

CHAPTER 35

PUBLIC HEALTH

Office of Coroner and Medical Examiner

Definitions

- 35.010 Office established.
- 35.020 Definitions.

Powers and Duties

- 35.120 Chief Medical Examiner and Coroner; office created; qualifications and appointment; facilities; and special account and money.
- 35.130 Deputies, assistants and other personnel.
- 35.140 Pathologists; assistant medical examiners.
- 35.150 Bond of Chief Medical Examiner and Coroner, deputies and assistants.
- 35.160 Chief Medical Examiner and Coroner's Death Record and Medical Investigative Report.
- 35.170 Jurisdictional authority of the ME/Coroner=s Office.
- 35.180 Issuance of death certificate.
- 35.190 Powers, duties of Chief Medical Examiner in examination of bodies.
- 35.200 Other autopsies.
- 35.220 Notification of deceased's relatives; release and disposition of remains.
- 35.230 Notification of ME/Coroner=s Office.
- 35.240 Removal or disturbance of remains and effects of deceased.
- 35.250 Property of deceased.
- 35.260 Burial or cremation of deceased; when a charge against county.
- 35.270 Designation of morgue or mortuaries.
- 35.280 Medical Examiner and Coroner's rules.
- 35.290 Fees.

Unlawful and Prohibited Acts; Penalties

- 35.360 Unauthorized embalming.
- 35.370 Interference with medical examiner and coroner's performance.
- 35.400 Penalties.

Counseling and Medical Treatment
for Victims of Sexual Assault

- 35.410 Definitions.
- 35.420 Purpose and authorizations.
- 35.430 Application procedure.
- 35.440 Treatment facilities.
- 35.450 Approval of application; closed session of board permitted.
- 35.460 Costs.
- 35.470 Emergency medical treatment; reimbursement.
- 35.480 Fraudulent claims.

Ambulance Service

- 35.490 Permit requirement.
- 35.500 License requirement.
- 35.510 Schedule of fees.
- 35.520 Other licensing provisions.
- 35.530 Penalties.

Air Pollution Control

- 35.540 Adoption of air pollution control regulations.
- 35.550 Control officer: Functions and duties.
- 35.560 Penalties.

Deposits of Rubbish and Other Offensive Matter

- 35.570 Unlawful deposits of rubbish, offensive matter.
- 35.580 Repairing, dismantling vehicles on roads.
- 35.590 Enforcement by district health department.
- 35.600 Penalty.

Office of the Coroner and Medical Examiner

Definitions

35.010 Office established.

1. There is hereby created and established pursuant to NRS 244.163 the Office of Coroner and Medical Examiner for Washoe County, Nevada, to be known as the AME/Coroner=s Office.@

2. The ME/Coroner=s Office and related facilities necessary to the administration of the office shall be as designated and provided by the Washoe County Board of County Commissioners.

['3, Ord. No. 1327 eff. 7-1-07]

35.020 Definitions. As used in sections 35.010 to 35.400, inclusive, unless the context otherwise requires, the words and terms defined herein have the following meaning ascribed to them:

1. AAutopsy@ means a post mortem examination, including internal dissection, of a dead body for purposes of determining cause and manner of death.

2. "Autopsy report" includes any report of internal examination, dissection, necropsy or autopsy of a dead body by a physician and any report of laboratory examination, microscopic examination or other technical test performed thereon.

3. AChief Medical Examiner and Coroner@ means the licensed forensic pathologist who is appointed to serve as Chief Medical Examiner and Coroner for Washoe County. The Chief Medical Examiner and Coroner is the public official responsible for the administration of the office as established by this ordinance.

4. "External postmortem examination" includes any external examination or collection of any specimen by a forensic pathologist or his agent and any microscopic, toxicological, chemical, bacterial or other examination or collection and study of tissues and fluids which the pathologist deems necessary to aid in investigating the cause and manner of a person's death.

5. "Investigation" means an inquiry conducted by the ME/Coroner=s Office and includes, but is not limited to, testimony obtained under oath from any witness and identification of the next of kin of the deceased.

6. "Law enforcement official" includes peace officers, the district attorney and their investigators.

