

BE: OIA 08 JUL 88

DESCRIPTION OF LEGAL ADVERTISING

Ord. 656
3349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 25.20

Extra Proofs _____

Notary Fee 2.00

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- Washoe County Clerk
- Charlotte James
- P. O. Box 11130
- Reno, NV 89520

MONTH

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

July

x

x

PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

ss.

Doris Mertz

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

_____ of which a copy is hereto attached, was first published in said newspaper in its issue dated the 22nd day of Jul, 19 85 and, Jul 29, the full period of 2 days, the last publication thereof being in the issue of July 29 19 85.

Signed Doris Mertz

Subscribed and sworn to before me this

29th day of July, 1985

Alice L. Buffalo
Notary Public

NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN that Bill No. 829, Ordinance No. 656, entitled "An ordinance amending the Washoe County Code by changing the designation of County Risk Management Analyst to County Risk Manager; changing the frequency of meetings of the Safety Committee; increasing the duties of the Safety Officer; imposing additional reporting requirements in cases of occupational injury or illness; specifying the duties of the Risk Manager; revising procedures for administration of claims involving the Self-Insurance Fund; revising the purposes for creation of the Fund; creates fund for medical assistance to indigent persons and specifies purposes of the fund; repeals obsolete Fire Suppression Fund and Anti-Recession Fund; and providing other matters properly relating thereto," was adopted on July 16, 1985, by Commissioners King, Lillard, McDowell and Williams.

Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.

Judi Bailey
County Clerk

3349008-Ord. 656
July 22, 29-pb133

JUL 31 1985



ALICE L. BUFFALO
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES JUNE 5, 1989

SUMMARY: Changes designation of county risk management analyst to county risk manager; changes frequency of meetings of safety committee; increases duties of safety officer; imposes additional reporting requirements in cases of occupational injury or illness; specifies duties of risk manager; revises procedures for administration of claims involving self-insurance fund and revises purposes for creation of the fund; creates fund for medical assistance to indigent persons and specifies purposes of the fund; repeals obsolete fire suppression fund and anti-recession fund.

BILL NO. 829

ORDINANCE NO. 656

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE DESIGNATION OF COUNTY RISK MANAGEMENT ANALYST TO COUNTY RISK MANAGER; CHANGING THE FREQUENCY OF MEETINGS OF THE SAFETY COMMITTEE; INCREASING THE DUTIES OF THE SAFETY OFFICER; IMPOSING ADDITIONAL REPORTING REQUIREMENTS IN CASES OF OCCUPATIONAL INJURY OR ILLNESS; SPECIFYING THE DUTIES OF THE RISK MANAGER; REVISING PROCEDURES FOR ADMINISTRATION OF CLAIMS INVOLVING THE SELF-INSURANCE FUND; REVISING THE PURPOSES FOR CREATION OF THE FUND; CREATES FUND FOR MEDICAL ASSISTANCE TO INDIGENT PERSONS AND SPECIFIES PURPOSES OF THE FUND; REPEALS OBSOLETE FIRE SUPPRESSION FUND AND ANTI-RECESSION FUND; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Chapter 5 of the Washoe County Code is hereby amended by adding thereto the provision set forth as sections 2 to 9, inclusive of this ordinance.

SECTION 2.

5.460 Definitions. As used in sections 5.470 to 5.530, inclusive, unless the context otherwise requires:

1. "Department" means the department of emergency management.
2. "Disaster" means a state of injury or damage resulting from an emergency of sufficient severity and magnitude as to be beyond the ability of local governments or private relief agencies to alleviate the damage, loss, hardship or suffering caused thereby.
3. "Emergency" means the occurrence of widespread or severe damage, injury or loss of life or property resulting from any war or natural or man-made disaster, including but not limited to fire, flood, earthquake, wind-storm, explosion, landslide, avalanche, epidemic, air contamination, radioactive fallout, hazardous substance and oil spill, riot or other civil disturbances.
4. "Emergency management" means the preparation for and

the carrying out of all necessary functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from emergencies or disasters.

5. "Emergency operations" means the planning, preparation for, and carrying out of all necessary functions necessary to prevent, minimize, and recover from the effects of a disaster or emergency.

SECTION 3.

5.470 Creation of Washoe County department of emergency management.

1. There is hereby created a new department to be known as the Washoe County department of emergency management.

2. The purpose of the department of emergency management is to provide for the safety and welfare of the people and the protection of their property within this county in a disaster or emergency situation through organized emergency operations, and to provide for the coordination of such operations with appropriate public authorities, private persons, business associations, and organizations.

