

SUMMARY: Amends Washoe County Code by reorganizing the functions of the Departments of Personnel, Budget and Analysis and Emergency Management into the Office of the County Manager.

BILL NO. 908

ORDINANCE NO. 733

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REORGANIZING THE FUNCTIONS OF THE DEPARTMENTS OF PERSONNEL, BUDGET AND ANALYSIS AND EMERGENCY MANAGEMENT INTO THE OFFICE OF THE COUNTY MANAGER; PROVIDING FOR THE RECLASSIFICATION OF CERTAIN PERSONNEL; REPEALING PROVISIONS PERTAINING TO THE EMPLOYEE-MANAGEMENT COMMITTEE; REPEALING AN OATH FOR EMERGENCY MANAGEMENT PERSONNEL WHICH IS REDUNDANT WITH A PROVISION OF NRS; AND PROVIDING OTHER MATTERS PERTAINING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Section 5.057 of the Washoe County Code is hereby amended to read as follows:

5.057 "Personnel division" defined. "Personnel division" means the personnel division of the office of the county manager created by section 5.067, and its staff.

SECTION 2. Section 5.067 of the Washoe County Code is hereby amended to read as follows:

5.067 County personnel system: Personnel division; assistant county manager for personnel; chief of personnel administration: Creation, qualifications, salary, duties, staff.

1. The personnel division is hereby created in the office of the county manager. The personnel division is responsible for the administration of the county personnel system.

2. The executive head of the personnel division is the assistant county manager for personnel, who shall be appointed by, and serve at the pleasure of, the county manager.

3. The assistant county manager for personnel shall:

(a) Possess such qualifications as are determined by the county manager.

(b) Be in the unclassified service and is entitled to receive an annual salary in an amount to be set by the board of county commissioners.

(c) Perform such duties as are imposed by the Merit Personnel Ordinance, the county manager and the board of county commissioners.

4. As the executive head of the division, the assistant county manager for personnel shall direct and supervise all

administrative, technical and operational activities of the division.

5. The position of chief of personnel administration is hereby created. The chief of personnel administration shall:

(a) Possess qualifications determined by the assistant county manager for personnel.

(b) Be in the unclassified service and receive an annual salary in an amount to be set by the board of county commissioners.

(c) Be in charge of the daily operations of the personnel division.

(d) Perform such duties as are imposed by the Merit Personnel Ordinance, the assistant county manager for personnel and the county manager.

6. The assistant county manager for personnel may appoint such technical, clerical and operational staff as the execution of his duties and the operation of the personnel division may require. All such appointments must be made pursuant to the provisions of the Merit Personnel Ordinance.

SECTION 3. Section 5.077 of the Washoe County Code is hereby amended to read as follows:

5.077 Chairman, secretary of personnel committee.

1. The personnel committee shall designate one of its members as chairman of the committee to serve for a term of 1 year.

2. The chief of personnel administration shall act as the nonvoting recording secretary of the committee. He shall keep the minutes of the proceedings of the committee.

SECTION 4. Section 5.083 of the Washoe County Code is hereby amended to read as follows:

5.083 Powers and duties of personnel committee. In addition to the powers and duties set forth elsewhere in the Merit Personnel Ordinance, the personnel committee shall have the following powers and duties:

1. To report to the board of county commissioners on all matters which the committee may deem pertinent to the personnel division and concerning any specific matters previously requested by the board of county commissioners.

2. To advise and make recommendations to the board of county commissioners relative to the personnel policy of the county and required legislation.

3. To advise the assistant county manager for personnel and the chief of personnel administration with respect to the preparation and amendment of rules and regulations to give effect to the provisions of the Merit Personnel Ordinance.

4. To foster the interest of institutions of learning and of civic, professional and employee organizations in the

improvement of personnel standards in the county service.

5. To exercise any other advisory powers necessary or reasonably implied within the provisions and purposes of the Merit Personnel Ordinance.

SECTION 5. Section 5.087 of the Washoe County Code is hereby amended to read as follows:

5.087 Rules and regulations.

1. The personnel division, with the approval of the board of county commissioners, shall from time to time promulgate appropriate rules and regulations for the administration of the Merit Personnel Ordinance.

2. Nothing in this section shall be construed to:

(a) Prohibit elected officers and appointive department heads from promulgating office or department rules and regulations not in conflict with any provision of law, the Merit Personnel Ordinance, or the rules and regulations promulgated pursuant to the provisions of subsection 1.

(b) Limit the power and authority of elected officers to conduct and manage the affairs of their offices as they see fit.

SECTION 6. Section 5.093 of the Washoe County Code is hereby amended to read as follows:

5.093 Unclassified service: Composition, salaries set by county commissioners.

1. The unclassified service of Washoe County shall be comprised of positions held by county officers or employees, as follows:

(a) Persons chosen by election or appointment to fill an elective office.

(b) Members of appointed boards and commissions, and appointed heads of departments.

(c) The county manager, and those persons of the county manager's staff who are appointed into the unclassified service.

(d) At the discretion of the elective officer or head of each department, a number of employees in each department, excluding the elective officer or department head, as designated by the elective officer or department head, which shall not exceed 3 percent of the permanently established positions as authorized by the board of county commissioners. If 3 percent of such positions is less than one employee, the elective officer or department head is entitled to at least one such unclassified employee.

(e) All persons holding temporary part-time or temporary full-time appointments the duration of which does not exceed 6 months.

(f) Part-time professional personnel who are paid for any form of medical, nursing or other professional service, and who are not engaged in the performance of administrative or

substantially recurring duties.

(g) Such other officers and employees as are authorized by law to be employed in the unclassified service.

2. An elective officer or head of each department who elects to exercise his discretion as permitted by paragraph (d) of subsection 1 shall immediately report to the personnel department the positions designated by him to be in the unclassified service. An established classified position may not be declassified, nor an established unclassified position classified, while that position is occupied.

3. Salaries of all persons in the unclassified service, including constables whose salaries are set by the board of county commissioners pursuant to the provisions of NRS 258.040 and excluding county elective officers whose salaries are fixed by statute, shall be fixed by the board of county commissioners upon recommendation of the personnel committee.

4. A person appointed to the unclassified service is not entitled to the rights, privileges or provisions of the classified service relative to appointment, promotion, demotion, transfer or rehire. An unclassified employee serves at the pleasure of the appointing authority.

SECTION 7. Section 5.097 of the Washoe County Code is hereby amended to read as follows:

5.097 Revision of classification plan.

1. Subject to the approval of the board of county commissioners, on the recommendation of the personnel committee after consultation with appointing authorities, the personnel division shall from time to time, as necessary, recommend additional classes, and divide, combine, alter or abolish classes to meet the needs of the service.

2. The personnel division shall from time to time, as necessary, after consultation with appointing authorities, recommend changes in the Merit Personnel Ordinance and county personnel regulations.

SECTION 8. Section 5.101 of the Washoe County Code is hereby amended to read as follows:

5.101 Reporting changes in positions; reclassification of positions. Whenever an appointing authority proposes the establishment of a new position or makes a significant change in the duties and responsibilities of an existing position, the facts shall be reported to the personnel division in the manner and on the forms prescribed by the personnel division, with the advice of appointing authorities. The personnel division shall then allocate the position to one of the existing classes or recommend the establishment of another class to which the position can be appropriately allocated.