7. "Medical examiner" means a physician licensed to practice medicine in the State of Nevada who is certified or eligible to be certified by the American Board of Pathology in the field of forensic pathology and is employed by the county to conduct autopsies, inspections, and post-mortem examinations.

8. "Death Record" means a summary of the death investigation prepared by the ME/Coroner=s Office for public inspection.

9. "Medical Investigative Report" means a compilation of findings created by and filed in the ME/Coroner=s Office in written form, which may include an autopsy report, detailed medical reports, the personal history of a deceased person, the result of any medical examination, witnesses' statements, correspondence, insurance forms and other evidence in support of the conclusions and findings placed in the Death Record. The Medical Investigative Report is a confidential medical document.

10. "Toxicologist" means a person with special knowledge and skills in the science of toxicology or the study of poisons, chemicals, drugs and other toxic substances and their effect on the human body. A toxicologist also has special knowledge of the medical, legal and industrial problems dealing with toxicology.

['4, Ord. No. 1327 eff. 7-1-07]

Powers and Duties

35.120 Chief Medical Examiner and Coroner; office created; qualifications and appointment; facilities; and special account and money.

1. Upon recommendation of the County Manager, a suitable and qualified person shall be appointed to serve as Chief Medical Examiner and Coroner. The person serving as Chief Medical Examiner and Coroner may be alternatively referred to in this ordinance as the AChief Medical Examiner.@ A person qualified to serve as Chief Medical Examiner and Coroner shall have the following qualifications and duties:

(a) The Chief Medical Examiner must be a medical physician with a valid license in good standing to practice medicine in the State of Nevada. The Chief Medical Examiner and Coroner is an appointed public official whose duty is to make inquiry into deaths in certain categories, determine the cause and manner of death, and file the information with the state Department of Health pursuant to this ordinance. The administrative control of death investigation, the determination of the extent of examination, need for autopsy, and the filing of the cause and manner of death information with the state health department for cases within the jurisdiction of the office are all under the control of the ME/Coroner=s Office.

(b) An Assistant Medical Examiner in the office must be a forensic pathologist licensed to practice in the State of Nevada who is certified or eligible to be certified by the American Board of Pathology.

(c) In accordance with applicable purchasing and employment provisions, the Chief Medical Examiner may employ additional medical examiners and other personnel as may be necessary for the proper administration of the office and performance and discharge of his responsibilities and duties. The Chief Medical Examiner may

delegate such duties to qualified staff as is deemed necessary to ensure the smooth running of the office. The Chief Medical Examiner may also engage professional assistance and services as may be necessary on a contractual basis.

2. In addition to the powers and duties set forth in this ordinance, the ME/Coroner=s Office shall comply with the statutory provisions in NRS 259.025 and NRS 259.150 through NRS 259.180.

3. The Chief Medical Examiner and Coroner or any person acting in that capacity shall be immune from civil liability for determining the cause and manner of death. The accuracy of the determination is subject to judicial review.

4. Office space and necessary facilities for the operation of the office shall be provided for by the Board. All costs, salaries and expenses connected with or entailed in the operation of the office shall be borne and provided for by the County.

5. A segregated account in the general fund for the support of the ME/Coroner=s Office is created pursuant to NRS Chapter 259.025, and is regulated as follows:

(a) The money in it must be accounted for separately and not as a part of any other account;

(b) Any interest and income earned upon the money in this account must be credited to this account;

(c) Any money remaining in this account at the end of any fiscal year shall not revert to the county general fund and shall be carried forward in this account to the next fiscal year;

(d) Claims against this account must be paid as other claims against the County are paid;

(e) Money in this account must be used by the Chief Medical Examiner and Coroner to pay expenses relating to:

- (1) Training for a member of the staff of the office; and
- (2) The purchase of specialized equipment.

6. The county treasurer shall deposit into this segregated account, described in subsection 4 above, the \$1.00 increase in the fee collected by the county district health officer and the State Registrar of Vital Statistics for furnishing a copy of a certificate of death originating in Washoe County, pursuant to NRS Chapters 440 and 259.