SECTION 4.

5.480 Appointment of emergency management director; appointment.

1. The county manager shall appoint an emergency management director to serve as head of the department. The director shall serve at the pleasure of the board of county commissioners and shall receive a salary to be fixed by the board.

2. The director shall be responsible to oversee all administrative functions of the department and to supervise such employees as the board may authorize to be employed by the county and assigned to the department.

3. The director is empowered:

(a) To represent the board of county commissioners on all matters pertaining to emergency management.

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

4. The director shall designate an employee of the department to temporarily act as director during an emergency or disaster when the director is temporarily unavailable or otherwise unable to perform his duties.

5. The director shall submit a budget to the board for its approval in accordance with the rules applicable to other county agencies or departments. Except as provided for in the event of emergencies or disasters the director shall operate under that budget and under normal county purchasing procedures.

SECTION 5.

5.490 Functions of the department of emergency management. The responsibility of the department shall include:

1. Establishing an organization for emergency operations, utilizing for this purpose county, public, and private resources.
2. Preparing an emergency disaster plan and an emergency resources management plan for the county, in support of and consistent with any other county, state and federal emergency plans.
3. Designating and preparing standing operating procedures for an emergency operations center from which centralized direction and control of the emergency operations organization may be exercised.
4. Testing the emergency operations organization at drills, and to otherwise train and prepare the organization to effect the purpose of this code.
5. Representing the emergency operations organization of the county in dealings with public or private agencies pertaining to emergency operations.
6. Collaborating with other public and private agencies and developing mutual aid arrangements for reciprocal emergency management aid and assistance in case of disaster. Such arrangements shall be consistent with all county, state, or federal emergency management plans and programs.

SECTION 6.

5.500 Emergency powers of the director.

1. At the inception of and during the course of a disaster or emergency as declared by the governor of this state or the President of the United States, the director shall implement the emergency disaster plan and emergency resources management plan and shall have the authority to direct and control such other county employees as may be required to implement the plans.
2. The director shall also have the power to obtain vital services, supplies and equipment needed for the protection of life and property and implementation of the plan and may bind the county for the value thereof without being required to follow or comply with the normal purchasing procedures if compliance with those procedures would hamper or impair the implementation of the plan.
3. The director shall also have the power to suspend the licensing requirements for persons whose services are required for implementation of the emergency plans.
4. The emergency powers granted the director under this section are temporary and may be revoked, limited or restricted by order of the board of county commissioners.

SECTION 7.5.510 Emergency management personnel: Oath.

1. No person may be employed or associated in any capacity in the department of emergency management established under this code, who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States.

2. Each person who is appointed to serve in the department of emergency management must, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath must be substantially as follows: I _____, do solemnly swear (or affirm) that I will support and defend the constitution of the United States and the constitution of the State of Nevada against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the (name of organization for emergency management), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence.

SECTION 8.

5.520 Volunteers. All persons other than officers and employees of the county volunteering for service shall serve without compensation. While engaged in such service they have the same immunities as county officers and employees performing similar duties.

SECTION 9.

5.530 Unlawful acts; penalties. It is unlawful during an emergency to:

1. Willfully obstruct, hinder or delay any member of the department in the enforcement of any rule or regulation issued pursuant to sections 5.460 to 5.530, inclusive, or in the performance of any duty imposed upon him by virtue of those sections.

2. Do any act forbidden by any rule or regulation issued pursuant to sections 5.460 to 5.530, inclusive, if such act is of such a nature as to give assistance to the enemy or to imperil the life or property of any inhabitant of Washoe County or to prevent, hinder or delay the defense or protection thereof.

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

SECTION 10. Section 15.060 of the Washoe County Code is hereby amended to read as follows:

15.060 Special revenue funds: Creation; purposes.
Washoe County shall maintain the following special revenue funds:

1. Federal revenue sharing trust fund. This fund is created to comply with the provisions of the State and Local Fiscal Assistance Act of 1972 and regulations promulgated thereunder to record all receipts of revenue sharing moneys. Disbursements shall be made from this fund to the funds that actually spend the money in accordance with the provisions of the federal law.

2. Park, playground and recreation fund. This fund is created by section 20.461 for the purposes stated therein. Expenditure of moneys in this fund is limited as prescribed in that section.

3. Medical assistance to indigent persons fund. This fund is created for the reimbursement of any unpaid charges for medical care furnished to an indigent person who falls sick in the county other than care furnished on account of an injury suffered in a motor vehicle accident.