SECTION 9. Section 5.103 of the Washoe County Code is hereby amended to read as follows:

5.103 Investigations. The personnel division, upon the written request of an appointing authority or an employee, or upon its own initiative, may investigate the classification status of any existing position.

SECTION 10. Section 5.105 of the Washoe County Code is hereby amended to read as follows:

5.105 Status on reclassification.

1. An incumbent of a reclassified position shall be entitled to retain his appointment status and move to the level of the reclassified position when his position is reclassified on one of the following conditions:

(a) In connection with a countywide reclassification survey.

(b) When all incumbents performing the same function within a given class are similarly affected by reclassification.

(c) When a portion of the positions in a class are reclassified to a higher level, upon approval of his qualifications by the personnel division.

(d) When a position is reclassified within the same class series, upon approval of his qualifications by the personnel division or upon completion of a training period at the conclusion of which his qualifications are approved by the personnel division. Class series distinctions are made not only on the basis of subject matter but also on the level of duties, which includes differences between professional and nonprofessional work requirements.

2. Incumbents of reclassified positions under paragraphs (a) and (b) of subsection 1 are entitled to retain their appointment status as well as their step status in the new class. Incumbents affected under paragraphs (c) and (d) of subsection 1 shall be governed by the provisions relating to promotion when determining appointment and step status.

3. If the reclassification includes a class of employees performing the same function as described in paragraph (b) of subsection 1, and a supervisory, specialty or other higher position is created from that class before, during or after the reclassification, the supervisory, specialty or other higher position shall be filled by examination pursuant to section 5.157.

SECTION 11. Section 5.107 of the Washoe County Code is hereby amended to read as follows:

5.107 Interpretation of specifications.

1. The class specifications are intended to be descriptive and explanatory rather than restrictive. The use of a particular expression or illustration as to duties shall not

be interpreted to exclude others not mentioned which are of similar kind or quantity.

2. In determining the class to which any position shall be allocated, the specification shall be considered as a whole and in relation to others in the classification plan. Consideration shall be given to the duties, responsibilities, qualifications, knowledges and abilities required in relation to those of other classes in determining the kinds of positions which a class is intended to include.

3. The statement of qualifications required for a particular class is intended as a standard for the evaluation of applicants. The personnel division has the authority, after consultation with appointing authorities, to interpret these qualifications so that equivalent qualifications to those stated in the specifications may be accepted.

4. Qualifications expected of all incumbents of positions in county employment, such as a valid driver's license when the position requires driving, good physical and mental health, freedom from disabling defects, honesty, sobriety, courtesy and industry, shall be deemed to be implied in the qualification requirements of each class, even though not specifically mentioned in the class specifications.

SECTION 12. Section 5.109 of the Washoe County Code is hereby amended to read as follows:

5.109 Compensation plan. The compensation plan of Washoe County consists of the schedule of grades of pay as prepared by the personnel division after consultation with appointing authorities and approved by the board of county commissioners on recommendation by the personnel committee. Each class in the classification plan shall be assigned to the appropriate grade in the compensation plan.

SECTION 13. Section 5.111 of the Washoe County Code is hereby amended to read as follows:

5.111 Establishing salary grades. In recommending to which grade classes shall be assigned, the personnel division shall give appropriate consideration to the following factors:

1. Maintenance of equitable relationships between classes based on their relative duties and responsibilities;
2. The level of prevailing rates for comparable work in private and public employment; and
3. Available cost-of-living information.

SECTION 14. Section 5.115 of the Washoe County Code is hereby amended to read as follows:

5.115 Application of rates. Each full-time employee in the classified service shall be paid within the salary range in the grade for the appropriate class, except that when a

position has been reclassified to a class with a lower grade, the personnel division may authorize the retention by the affected employee of the salary rate in the specific grade held before reclassification, upon a documented and justifiable request by the appointing authority.

SECTION 15. Section 5.119 of the Washoe County Code is hereby amended to read as follows:

5.119 Rate on initial hire, rehire, promotion, demotion or transfer.

1. Initial hire for a position shall be made at the entrance rate of the range for the class, except as provided in sections 5.123 and 5.203.

2. When a former permanent employee is rehired after a break in service to a position in the same or a related class, he may be paid at or below the step he held in the present grade for his former class. Any exception may be approved by the county manager upon written justification from the appointing authority and recommendation of the assistant county manager for personnel.

3. When an employee is promoted, he is entitled to the entry salary for the higher grade or 10 percent above the employee's base salary, whichever is greater, provided there is at least a 10 percent differential between the top of the salary range for the lower grade and the top of the salary range for the higher grade. If the differential between the two grades is between 5 percent and 10 percent, the employee is entitled to the entry salary for the higher grade or the differential between the two grades, whichever is greater. If the differential between the two grades is less than 5 percent, the employee is entitled to the entry salary or 5 percent, whichever is greater, except as provided below. In all instances, the amount of the salary increase upon promotion shall not exceed the top of the salary range for the higher grade. Any exception may be approved by the county manager upon written justification from the appointing authority and recommendation of the assistant county manager for personnel.

4. When a permanent employee is demoted, he shall be paid at the nearest step in the range for the lower class that provides an approximate 5 percent (one grade) salary decrease. Any exception may be approved by the county manager upon written justification from the appointing authority and recommendation of the assistant county manager for personnel.

5. When an employee transfers to a position in another class, he is entitled to the corresponding step in the same range. Any exception may be approved by the county manager upon written justification of the appointing authority and recommendation of the assistant county manager for personnel.

SECTION 16. Section 5.123 of the Washoe County Code is hereby amended to read as follows:

5.123 Special salary adjustments.

1. Special salary adjustments may be approved in order to:
 - (a) Meet difficult recruiting problems or to obtain a person with markedly superior qualifications.
 - (b) Give 5-percent (approximate) pay increment recognition to employees carrying responsibilities beyond those required for the class as a whole, such as supervising persons in the same class on a continuing basis for a portion of their time, or working under considerably less supervision than is typical in the class.
 - (c) Correct salary inequities.
2. Appointing authorities may appoint individuals up to 25 percent into the salary range for those classifications found only in their departments. For classifications found in more than one department and for appointments above the 25-percent point in classifications unique to one department, the assistant county manager for personnel may approve requests from appointing authorities for appointments above the entry level. Whenever a permanent position is filled in this manner, incumbents of positions in the same class earning less than the salary at which the new employee is appointed may be raised to that salary by the appointing authority if the classification is found only in the appointing authority's department or by the county manager upon the recommendation of the assistant county manager for personnel for classifications found in more than one department.

SECTION 17. Section 5.127 of the Washoe County Code is hereby amended to read as follows:

5.127 Rate of earning accrued overtime.

1. Overtime pay or compensatory time off for employees of Washoe County shall be earned at the rate of time and one-half except for elected officers, appointed department heads, and those employees determined to be executive, administrative, supervisory or professional pursuant to section 5.141.
2. Executive, administrative, supervisory and professional employees shall earn overtime at the straight time rate, and be identified as such in the county classification plan. The personnel division, after consultation with appointing authorities, shall recommend to the personnel committee those classes to be eligible for time and one-half. Upon the establishment of such classes eligible for time and one-half by the personnel committee, the chief of personnel administration shall identify the same in the county classification plan.

