

ORDINANCE NO. 13

AN ORDINANCE AUTHORIZING BLACKOUTS AND AIR RAID PROTECTION OUTSIDE OF INCORPORATED TOWNS AND CITIES, DEFINING CERTAIN SIGNALS, PROVIDING FOR CERTAIN SIGNAL OFFICERS, AUTHORIZING ORDERS, RULES AND REGULATIONS RELATING THERETO, REGULATING THE OPERATION OF MOTOR AND OTHER VEHICLES DURING BLACKOUT PERIODS THEREIN, AND OTHER MATTERS RELATING THERETO, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

Section 1. Definitions. As used in this ordinance the following words and phrases shall mean:

(a) Blackout signal: A fluctuating or undulating signal of varying pitch for a period of 2 minutes duration sounded on a siren, or if such a siren is not available, then such other signal as may be available, published and designated for that purpose.

(b) All-clear signal: A continuous signal of 2 minutes duration at a steady pitch sounded on such siren; or if such siren be not available, then such other signal as may be available, published and designated for that purpose.

(c) Blackout structure: Any area so enclosed that any illumination maintained or existing therein is not visible from any point outside such enclosure.

[ Book "O" , p. 524 (1-5-1942) ]

Section 2. Unlawful illumination. No person shall, at any time subsequent to a blackout signal and prior to the all-clear signal next thereafter, effect or maintain any illumination or permit any illumination under his control to be effected or maintained at any place within the County of Washoe, except within such a blackout structure.

[ Book "O" , p. 524 (1-5-1942) ]

Section 3. Unlawful illumination constitutes nuisance. Any illumination contrary to the provisions of this ordinance or to any order, rule or regulation adopted, published and promulgated in accordance with Section 7 hereof, constitutes a public nuisance and the same may be summarily and effectively abated by any peace officer or fireman. Any such peace officer or fireman may enter any occupied structure at any time during such blackout, and request the occupant thereof to abate any such nuisance forthwith by extinguishing or properly obscuring all such illumination; and, if such occupant shall, fail, neglect or refuse to comply fully with such request forthwith, then and in that event such peace officer or fireman shall immediately and summarily abate such nuisance by forthwith extinguishing or obscuring such illumination and by keeping the same so extinguished or obscured.

[ Book "O" , p. 524 (1-5-1942) ]

27 Section 4. Parking of vehicles on sounding of blackout signal. Upon the sounding of any such blackout signal, all operators of automobiles, motor vehicles, bicycles or

other vehicles carrying a light or lights, shall immediately pull such vehicle over to the curb of the street or side of the road and park their said vehicle at that point and immediately extinguish all light, and such vehicle shall remain standing at that point until the all-clear signal herein provided for shall be given; provided, however, that all motor and other vehicles operated by peace officers, firemen or blackout wardens and necessary ambulances may be operated with parking lights only, which lights shall be shielded and dimmed in the manner set forth in the rules and regulations provided for in Section 7.

[ Book "O" , p. 524 (1-5-1942) ]

Section 5. Sounding of signals. The Sheriff or such other officer or person as may be designated by him, is hereby authorized and directed to notify the office of the Chief of Police of any incorporated city or town in his county at once, and forthwith to cause the sounding of a blackout signal and of an all-clear signal whenever he shall deem the same necessary or advisable either in the case of a real or threatened air raid or for a practice blackout; and the same shall always be immediately, effectively and fully complied with as provided for herein, no matter whether for a real blackout or a practice blackout.

[ Book "O" , p. 524 (1-5-1942) ]

Section 6. Unlawful operation of sirens. No person shall operate a siren or other audible device in such a manner that it cannot be easily distinguished from a blackout or an all-clear signal.

[ Book "O" , p. 524 (1-5-1942) ]

Section 7. Rules, regulations for air raid protection. The Sheriff is hereby authorized and directed to promulgate, publish and enforce such orders, rules and regulations, approved by the Board of County Commissioners and not inconsistent with the provisions of this ordinance outside of incorporated cities and towns, as may be necessary, to maintain adequate blackouts and other air raid protection measures, and to protect people and property within the county, during real and practice blackouts. Such orders, rules and regulations may also supplement this ordinance to the extent necessary to extinguish and obscure lights properly and adequately, the movement of emergency and other vehicles within the county, prevent the congregation of persons on the streets or in public places or buildings within the county, notwithstanding any ordinance or provision of law to the contrary, and provide such other measures as may be necessary or proper in order to accomplish the above mentioned purposes. Such orders, rules and regulations, so approved by the Board of County Commissioners, shall have the force and effect of law, and a violation of any such orders, rules and regulations shall subject the violator thereof to the penalty provisions hereof.

[ Book "O" , p 524 (1-5-1942) ]

Section 8. Special deputy sheriffs: Appointment. The Sheriff may appoint for a specified time as many special Deputies, without pay, as may be deemed advisable for service in connection with any blackout or other air raid protection measures. During the term of such appointment of special Deputies and while acting as such

blackout or air raid alarm or in the performance of their duties incident thereto, they shall possess all the powers and privileges, and perform all the duties, of such special Deputy Sheriffs. Said special Deputies must wear such identifying emblem as may be prescribed by the Sheriff and each must carry an identification card.

[ Book "O", p. 524 (1-5-1942) ]

Section 9. Unlawful disobedience of orders. It shall be unlawful to disobey any lawful direction or order of the peace officer or fireman during a period of blackout or air raid alarm, in the performance of his duties incident thereto, which order is reasonably necessary to the maintenance of public order or safety or to effect the extinguishment of light.

[ Book "O", p. 524 (1-5-1942) ]

Section 10. Suspension of conflicting law, ordinance. The provisions of every ordinance or law requiring any illumination to be maintained in conflict with this ordinance shall be deemed suspended during the period between any blackout signal and the all-clear signal next thereafter.

[ Book "O", p. 524 (1-5-1942) ]

Section 11. Penalty. Any person, firm, association or corporation who or which shall be found guilty of a violation of any of the provisions of this ordinance shall be fined not more than \$500 or be confined in the County Jail for a period of not to exceed 6 months, or punished by both fine and imprisonment.

[ Book "O", p. 524 (1-5-1942) ]

Section 12. Enactment pursuant to statute. This ordinance is enacted pursuant to law and more particularly pursuant to the authority granted by N. C. L. 1929 section 1231, subparagraph 14, and is an exercise by the County of its governmental function for the protection of the public peace, health and safety, and neither the County of Washoe nor any individual engaged in the enforcing, or subject to regulations lawfully included herein or promulgated pursuant to authority herein conferred, shall be liable for any damage sustained to person or property on account of any duly authorized blackout or air raid alarm, or resulting from any lawful and reasonable exercise of any of the powers herein given or performance of any of the duties herein designated.

[ Book "O", p. 524 (1-5-1942) ]

Section 13. Applicability in county. This ordinance is to apply to such portion of said County of Washoe as is outside of incorporated cities and towns.

[ Book "O", p. 524 (1-5-1942) ]

Section 14. Effective date. This ordinance shall be in effect on and after the 20th day of January, 1942, and the County Clerk of Washoe County, as ex officio Clerk of the Board of County Commissioners, is hereby authorized and ordered forthwith to cause this ordinance to be published in the Reno Evening Gazette for a period of 1 week.

[ Book "O", p. 524 (1-5-1942) ]

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