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STATE OF NEVADA
COUNTY OF WASHOE

ss. Tana Ciccotti

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

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:

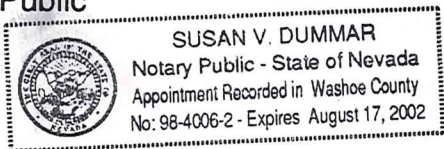
July 19, 26, 2000

Signed *Tana Ciccotti*

Subscribed and sworn to before me this

JUL 26 2000

Susan V. Dummar
 Notary Public



PROOF OF PUBLICATION

**NOTICE OF ADOPTION
 WASHOE COUNTY ORDINANCE
 NO. 1099**

NOTICE IS HEREBY GIVEN THAT:
 Bill No. 1275, Ordinance No. 1099
 entitled
 AN ORDINANCE AMENDING THE
 WASHOE COUNTY CODE BY REVIS-
 ING THE PROVISIONS PERTAINING
 TO THE LICENSING OF OUTDOOR
 COMMUNITY EVENTS AND OUT-
 DOOR FESTIVALS, TO REVISE DEFINI-
 TIONS OF OUTDOOR COMMU-
 NITY EVENTS AND OUTDOOR FESTI-
 VALS, TO ADD REGULATIONS THAT
 APPLY TO ALL OUTDOOR COMMU-
 NITY EVENTS AND OUTDOOR FESTI-
 VALS INCLUDING THOSE RELAT-
 ING TO APPLICATIONS, FEES AND
 EVENT PLANS, TO ADD REGULA-
 TIONS RELATING TO ISSUANCE,
 DENIAL, SUSPENSION AND REVO-
 CATION OF LICENSES FOR OUT-
 DOOR COMMUNITY EVENTS AND
 OUTDOOR FESTIVALS AND LICENS-
 ING CONDITIONS THEREOF AND
 OTHER MATTERS PROPERLY RELAT-
 ING THERETO
 was adopted on July 11, 2000, by
 Commissioners Joanne Bond, Jim
 Galloway, Pete Sferazza, Jim Shaw,
 and Ted Short and will become effec-
 tive on Friday, July 28, 2000.

Typewritten copies of the ordinance
 are available for inspection by all
 interested persons at the office of
 the County Clerk, 75 Court Street,
 Reno, Nevada.

AMY HARVEY
 Washoe County Clerk
 No.2687 July 19, 26, 2000

PLEASE STAMP & SIGN FOR PAYMENT

JUL 28 2000

SUMMARY: An ordinance amending Washoe County Code by revising provisions pertaining to the licensing of outdoor community events and outdoor festivals.

BILL NO. 1275

ORDINANCE NO. 1099

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING THE PROVISIONS PERTAINING TO THE LICENSING OF OUTDOOR COMMUNITY EVENTS AND OUTDOOR FESTIVALS, TO REVISE DEFINITIONS OF OUTDOOR COMMUNITY EVENTS AND OUTDOOR FESTIVALS, TO ADD REGULATIONS THAT APPLY TO ALL OUTDOOR COMMUNITY EVENTS AND OUTDOOR FESTIVALS INCLUDING THOSE RELATING TO APPLICATIONS, FEES AND EVENT PLANS, TO ADD REGULATIONS RELATING TO ISSUANCE, DENIAL, SUSPENSION AND REVOCATION OF LICENSES FOR OUTDOOR COMMUNITY EVENTS AND OUTDOOR FESTIVALS AND LICENSING CONDITIONS THEREOF AND OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Section 25.013 of the Washoe County Code is hereby amended as follows:

25.013 Definitions. As used in this chapter, unless the context otherwise requires:

1. "Board" means the board of county commissioners except where, by any other law or section of this code, either the county liquor board or the county gaming board is granted exclusive jurisdiction, in which cases "board" means the board possessing such exclusive jurisdiction.

2. "Contractor" means a person, except a licensed architect or a registered civil engineer acting solely in his professional capacity, who in any capacity (other than as the employee of another with wages as the sole compensation) undertakes to, or offers to undertake to, or purports to have the capacity to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith. "Contractor" includes a subcontractor or specialty contractor, but does not include anyone who merely furnishes materials or supplies without fabricating them into, or consuming them in the performance of, the work of a contractor.