SECTION 18. Section 5.137 of the Washoe County Code is hereby amended to read as follows:

5.137 Limit on overtime accrual. An employee shall not accumulate more than 120 hours of overtime. An employee, faced with losing annual leave at the end of the calendar year, may elect to use annual leave instead of compensatory time for approved leave.

SECTION 19. Section 5.143 of the Washoe County Code is hereby amended to read as follows:

5.143 Appeals from salary decisions for unrepresented employees. Reasonable opportunity to be heard shall be provided by the personnel division to any employee who is not covered by a collective bargaining agreement and is affected by a change in salary or classification. The employee shall direct his request to his appointing authority, who shall seek to arrive at a solution consistent with the classification and compensation plans and acceptable to the employee. If the appointing authority is unable to resolve such a request within a reasonable time, the matter shall be submitted to the personnel division. If the problem cannot be resolved at that level, it may be submitted to the personnel committee for decision.

SECTION 20. Section 5.149 of the Washoe County Code is hereby amended to read as follows:

5.149 Types of examinations. Competitive examinations may be assembled, open or promotional, written, oral or in the form of a demonstration of skill, an evaluation of training and experience, or any combination of these. Investigations of character, personality, education and experience and any tests of intelligence, capacity, technical knowledge, manual skill or physical fitness which the personnel division deems appropriate may be employed.

SECTION 21. Section 5.151 of the Washoe County Code is hereby amended to read as follows:

5.151 Investigations of applicants. In order to determine whether applicants meet the minimum qualifications established for examinations or for other purposes, the personnel division may require such certificates of citizens, physicians, public officers or others having knowledge of the applicant as the good of the service may require. It may require, either before examination or before certification, that documentary evidence be submitted substantiating such facts as citizenship, honorable discharge from the Armed Forces of the United States, possession of valid licenses for various purposes or other evidence of identification, fitness and qualification.

SECTION 22. Section 5.153 of the Washoe County Code is hereby amended to read as follows:

5.153 Applications. Every applicant for examination must file an application in the office of the personnel division, or in the United States mail and postmarked by midnight of the date contained in the examination announcement. Such applications, when filed, and all other examination materials, including examination questions and booklets, are the property of the personnel division.

SECTION 23. Section 5.155 of the Washoe County Code is hereby amended to read as follows:

5.155 Eligibility to compete.

1. Competitive examinations for classified positions in the Washoe County service shall be open to all applicants who are citizens or wards of the United States, or persons who have been discharged under honorable circumstances from the military service of the United States and who meet the qualifications established for the class for which application is being made.

2. Any applicant who has a conviction record (other than minor traffic violations involving a fine of less than \$25) shall so indicate on his application form. In addition, the application shall be accompanied by a complete explanation of the conviction.

3. In determining whether to accept the application, consideration shall be given by the personnel division to the recency of the offense, age at time of the offense, conduct during incarceration and parole or probation period, reports from parole or probation officer concerning the applicant's employment record while on parole or probation and related factors.

4. Since the appointment decision is the prerogative of the appointing authority, all related records shall be made known to the appointing authority before such appointment is made.

SECTION 24. Section 5.159 of the Washoe County Code is hereby amended to read as follows:

5.159 Time for examinations. Upon giving 3 days' notice to his immediate supervisor, a county employee, otherwise qualified, shall be permitted to take a reasonable amount of time to take any examination given by the personnel division during working hours without loss of pay.

SECTION 25. Section 5.161 of the Washoe County Code is hereby amended to read as follows:

5.161 Postponement of tests. If the personnel division determines that a sufficient number of qualified candidates

has not made application for an examination or for other good reason, the personnel division may postpone or cancel a test or an examination or extend the filing period by giving reasonable public notice thereof.

SECTION 26. Section 5.163 of the Washoe County Code is hereby amended to read as follows:

5.163 Continuous examinations. The personnel division may conduct examination and create countywide eligible lists continuously. The names of eligibles who took the same or a comparable examination on different dates may be ranked, for purposes of certification, in the order of final earned ratings, except as such order may be modified by the application of veterans' preference. Eligibility from a continuous examination may be deemed to be established as of the date of the examination.

SECTION 27. Section 5.165 of the Washoe County Code is hereby amended to read as follows:

5.165 Announcement of examinations. Public notice of each examination shall be given. Examination announcements shall be in such form as the personnel division requires but shall include a listing of the subjects to be included and the relative weights to be assigned the various parts.

SECTION 28. Section 5.167 of the Washoe County Code is hereby amended to read as follows:

5.167 Minimum passing scores. The passing score for attaining a place on an eligible list shall be a rating of at least 70 percent. In written examinations, the 70 percent need not be the arithmetic 70 percent of the total possible score, but may be an adjusted score based on consideration of the difficulty of the test, the quality of the competition, and the needs of the service. Any scores shall be established before the identification of the competitors' examination papers. The final earned rating of each candidate competing in an examination shall be determined by the weighted average of the earned ratings on all phases of the examination according to the weights for each test established by the personnel division in advance of the examination and published as a part of the examination announcement. Competitors failing to achieve a passing score in any phase shall be disqualified from further participation in the immediate examination.

SECTION 29. Section 5.169 of the Washoe County Code is hereby amended to read as follows:

5.169 Key copy review. Within 7 working days after an examination grade notification has been postmarked, a candi-

date may review a keyed copy of any written examination (except copyrighted, standardized or continuous examinations) for the purpose of requesting review of items the candidate believes to be improperly keyed. Written objections, with substantiation, must be submitted during the review period. Items which a review by the personnel division indicates are incorrect shall be revised or eliminated.

SECTION 30. Section 5.171 of the Washoe County Code is hereby amended to read as follows:

5.171 Corrections of examination ratings. If, after examination of the appeal filed by any candidate, the personnel division finds that any manifest error was made in rating, scoring or computation of the result, the personnel division shall make the required correction and place the name of the person on the eligible list in its correct position by virtue of the correction. Such correction, however, shall not invalidate any appointment previously made from such eligible list.

SECTION 31. Section 5.179 of the Washoe County Code is hereby amended to read as follows:

5.179 Duration of lists. Eligible lists may be extended when they have been in effect for at least 1 year, but may be extended no more than 2 additional years. The chief of personnel administration may extend any list any time the number of remaining interested eligibles in relation to the labor market is sufficient to meet the needs of the county service. Reasonable notice of a proposed abolishment shall be given to the remaining eligibles prior to the holding of a new examination.

SECTION 32. Section 5.185 of the Washoe County Code is hereby amended to read as follows:

5.185 Chief of personnel administration may refuse to examine or refuse to certify. The chief of personnel administration may refuse to examine an applicant or, after examination, may refuse to certify an eligible person who comes under any of the following categories:

1. Lacks any of the preliminary requirements established for the examination for the position or employment for which he applies.
2. Is physically so disabled as to be rendered unfit for the proper performance of the duties of the position to which he seeks appointment.
3. Is addicted to the use of habit-forming drugs.
4. Is an habitual user of intoxicating liquors to excess.
5. Has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct.
6. Has been dismissed from the public service for delin-

quency or misconduct.

7. Has made a false statement of any material fact.

8. Has, directly or indirectly, given, rendered or paid, or promised to give, render or pay, any money, service or other valuable thing to any person for, or on account of, or in connection with, his examination, appointment or proposed appointment.

