

### Affidavit of Publication

STATE OF NEVADA,  
County of Washoe—SS.

..... Betty A. Woodward .....  
being duly sworn, deposes and says that he is the  
..... Record Clerk .....

of The SPARKS TRIBUNE, a weekly newspaper,  
published in Sparks, Washoe County, Nevada; that  
he has charge of and knows the advertising ap-  
pearing in said newspaper, and the .....

..... Notice of County Ordinance .....


of which a copy is hereunto attached, was first  
published in said newspaper in its issue dated  
..... March 3, ....., 1976  
and was published in each of the following issues  
thereafter: .....

the date of the last publication being in the issue  
of ..... March 10 ....., 1976  
..... Betty A. Woodward .....

Subscribed and sworn to before me this, the  
..... 3rd ..... day of ..... March ....., 1976

.....  
Notary Public in and for the County of Washoe,  
State of Nevada.

My Commission expires: *Jan 16, 1978*

 LUCILLE LEE  
Notary Public—State of Nevada  
Washoe County  
My Commission Expires Jan. 16, 1978

**NOTICE OF COUNTY ORDINANCE**  
Notice is hereby given that Bill No. 1, Gaming Licensing Board Ordinance No. 1 entitled "An Ordinance regulating gaming, requiring licensing of gaming establishments in the unincorporated area of Washoe County; and providing penalties for violation of the provisions of this ordinance; and other matters properly relating thereto", was adopted on February 25, 1976 by Commissioners Scott, Grow, Rusk, Nelson and Gaunt all voting aye.  
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.  
Publish Mar. 3, '76  
Sparks Tribune #76072  
*Alex Coon*  
ALEX COON, County Clerk

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Publish Mar. 10, '76  
Sparks Tribune #76079  
*Alex Coon*  
ALEX COON, County Clerk

SUMMARY: Regulates gaming and requires licensing of gaming within the unincorporated area of the County of Washoe and provides penalties for violation of this ordinance, and other matters properly relating thereto.

BILL NO. 1

GAMING LICENSING BOARD ORDINANCE NO. 1

AN ORDINANCE REGULATING GAMING, REQUIRING LICENSING OF GAMING ESTABLISHMENTS IN THE UNINCORPORATED AREA OF WASHOE COUNTY; AND PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND OTHER MATTERS PROPERLY RELATING THERETO.

THE GAMING LICENSING BOARD OF THE COUNTY OF WASHOE, STATE OF NEVADA DOES ORDAIN:

SECTION 1. Definitions.

As used in this ordinance, unless the context clearly otherwise requires, and in addition to the definitions contained in Chapter 463 of Nevada Revised Statutes, the following words shall have the meanings set forth in this section:

- A. Board: The term "board" means the Washoe County Gaming Licensing Board as established and constituted in NRS 244.345.
- B. Close Corporation: A "close corporation" is a corporation whose stock, or at least voting stock, is held by a single shareholder or closely-knit group of shareholders.
- C. County: The term "county" means the unincorporated area of Washoe County, Nevada.
- D. Public-Issue Corporation: A "public-issue corporation" is a corporation in which there are public investors and whose voting stock outstanding is available for purchase by the public.
- E. Sheriff: The term "sheriff" means the Sheriff of Washoe County, Nevada or his designated deputies.

SECTION 2. Declaration of Policy--Persons not Qualified for License. It is found and declared that the public health, safety, morals, and welfare of the inhabitants of the county, require the regulation and control of all persons engaged in the business of gambling games and devices. All such persons, as hereinafter defined in this ordinance, shall be licensed and controlled so as to protect the public health, safety, morals, good order and general welfare of the inhabitants of the county and to safeguard the public. It is further found and declared that the right to obtain such license is a privilege, and that the operation of such gambling facility, when authorized by such license is a privileged business subject to regulation, and that the license may be revoked for violation of the conditions of this ordinance. In conformity with the policy of this ordinance, the following persons are declared not to be qualified to hold a license under the provisions of this ordinance.