3. "Intoxicating liquor" is synonymous with "alcoholic liquor" and "alcoholic beverage," and includes the four varieties of liquor: Alcohol, spirits, wine and beer, and every liquor or solid, patented or not, containing alcohol and intended for consumption by human beings as a beverage.

4. "License division" means the license division of the department of community development.

5. "Outdoor community event" means a company of more than 100 and less than 1000 persons gathered together for any purpose, at any location, other than a permanent building or permanent installation that has been constructed for and will accommodate the number of persons gathered therein.

6. "Outdoor festival" means a company of 1,000 or more persons gathered together for any purpose, at any location, other than a permanent building or permanent installation that has been constructed for and will accommodate the number of persons gathered therein.

7. "Restaurant" includes any place where food or drink (other than intoxicating liquor) is prepared or served to the public for consumption on the premises.

SECTION 2. Section 25.084 of the Washoe County Code is hereby amended as follows:

25.084 Outdoor community events; license required; application; fees; approval or denial; revocation; unlawful acts.

1. The provisions of this section and the provisions of sections 25.010 to 25.510, inclusive, apply to an application for a license to hold an outdoor community event.

2. No outdoor community event shall be held or conducted unless the sponsor has first obtained a business license pursuant to this section.

3. Application for a license to conduct an outdoor community event shall be made to the license division on forms designated by the license division and shall be accompanied by a nonrefundable application fee of \$50. The application shall require the same information required under section 25.273.

4. The director of community development or the board of adjustment shall approve or deny the application. Grounds for denial are the same as those set forth in section 25.281 and notice thereof shall be made in accordance with section 25.279. Approval may include the imposition of any condition set forth in sections 25.289 to 25.305, inclusive.

5. The license may be suspended or revoked in the manner provided in section 25.287.

6. The acts declared unlawful in section 25.271 shall also be unlawful if done during or in conjunction with an outdoor community event.

SECTION 3. Chapter 25, Sections 25.263, 25.264, 25.265, 25.267, 25.269, 25.271, 25.273, 25.275, 25.277, 25.279, 25.281, 25.283, 25.285, 25.287, 25.289, 25.291, 25.293, 25.295, 25.297, 25.299, 25.301, 25.303, 25.307, 25.309, 25.311, 25.313, 25.314, 25.315 of the Washoe County Code are hereby repealed and new provisions added as set forth in sections 4 through 25 of this ordinance.

SECTION 4.

25.263 Definitions. As used in sections 25.263 to 25.305, inclusive, the terms "outdoor community event" and "outdoor festival" have the meanings ascribed to them in section 25.013.

SECTION 5.

25.265 License required for certain outdoor events. In addition to complying with the general provisions of chapter 25, business licenses, permits and regulations, a person must secure a license in accordance with sections 25.263 to 25.305, inclusive, to operate or conduct:

1. An outdoor festival.
2. A circus, carnival, or other outdoor entertainment event for 1000 or more persons pursuant to section 110.310.15.
3. In accordance with section 25.084, an outdoor community event, other than a circus, carnival, or other outdoor entertainment event that has received an administrative permit pursuant to section 110.310.15.

SECTION 6.

25.267 License valid for one event only. A license issued under sections 25.263 to 25.305 is valid only for the event authorized and not for any other event.

SECTION 7.

25.269 Applicability. A person must secure a license under section 25.283 to conduct or operate any outdoor event listed in section 25.265 proposed to take place on public or private lands in the unincorporated area of Washoe County, except for lands managed by the Washoe County Parks Department and state, trust, tribal, and federal lands.

SECTION 8.

25.271 Unlawful acts. It is unlawful for any licensee, employee, agent or person associated with a licensee to:

1. Unless authorized to do so by Washoe County, conduct, operate, participate in, or provide supplies or services to an event for which a license is required under section 25.265 for which a license has not been issued, or to continue to conduct, operate, participate in, or provide supplies or services to such an event for which a license has been suspended or revoked.
2. Except for advance ticket sales by mail or similar means, to sell tickets or admit persons to an event for which a license is required under section 25.265 for which a license has not been issued, or to continue to sell tickets or admit persons to such an event for which a license has been suspended or revoked.