9. Has practiced, or attempted to practice, any deception or fraud in his application, in his certificate, in his examination, or in securing his eligibility or appointment.

SECTION 33. Section 5.187 of the Washoe County Code is hereby amended to read as follows:

5.187 Statement of chief of personnel administration upon refusal to examine or certify; appeal to personnel committee.

1. When the chief of personnel administration refuses to examine an applicant or, after an examination, refuses to certify an eligible person, the applicant or eligible person may request the chief of personnel administration to furnish to him a statement of the reasons for the refusal to examine or the refusal to certify, as the case may be. The chief of personnel administration shall furnish the statement upon request.

2. If the chief of personnel administration refuses to examine an applicant or, after an examination, refuses to certify an eligible person, such person may take an appeal to the personnel committee in accordance with rules and regulations adopted by the committee. If the committee finds that the chief of personnel administration is in error in refusing to examine an applicant or in refusing to certify an eligible person, the committee shall order the chief of personnel administration to examine or certify, and the chief of personnel administration shall comply.

SECTION 34. Section 5.189 of the Washoe County Code is hereby amended to read as follows:

5.189 Certification of names.

1. In response to requests for certification from appointing authorities, the personnel division shall certify the names, if any, of eligibles from current eligible lists for the class or position to be filled. Certification must be made in the order of standing on the lists. If there are fewer than five names on a list, consideration may be given to certification from other lists determined to be appropriate by the personnel division. Names from such other lists must follow those names certified (if any) from the original eligibility list for a total of five names.

2. The appointing authority may request selective certification for a particular position if the standard certification described in subsection 1 does not provide candi-

dates qualified to perform duties of the position satisfactorily. Where selective certification is necessary, the appointing authority shall furnish in writing those specialized requirements peculiar to the position and his reasons for such requirements. If the personnel division, after investigation, determines that the facts and reasons justify selective certification, the personnel division may certify the highest ranking eligibles who possess the special qualifications. Determination of special qualifications may require circularization of eligibles before certification can be made. Certification of eligibles of only one sex must not be made unless there is clear evidence that efficient performance of duties assigned could be performed only by the sex specified. Authorization for selective certification must be made on an individual basis and subsequently reported to the personnel committee at its next regular meeting.

3. Upon receipt of an appointing authority's estimated unskilled and semiskilled labor requirements, the personnel division shall certify eligible applicants to meet employment requirements.

4. The personnel division shall certify at least two more whole-number scores than there are vacancies to be filled, provided that no less than five names may be certified for each vacancy regardless of score. For those examinations conducted on a countywide, promotional-open competitive basis, in addition to the top three whole-number scores being certified from the promotional lists, all open competitive candidates who achieved a higher score than the lowest promotional candidate certified must also be certified for the vacancy.

5. If less than five eligibles are available for appointment, the appointing authority may either make an appointment from among the remaining eligibles or make a provisional appointment upon approval by the personnel division.

SECTION 35. Section 5.193 of the Washoe County Code is hereby amended to read as follows:

5.193 Types of appointments. Vacancies in positions in the classified service may be filled by the appointing authority by rehire, transfer, demotion, appointment from an appropriate eligible list supplied by the personnel division pursuant to sections 5.149 to 5.191, inclusive, or by appointment of a person under temporary or provisional appointment, in accordance with the provisions of the Merit Personnel Ordinance.

SECTION 36. Section 5.195 of the Washoe County Code is hereby amended to read as follows:

5.195 Rehire, veterans' rehire.

1. Any permanent employee who has resigned from the

county service in good standing may be rehired in a position in the same or related class with reasonably similar qualifications within 3 years from the date of that separation, upon the approval of the personnel division. Employees so rehired shall serve a new probationary period as required for original appointments.

2. Rehire of veterans shall be in accordance with the provisions of chapter 418 of NRS.

SECTION 37. Section 5.197 of the Washoe County Code is hereby amended to read as follows:

5.197 Transfers: Kinds of transfers; conditions.

1. An appointing authority may with reasonable notice transfer any permanent or probationary employee under his jurisdiction from one position to another position in the same class, or from a position in one class to a position in a related class with the same grade and with reasonably similar qualifications, upon the approval of the personnel division.

2. An appointing authority may, with reasonable notice, transfer for the convenience of the county any employee with permanent status from a position in one class in one location to another permanent assignment in a position of the same or related class upon the approval of the personnel division.

3. The transfer of an employee from a position under the jurisdiction of one appointing authority to a position under the jurisdiction of another appointing authority may be made with the cooperation of the appointing authorities concerned and the approval of the personnel division, if the positions are in the same or a related class with the same grade and have reasonably similar qualification requirements. The position to which the employee is being transferred may be in a location different from that from which he is being transferred. When an employee transfers from a position under one appointing authority to a position under another appointing authority without a break in service, his vacation and sick leave balances shall become a charge upon the agency to which he transfers. All accumulated overtime shall be compensated for by the department he is leaving, if authorized in accordance with the provisions of the Merit Personnel Ordinance concerning payment of overtime.

SECTION 38. Section 5.203 of the Washoe County Code is hereby amended to read as follows:

5.203 Employment by Washoe County of employees of agencies or organizations whose functions have been assumed by Washoe County.

1. If Washoe County assumes in whole or in part a function of an agency or organization, an employee who is performing that function for the agency or organization at the

time of the assumption and who will be performing a similar function for Washoe County immediately following the assumption may be included within the county's merit personnel system without examination.

2. The personnel division shall determine the status and benefits of each employee included within the county's merit personnel system pursuant to subsection 1. The employee's status must be equivalent to the status he would have had if he were employed by Washoe County during the term of his employment with the agency or organization. The employee's benefits may include those benefits which he had during the period of his employment by the agency or organization, but shall not exceed the benefits which would have been available to the employee under the Merit Personnel Ordinance during the same period.

3. If the agency or organization paid an employee described in subsection 1 a salary which is greater than the salary allowed under the employee's classification with Washoe County, the employee shall receive his former salary until it is equaled or exceeded by the salary for that classification.

SECTION 39. Section 5.209 of the Washoe County Code is hereby amended to read as follows:

5.209 Provisional appointments. A provisional appointment, in the absence of an appropriate eligible list, and upon specific approval of the personnel division, may be made of an applicant meeting the minimum qualifications for the class. The provisional appointment must be terminated within 30 days after the establishment of an appropriate eligible list and not later than 6 months following the date of his original appointment.

SECTION 40. Section 5.211 of the Washoe County Code is hereby amended to read as follows:

5.211 Temporary appointments.

1. When services to be performed are required for a limited term of not to exceed 6 months, the appointing authority shall indicate the probable duration of employment on his request for certification. Upon receipt of such request, the personnel division shall certify the names of eligibles from the appropriate eligible list who have noted that they will accept employment for the duration of the employment indicated. If, before or after certification, it appears that there are no eligibles who will accept such employment, the personnel division may authorize a provisional appointment not to exceed 6 months to fill the vacancy.

2. Service under temporary appointment immediately preceding appointment to a permanent position shall be credited for purposes of annual leave and merit salary increases, but

shall not be counted as part of the probationary period applicable to the permanent position. Sick leave shall be earned for each month of service as provided in section 5.251.