['5, Ord. No. 1327 eff. 7-1-07]

35.130 Deputies, assistants and other personnel. Pursuant to budgetary considerations and upon approval by the Board, the Chief Medical Examiner and Coroner may appoint, contract with, employ and pay such deputies, assistants and other personnel as may be necessary for the proper administration of the office and the performance and discharge of his duties.

['6, Ord. No. 1327 eff. 7-1-07]

35.140 Pathologists; assistant medical examiners. If no pathologist is available to serve as an assistant medical examiner, the Chief Medical Examiner and Coroner may designate and authorize physicians licensed to practice medicine in the State of Nevada to act as assistant medical examiners. Those physicians may call upon any pathologist for consultation and assistance.

['7, Ord. No. 1327 eff. 7-1-07]

35.150 Bond of Chief Medical Examiner and Coroner, deputies and assistants.

1. The Chief Medical Examiner and Coroner shall file with the county clerk a bond issued by a bonding or surety company authorized to do business in the State of Nevada in the amount of not less than \$10,000 nor more than \$50,000 as fixed by the Board. The bond shall be conditioned for the faithful performance of the duties of his office.

2. The Chief Medical Examiner and Coroner may require filing of bonds by any of his deputies, assistants or other personnel in an amount not to exceed \$10,000.

3. The cost of the bond and those of the deputies, assistants or personnel shall be paid by the County.

4. The board may, at any time, require the Chief Medical Examiner and Coroner or deputies, assistants or personnel to provide additional surety on their bonds or to give a new bond.

5. If the Chief Medical Examiner and Coroner or any deputies, assistants or personnel fails to file the required bond within the time required by the board, fails to provide additional surety on the bond or fails to provide a new bond within 10 days after having received written notice to do so by the board, the board may declare the office vacant and may remove any deputies, assistants or other personnel.

['8, Ord. No. 1327 eff. 7-1-07]

35.160 Chief Medical Examiner and Coroner's Death Record and Medical Investigative Report.

1. The ME/Coroner=s Office shall keep an official Death Record in which shall be entered:

(a) The name and any alias of the deceased, when known, including such description as age, race, gender, and city of residence, as may be sufficient for identification.

(b) The date and cause of death, and manner of death when known, including the results of toxicology tests as required by NRS 484.384.

(c) The date of holding of any inquest.

2. The ME/Coroner=s Office shall make all information compiled for the official Death Record available for public release and inspection as soon as practicable after preparation thereof. In cases of suspicious death, the release of the Death Record may be

delayed until 48 hours after its preparation or longer where good cause exists to do so. The Death Record may be fully copied or an abstract or memorandum may be prepared therefrom. The ME/Coroner=s Office shall furnish certified copies of the information to any person who requests them. Additional information not contained in the Death Record may be released pursuant to state law and after the ME/Coroner has consulted with legal counsel.

3. The ME/Coroner=s Office shall prepare and keep an internal and confidential Medical Investigative Report which shall contain (when known):

(a) The autopsy or post-mortem report, including toxicology results, laboratory testing, microscopic findings, and photographs or video;

(b) A narrative summary of the circumstances of the death; (c) Other documentation deemed necessary for accurately establishing a cause and manner of death, including but not limited to personal medical records, witness statements, next-of-kin information, personal history, correspondence, and other evidence supporting the conclusions and findings placed in the Death Record.

4. An autopsy or post-mortem report shall be confidential, except that a copy may be obtained by:

(a) A deceased's next of kin or by other persons with the written authorization of the next of kin;

(b) The decedent=s attending physician;

(c) Any person who, by subpoena, seeks the information for use in a judicial proceeding;

(d) Law enforcement as may be required to carry out their official duties.

['9, Ord. No. 1327 eff. 7-1-07]

35.170 Jurisdictional authority of the ME/Coroner=s Office.

1. The ME/Coroner=s Office has jurisdiction and may determine the level of investigation over bodies of all deceased persons as follows:

(a) who come to their death suddenly when in apparent good health, and death is not explained by pre-existing medical history, or wherein the deceased has not been in medical attendance; or

(b) where the circumstances of death indicate that death was caused by unnatural or unlawful means; or

(c) where death occurs under suspicious circumstances; or

(d) where death results from unknown or obscure causes; or

(e) where death occurs within one year following an accident; or

(f) where the death is caused by any injury or violence whatsoever; or

(g) where death results from a known or suspected criminal abortion -- whether self-induced or otherwise; or

