

RENO EVENING GAZETTE PROOF OF PUBLICATION

STATE OF NEVADA)
COUNTY OF WASHOE) ss.

DOROTHY YOCUM

being first duly sworn, deposes and says:

That she is the PRINCIPAL CLERK of THE RENO EVENING GAZETTE, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice BILL NO: 137

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 9th day of December, 1965, and was published in each issue of said newspaper thereafter for December 16

the full period of 2 days, the last publication thereof being in the issue dated the 16th day of December, 1965

Signed: *[Signature]*

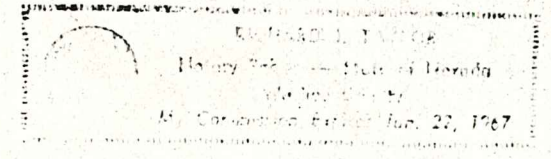
Subscribed and sworn to before me this

16th day of December, 1965

[Signature]
Notary Public.

NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN that Bill No. 137, Ordinance No. 142, an ordinance requiring the registration, fingerprinting and photographing of private policemen and security officers as defined in said ordinance; providing for the issuance and revocation of employment certificates; prescribing penalties for violation thereof and providing other matters properly relating thereto; and repealing all other ordinances or parts of ordinances in conflict herewith, was proposed on November 24th, 1965 by Commissioner McKissick and final action of adoption was taken on Monday, December 6, 1965. The vote on the above Ordinance was as follows:
AYES: Commissioners: Streeter, Sauer, Cunningham, McKissick and McKenzie
NOES: Commissioners: None
ABSENT: Commissioners: None
This Ordinance shall be in full force and effect from and after December 16, 1965, the second date of publication. Notice is further given that typewritten copies of the above Ordinance are available for inspection by all interested parties at the office of the County Clerk, Courthouse, Reno, Nevada.
(S) H. K. BROWN, County Clerk and Clerk of the Board of County Commissioners, Washoe County, Nevada
Dec. 9-16, 1965

Ordinance 142



SUMMARY: Provides for enactment of ordinance which requires the registration, fingerprinting and photographing of all employees of private police agencies, and of security officers within specified premises.

BILL NO. 137

ORDINANCE NO. 142

AN ORDINANCE REQUIRING THE REGISTRATION, FINGERPRINTING AND PHOTOGRAPHING OF PRIVATE POLICEMEN AND SECURITY OFFICERS AS DEFINED IN SAID ORDINANCE; PROVIDING FOR THE ISSUANCE AND REVOCATION OF EMPLOYMENT CERTIFICATES; PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

Section 1. Definitions.

Whenever used in this Ordinance, unless the context otherwise requires:

(A) "Private Policeman" shall mean all employees and the employer of a business which is engaged in the protection of property, or to maintain peace and order, and who are not employed by a law enforcement agency of a legally constituted political subdivision of or within the State of Nevada.

(B) "Security Officer" shall mean any employee whose primary duties are to maintain peace and order in a specified establishment, and who is an employee of the establishment.

Section 2. Policy.

It is hereby declared to be the policy of this Ordinance that all persons engaged in the business of protection of property or of maintaining peace and order shall be licensed and controlled, so as to better protect the public safety and welfare of the inhabitants of the County of Washoe, State of Nevada, and it is hereby made the duty of the Sheriff of Washoe County to investigate the qualifications of each employee of such business. Before any prospective employee shall be employed it shall be the duty of the Sheriff of Washoe County to determine that such prospective employee is suitable. To better define the policy of this Ordinance, the following persons are declared to be not qualified or suitable to be employed as Private Policemen or Security Officers:

- (A) A person who shall have been convicted of:
1. A felony or other crime which under the laws of this State would amount to a felony;

1.

2. Any crime of which fraud or intent to defraud was any element whether committed in this State or elsewhere;

3. Larceny in any degree;

4. Buying or receiving stolen property;

5. Unlawful entry of a building;

6. Unlawful possession, use, or distribution of narcotic or dangerous drugs;

7. Illegal use, carrying, possession or display of a pistol or other dangerous weapon.

8. In the event that the applicant for a private policeman or security officer employment certificate has been convicted of any crime as described above which would prohibit such employment and such conviction occurred more than five (5) years before the date of such application, the Sheriff of Washoe County may waive such prohibition and grant such permission.