SECTION 41. Section 5.215 of the Washoe County Code is hereby amended to read as follows:

5.215 Length of probationary period. After considering the recommendations of appointing authorities, the personnel committee shall determine the length of the probationary period for each class in the classified service and the personnel administrator shall identify the same in the county classification plan. The probationary period shall be either 6 months or 1 year. Classes shall be assigned to a 1-year probationary period if, in the judgment of the personnel committee, they meet one of the following criteria:

1. The class requires work in locations where visits by supervisors are necessarily infrequent, and a 6-month period would be inadequate to judge fairly the employee's work.

2. The tasks to be performed in the class occur on a seasonal or cyclical basis so that in a 6-month period the supervisor would not be able to observe the employee in the performance of all aspects of the work.

3. High administrative or area supervisory responsibilities are involved and the complexity and difficulty of planning and directing the work are such that effectiveness of performance cannot be fairly judged in a period of less than 1 year.

SECTION 42. Section 5.217 of the Washoe County Code is hereby amended to read as follows:

5.217 Interrupted probationary period.

1. If a probationer has not, during his prescribed probationary period, worked the number of months set forth in the classification and compensation plan, his probationary period may, with prior approval of the personnel division, be extended until he has worked the required months.

2. In calculating the required period, overtime work and other time beyond those variations as specified in section 5.275 shall not be counted. The appointing authority shall report in the prescribed manner to the personnel division and the employee when, because of inadequate time served, the probationary period is to be extended under this section.

SECTION 43. Section 5.219 of the Washoe County Code is hereby amended to read as follows:

5.219 Reports of performance of probationers.

1. The appointing authority shall file with the personnel

division a report of performance at the end of the 3d and 5th month for each employee serving a 6-month probationary period. For those employees serving a 12-month period, the appointing authority shall file a performance report at the end of the 3d, 8th and 11th month of employment.

2. Copies of all performance reports shall be given to the employee, and the appointing authority shall provide for the training of and assistance to the employee to meet the standards of performance for the position to which he has been appointed.

SECTION 44. Section 5.221 of the Washoe County Code is hereby amended to read as follows:

5.221 Rejection of probationary employees.

1. Probationary employees serve at the pleasure of the appointing authority, and the appointing authority may, at any time during the probationary period, terminate a probationer.

2. Rejection of an employee during the probationary period shall be accomplished by the filing by the appointing authority with the personnel division of all performance reports due and a report of separation for the probationary employee affected. The appointing authority shall advise the probationary employee, in writing, of the reason or reasons for the termination.

3. If a report of separation for the employee is not received in the personnel division or postmarked by the close of business on the last day of the probationary period, the employee will be considered satisfactorily to have completed the probationary period and acquired permanent status.

4. Any promotional appointee who fails to attain permanent status in the position to which he was promoted, or who is dismissed for cause other than misconduct or delinquency on his part from the position to which he was promoted, either during the probationary period or at the conclusion thereof, shall be restored to the position from which he was promoted.

SECTION 45. Section 5.223 of the Washoe County Code is hereby amended to read as follows:

5.223 Reports of personnel actions.

1. Each appointing authority shall report promptly to the personnel division such information as is required in connection with each appointment, separation from service or other change in position or salary or other matters affecting the status of positions or the performance of duties of county employees. All such reports shall be prepared in the manner and on the forms prescribed by the personnel division. The personnel division shall establish procedures for sending copies of reports and notices to the county comp-

troller and management information services without delay of any new positions, new employees, changes in pay or status, and attendance and absence of employees and of its approval or disapproval of such actions for use in auditing and approval of payment of any salaries or wages to county employees. The personnel division shall, if so requested by the county comptroller, make available the official roster for the purpose of making such audits.

2. Whenever the personnel division determines that employment or proposed employment or payment of any person as an employee in the classified or unclassified service is in any way contrary to law or the Merit Personnel Ordinance, it shall so notify the county comptroller, after review with the division concerned. Upon such notice neither the county comptroller nor management information services shall approve any payment to such person.

3. Any personnel documents effecting changes in an employee's salary rate and having the identical effective date shall be processed in the following order:

- (a) Merit salary increase.
- (b) Reclassification or overall compensation plan adjustment.
- (c) Promotion or demotion.

The combined salary increase received under paragraphs (a) and (c) must not be more than 10 percent or the bottom of the salary range of the class to which the person is being promoted.

SECTION 46. Section 5.225 of the Washoe County Code is hereby amended to read as follows:

5.225 Roster. The official roster of county employees maintained by the personnel division is a public record and is open to inspection in the offices of the personnel division under reasonable conditions during business hours.

SECTION 47. Section 5.227 of the Washoe County Code is hereby amended to read as follows:

5.227 Confidential records. Salary data furnished to the personnel division on the condition that the sources remain confidential, and material to be used in examinations, confidential reports of employers and county appointing authorities regarding applicants, eligibles or employees, and the names and identity of applicants, eligibles or employees and special examiners, and the contents of individual employees' personnel jackets shall be considered confidential and not open to the public or admissible as evidence in any action or proceeding except proceedings and appeals before the personnel committee, a grievance board appointed pursuant to the provisions of section 5.319 et seq., and appeals to the courts therefrom.

SECTION 48. Section 5.229 of the Washoe County Code is hereby amended to read as follows:

5.229 Normal work week.

1. The normal work week for county employees shall be 40 hours, except that work weeks of a different number of hours may be established in order to meet the varying needs of different county departments. Appointing authorities shall report all deviations from the normal work schedule to the personnel division.

2. Except as otherwise provided in subsection 3 or by statute, pursuant to the provisions of NRS 245.040, the offices of all elected and appointed officers shall be kept open on all days except Saturdays and Sundays and nonjudicial days from 8 a.m. to 5 p.m. for the transaction of public business.

3. The hours during which the Washoe County library and its branches are open to the public shall be as determined by the county library trustees.

SECTION 49. Section 5.247 of the Washoe County Code is hereby amended to read as follows:

5.247 Records and reports. Each appointing authority shall keep accurate records of earned and used vacation. Such records shall be kept as prescribed by the personnel division and reports shall be made to the personnel division as the personnel division may from time to time require.

SECTION 50. Section 5.283 of the Washoe County Code is hereby amended to read as follows:

5.283 Performance evaluation: Timing and method. Each appointing authority shall provide for an annual evaluation of all employees, other than those in temporary appointments or positions in his department, in achieving the standard of work performance established. The evaluation shall be made at least annually during the month prior to the anniversary date but effective as of the anniversary date, and will be effective in accordance with section 5.121. Probationary employees shall be further evaluated in accordance with section 5.219. All evaluations shall include a discussion between the employee and his immediate supervisor for the purpose of determining goals and methods and evaluating progress toward better performance and personal development. After discussion, the evaluation report shall be forwarded to the appointing authority by the supervisor on forms and in the manner prescribed by the personnel division.

SECTION 51. Section 5.287 of the Washoe County Code is hereby amended to read as follows:

5.287 Copies of performance evaluation reports. Each employee shall be given a copy of the evaluation form prepared by his supervisor regarding his progress. Copies of the reports shall be available only to the supervisors, the appointing authorities and the personnel division.