(h) where death apparently results from drowning, hanging, burns,

electrocution, gunshot wounds, stabs or cuts, lightning, starvation, radiation, exposure, acute alcoholism, narcotics or other addictions, tetanus, strangulation, suffocation or smothering; or

(i) where death is due to premature birth or still-birth of a potentially viable fetus, if unattended by a physician; or

(j) where death is due to a virulent contagious disease or suspected contagious disease which may be a public health hazard; or

(k) where death results from alleged rape, carnal knowledge or sodomy; or

(l) where death occurs in a jail or prison; or

(m) where death of a child is unexplained by pre-existing medical history or where the death occurs while the child is in state, county, or other governmental custody; or

(n) where a body is found dead and is not claimed by relatives or friends.

Bodies within the ME/Coroner Office=s jurisdiction may be removed and placed in the morgue under the policies and procedures adopted by the ME/Coroner=s Office pursuant to '35.280.

2. When reasonable grounds exist to believe that a death has been caused by the criminal act of another, the Chief Medical Examiner and Coroner shall furnish all necessary assistance to the law enforcement agency having jurisdiction over the location where the body of the deceased is found. In such cases, the medical examiner shall determine the cause and manner of the death and the law enforcement agency shall determine the identity of the person or persons responsible for the death and, if warranted, submit that information to the appropriate prosecuting authority.

3. When death is due to a virulent contagious disease that may become a public hazard, the ME/Coroner=s Office shall promptly notify the Epi/Public Health Preparedness Program of the District Health Department.

['10, Ord. No. 1327 eff. 7-1-07]

35.180 Issuance of death certificate. The cause of death appearing on a death certificate shall be in conformity with facts ascertained from the inquiry, autopsy or other scientific findings. In cases of death without medical attendance and without violence, casualty, criminal or undue means, the medical examiner, or his designated agent, may, without conducting an autopsy, sign the death certificate based on statements of relatives, persons last in attendance or persons present at the time of death, providing such information affords clear grounds to establish the correct medical cause of death within accepted medical practice and within the requirements for accuracy prescribed by the Bureau of Vital Statistics of the Health Department.

['11, Ord. No. 1327 eff. 7-1-07]

35.190 Powers, duties of Chief Medical Examiner in examination of bodies. The Chief Medical Examiner, or any designated medical examiner, may:

1. Take possession of and inspect or examine the body of the deceased person, and may perform an external examination or complete autopsy, and may also exhume the body in connection with any inspection or examination. When necessary, the ME/Coroner=s Office, in coordination with the applicable law enforcement agency having jurisdiction over the scene, may inspect or examine the scene of the death, and may order that there be no interference with or compromise of the body or the scene of death.

2. Collect and make, or cause to be made, analyses of the blood, body fluids or contents of the stomach, organs or tissues of the body and secure professional opinions as to the result of such analyses. Information gathered by such analyses shall be reduced to writing and filed by the examiner in the Medical Investigative Report of the death of the deceased person.

3. Collect and retain such tissues or organs of the body removed at the time of an autopsy or external examination as may be necessary or advisable to conduct a proper investigation or for verification of the findings relating to the deceased person's identity and/or the cause or manner of death.

4. Obtain medical records of the deceased person in conformity with applicable privacy laws, including as provided in the Health Insurance Portability and Accountability Act, 45 C.F.R. ' 164.512(g)(1)(2006) (AA covered entity may disclose protected health information to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law.@).

5. Develop a policy and protocol to provide for organ and tissue harvesting consistent with applicable state law.

['12, Ord. No. 1327 eff. 7-1-07]

35.200 Other autopsies. In addition to the other powers and duties, the Chief Medical Examiner may accept requests that the office perform autopsies on the remains of other deceased persons on behalf of district attorneys or law enforcement agencies from other counties within the state if:

1. The deceased has authorized such an autopsy in his will or by other written instrument.

2. Written authorization is provided by a person or on behalf of any entity whom the deceased designated in writing during his lifetime to take charge of his body for burial or other purposes.