(B) A person under the age of twenty-one years.

(C) A person who does not possess a good moral character.

(D) A person who has been convicted of more than one (1) offense involving the operating of a motor vehicle while under the influence of intoxicating liquor or drugs, if his duties may be expected to involve the operating of a motor vehicle.

(E) A person whose driving record reflects traffic convictions indicating poor driving habits, if his duties may be expected to involve the operating of a motor vehicle.

(F) A person who does not hold a currently valid Nevada operators or chauffeurs license.

(G) A person who is not a resident of the State of Nevada.

(H) A person whom the Sheriff of Washoe County shall determine is not a suitable person, having due consideration for the proper protection of the public health, safety, morals, good order and general welfare of the inhabitants of the County of Washoe, State of Nevada.

Section 3. Approval by Sheriff.

A person being employed as a private policeman or security officer shall, before he is employed, first be approved by the Sheriff of Washoe County, and such approval shall be effective only when given in writing as an employment certificate. Such approval shall be subject to review and renewal each year on the anniversary of the initial approval, but may be suspended at any time for any reason which appears satisfactory to the Sheriff of Washoe County.

Section 4. Appeal of Denial of Approval.

Any person who has been denied approval by the Sheriff of Washoe County may appeal such decision to the Board of County Commissioners of Washoe County. Such appeal shall be made by a request in writing by the applicant to the Board of County Commissioners for a hearing on the matter. Upon such a request, the Board of County Commissioners shall set a time and day for such hearing. After such hearing the Board may either affirm or overrule the decision of the Sheriff. In case the Board overrules the decision of the Sheriff, the Board shall order an employment certificate to be granted by the Sheriff.

Section 5. Uniform Requirements Prescribed by Sheriff.

A private policeman or security officer MUST, while on duty, wear a uniform or style of dress which has been approved by the Sheriff of Washoe County; and he shall not be dressed in "street clothes" unless his employer has been given specific permission, in writing, to employ the specified individual in clothing other than an approved uniform or style of dress.

Section 6. Concealed Weapons Not Authorized.

This Ordinance shall not entitle a private policeman or security officer to carry a concealed weapon. Concealed weapons may be carried only in compliance with the provisions of State law.

Section 7. Relation to Washoe County.

A private policeman or security officer shall for all purposes, be deemed an employee of his employer, and not an employee or representative of the County of Washoe or the Sheriff of Washoe County.

Section 8. Bond Required.

The Sheriff of Washoe County shall require from each employer of private policemen or security officers a bond, first approved by the District Attorney of Washoe County, in the sum of not less than twenty-five thousand dollars (\$25,000.00) by the terms of which the County of Washoe and the Sheriff of Washoe County are indemnified against, and saved harmless from, any claim or cause of action arising out of or based upon, in part or in whole, the acts or conduct of any private policeman or security officer.

Section 9. Fingerprinting & Photographs Required.

It shall be the duty of the Sheriff of Washoe County:

(A) To take the fingerprints of each applicant for employment as a private policeman or security officer and to forthwith send a copy of such fingerprints to the Federal Bureau of Investigation at Washington, D. C., with the request that all information as to the previous record, if any, of such person be forthwith transmitted to the Sheriff of Washoe County. The information, if any, received as aforesaid, shall be treated as confidential and shall only

be made accessible to the elective officers of the County, to the employer of such persons where applicable, and to law enforcement officers.

(B) To take the photographs of each applicant for employment as a private policeman or security officer.

Section 10. Application Required.

Any employee of a private policeman or security officer, before commencing to act or serve in that capacity, shall submit and have approved by the Sheriff of Washoe County a written application to the Sheriff of Washoe County, setting forth a personal history and physical description, in a form as determined by the Sheriff of Washoe County. The information received as aforesaid shall be treated as confidential and shall only be made accessible to the elective officers of this County, the employer of such person if applicable, and to law enforcement officers.