SECTION 52. Section 5.289 of the Washoe County Code is hereby amended to read as follows:

5.289 Training: Responsibility of appointing authority. The appointing authority shall be responsible for the provision of orientation, induction and on-the-job training and for the continuing development of the employees in his department. The personnel division shall cooperate with and assist appointing authorities in carrying out this responsibility and in meeting any special training needs of the departments.

SECTION 53. Section 5.291 of the Washoe County Code is hereby amended to read as follows:

5.291 Training in new processes. Whenever the duties of a position are to be materially changed by the introduction of new machinery or processes requiring different skills and knowledge, any permanent or probationary employee affected by the change shall be given reasonable opportunity at the expense of the county to learn to perform the new duties and to qualify for status in any new class of positions required for such work. An employee who, after a reasonable training period, qualified for appointment in the different class shall be deemed to possess the specific education, experience or other requirements for such class and shall be appointed thereto with the same status and seniority which he last had in his previous class, upon the written recommendation of the appointing authority and the approval of the personnel division. Employees who do not qualify for such appointment shall be reassigned to other duties appropriate to their class, or be laid off in accordance with the provisions of the Merit Personnel Ordinance concerning lay-off.

SECTION 54. Section 5.293 of the Washoe County Code is hereby amended to read as follows:

5.293 Specialized training. In order to meet the needs of the county service for scientific, technical, professional and management skills which cannot be provided through available in-service training, the personnel division may arrange for the provision of such training through recognized educational or training facilities.

SECTION 55. Section 5.297 of the Washoe County Code is hereby amended to read as follows:

5.297 Contents of action form; review, recommendations, appeal.

1. The action form on which an employee resigns shall contain a statement of all appeal rights of a classified employee and the fact that the employee is relinquishing all appeal rights by resigning. The form shall also contain a statement that a classified employee may only appeal the resignation if he alleges that the resignation was obtained against his will. Such an appeal must be received by the personnel division within 5 working days of the date of the resignation.

2. After review of the facts presented by the classified employee and the employer, the personnel division may make its recommendation. If the employee is not satisfied with that recommendation, he may appeal the matter to the personnel committee if he is still not satisfied.

SECTION 56. Section 5.301 of the Washoe County Code is hereby amended to read as follows:

5.301 Voluntary demotion. An employee who becomes physically or mentally incapable of performing the duties of his position, or for personal reasons, may request demotion to a position in a lower class. Such demotion may be permitted upon approval of the appointing authority and after such investigation as the personnel division deems necessary.

SECTION 57. Section 5.309 of the Washoe County Code is hereby amended to read as follows:

5.309 Layoff: Written notice. All career employees to be laid off shall be given written notice of the layoff at least 30 calendar days before the effective date thereof. A copy of the layoff computations as well as a copy of the notice of layoff to the employee shall be sent to the personnel division for approval.

SECTION 58. Section 5.313 of the Washoe County Code is hereby amended to read as follows:

5.313 Warning and reprimand. Whenever an employee's performance falls below standard or, for other just cause, there is a lapse in his performance, the employee's supervisor shall inform the employee promptly and specifically of such lapse. If appropriate and justified, and following a discussion of the matter, a reasonable period of time for improvement or correction may be allowed before initiating disciplinary action. In situations where an oral warning has not resulted in a correction of the condition or where more severe initial action is warranted, a written reprimand

shall be sent to the employee and a copy placed in the employee's personnel folder in the department and in the personnel division.

SECTION 59. Section 5.319 of the Washoe County Code is hereby amended to read as follows:

5.319 Procedures for suspension and demotion. An order by an appointing authority to suspend or demote a permanent, classified employee shall:

1. Be in writing;
2. State specifically the action to be taken;
3. State specifically the cause or causes for the action to be taken;
4. State the effective date of such action;
5. State that the employee has 7 calendar days within which to appeal the action;
6. Be served on the employee, either personally or by posting by certified mail no later than 24 hours after the effective date of the action; and
7. Be filed with the personnel division.

SECTION 60. Section 5.327 of the Washoe County Code is hereby amended to read as follows:

5.327 Procedure for discharge.

1. In any action to discharge an employee having permanent status in a position in the classified service, after having complied with the applicable requirements set forth in sections 5.321 or 5.323, the appointing authority may order the discharge of the employee.

2. Such order shall:

- (a) Be in writing;
- (b) State specifically the cause or causes for the action;
- (c) State the effective date of such action, which shall be no less than 7 calendar days from the date of issuance of the notice of proposed action under section 5.321;
- (d) State that the employee has 7 calendar days within which to appeal the action;
- (e) Be served on the employee, either personally or by posting by certified mail, prior to the effective date of such discharge; and
- (f) Be filed with the personnel division.

SECTION 61. Section 5.331 of the Washoe County Code is hereby amended to read as follows:

5.331 Appeal from discipline; selection of arbitrator.

1. A permanent, classified employee who has been demoted, suspended or discharged may, within 7 calendar days of the effective date of the discipline imposed, appeal the action. The appeal shall be in writing and shall be filed

with the assistant county manager for personnel.

2. Upon receipt of the appeal, the assistant county manager for personnel or his designee shall meet with the employee and the appointing authority in an attempt to select a mutually acceptable arbitrator. For cases involving demotion and suspension, the Rules for Expedited Arbitration of the American Arbitration Association apply. For cases involving discharge, the chief of personnel administration shall determine, based upon the complexity of the case, whether the Rules for Expedited Arbitration or the regular Voluntary Labor Arbitration Rules of the American Arbitration Association apply.

3. If an arbitrator cannot be agreed upon, and if the Voluntary Labor Arbitration Rules are to be followed, the chief of personnel administration shall submit a request to the American Arbitration Association for a list of arbitrators. Upon receipt of the list an arbitrator shall be selected by the assistant county manager for personnel and the employee by alternately striking names, the employee striking first.

SECTION 62. Section 5.345 of the Washoe County Code is hereby amended to read as follows:

5.345 Provision for retention of accrued annual, sick leave, overtime, compensatory holiday time on July 1, 1973.

1. Overtime accrued by each person employed by Washoe County prior to July 1, 1973, shall be credited to such person upon July 1, 1973, from which time overtime shall be accrued pursuant to the provisions of section 5.125 et seq.

2. Annual and sick leave and compensatory holiday time accrued by each person employed by Washoe County prior to July 1, 1973, shall be credited to such person upon July 1, 1973, from which time annual and sick leave and compensatory holiday time shall be accrued and utilized pursuant to the provisions of section 5.229 et seq. Accrued annual and sick leave shall be prorated for the period from the employee's anniversary date as prescribed under Washoe County Ordinance No. 105 to July 1, 1973, to the nearest calendar month. That is, an employee with 7 months' accrued leave as of July 1, 1973, would be entitled to:

(a) Any leave accrued up to his anniversary date; plus

(b) Seven-twelfths of the leave which would have been accrued for the full calendar year beginning with the anniversary date prior to July 1, 1973.

3. Within 30 days after July 1, 1973, each appointing authority shall certify to the chief of personnel administration all annual and sick leave accrued prior to July 1, 1973, by each person employed in his department or agency. The correctness of the amount of such accrued annual and sick leave shall be agreed to by each employee prior to certification to the chief of personnel administration.