3. Written authorization is provided by the deceased's surviving spouse.

4. Written authorization is provided by legal next of kin of the

deceased.

5. Written authorization is provided by the district attorney.

6. Written authorization is provided by any other duly authorized public officer.

['13, Ord. No. 1327 eff. 7-1-07]

35.220 Notification of deceased's relatives; release and disposition of remains. The ME/Coroner=s Office shall use due diligence to locate relatives of the deceased and notify them of the death and of the location of the remains without unreasonable delay. Upon completion of the death investigation and upon proper identification of the deceased, the Chief Medical Examiner shall release the remains of the deceased for burial, cremation, or other appropriate disposition. The body of any unidentified or unclaimed person shall be buried or cremated by order of the chief medical examiner after a period of time not to exceed 10 days from completion of the investigation.

['14, Ord. No. 1327 eff. 7-1-07]

35.230 Notification of ME/Coroner=s Office. Any person with knowledge of the existence and location of the body of a deceased person in the county who apparently has died under any of the circumstances enumerated in section 35.170 shall notify the ME/Coroner=s Office and Chief Medical Examiner of that fact in the most expeditious manner possible.

['15, Ord. No. 1327 eff. 7-1-07]

35.240 Removal or disturbance of remains and effects of deceased.

1. Unless immediate removal of a dead body is required to protect public health or safety, no person may manipulate or remove a dead body from the position in which it is discovered; nor disturb, search or remove any object or evidentiary items from the body without prior authorization of the ME/Coroner=s Office if the death has occurred under any of the circumstances enumerated in section 35.170.

2. When the Chief Medical Examiner and Coroner deems it necessary, he may lock any door and seal any window of the structure in which the body of a deceased person is found pending the arrival of a legally authorized representative of the deceased. In securing the structure, the ME/Coroner=s Office shall take all necessary precautions to avoid interfering with any investigation being conducted by law enforcement agencies.

3. Any costs arising out of and during the time that a structure is secured by the ME/Coroner=s office constitute proper and legal charges against the estate of the deceased person.

4. If in the course of a death investigation the ME/Coroner=s Office comes into possession of any weapon, property, or evidence reasonably related to an investigation or prosecution of a criminal death, the

weapon, property or evidence shall be delivered by the ME/Coroner=s Office to law enforcement agencies having jurisdiction or to the district attorney, receipt of which shall be acknowledged in writing. ['16, Ord. No. 1327 eff. 7-1-07]

35.250 Property of deceased.

1. Pursuant to NRS 259.150, the ME/Coroner=s Office shall establish and maintain adequate receipting and accounting procedures and records respecting decedents' money and personal property and effects. As soon as practicable, the ME/Coroner=s Office shall inventory, in the presence of at least one other person, any money or property which may have been found on or about the deceased, unless released to law enforcement as evidence or taken from his possession by legal authority, and shall deliver without delay a signed copy of the inventory and the money or property to the treasurer of the county. If the ME/Coroner=s Office fails so to pay or deliver such money or property, the county treasurer may recover it by an action in law.

2. In the case of a deceased person who had lived alone or under such circumstances that indicate that no other person can reasonably be expected to provide immediate security for the property of the deceased, the ME/Coroner=s Office shall affix appropriate seals, signs or other devices prohibiting entrance to the person=s residence. Any person, except the Chief Medical Examiner and Coroner, his agent, a law enforcement officer, or the executor or administrator of the deceased=s estate, who removes such a seal, sign or other device or who enters upon any property bearing such a seal, sign or other device is guilty of a misdemeanor.

3. Pursuant to NRS 259.160, upon payment of money by the ME/Coroner=s Office to the county treasurer's office, the county treasurer shall place it to the credit of the county.

4. Upon the delivery of property to the county treasurer's office, the county treasurer shall:

(a) Deliver the property to the public administrator for disposition according to law; or

(b) Give written notice to the public administrator of his intention to sell such property at public sale.

5. If, within 10 days after the giving of such notice, the public administrator claims the property for disposition, the county treasurer shall deliver it to him. If the public administrator does not claim the property, the county treasurer may, after giving notice by posting at the courthouse for at least 10 days, sell the property at public sale and deposit the proceeds in the county treasury.

