEC. 13. COMPUTING WIEGHT IN PASSENGER SERVICE. In computing the weight of motor trucks and motor vehicles loaded to capacity, with reference to passengers, there shall be added one hundred and forty (140) pounds per the seating capacity for each individual passenger according to the trade rating of such truck or vehicle, or the actual seating capacity thereof in case the same has been altered, re-constructed, or privately built.

SEC. 14. INFORMATION TO BE FURNISHED CLERK. Every person, firm, company, partnership, association, corporation, or common carrier applying for and procuring a license or licenses, as herein provided, shall give to the Clerk of the Board of County Commissioners his, their, or its name and resident address, and in case of corporations and associations, the name and resident address of the president and secretary thereof, together with all data and information necessary or convenient in classifying and fixing the license fee.

SEC. 15. PURPOSE OF ORDINANCE ON LICENSE FEES. The license fees provided by this ordinance are not a charge upon the business transacted by the motor trucks and motor vehicles upon which the same are levied, but are intended as a toll charge for the privilege of using the public roads and highways for carrying passengers or freight over the same for hire.

SEC. 16. ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE. Any company or individual or association of individuals owning or operating automobiles, auto trucks, or other self-propelled vehicles, engaged in transporting persons or property for hire over and along the highways of this state within Washoe County as common carriers,-- except automobiles used exclusively as hearses or ambulances operated within the limits of cities and towns, and other automobiles which have no specified routes of travel and which are not operated as common carriers-- shall before beginning operation or continuing of operations, or constructions of any line, plant, or system, or any extension of a line, plant, or system within Washoe County, obtain from the Board of County Commissioners of Washoe County a certificate that the present or future public convenience or necessity requires or will require such continued operation or commencement of operations or construction; provided, that nothing herein shall be construed as requiring the securing of such certificate for any extension within any town or city within which operations shall have theretofore been commenced or for an extension into territory either within or without the city or town contiguous to an existing line, plant, or system and not then similarly served.

Upon the granting of any certificate of public convenience, the Board of County Commissioners of Washoe County may make such order and prescribe such terms and conditions for the location of lines, plants, or systems to be constructed, extended, or effected as may be just and reasonable.

Every applicant for a certificate of public convenience shall furnish such evidence of its corporate character and of its franchise or permits as may be required by the Board of County Commissioners of Washoe County. The Board of County Commissioners of Washoe County shall have the power, after hearing, to issue or refuse such certificate of public convenience or to issue it for the construction of a portion only of the contemplated line, plant, or system or extension thereof, and may attach thereto such terms and conditions as in its judgment, the public convenience and necessity may require.

SEC. 17. REGULATION OF AUTOMOBILE COMMON CARRIERS. The Board of County Commissioners of Washoe County shall have and exercise the same powers with reference

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to automobile common carriers as described in Section 16 hereof as have heretofore been had and exercised by the Public Service Commission of Nevada under and by virtue of that certain acts of the Legislature of Nevada entitled "An Act defining public utilities, providing for the regulation thereof, creating a Public Service Commission, defining its duties and powers, and other matters relating thereto", approved March 28, 1919.

SEC. 18. BOND OF AUTOMOBILE COMMON CARRIERS. Each automobile common carrier as described in Section 16 hereof shall file and keep in force with the Board of County Commissioners of Washoe County an indemnity bond approved by said Board of County Commissioners for the purpose of reimbursing passengers or shippers for loss or damage or personal injuries caused by the neglect of any automobile common carrier, its owner, operator, agent or employee.

The amount of said bond shall be based upon the gross earnings for the preceding year, or portion operated, and if no operations were had, then upon the estimated gross earnings for the succeeding year, and shall be given according to the following scale:

<u>Gross Earnings of -</u>	<u>Amount of Bond</u>
\$2,000 per annum, or less	\$2,500
\$2,001 to \$3,000	\$3,000
\$3,001 to \$4,000	\$3,500
\$4,001 to \$5,000	\$4,000
\$5,001 to \$6,000	\$4,500
\$6,001 to \$7,500	\$5,000
\$7,501 to \$10,000	\$6,000
\$10,001 to \$15,000	\$7,000
\$15,001 to \$20,000	\$8,000
\$20,001 to \$25,000	\$9,000
\$25,000 or over	\$10,000.