3. Operate, conduct, or carry on an event for which a license is required under section 25.265 in such a manner as to create a nuisance.

4. Allow any person on the premises of an event for which a license has been issued under section 25.283 to cause or create a disturbance in, around or near any place of the event by offensive or disorderly conduct.

5. Knowingly allow any person to sell, consume or be in possession of intoxicating liquor while in a place of an event for which a license has been issued under section 25.283, except where such sale, consumption or possession is expressly authorized under chapters 25 and 30 and the laws of the State of Nevada.

6. Knowingly allow any person in, around, or near an event for which a license has been issued under section 25.283 to use, sell, or be in possession of any controlled substance or dangerous drug.

SECTION 9.

25.273 Application and fee.

1. An application to conduct an event for which a license is required under sections 25.265 must be made in writing to the license division on forms provided by the division. The license division must receive a complete application at least 90 days prior to commencement of the event. No application shall be processed until the application is deemed complete by the license division. The license application must be accompanied by:

(a) A nonrefundable application fee of \$1,000 or, for an outdoor community event pursuant to section 25.084, \$50; and

(b) Any business license fees as set forth in this chapter, which may be refunded in accordance with this chapter if the application is denied or withdrawn.

2. The application shall contain:

(a) The name, age, residence and mailing address of the person making the application. If the applicant is a partnership, the application must include the names and addresses of the partners, and the partners must join in the application as individual licensees. If the applicant is a corporation, the application must include a certified copy of the articles of incorporation and the names and addresses of the president, vice president, secretary and treasurer thereof, and these officers must join in the application as individual licensees.

(b) A statement of the nature and purpose of the proposed event.

(c) The address and assessor's parcel number or numbers of the place where the proposed event is to be conducted, operated, or carried on. The application must include proof of ownership of the place where the event is to be conducted or a statement signed by the owner indicating his consent for the site to be used for the proposed event.

(d) The date or dates and the hours during which the event is to be conducted.

(e) An estimate of the number of customers, spectators, participants and other persons expected to attend the event for each day it is conducted.

(f) The names and addresses of anyone contributing, investing or having an expected financial interest greater than \$500 in producing the event.

(g) The name and address of any person expected to provide, for consideration, services or activities ancillary to or in conjunction with the festival.

(h) If other than the applicant, the name of a designated event representative who must be on the site of the event during the course of the event and who has authority to bind the applicant.

(i) An event plan in accordance with section 25.275.

3. After the application is submitted with required fees and deemed complete by the license division, the license division must:

(a) Transmit one copy of the application and a copy of the receipt for the application fee to the county clerk; and

(b) Promptly give notice of the application to the sheriff, the district health officer, and other local, regional, state, and federal officers as appropriate, with a request for written recommendations related to their official functions as to the granting of a license and the conditions thereof. The license division may establish a deadline by which recommendations must be received.

SECTION 10.

25.275 Event plans. Each application submitted under section 25.273 must include fifteen copies of an event plan which must include:

1. A detailed explanation of the applicant's plans to provide security, fire protection, water supply, water facilities, sanitation facilities, medical facilities, medical services, vehicle parking, vehicle access, traffic control and, if the event will operate after dark or if persons will remain overnight, illumination and camping facilities.

2. Provisions and a cost estimate for cleaning up the premises and removing rubbish after the event.

3. A site plan showing the arrangement of all facilities, including those for egress, ingress, parking, and camping.

SECTION 11.

25.277 Review procedures: Events for 1,000 or more persons. After an application for an event listed in subsection 1 or 2 of section 25.265 is submitted with required fees and deemed complete by the license division:

1. The license division must consult with the county clerk and

set the application for public hearing at a regular meeting of the board to occur not more than 30 days after the application is deemed complete.

2. At least 10 days in advance of the hearing, the license division must give notice of the public hearing to the applicant and to affected property owners in the manner set forth in section 110.810.25 for special use permits.

3. Based upon the testimony of witnesses, the evidence presented at the hearing, and the report of the license division, the board must approve the issuance of a license with conditions or deny the application. The board may continue a decision on the application to its next regularly scheduled meeting.

4. If the board denies the application, the license division shall mail written notice of denial to the applicant within 5 working days of the denial. The notice must include a statement of the reasons the application was denied.