- A. A person who does not possess, or who does not have a reputation for possessing good moral character;
- B. A person who is under the age of 21 years;
- C. A person who has been convicted of a crime involving moral turpitude
- D. A person who within five years preceding the date of application

for license has been convicted of a felony either in the State of Nevada or in any other state of the United States or any federal court in the United States, or who has within said period been convicted in any other state or country of any crime considered a felony under the laws of the State of Nevada;

- E. A person whom the licensing board determines is not a suitable person to receive or hold a license, after due consideration for the protection of the public health, safety, morals, good order and general welfare of the inhabitants of the county.

SECTION 3. License Required.

It is unlawful for any person in the county, either as owner, lessee or employee, whether for hire or not, either solely or in conjunction with others, to deal, operate, carry on, conduct, maintain or expose for play in Washoe County any game or slot machine as defined in Chapter 463 of Nevada Revised Statutes, or to operate, carry on, conduct or maintain any horse race book or sports pool; or to provide or maintain any information service the primary purpose of which is to aid the placing or making of wagers on events of any kind; or to receive, directly or indirectly, any compensation or reward or any percentage or share of the money or property played for keeping, running or carrying on any game, slot machine, horse race book or sports pool, without first having procured, and thereafter maintaining in full force and effect, a license for the same as hereinafter provided.

SECTION 4. Investigation Fee.

Any person filing an original application for gaming license in the county shall deposit with the Sheriff of Washoe County an investigation fee in the amount of \$175 per applicant. In addition to the fees required to accompany the application, the Sheriff may require payment of such additional investigative fees as he may consider appropriate to the circumstances to a maximum of \$5,000. The Sheriff shall request payment of the supplementary investigative fee in advance as a condition precedent to beginning investigation. The Board may require payment of additional investigative fees above \$5,000. The Board will not take final action with respect to an application until all investigative fees have been paid in full. In the event the Board has obtained an additional investigative fee which is in excess of the amount expended for investigation, the amount shall be refunded to the applicant. The Board may, in its discretion, waive payment of investigative fees when all parties to an application have been licensed, or approved as stockholders or officers or directors of a corporate licensee within the past year. In the event an applicant is denied a license after investigation, investigative fees deposited or paid shall be forfeited. If an applicant withdraws an application prior to the beginning of investigation, fee deposits shall be returned to the applicant. In the event any person shall be an applicant or member of a group of applicants, and such person shall have been previously investigated by the Board and shall have held a license within a preceding period of one year, an investigation fee may be waived at the discretion of the Board.

SECTION 5. License Applications.

- A. License Application--Contents and Procedure. No license shall be issued for the operation of any gambling game or device business unless the applicant for such license or renewal shall first present or has presented himself to the office of the Sheriff to be fingerprinted and to make reply in writing to any and all questions pertaining to the issuance of the license as may be required by the Board on such forms as may be required by the Board. In all cases where the applicant for a gambling

game or device license is a corporation, the names and addresses of all the officers of the corporation shall be listed on the application. In all such cases, it shall be necessary that the general manager of the gaming operation and not less than two directors of the corporation be licensed, and at least one of such licensed individuals must be a resident of the county at all times. It shall also be necessary, in incidences where a close corporation is applicant for a gambling game or device license, to state in the application for such license the names and addresses of any and all such persons owning stock in the corporation. In incidences where a public-issue corporation is applicant for a gambling game or device license, the names and addresses of any and all such persons owning fifteen percent (15%) or more of the outstanding stock of said corporation shall be stated in the application.

- B. Other Interests and Personnel. All applicants for a license for gambling games and devices shall make application therefor to the Sheriff, stating in writing the names and addresses of all persons owning an interest in the business, including the name and address of the general manager or managers of the business, and where there is more than one owner of such an establishment, the names of all such persons owning an interest in such business shall be listed on the application, together with a statement as to the percentage of such business owned by each individual. If from the preceding quarter there has been no change of ownership, the applicant for renewal may state "no change." All persons owning an interest in such business, as well as the general manager or managers of the business, shall be licensed. Key employees, as determined by the Board, shall also be licensed.
- C. Suitability of Landlord. The Board may order that the suitability of any landlord of premises on which a gambling game or device is to be conducted by an applicant be investigated by the Sheriff. The fee for such investigation shall be paid by the applicant in the same manner and in the same amount as the fee for investigation of an applicant.
- D. Licenses Nontransferable. No license issued to any applicant under the provisions of this ordinance is transferable in any manner, and no refund of any portion of fees charged hereunder shall be made should an applicant cease doing business or his license be suspended prior to the expiration of the license issued hereunder.