All money collected pursuant to sections 2 to 4, inclusive, of chapter 629, Statutes of Nevada 1985, as well as any interest earned on the money in the fund, must be deposited for credit to the fund. Claims against the fund must be paid only on claims approved by the board of county commissioners. Money remaining in the fund at the end of a fiscal year shall not revert to the county general fund.

4. Self-insurance fund. This fund is created for the following purposes:

(a) To provide Washoe County with flexibility in designing and instituting internal insurance programs in order to maximize and stabilize coverages and reduce the effect of fluctuations in the insurance market.

(b) To provide a method of self-funding those programs in which annual insurance premium costs may exceed actual payment of claims.

(c) To purchase insurance when required by law or when it is deemed to be in the best interests of Washoe County to do so.

(d) To fund losses and to pay legal, investigative, administrative and developmental costs.

(e) Such other purposes as may be from time to time defined by the board of county commissioners.

5. At the beginning of each fiscal year, there shall be credited to the self-insurance fund an amount of money which equals the past fiscal year's interest yield from investment of the principal amount of the fund. The total amount credited shall be used for no other purposes but those specified in subsection 5.

SECTION 11. Section 65.030 of the Washoe County Code is hereby amended to read as follows:

65.030 County safety committee: Creation; purposes.

1. The county safety committee is hereby created.
2. The purposes of the county safety committee are to:
 - (a) Serve in an advisory capacity to the board of county commissioners, the county manager, the county safety officer and the county risk manager in all matters relating to safety and health of county employees and volunteers.
 - (b) Communicate safety policies to all employees and volunteers.
 - (c) Review all accidents or incidents referred by the county safety officer or the county risk manager and, where deemed necessary, conduct additional evaluations and make findings and recommendations regarding the cause and effect of accidents, corrective measures, disciplinary measures and future accident-prevention or loss-control measures.
 - (d) Review and recommend action on all safety suggestions.

SECTION 12. Section 65.040 of the Washoe County Code is hereby amended to read as follows:

65.040 County safety committee: Composition; terms of office of members.

1. The county safety committee consists of eight members to be selected after May 24, 1978, as follows:
 - (a) Two department heads, appointed by the board of county commissioners;
 - (b) One representative of the Washoe County Sheriff's Deputies Association, appointed by the association;
 - (c) One representative of the Washoe County Employees Association, appointed by the association;
 - (d) The district health officer or his designated representative;
 - (e) The county safety officer;
 - (f) The county risk manager; and
 - (g) The director of the department of emergency management.
2. The term of office of each member of the county safety committee, other than the district health officer, the director of the department of emergency management,

the county safety officer and the county risk manager, is 2 years, commencing with appointment, except that the initial members of the county safety committee appointed after May 24, 1978, shall serve terms as follows:

(a) One department head and one representative of the Washoe County Employees Association shall serve for terms of 3 years, beginning the 1st day of the month following their appointment.

(b) One department head and one representative of the Washoe County Sheriff's Deputies Association shall serve for terms of 2 years, beginning the 1st day of the month following their appointment.

(c) The district health officer or his designated representative, the director of the department of emergency management, the county safety officer and the county risk manager shall be permanent members, effective May 24, 1978.

SECTION 13. Section 65.050 of the Washoe County Code is hereby amended to read as follows:

65.050 Chairman of county safety committee. The chairman of the county safety committee shall be chosen by the members of the committee and shall not be the county safety officer or the county risk manager.

SECTION 14. Section 65.060 of the Washoe County Code is hereby amended to read as follows:

65.060 Meetings of county safety committee. The county safety committee shall meet every other month and upon the call of the chairman.

SECTION 15. Section 65.080 of the Washoe County Code is hereby amended to read as follows:

65.080 County safety officer: Designation; duties. The county safety officer, who shall administer the county safety and health program, shall perform his duties under the direction of the county risk manager.

SECTION 16. Section 65.140 of the Washoe County Code is hereby amended to read as follows:

65.140 Safety and health inspections.

1. The division of occupational safety and health under the jurisdiction of the Nevada department of industrial relations and the federal office of occupational safety and health have the authority to conduct physical inspections of work places to determine whether or not an employer is complying with the safety and health standards adopted by the federal and state governments. Compliance officers are authorized to conduct such inspections at any reasonable time and to question privately any employer or

employee. No advance notice of an inspection is required to be given by the compliance officer, but the compliance officer shall present his credentials to the supervisor or person in charge. A written report of the inspection will be submitted by the compliance officer to the appropriate agency.

2. The county safety officer shall conduct inspections in order to note and correct safety, fire and health deficiencies. Such inspections shall be coordinated with department heads.