SECTION 63. Section 5.349 of the Washoe County Code is hereby amended to read as follows:

5.349 Employees' compliance with Nevada Motor Vehicle Insurance Act. Compliance with the provisions of the Nevada Motor Vehicle Insurance Act (chapter 698 of NRS) is required of all persons employed by Washoe County whose employment requires the use of their personal motor vehicles in the conduct of county business. The personnel division shall promulgate regulations to effectuate the provisions of this section to guarantee compliance at the time of initial appointment, and shall periodically require evidence of compliance with the Nevada Motor Vehicle Insurance Act.

SECTION 64. Section 5.355 of the Washoe County Code is hereby amended to read as follows:

5.355 Requests for permission to travel.

1. In accordance with NRS 245.360, any county officer or employee requesting advance money for travel expenses or subsistence allowances shall submit such a request in writing to the board of county commissioners.

2. Any county officer or employee requesting advance money only for registration costs may submit such a request in writing directly to the county treasurer.

3. All travel requests not requiring advance money or travel requests requesting advance registration costs only shall be approved for processing by the appropriate appointed or elected department head. Travel requests of appointed department heads shall be approved by the county manager or assistant county manager for personnel.

4. Any travel request which would overdraw a department's travel budget must be approved by the board of county commissioners whether or not it involves advance money.

SECTION 65. Section 5.401 of the Washoe County Code is hereby amended to read as follows:

5.401 Merit award board: Creation; composition; secretary.

1. The controlling authority of the merit award program is the merit award board, which is hereby created.

2. The board shall be composed of five members as follows:

(a) Two representatives of employee associations now or hereafter established, with not more than one representative from each association appointed by the associations in accordance with their bylaws and operating practices, and by mutual agreement among themselves. In the same manner, an alternate representative or representatives may be appointed to sit and participate in the place and stead of any regular member appointed by an employee association at any meeting

where the regular member is unable to attend.

(b) The chief of personnel administration or his designee.

(c) The chief of budget administration or his designee.

(d) One member appointed by and representing the board of county commissioners.

3. The members of the board shall elect one member to serve as the secretary of the board.

SECTION 66. Section 15.350 of the Washoe County Code is hereby amended to read as follows:

15.350 Guidelines for review and evaluation of requests for community support funding.

1. The division of finance may establish guidelines for the receipt, review and evaluation of all requests for community support funding.

2. The guidelines established pursuant to this section may include:

(a) Criteria for screening organizations;

(b) The format for applications for funding;

(c) Dates for the receipt, review and evaluation of applications for funding;

(d) Financial information pertaining to applicants;

(e) Personnel and administrative information pertaining to applicants; and

(f) Any other criteria which the division of finance deems necessary to carry out the policies of the board of county commissioners.

SECTION 67. Section 15.390 of the Washoe County Code is hereby amended to read as follows:

15.390 Review procedures.

1. Annually, the county manager shall request a report from each department head as to all rates being charged that are not specified by law, contract or ordinance. The reports shall be reviewed by the chief of budget administration who will determine the extent of compliance with the policy of sections 15.370 to 15.390, inclusive, and make recommendations to the assistant county manager for finance as to changes that should be considered.

2. The assistant county manager for finance shall, after consultation with the department heads involved, make recommendations to the board of county commissioners concerning any modifications of rates to be charged.

SECTION 68. Section 15.460 of the Washoe County Code is hereby amended to read as follows:

15.460 Division of finance of the office of the county manager: Creation.

1. The division of finance is hereby created in the

office of the county manager.

2. The division is responsible for the functions and administration of all programs relating to finance and budget.

SECTION 69. Section 15.470 of the Washoe County Code is hereby amended to read as follows:

15.470 Assistant county manager for finance: Position created; appointments; unclassified service.

1. The position of assistant county manager for finance is hereby created. The assistant county manager for finance shall be appointed by, and serve at the pleasure of, the county manager, and is entitled to receive a salary to be set by the board of county commissioners.

2. The assistant county manager for finance is in the unclassified service of the county.

3. As the executive head of the division, the assistant county manager for finance shall direct and supervise all administrative, technical and operational activities of the division. The county manager and board of county commissioners may make additional assignments as deemed necessary.

SECTION 70. Section 15.480 of the Washoe County Code is hereby amended to read as follows:

15.480 Chief of budget administration: Position created; qualifications; classified service; duties.

1. The position of chief of budget administration is hereby created.

2. The chief of budget administration shall:

(a) Possess qualifications determined by the deputy county manager for finance.

(b) Be in the unclassified service and is entitled to receive an annual salary in an amount to be set by the board of county commissioners.

(c) Perform such duties as are required by law, the assistant county manager for finance and the county manager.

SECTION 71. Section 15.500 of the Washoe County Code is hereby amended to read as follows:

15.500 Branches of division of finance. The division of finance consists of such branches, created by the assistant county manager for finance, as are deemed necessary to the efficient performance of the duties of the division.

SECTION 72. Section 65.230 of the Washoe County Code is hereby amended to read as follows:

65.230 County risk manager: Creation; powers; duties.

1. The position of county risk manager is hereby created within the division of finance of the office of the county

manager. The risk manager shall be appointed by the assistant county manager for finance upon approval of the county manager. The county risk manager is in the unclassified service of the county, and is entitled to receive a salary to be set by the board of county commissioners.

2. The risk manager shall:

(a) Supervise the work of the county safety officer and health benefits coordinator;

(b) Administer the self-insurance fund;

(c) Review and approve or disapprove all expenditures from the fund;

(d) Pursue subrogation where feasible;

(e) Administer all contracts related to the fund;

(f) Develop, initiate and carry out systems of premium charges and deductibles where feasible;

(g) Recommend levels of self-funding which will protect the operating revenues of Washoe County from the effects of claims and litigation; and

(h) Review all claims and suits against Washoe County, initiate investigations, coordinate defenses and maintain all necessary records to insure that adequate data are available for use when reviewing self-insurance funding levels. In the absence of the risk manager, the assistant county manager for finance shall perform the duties specified in this subsection.

SECTION 73. Section 65.270 of the Washoe County Code is hereby amended to read as follows:

65.270 Authority of county risk manager to administer claims on behalf of Washoe County.

1. The risk manager, after consultation with the assistant county manager for finance and the district attorney, has sole authority to negotiate and settle any claim or suit for damages payable from the self-insurance fund if the amount sought in the claim or suit is less than \$10,000.

2. The county manager, after consultation with the risk manager, the assistant county manager for finance and the district attorney, has sole authority to settle any claim or suit for damages payable from the self-insurance fund if the amount sought in the claim or suit is \$10,000 or more but less than \$25,000.

3. The board of county commissioners, after consultation with the risk manager and district attorney, has sole authority to settle any claim or suit for damages payable from the self-insurance fund if the amount sought in the claim or suit is \$25,000 or more.