SECTION 12.

25.279 Review procedures: Events for more than 100 but less than 1,000 persons. After an application for an event listed in subsection 3 of section 25.265 is submitted with required fees and deemed complete by the license division, the license division must review the application, following substantially the same procedures set forth in sections 110.808.30 to 110.808.45, inclusive, for administrative permits. The director of community development or, where applicable, the board of adjustment must approve the issuance of a license with conditions or deny the application.

SECTION 13.

25.281 Grounds for denial. The board, the board of adjustment or the director of community development may deny issuance of a license for any of the following reasons:

1. The proposed event will be conducted in a manner or location not meeting the health, zoning, fire, building or safety standards established by Washoe County or state law.

2. The applicant has knowingly made a false, misleading, or fraudulent statement of material fact in the application for a license or in any other document required pursuant to sections 25.263 to 25.305, inclusive.

3. The applicant, his employee, agent, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager, or having a financial interest as described in subsection 2(f) of section 25.273 has previously conducted or been interested in the type of event for which a license is being applied for which resulted in the creation of a public or private nuisance.

4. The applicant, his employee, agent or any person associated with the applicant as a partner, director, or officer has been convicted in a court of competent jurisdiction by final judgment

of an offense:

- (a) Involving the presentation, exhibition or performance of an obscene production, motion picture or place, or of selling obscene matter;
- (b) Involving lewd conduct;
- (c) Involving the use of force and violence upon the person of another;
- (d) Involving misconduct with children;
- (e) Which was, where committed, or would in Nevada be, a felony; or
- (f) Involving illegal use of controlled substances or dangerous drugs.

SECTION 14.

25.283 Issuance of license, posting, fee.

1. To make a determination that the conditions of license approval have been met, the license division must receive from the applicant proof of compliance with each condition imposed under section 25.277 or 25.279. Such proof must:
 - (a) Include executed contracts or agreements with all providers of required services and facilities, or other evidence approved by the director of community development;
 - (b) Where the sheriff, district health officer, director of community development, fire chief, or other officer has determined the condition, include the written approval or acknowledgement of that person; and
 - (c) Be received by the license division at least 5 working days prior to commencement of the event.
2. Upon a determination by the license division that the conditions of license approval have been met, and that all applicable fees and deposits have been paid, the license division must issue a license specifying the name and address of the licensee, the kind of festival licensed, and the dates and hours for which operation is authorized. The licensee must post the license in a conspicuous place upon the premises where the event is conducted.
3. The board hereby delegates to the director of community development the authority to determine whether an applicant has met the conditions of license approval. The applicant or his agent may appeal a decision of the director under this subsection in substantially the same manner as set forth in section 110.808.45 for administrative permits.

SECTION 15.

25.285 Revocation of license: Cause. The board may revoke or further condition any license issued pursuant to section 25.283 when any of the following causes exists:

1. The licensee fails to pay to the license division any of the fees or deposits required under sections 25.263 to 25.305, inclusive.

2. The licensee, his employee or agent fails to fulfill any of the conditions of approval or to maintain required facilities pursuant to sections 25.263 to 25.305, inclusive, or to comply with any provision of any contract for police protection or other services.

3. The licensee allows the event to be conducted in a manner that violates any law or regulation established by Washoe County or the State of Nevada.

4. The licensee allows the festival to be conducted in a disorderly manner or knowingly allows any person to remain on the premises of the event while under the influence of intoxicating liquor or any controlled substance or dangerous drug.

5. The licensee, his employee or agent is convicted of any of the offenses enumerated under subsection 4 of section 25.281.

6. The licensee fails to provide the required number of facilities or personnel by reason of admitting persons in excess of the number estimated in the application.

SECTION 16.

25.287 Suspension and revocation of license: Procedures.

1. Whenever the continued operation of the event constitutes an imminent threat to the public health or safety, a license issued under section 25.283 is subject to immediate suspension by the license division, sheriff, chief of the responsible fire protection agency, or district health officer as set forth in this section. A license issued under section 25.283 is also subject to immediate suspension by the license division or sheriff when any of the causes listed in section 25.285 exist.

2. Any person may file with the license division, sheriff, chief of the responsible fire protection agency, or district health officer a petition for suspension or revocation of the license of any licensee.

