

# RENO GAZETTE-JOURNAL

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## PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:  
That as legal clerk of the RENO GAZETTE-  
JOURNAL, a daily newspaper published in Reno,  
Washoe County, State of Nevada, that the notice:  
\_\_\_\_\_ ordinance 1053


of which a copy is hereto attached, has been  
published in each regular and entire issue of  
said newspaper on the following dates to wit:  
\_\_\_\_\_ Feb. 15, 22, 1999

Signed  
\_\_\_\_\_ *Tana Ciccotti*

Subscribed and sworn to before me on 2/24/99  
Notary Public

\_\_\_\_\_ *Susan V. Dummar*

**NOTICE OF ADOPTION  
WASHOE COUNTY ORDINANCE  
NO. 1053**  
NOTICE IS HEREBY GIVEN THAT: Bill  
No. 1229, Ordinance No. 1053 entit-  
led:  
AN ORDINANCE AMENDING THE  
WASHOE COUNTY CODE BY ESTAB-  
LISHING A DE MINIMIS USE POLICY  
PROVIDING FOR THE LIMITED USE  
OF COUNTY PROPERTY, EQUIPMENT,  
OR OTHER COUNTY FACILITY BY  
COUNTY OFFICERS AND EMPLOY-  
EES, AND OTHER MATTERS PROP-  
ERLY RELATING THERETO  
was adopted on February 9, 1999, by  
Commissioners Joanne Bond, Jim Gallo-  
way, Pete Sterrazza, Jim Shaw, and  
Ted Short and will become effective on  
Wednesday, February 24, 1999.  
Typewritten copies of the ordinance  
are available for inspection by all inter-  
ested persons at the office of the  
County Clerk, 75 Court Street, Reno,  
Nevada.  
AMY HARVEY,  
Washoe County Clerk  
No. 678 Feb. 15, 22, 1999

 **SUSAN V. DUMMAR**  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 98-4006-2 - Expires August 17, 2002

P.O. BOX 22000. RENO, NEVADA 89520  
(702) 788-6200

 **GANNETT**

PLEASE STAMP & SIGN FOR PAYMENT

MAR 03 1999

SUMMARY: Amends Washoe County Code Merit Personnel Ordinance relating to ethical standards.

BILL NO. 1229

ORDINANCE NO. 1053

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ESTABLISHING A DE MINIMIS USE POLICY PROVIDING FOR THE LIMITED USE OF COUNTY PROPERTY, EQUIPMENT OR OTHER COUNTY FACILITY BY COUNTY OFFICERS AND EMPLOYEES, AND OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Purpose.

The 1997 Legislature enacted Chapter 666, Statutes of Nevada, 1997, p. 3324, which authorizes the limited use of governmental property, equipment or other facility for personal purposes if there is a policy in effect allowing such use and provided other conditions are met. In an effort to recognize the complexity of modern life and its effects on society, the board of county commissioners desires to set forth a policy which authorizes the de minimis use of county property, equipment or other county facility thereby allowing for the efficiency of modern technology to assist individuals in fulfilling their roles as both county officers/employees and their roles as members of society.

SECTION 2. Chapter 5 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as section 3 of this ordinance.

SECTION 3.

5.340 De minimis use of county property, equipment or other county facility authorized; restrictions and prohibitions.

1. The board of county commissioners authorizes the limited use for personal purposes by county officers and employees of county property, equipment or other facility if:

- (a) The use does not interfere with the performance of public duties including duties of both the officer/employee and other county staff, or interfere with the provision of county services;
- (b) The cost or value related to the use is nominal; and
- (c) The use does not create the appearance of impropriety.

This section does not prohibit the use of mailing lists, computer data or other information lawfully obtained from a county agency which is available to members of the general public for nongovernmental purposes. Further, this section does not prohibit the use of telephones if there is not a special charge for that use. If there is a special charge for the use of a telephone, then the use is not prohibited

but the officer or employee must reimburse the cost or pay the charge to the county in accordance with subsection 2 below, unless the personal call is made necessary because the officer or employee is attending to county business.

2. Except as provided in subsection 1 above, if the county incurs a cost as a result of a use that is authorized hereunder, or if the county would ordinarily charge a member of the general public for the use, the county officer or employee shall reimburse the cost or pay the charge to the county.

3. A county officer or employee shall not use any county time, property, equipment, or other facility to benefit that officer's or employee's private business interests. This prohibition includes, but is not limited to: selling products for private business, solicitation related to private business or personal interests, mass mailings, keeping private business accounts, or similar uses.

4. The personal use of county computers as authorized in subsection 1, shall not exceed:

(a) 5 minutes per day of the officer or employee's worktime, which time may not be accumulated from day to day; and

(b) 30 minutes per work week which may not occur during the officer's or employee's worktime, which time may not be accumulated from week to week.

For purposes of this section, use of computers is any use of a county computer, including use of the Internet to download information, or use of a modem from a noncounty location to access a county computer. In addition, the limited use of county computers as authorized herein does not allow for the use of county computers to communicate to groups of persons regarding noncounty social events or noncounty community-wide projects or events.

5. The limited use of county property, equipment or other facility as set forth in this section shall not be deemed a violation of section 5.337(1).

6. County department heads may adopt more restrictive policies on the use of the county property, equipment or other facility than as set forth in this section, but department heads may not adopt less restrictive policies. A county department head who adopts a more restrictive policy than as set forth in this section, must file a copy of the policy with the personnel division.

7. Nothing herein prohibits the limited use of county property, equipment, or other facility for personal purposes where the use is necessary as a result of emergency circumstances.

SECTION 4. Section 5.337 of the Washoe County Code is hereby amended to read as follows:

5.337 Incompatible activities: Specific prohibitions. Employees shall not engage in any employment, activity or enterprise which is inconsistent, incompatible or in conflict with their duties as Washoe County officers and

employees, or with the duties, functions or responsibilities of their appointing authorities or departments by which they are employed, including but not limited to:

1. Except for the limited use authorized in section 5.340, the use for private gain or advantage of the county's time, facilities, equipment and supplies.

2. The use for private gain or advantage of a badge, uniform, prestige or influence of their county positions of employment.

3. The receipt or acceptance by employees of any money or other consideration from anyone other than the county for the performance of an act which the employees would be required or expected to render in the regular course of hours of their county employment or as a part of their duties as employees.

4. The performance of an act in other than their capacity as employees, which act may later be subject, directly or indirectly, to control, inspection, review, audit or enforcement by such employees or the department by which they are employed.

Proposed on the 19th day of January, 1999.

Proposed by Commissioner Joanne Bond.

Passed on the 9th day of February, 1999.

Vote:

Ayes: **Joanne Bond, Pete Sferrazza, Jim Galloway,  
Jim Shaw, Ted Short**

Nays:

Absent:

*Jim Galloway*  
\_\_\_\_\_  
Chairman  
Washoe County Commission

ATTEST:

*Amey Harvey*  
\_\_\_\_\_  
County Clerk

This ordinance shall be in force and effect from and after the 24th day of February, 1999.