SECTION 6. Owner of Premises.

It is unlawful for any person knowingly to permit any of the slot machines, pinball machines, games or devices mentioned in Section 3 of this ordinance to be conducted, operated, dealt or carried on in any house or building owned by him in whole or in part, except by a person who has received a license as herein provided, or his employee.

SECTION 7. Limitation of Ordinance.

Nothing in this ordinance shall be construed to prohibit social games played in private homes or residences.

SECTION 8. Special County License Fees--Games Listed.

In addition to the general county licensing fees as provided in NRS 463.390, the following special county license taxes for both revenue and regulation are assessed: Card games, including, but not limited to stud and draw poker, bridge, whist, solo and panguingui for money shall be licensed independent of other games mentioned in this ordinance at the rate of \$25 per quarter or fraction thereof. For each game or device licensed excepting

those games above enumerated and except slot machines, the license shall be \$50 per quarter or fraction thereof. For slot machines the license shall be \$10 per quarter or fraction thereof, provided that when a combination of units are operated by one handle, the license fee shall be the sum of \$10 per quarter or fraction thereof, for each and every unit paying in identical denominations operated thereby.

SECTION 9. Application to Sheriff--Investigation.

Each applicant for an original license issued hereunder is required to have a valid gaming license of the State of Nevada issued for the particular location and the particular game or games and shall make application for the original license to be issued hereunder by petition to the Sheriff by filing the same with the Sheriff together with all fees required and with such information as may be required for investigation of suitability of the applicant. Two or more applicants may join in one petition if the application is sought for the same location and for the same number of games.

The Sheriff shall forthwith conduct an investigation of suitability of each applicant. The investigation shall be completed in the shortest possible time; however, the Sheriff is required to make a complete investigation and shall be given a reasonable amount of time to verify any information presented or ascertained. It is the intent of this ordinance that all investigations shall be completed within ninety (90) days; however, if it is not possible for the Sheriff to complete an investigation within ninety (90) days after receipt of application, the Sheriff shall report that fact to the Board, and the Board may order additional time for the investigation, or it may direct the Sheriff to make a report upon the investigation completed at that time.

Upon the completion of the investigation, the Sheriff shall refer the application to the Board, together with a recommendation of suitability and all facts upon which such recommendation is based. The recommendation and all facts upon which it is based are privileged information and are confidential to the Board and its staff. All applications shall be read at the next meeting of the Board after the completion of the investigation. The Board may approve or disapprove the application at said meeting, or at any subsequent regular or recessed regular meeting thereof. A majority vote of the total membership of the Board shall be required for approval or disapproval of any application.

SECTION 10. Notice of Due Date--Form of Application.

All gaming licensees required to have a license under the provisions of this ordinance shall be notified before the fee due date of each license fee required; provided, however, that failure to notify any gambling establishment or licensee shall not be held to waive the payment of a gaming license, and provided further that the actual receipt of such notice is in no case required.

All gaming licensees required to have a license under the provisions of this ordinance who have an existing valid Washoe County gaming license and who have paid all fees and taxes required by any existing law, provided there has been no change of ownership or location, are required only to pay the license tax as required by law and are not required to make further application for gaming licenses; however, such licensees are required to furnish the Sheriff with the following information on forms approved by the Board.

- A. A statement that there has been no change in ownership or location of the gambling establishment, games, or devices during the preceding quarter of the calendar year;
- B. A statement that the licensee has a valid state gaming license

which has not been revoked, suspended, conditioned, or limited during the preceding quarter of the calendar year;

- C. A statement of the number of gaming games, slot machines, pinball machines and other gaming devices for which license is sought, which number shall not be greater than those licensed under the license issued by the State of Nevada.

SECTION 11. Location near Schools and Churches.