6. Pursuant to NRS 259.170, if the money deposited in the county treasury is demanded within 6 years, the county treasurer shall pay it to the person legally authorized to receive it. The money may also be paid at any time subsequent to the expiration of 6 years to

the representatives of the deceased upon order of the Board of County Commissioners.

['17, Ord. No. 1327 eff. 7-1-07]

35.260 Burial or cremation of deceased; when a charge against county.

1. After the ME/Coroner Office=s inquiry, inspection, investigation or inquest, as provided for herein, and if no person assumes responsibility for the remains of the deceased, the ME/Coroner=s Office shall notify the Committee on Anatomical Dissection and proceed pursuant to NRS 451.400, et seq.

2. If no person assumes responsibility for the remains of a deceased person and no request is made for the remains, the ME/Coroner=s Office shall cause the remains to be decently buried, cremated, or otherwise appropriately disposed of. If the remains have not been identified, the body shall not be cremated. The expenses of the burial shall be paid from the money deposited with the county treasurer or the estate of the deceased, as the case may be. If the deceased has no money or estate, or the money or estate of the deceased is insufficient to bear the entire cost of the burial, the county shall bear the costs of the burial in excess of any money or estate available.

['18, Ord. No. 1327 eff. 7-1-07]

35.270 Designation of morgue or mortuaries. In the absence of a county morgue or in times of disaster, the Chief Medical Examiner and Coroner may designate an appropriate temporary morgue to receive bodies. No person operating such a morgue, nor any of his employees, may be held liable for the acts of the Chief Medical Examiner in removing any body to a morgue or mortuary or for the performance of an autopsy upon such a body.

['19, Ord. No. 1327 eff. 7-1-07]

35.280 Medical Examiner and Coroner's rules. The ME/Coroner=s Office may adopt such policies and procedures as are deemed necessary to facilitate the operation of the office and to carry out the purposes of sections 35.010 to 35.400, inclusive.

['20, Ord. No. 1327 eff. 7-1-07]

35.290 Fees. The ME/Coroner=s Office may charge fees for the reproduction of any document available to the public consistent with the provisions of Resolution Adopting Public Records Policies and Procedures for Washoe County, adopted on March 25, 2003. The ME/Coroner=s Office may also establish and charge fees for the performance of any act which it is authorized but not required to perform pursuant to sections 35.010 to 35.400, inclusive. Such

fees, when collected, shall be paid into the county treasury.
['21, Ord. No. 1327 eff. 7-1-07]

Unlawful and Prohibited Acts; Penalties

35.360 Unauthorized embalming. No person may embalm any dead body subject to or under the control of the ME/Coroner=s Office until the Chief Medical Examiner authorizes embalming to be done.
['22, Ord. No. 1327 eff. 7-1-07]

35.370 Interference with medical examiner and coroner's performance. No person may hinder, obstruct or prevent ME/Coroner=s Office from performing and discharging its official duties.
['23, Ord. No. 1327 eff. 7-1-07]

35.400 Penalties.

1. If the Chief Medical Examiner and Coroner refuses to abide by or violates any provision of sections 35.010 to 35.400, inclusive, he is guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than \$1,000.

2. Any other person who willfully refuses to abide by or violates any provision of sections 35.010 to 35.400, inclusive, is guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment in the county jail for not more than 6 months, or by both such fine and imprisonment.

['24, Ord. No. 1327 eff. 7-1-07]

Counseling and Medical Treatment for Victims of Sexual Assault

35.410 Definitions. The following terms, whenever used or referred to in sections 35.410 to 35.480, inclusive, have the following meanings:

1. "Applicant" means a victim of sexual assault or a victim's spouse.

2. "County hospital" means a hospital within the county established under the provisions of chapter 450 of NRS.

3. "Victim of sexual assault" means a person who has been sexually assaulted as defined in NRS 200.366.