3. Whether initiated by petition or otherwise, the procedures for suspension and revocation shall be those set forth in sections 25.0381 through 25.041, inclusive, except as follows:

(a) In addition to the sheriff and the license division, the district health officer may conduct an investigation pursuant to 25.0381(2) and suspend a license pursuant to 25.0381(3) for causes related to food, water, rubbish, sanitation, medical services or other public health matters;

(b) In addition to the sheriff and the license division, the chief or chiefs of the responsible fire protection agency or agencies may conduct an investigation pursuant to 25.0381(2) and suspend a license pursuant to 25.0381(3) for causes related to fire protection safety issues.

(c) The causes for revocation are set forth in 25.285; and

(d) The license division may modify the time schedules set forth in subsections 2 and 4 of section 25.041 if the event is scheduled to commence before the hearing would be held, or request a special hearing pursuant to NRS 244.090 if the event has not commenced and reasonable notice is possible.

SECTION 17.25.289 Licensing conditions: Generally.

1. For an event for which a license is required under sections 25.265, the board, the board of zoning adjustment, or the director of community development must establish conditions that must be met prior to the issuance of a license.

2. Conditions imposed under subsection 1 of this section shall be imposed pursuant to Washoe County's general police power as necessary under all the circumstances for the protection of the health, welfare, safety and property of local residents and persons attending festivals in the county, and may include, without limitation, the conditions specified in sections 25.293 to 25.305, inclusive.

3. The licensee must meet conditions imposed under this section at the licensee's expense.

SECTION 18.

25.291 Licensing conditions: Police protection. A licensee must employ sheriff's deputies or other police protection, to include private security firms or agencies, as necessary for the public health, safety, and welfare. The sheriff shall determine the numbers and types of officers or security personnel necessary to preserve order and protect persons and property in and around the place of the festival.

SECTION 19.25.293 Licensing conditions: Food, water, sanitation, garbage disposal, and medical services.

1. A licensee must provide on the premises of the festival as necessary for the public health, safety, and welfare:

(a) An ample supply of potable water for drinking and sanitation purposes;

(b) A minimum supply of water meeting federal government standards;

(c) Except as provided in subsection 3 of this section, flush-type water closets, lavatories and drinking facilities, and related sewage and drainage systems;

(d) Food concessions or facilities to feed adequately the number of persons expected to attend, considering the event's location, expected attendance, access to and capacity of existing facilities, and distance from public eating places or like establishments;

(e) Sanitation facilities for the sole use of employees of the food concessions or operations;

(f) Trash receptacles;

(g) Removal of trash and refuse;

(h) Emergency medical treatment facilities; doctors, nurses, and other aides needed to staff such facilities; and medical supplies, drugs, ambulances and other equipment, considering the

expected attendance, expected ages of attendees, duration of planned events, possibility of exposure to inclement weather and outdoor elements, and availability of other facilities; and

(i) Traffic lanes and other adequate space designated and kept open for access and travel of ambulances, helicopters, and other emergency vehicles to transport patients or staff to appropriate treatment facilities.

2. The district health officer shall determine the types, amounts, numbers, locations, and required quality of supplies, facilities, and services required under subsection 1 of this section.

3. Where flush-type water closets cannot be made available for the persons in attendance, the district health officer may allow the use of portable chemical toilets, which shall be emptied and recharged as necessary pursuant to procedures established by the district health officer.

SECTION 20.

25.295 Licensing conditions: Access, traffic, parking, camping, and illumination.

1. A licensee must provide on the premises of the festival as necessary to protect the public health, safety, and welfare:

(a) Adequate parking space for persons attending by motor vehicle;

(b) Adequate ingress and egress to festival premises and parking areas, including necessary roads, driveways, and entranceways to insure the orderly flow of traffic into the premises from a road that is part of or connects with a state or county highway;

(c) An adequate access way for fire equipment, ambulances, and other emergency vehicles;

(d) Traffic guards under the employ of the licensee to insure orderly traffic movement and relieve traffic congestion in the vicinity of the event;

(e) Camping facilities and overnight areas, if necessary, that meet all applicable county and state requirements; and

(f) Electric illumination of occupied areas, if a licensee will conduct an event after dark or allow persons to remain on the premises after dark.