(A) Every applicant as a private policeman or security officer shall first pay to the County of Washoe the sum of three dollars (\$3.00) as a condition precedent to having issued to him the employment certificate in writing to be employed as a private policeman or security officer, which sum shall be used to defray the expense of the investigation and shall in any event be retained by the County of Washoe, State of Nevada. Every person seeking replacement, reissuance or renewal of an original approval in writing previously issued to him shall pay to the County of Washoe, State of Nevada, the sum of two dollars (\$2.00) for such replaced, reissued or renewed approval.

(B) A person who shall not have been fingerprinted by the Washoe County Sheriff's Office for a period of time of five (5) years shall submit his fingerprints every five (5) years in a similar manner as that provided in Section 9 of this Ordinance, and shall pay the sum of two dollars (\$2.00) as provided in Section 10(A) of this Ordinance.

Section 11. Revocation.

Any written approval issued under the provisions of this Ordinance may be revoked by the Sheriff of Washoe County when it shall appear to the satisfaction of the Sheriff that:

(A) The private policeman or security officer has been convicted of an offense of such a nature as to cause the Sheriff of Washoe County to conclude that such person is no longer a suitable or qualified person for employment under the provisions of this Ordinance;

(B) For making any false statement in an application for written approval for employment as a private policeman or security officer;

(C) Refusal or neglect to comply with any of the provisions of this Ordinance or State laws.

(D) The private policeman or security officer is no longer a suitable person to hold an employment certificate, after due consideration by the Sheriff of the proper protection of the public health, safety, morals, and good order and the general welfare of the inhabitants of the County.

Section 12. Employment Certificate.

Upon compliance by any private policeman or security officer with the provisions of this Ordinance, the Sheriff

of Washoe County shall issue his approval in writing, in the form of an employment certificate or "work card", subject to the revocation as provided in Section 11.

Section 13. Appeal of Revocation.

Any person whose employment certificate has been revoked by the Sheriff of Washoe County may appeal such decision to the Board of County Commissioners of Washoe County. Such appeal shall be made by a request in writing by the person whose certificate has been revoked to the Board of County Commissioners for a hearing on the matter. Upon such a request, the Board of County Commissioners shall set a time and day for such hearing. After such hearing the Board may either affirm or overrule the decision of the Sheriff. In case the Board overrules the decision of the Sheriff, the Board shall order the employment certificate reinstated by the Sheriff.

Section 14. Unlawful to fail to Comply.

It shall be unlawful for any person, firm or corporation in the unincorporated area of the County of Washoe, from and after the effective date of this Ordinance, to employ or retain in his or its employ, any person required by the terms of this Ordinance to register with the Sheriff of Washoe County unless such person shall have been fingerprinted, photographed and have in his possession written permission from the Sheriff of Washoe County to be employed as a private policeman or security officer, or to employ or continue to employ any person whose written permission from the Sheriff of Washoe County has been revoked.

Section 15. Penalties.

Any person, firm or corporation violating or failing to comply with any of the provisions of this Ordinance shall upon conviction be punished by a fine in any sum of less than five hundred dollars (\$500.00) but not less than fifty dollars (\$50.00) or by imprisonment not exceeding six (6) months in the Washoe County Jail or by both such fine and imprisonment; and any violation of this Ordinance shall be sufficient grounds for the revocation of any written employment certificate previously issued by the Sheriff of Washoe County.

Section 16. Repeal.

All other ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

Section 17. Validity.

If any provision or part of this Ordinance shall be declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way affect the remainder of this Ordinance or any section thereof, it being intended that the remainder shall remain in full force and effect.

Section 18. This Ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by NRS §244.100.

Proposed on the 24th day of November, 1965.
Proposed by Commissioner McKissick
Passed on the 6th day of December, 1965.

Vote:

| | | |
|---------|----------------|---|
| Ayes: | Commissioners: | <u>Streeter, Sauer, Cunningham McKissick and McKenzie</u> |
| Nays: | Commissioners: | <u>None</u> |
| Absent: | Commissioners: | <u>None</u> |

J. C. McKenzie
Chairman of the Board

ATTEST:

J. Brown

County Clerk

This Ordinance shall be in force and effect from and after the
16th day of December, 1965.

ORDINANCE 142

SECTION 10 amended, SECTION 18 repealed by Ord. 507, Bill 678, (increases service charge)