['2, Ord. No. 439]

35.420 Purpose and authorizations. The purposes of sections 35.410 to 35.480, inclusive, are to provide:

1. Facilities for the counseling of a victim of sexual assault or the victim's spouse and facilities for medical treatment of a victim of sexual assault, including initial emergency medical care;

and

2. Procedures for making application to receive counseling and medical treatment pursuant to NRS 217.290.

['1, Ord. No. 439]

35.430 Application procedure.

1. An applicant may make application or medical counseling treatment to the board or to the county hospital.

2. The application shall be accompanied by an affidavit from the applicant containing the information specified in subsection 2 of NRS 217.310 and a statement that a written report has been filed with the appropriate law enforcement agency pursuant to subsection 3 of NRS 217.310.

3. Applications filed directly by the applicant with the board must be accompanied by a written certification described in subsection 3 of section 35.440.

['3, Ord. No. 439]

35.440 Treatment facilities.

1. The county hospital shall provide the medical and counseling treatment to applicants whose applications have been approved pursuant to section 35.450. In cases in which the treatment authorized is not available at the county hospital, the county hospital shall make arrangements for the provision of such treatment through agreement subject to the limitation contained in section 35.460.

2. The board shall make available to the county hospital the written application, affidavit and certification forms for use in processing applications.

3. A copy of the completed application and affidavit pursuant to section 35.430 shall be forwarded by the county hospital to the board for approval. The application shall be accompanied by a copy of a written certification from a physician or counselor which describes the physical injuries or emotional trauma resulting from the sexual assault and stating the medical or counseling treatment required.

4. Before forwarding the copies required in subsection 3, the county hospital shall delete the name of the applicant, and all references to the applicant shall be by case number only. The county hospital shall retain the original of the written application, affidavit and certification.

['4, Ord. No. 439]

35.450 Approval of application; closed session of board permitted.

1. Upon receipt of the written application, affidavit and certification, the board shall approve the application for treatment. If evidence of a fraudulent claim is present, the board

may request the county hospital to provide the identity of the applicant and the county hospital must release the information to the board. The board may request additional documentation in support of the claim from the applicant. Where a fraudulent claim is found to exist, the board shall deny the claim and refer it to the district attorney for prosecution. In reviewing an application for treatment and supporting material the board may do so in a closed meeting pursuant to NRS 241.030.

2. As a condition of the board's approval of an application for counseling, the board shall require the treating psychologist, psychiatrist or counselor to make from time to time a certification required by NRS 217.330. The board may order treatment terminated for failure to make the certification.

['5, Ord. No. 439]

35.460 Costs. The cost of the medical or counseling treatment, other than costs incurred under section 35.470, authorized by the board pursuant to section 35.450 shall be paid by the county from the sexual assault victims expense account not to exceed \$1,000 for any one incident of sexual assault.

['6, Ord. No. 439]

35.470 Emergency medical treatment; reimbursement.

1. Any costs incurred by a hospital for examination of a victim of sexual assault when such examination is performed for the purposes of gathering evidence for possible prosecution or for initial emergency medical care for the victim of sexual assault shall be charged directly to the county in whose jurisdiction the offense was committed pursuant to NRS 449.244. Initial emergency medical care is deemed to terminate upon discharge of the victim following completion of initial emergency medical treatment or admittance of the victim for further treatment due to the injuries.

2. Should any victim of sexual assault pay the costs of initial emergency medical care or the costs associated with gathering evidence pursuant to this section, the victim may file a claim with the board for reimbursement of such costs within 6 months following the date of payment.

['7, Ord. No. 439]

35.480 Fraudulent claims. All persons knowingly assisting in the preparation or payment of fraudulent applications shall be prosecuted under the applicable criminal statutes.

['8, Ord. No. 439]

Ambulance Service

35.490 Permit requirement. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise or otherwise be engaged in, or profess to be engaged in, the business, service or volunteer service of the transportation of patients upon the streets, roads, alleys, highways or any public way or airway within the county health district unless he holds a currently valid permit to operate an ambulance service or volunteer service, either issued by the county district health officer pursuant to the regulations of the Washoe County District Board of Health Governing Permits and Operation of Ambulances and Air Ambulances and Licensure of Attendants and Air Attendants within Washoe County, Nevada, or issued by the health division of the department of human resources, or unless such person is excepted from the permit requirements contained in such regulations.