SECTION 74. Section 65.260 of the Washoe County Code is hereby renumbered to be section 65.300 and is hereby amended to read as follows:

65.300 Definitions. As used in sections 65.300 to 65.355, inclusive, unless the context otherwise requires:

1. "Board" means the board of county commissioners.
2. "Administrator" means the administrator of the division.
3. "Disaster" means an emergency which is so severe or widespread that it is beyond the ability of local governments or private relief agencies to alleviate the damage, loss, hardship or suffering caused thereby.
4. "Division" means the division of emergency management of the office the county manager.
5. "Emergency" means any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering or financial loss to the extent that extraordinary measures must be taken to protect the public health, safety, and welfare. Such events include, but are not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills of oil or other hazardous substances, disease, blight, infestation, disruption of utility or transportation service, civil disturbance, riot, sabotage and war. An emergency can exist without an official declaration of a state of emergency.
6. "Emergency management" means all tasks and activities necessary to coordinate and maintain the emergency services system.
7. "Emergency services" includes those activities provided by state or local government, private agencies, and organizations with emergency operational responsibilities to prepare for and carry out any activity to prevent, minimize, respond to or recover from an emergency. These activities include, without limitation, coordination, planning, training, interagency liaison, fire fighting, hazardous substance management, law enforcement, medical, health and sanitation services, engineering and public works, search and rescue activities, public warning and information, damage assessment, administration and fiscal management.
8. "Emergency services agency" means an organization within the emergency services system which performs essential services for the public's benefit before, during or after an emergency. This term includes, but is not limited to, organizational units within local governments such as law enforcement, fire control, health, medical and sanitation services, public works and engineering, social services and public information and communications.
9. "Emergency services system" means that system composed of federal, state and local governmental agencies and private agencies and organizations involved in the coordinated delivery of emergency services.

10. "Emergency service worker" means a person who performs emergency services and who is subject to the order or control of, or who performs the services pursuant to a request of, an emergency service agency or the division of emergency management.

SECTION 75. Section 65.265 of the Washoe County Code is hereby renumbered to be section 65.305 and is hereby amended to read as follows:

65.305 Creation of Washoe County division of emergency management: Purpose.

1. There is hereby created the Washoe County division of emergency management. The division is a branch of the office of the county manager.

2. The purpose of the division is to provide for the safety, welfare and protection of the people and property within Washoe County in a disaster or emergency through organized emergency operations, and to coordinate those operations with appropriate public authorities, private persons, business associations and other organizations.

SECTION 76. Section 65.270 of the Washoe County Code is hereby renumbered to be section 65.310 and is hereby amended to read as follows:

65.310 Administrator of division of emergency management: Position created; appointment; powers and duties.

1. The position of administrator of the division of emergency management is hereby created. The administrator shall be appointed by the county manager and is in the unclassified service of the county. The administrator serves at the pleasure of the county manager and is entitled to a salary to be fixed by the board upon the recommendation of the county manager.

2. The administrator shall oversee all functions of the division and shall supervise employees which the board or county manager authorizes to be employed by the county and assigns to the division.

3. The administrator may:

(a) Represent the board of county commissioners and county manager on all matters pertaining to emergency management.

(b) Require and direct cooperation of county officials in the preparation and implementation of emergency management plans.

4. The administrator shall annually submit a budget to the county manager. Except during an emergency, the administrator shall operate the division within that budget and comply with county purchasing procedures.

SECTION 77. Section 65.275 of the Washoe County Code is hereby renumbered to be 65.315 and is hereby amended to read as follows:

65.315 Duties of the division. The division shall:

1. Establish an organization for emergency management operations, utilizing for this purpose federal, state, county, city, public and private resources.
2. Prepare an emergency operations plan and an emergency resource management plan that is in support of and consistent with any other county, city, state and federal emergency plan.
3. Designate and prepare operating procedures for an emergency operations center from which centralized direction and control of the emergency services system may be exercised.
4. Test the emergency services system by conducting drills and take such other steps as may be necessary to develop the system to effectuate the purposes of sections 65.300 to 65.355, inclusive.
5. Collaborate with other public and private agencies to develop mutual aid arrangements for reciprocal emergency management aid and assistance in case of an emergency or disaster. Such arrangements shall be consistent with all county, city, state or federal emergency management plans and programs.
6. Recommend to the board any ordinance, policies, or procedures which would assist the board and other county officials in the performance of their duties in preparing for, responding to and recovering from an emergency or disaster.
7. Perform such functions outside of the county as required under mutual aid agreement or as authorized by the county manager.
8. Implement the emergency disaster plan during local emergencies.

SECTION 78. Section 65.280 of the Washoe County Code is hereby renumbered to be section 65.320.

SECTION 79. Section 65.285 of the Washoe County Code is hereby renumbered to be section 65.325 and is hereby amended to read as follows:

65.325 Emergency powers of administrator.

1. At the inception of and during a disaster or emergency, the administrator:
 - (a) Shall implement the emergency disaster plan and may direct and control such other county employees as are required to implement the plan.
 - (b) May, through requisition or contract with private parties or other governmental entities, obtain vital services, supplies and equipment needed to protect life and

property and implement the plan, and may bind the county for the value thereof without being required to comply with the normal purchasing procedures if compliance with those procedures would unreasonably hamper or impair the implementation of the plan.

(c) May suspend the licensing requirements for persons whose services are required for implementation of the emergency plans.

2. The emergency powers granted the administrator under this section may be revoked, limited or restricted by order of the county manager.

SECTION 80. Section 65.290 of the Washoe County Code is hereby renumbered to be section 65.330.

SECTION 81. Section 65.295 is hereby renumbered to be section 65.335 and the headline of section 65.335 is hereby amended to read as follows:

65.335 Removal of debris: Power of director of public works.

SECTION 82. Section 65.300 of the Washoe County Code is hereby renumbered to be section 65.340.

SECTION 83. Section 65.305 of the Washoe County Code is hereby renumbered to be section 65.345.

SECTION 84. Section 65.310 of the Washoe County Code is hereby renumbered to be section 65.350 and is hereby amended to read as follows:

65.350 Succession of authority. If the manager is unavailable or otherwise unable to perform his duties set forth in this chapter, the succession of authority shall be:

1. First, the assistant county manager for personnel.
2. Second, the assistant county manager for finance.
3. Third, the director of public works.

SECTION 85. Section 65.320 of the Washoe County Code is hereby renumbered to be section 65.355 and is hereby amended to read as follows:

65.355 Unlawful acts; penalties. It is unlawful during an emergency or disaster for any person to:

1. Willfully obstruct, hinder or delay any member of the division or other person acting pursuant to the authority granted under sections 65.300 to 65.355, inclusive, in the enforcement of any order issued pursuant those sections, or in the performance of any duty imposed upon him by virtue of those sections.
2. Do any act forbidden by any order issued pursuant to sections 65.300 to 65.355, inclusive, of this ordinance, if

such act is of such a nature as to give assistance to the enemy or to imperil the life or property of any person within Washoe County or to prevent, hinder or delay the defense or protection thereof.

3. Wear, carry or display without authority any mark or identification specified by the division.

SECTION 86. Sections 5.147, 5.249, 5.277, 5.279, 5.347, 15.360, 15.490 and 65.315 of the Washoe County Code are hereby repealed.

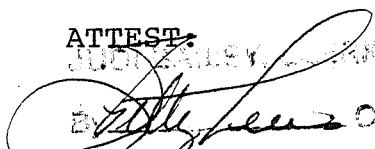
Proposed on the 10th day of November, 1987.
Proposed by Commissioners Williams.
Passed on the 15th day of December, 1987.

Vote:

Ayes: Commissioners: Beck, Cornwall, McDowell, Lillard & Williams
Nays: Commissioners: None
Absent: Commissioners: None


Chairman of the Board

ATTEST:


Chief Deputy
County Clerk

This ordinance shall be in force and effect from and after the 28th day of December, 1987.