At the time of filing said bond, there must also be filed a sworn statement of the earnings, or estimated earnings. No bond shall be accepted unless a sworn statement of gross earnings or estimated gross earnings is filed; provided, however, that no such bond or statement shall be required from any automobile common carrier operating into Washoe County from some other county of Nevada, where its main place of business is located in such other county and a bond is filed and accepted by the Board of County Commissioners of such other county providing indemnity for passengers or shippers for loss or damage or personal injuries caused by the neglect of such automobile common carrier, its owner, operator, agent or employee, occurring at any point on its route in the State of Nevada.

SEC. 19. PENALTY ON LICENSE. Any person or persons, firm, company, partnership, association, corporation, or common carrier, running or operating, or causing to be run or operated, any motor truck or vehicle, as herein defined, in Washoe County, Nevada, without having applied for, paid for, and received the license as herein provided shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty-five (\$25.00) dollars, nor more than five hundred (\$500.00) dollars, or imprisoned in the county jail of Washoe County, Nevada, for any term not exceeding six months, or by both such fine and imprisonment.

SEC. 20. PENALTY ON CERTIFICATE OF PUBLIC CONVENIENCE. Any person or persons, firm, company, partnership, association, corporation, or common carrier, running or operating, or causing to be run or operated, any motor truck or vehicle, as herein defined,

in Washoe County, Nevada, without having applied for and received a certificate of public convenience, as provided in Section 16 of this ordinance, so to do, shall be liable to a penalty in the sum of three hundred and one (\$301.00) dollars, such penalty to be recovered in a civil action, upon the complaint of the Board of County Commissioners of Washoe County, Nevada, in any court of competent jurisdiction; and each day's operation without said certificate of public convenience shall be subject to the penalty herein perscribed.

SEC. 21. EFFECTIVE FROM JULY 1, 1923. This ordinance shall be effective from and after July 1, 1923.

SEC. 22. PUBLICATION. The County Clerk and Clerk of the Board of County Commissioners of Washoe County, Nevada, is hereby authorized and directed to have this ordinance published in the Reno Evening Gazette, a newspaper printed and published in Washoe County, Nevada, for the period of four successive issues.

PASSED AND ADOPTED this 16th day of April, 1923, by the following vote of the County Commissioners of Washoe County, Nevada:

AYES: Commissioners Durham, Trosi, Nelson

NAYS: Commissioners None

ABSENT: Commissioners None

Signed this 16th day of April, 1923.

Robert Nelson
Chairman of the Board of County Commissioners
of Washoe County, Nevada.

ATTEST:

E. H. Beemer
County Clerk and Clerk of the Board of
County Commissioners of Washoe County, Nevada.

COUNTY HOSPITAL.

The board discussed the provisions of Section 18 of Chapter 172 of the Session Laws of Nevada for 1923 with reference to appointing a board of trustees to take over the administrative control of the county hospital. The opinion of the District attorney was requested on the subject and he advised the board of county commissioners that said Section 18 was of doubtful validity, and that inasmuch as it seriously involved the county government and county funds, the board should take no action in the premises until said Section 18 was declared valid and binding by a court of competent jurisdiction.

COUNTY AUDITOR.

On motion duly seconded and carried by the unanimous vote of the board, it was ordered that the County Recorder and Auditor be and she hereby is authorized to employ one bookkeeper at a salary of \$125.00 per month, until the further order of the board.

Whereupon a recess was taken until Saturday, May 5, 1923 at 10:00 o'clock A.M.

Attest: E. H. Beemer, Clerk. Robert Nelson Chairman.