['1, Ord. No. 240]

35.500 License requirement. No person shall act in the capacity of an attendant, air attendant or volunteer of an ambulance or air ambulance service or volunteer service within the meaning of the Regulations of the Washoe County District Board of Health Governing Permits and Operation of Ambulances and Air Ambulances and Licensure of Attendants and Air Attendants within the county, unless such person holds and carries on his person a currently valid license to act in such capacity either issued by the district health officer in accordance with such regulations or regulations issued by the health division of the department of human resources, or unless such person is excepted from the license requirements contained in such health regulations.

['2, Ord. No. 240]

35.510 Schedule of fees.

1. The schedule of fees set forth in the regulations of the district board of health referred to in sections 35.490 and 35.500 for the issuance and renewal of permits and licenses have been reviewed and are hereby approved.

2. The district health officer shall collect such fees for the purposes and in the manner set forth in such regulations. Such fees shall be used for the sole purpose of defraying the costs and expenses of the permit and licensing procedures and investigations related thereto as required and permitted under the regulations.

['3, Ord. No. 240]

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35.520 Other licensing provisions. Nothing contained in sections 35.490 to 35.530, inclusive, repeals, invalidates or renders inoperative the requirements of any other licensing requirement of the county applicable to the operation of an ambulance or air ambulance service business.

['6, Ord. No. 240]

35.530 Penalties.

1. Any person who violates any of the provisions of the permit or license requirements of the regulations of the district board of health referred to in sections 35.490 and 35.500 is guilty of a misdemeanor within the meaning of NRS 439.580, and shall be subject to the penalties for such offense as provided in NRS.

2. Nothing contained in sections 35.490 to 35.530, inclusive, prohibits the enforcement of any other penalties or remedies for any other violations as provided for in such regulations.

['4, Ord. No. 240]

Air Pollution Control

35.540 Adoption of air pollution control regulations. The air pollution control regulations, effective February 1, 1973, adopted by the district board of health, copies of which are placed on file in the office of the county clerk, are hereby adopted by reference, incorporated herein and made a part hereof as if set forth in full.

['1, Ord. No. 175]

35.550 Control officer: Functions and duties. The control officer defined in the air pollution control regulations incorporated in section 35.540 shall exercise such functions and carry out such duties as described in such regulations on behalf of the county.

['4, Ord. No. 175]

35.560 Penalties.

1. Any person who violates any of the provisions of the air pollution control regulations incorporated in section 35.540 is guilty of having created a public nuisance, within the meaning of NRS 244.361, and is subject to the penalties for such crime as provided in NRS.

2. Nothing contained in this section prohibits the enforcement of any other penalties for any other violations provided for in such regulations.

['5, Ord. No. 175]

Deposits of Rubbish and Other Offensive Matter

35.570 Unlawful deposits of rubbish, offensive matter.

1. It is unlawful in the unincorporated area of the county for any person to place, deposit or dump, or cause to be placed, deposited or dumped, any garbage, swill, cans, bottles, papers, ashes, liquid or solid refuse, petroleum by products, the carcass of any dead animal, offal, trash or rubbish, or any nauseous or offensive matter in or upon any public or private highway, street, alley or road, or any lot or parcel of land, whether public or private, other than property designated or set aside for such purpose by the governing board or body having charge thereof.

2. It is the responsibility of the owner to see that his garbage or other matter referred to in subsection 1 is deposited in a properly designated area. Failure to do so is a violation of sections 35.570 to 35.600, inclusive.

['1, Ord. No. 133]

35.580 Repairing, dismantling vehicles on roads.

1. Except as provided in subsection 2, it is unlawful in the unincorporated area of the county for any person to construct, repair, dismantle, service or maintain any vehicle upon any highway, street, alley or road, including any portion of the right-of-way thereof, either public or private, which is open to the use of the general public.

2. This section does not apply to emergency repairs.

['2, Ord. No. 133]

35.590 Enforcement by district health department. The provisions of sections 35.570 to 35.600, inclusive, shall be enforced by the district health department.

[Part '3, Ord. No. 325]

35.600 Penalty. Any person who violates any of the provisions of sections 35.570 to 35.600, inclusive, is guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not more than \$1,000.

[Part '3, Ord. No. 133; A Ord. Nos. 325, 534]