2. For the purposes of this section, "adequate parking space for persons attending by motor vehicle" means a separate parking space for every two persons expected to attend by motor vehicle, individually and clearly marked, and not less than 12 feet wide and 20 feet long.

3. The director of community development shall consult with the director of public works and the county building officer, and shall determine the necessary parking, ingress, egress, access, traffic, camping, overnight, and illumination facilities and services required under subsection 1 of this section.

SECTION 21.

25.297 Licensing conditions: Hours of operation. A license issued under section 25.283 must include as a condition the dates and hours of event operation approved by the board, the board of adjustment, or the director of community development.

SECTION 22.25.299 Licensing conditions: Fire protection.

1. A licensee must provide adequate fire protection, first aid equipment, and fire extinguishing equipment to protect the public health, safety, and welfare. If the event is to be conducted in a hazardous area as determined by the chief or chiefs of the responsible fire protection agency or agencies, considering all relevant factors, including without limitation the event's location and nature, the nature of the surrounding area, and probable weather conditions, a licensee must employ fire guards and must remove flammable vegetation and other fire hazards.

2. The chief or chiefs of the responsible fire protection agency or agencies:

(a) Shall determine the necessary numbers and types of equipment and personnel required under subsection 1 of this section;

(b) May determine that an event is proposed in a hazardous fire area;

(c) Shall approve the suitability of fire guards required to be employed by the licensee; and

(d) Shall determine the manner and quantity of flammable vegetation and other fire hazards that must be removed.

SECTION 23.

25.301 Licensing conditions: Financial ability to meet conditions. A licensee must provide proof of the financial ability of the applicants to meet the conditions of the license.

SECTION 24.25.303 Licensing conditions: Indemnification and insurance.

1. A licensee must indemnify, hold harmless, and defend the county, its agents, officers, servants and employees and the board, and any other public agencies involved, and their agents, officers, servants and employees, from and against any and all losses, injuries, or damages of any nature whatsoever arising out of, or in any way connected with such event, except such losses, injuries, or damages arising out of the sole negligence of the county or any other public agency involved.

2. A licensee must purchase and provide evidence of insurance coverage in an amount based on the liability exposure or potential losses created by the event.

3. The county risk manager shall determine the form, amount

and type of evidence of insurance coverage required under subsection 2 of this section.

SECTION 25.

25.305 Licensing conditions: Performance security.

1. A licensee must post a performance security in the form of surety bond, letter of credit, certificate of deposit, cash bond in favor of the county, or other instrument approved by the district attorney. The amount of the security shall be adequate to cover the costs of fulfilling specified conditions of license approval including, without limitation, the costs of removing debris, trash or other waste from, in and around the premises of the event.

2. As soon as practicable after completion of the event for which a license is issued under section 25.283, the license division shall inspect the event site and determine whether conditions of approval for which the licensee posted a performance security have been fulfilled.

3. If the license division determines that the conditions of license approval for which the licensee posted a performance security have been fulfilled, the division must promptly cause the release of the security. If the license division determines that the conditions of approval for which the licensee posted a performance security have not been fulfilled, the license division shall recommend to the district attorney that the security be forfeited and used to achieve compliance.

4. The district attorney shall determine the type and amount of performance security required under subsection 1 of this section.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 20th day of June, 2000.

Proposed by Commissioner Pete Sferrazza.

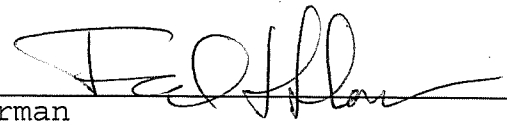
Passed on the 11th day of July, 2000.

Vote:

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

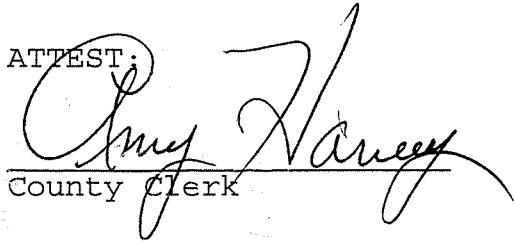
Nays:

Absent :



Chairman
Washoe County Commission

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after the
28th day of July, 2000.