No license shall be granted for the conducting of a gaming establishment within 500 feet of any school, church, edifice, building or structure erected and used exclusively for devotional services or religious worship, nor shall a gaming license be issued in those areas of the county where the issuance of the same in the opinion of the gaming Board may tend to create or constitute a public nuisance, or where conducting a gaming establishment in the area would create problems from the standpoint of law enforcement.

SECTION 12. Grounds for Refusal to Grant or Renew License.

The licensing Board, in the exercise of its discretion, may refuse to grant or renew the license provided for in this ordinance to any person and may suspend or revoke, without notice, any license granted hereunder if, in its judgment or discretion, it should appear to the Board that the applicant or licensee is not a proper person to operate or conduct a slot machine, device, or game for which the license is applied or has been granted, that the licensee has not properly and fairly conducted such slot machine, device, or game, or that the licensee has violated any of the provisions of this ordinance, or has engaged in such practices in connection with the conduct and operation of the slot machine, device, or game and so maintained the premises wherein they are being operated as to be detrimental to the gaming business in the county and prejudicial to the public welfare. Every such licensee accepts the license subject to the right of suspension and revocation without notice and subject to all the conditions and provisions of this ordinance. Upon any such revocation, the county shall be entitled to retain the license fee theretofore paid for the license.

SECTION 13. Posting License--Failure Constitutes Grounds for Revocation.

All licenses issued under the provisions of this ordinance for gambling games, devices, and slot machines of every character and description shall be posted in a conspicuous place where such gambling games, devices, and slot machines are installed in order that they may be inspected by authorized state and county officials. Failure to comply with the provisions of this section shall constitute a ground for the revocation of such license not so posted.

SECTION 14. Procedure for Revocation of License.

The Board shall direct the Sheriff to investigate any apparent violations of this ordinance which come to its attention. No revocation action is to be taken against a licensee until after a hearing of the Licensing Board assembled for the purpose on a show cause order, which order must specify all charges against the licensee to be heard. Notice of the hearing, together with the specified charges shall be given to the licensee or his agents or employees, by personal service or by leaving a copy thereof with a person of suitable age at the address shown on the license, which notice shall be served at least ten (10) days prior to the time for hearing. The District Attorney is charged with the duty of presenting the case of the revocation action against the licensee, and the licensee may be represented by counsel. Formal rules of evidence shall not be applied to proceedings before the Licensing Board.

After the above provisions have been complied with, the Licensing Board, by majority vote of the total membership, shall have full and absolute power and authority to limit, condition, suspend or revoke the license for any willful violation of this ordinance, or for any failure or omission of the licensee or his agents or his employees to comply with requirements of this ordinance, or any other applicable law or regulation.

SECTION 15. Penalty for Violation.

Every person, firm, partnership, association, corporation, institution or agency violating any of the provisions of this ordinance is guilty of a misdemeanor, and shall be punished by a fine of not more than \$500. In addition to said penalty, any person, firm, partnership, association, corporation, institution, or agency convicted of willfully violating any of the provisions of this ordinance shall be subject to having his or its license to do business within the county revoked by the Licensing Board.

SECTION 16.

If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining portions of this ordinance.

SECTION 17.

This ordinance shall be in full force and effect from and after its passage and the publication thereof by title only together with the names of the members of the Licensing Board voting for or against its passage in a newspaper published in and having a general circulation in Washoe County, Nevada, at least once a week for a period of two weeks.

Proposed on the 5th day of February, 1976.  
Proposed by Commissioners Grow, Rusk, Nelson and Gaunt and Chief Hughes.  
Passed on the 25th day of February, 1976.

**Vote:**

- Ayes: Commissioners Scott, Grow, Rusk, Nelson and Gaunt.
- Nays: None.
- Absent: Sheriff Robert Galli.

WASHOE COUNTY GAMING LICENSING BOARD

By *Alvin Scott*  
Chairman

ATTEST: ALEX COON, County Clerk

By *Alex Coon*  
Chief Deputy Clerk

This ordinance shall be in force and effect from and after the 10th day of March, 1976.

GAMING LICENSING BOARD ORDINANCE NO. 1

SECTION 8 amended by L.B. Ord. 527 (Bill 698) effective 1-27-82: fee conformance to Section 27(A), Ord. 306