SECTION 17. Section 65.160 of the Washoe County Code is hereby amended to read as follows:

65.160 Safety training. Employee safety training meetings shall be scheduled periodically in order that employees may be trained and educated in safe working procedures.

SECTION 18. Section 65.180 of the Washoe County Code is hereby amended to read as follows:

65.180 Written reports required for occupationally related injury, illness.

1. A "Washoe County Injury and Illness Report" shall be submitted to the county safety officer when any occupationally related injury or illness results in:

(a) Death, regardless of the time between the injury and death or the length of the illness.

(b) Absence from work.

(c) Necessity for transfer to another job or termination of employment.

(d) Loss of consciousness.

(e) Restriction of work or movement.

(f) Medical treatment of any kind, including first aid.

SECTION 19. Section 65.190 of the Washoe County Code is hereby amended to read as follows:

65.190 Emergency reports. An immediate report shall be made by telephone to the county safety officer after any accident which results in serious injury, fatality, possible fatality or which requires hospitalization of five or more employees.

SECTION 20. Section 65.200 of the Washoe County Code is hereby amended to read as follows:

65.200 Regular injury or illness reports. Appropriate forms shall be completed and distributed as directed for each occupational injury or illness described in section 65.180. Reports shall be prepared and submitted as soon as possible, but not later than 5 days after the injury or illness.

SECTION 21. Section 65.210 of the Washoe County Code is hereby amended to read as follows:

65.210 Requirements for investigation, evaluation of accidents, incidents.

1. The county safety officer or the county risk manager shall review each accident or incident report prepared by county employees or volunteers. Any report deemed to require further investigation shall be referred to the county safety committee for evaluation. The county safety committee may require additional written information from the employee or volunteer and may interview him if it deems necessary. The county safety committee may request from the sheriff, the district attorney or other appropriate personnel technical assistance for the conduct of additional investigation if deemed necessary.

2. After investigation and evaluation, the county safety committee shall submit to the county manager a report of vehicle, property and liability loss, recommendations as to whether or not disciplinary action should be taken against the employee, including its form and severity, and what future accident-prevention or loss-control measures might be taken. If, after investigation and evaluation, the county safety committee finds that the employee or volunteer is responsible for the loss sustained to county property or other property, and if the employee or volunteer desires to make restitution, the county safety committee may recommend restitution. The county safety committee may also recommend that the person be required to participate in a defensive driving course. The county safety committee shall make such other recommendations as it deems warranted by the circumstances of each case.

3. The report, recommendation and a record of any action taken by the head of the department shall be placed in the employee's personnel file for purposes of performance evaluation. The record shall remain in the file permanently and shall be transmitted for informational purposes to the board of county commissioners.

SECTION 22. Section 65.220 of the Washoe County Code is hereby amended to read as follows:

65.220 Preparation of statistical information for development of accident-prevention measures. The county safety officer or county risk manager shall have each accident or incident report received in compliance with sections 65.010 to 65.260, inclusive, tabulated and analyzed and shall maintain adequate records of insurance losses, injuries, fatalities and other statistical information useful in the development and maintenance of accident-prevention and loss-control measures.

SECTION 23. Section 65.230 of the Washoe County Code is hereby amended to read as follows:

65.230 County risk manager: Creation; powers; duties.

1. The position of county risk manager is hereby created within the department of budget and analysis. The risk manager shall be appointed by the director of the department with the approval of the board of county commissioners and shall be in the unclassified service of the county.

2. The risk manager shall:

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

(b) Administer the self-insurance fund;

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

(d) Pursue subrogation where feasible;

(e) Administer all contracts related to the fund;

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

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

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

SECTION 24. Section 65.240 of the Washoe County Code is hereby amended to read as follows:

65.240 Reporting requirements following accident, incident or injury. Any person who, while performing services for Washoe County as an employee or volunteer, is involved in an accident or incident involving damage to any property or injury to any other person shall:

1. When required by law, report the accident or incident to the proper authority.

2. Notify the head of his department as soon as practicable after the accident or incident.

3. Forward a written report of the accident or incident to the head of his department within 24 hours after its occurrence.

SECTION 25. Section 65.250 of the Washoe County Code is hereby amended to read as follows:

65.250 Transmittal of written reports by department heads to county risk manager; additional reports.

1. The head of a department who receives a written

report pursuant to section 65.240 shall forward the report and any other material relating to the accident or incident to the county risk manager within 24 hours of receipt of the written report.

2. The county risk manager may require additional reports to be filed if, in his opinion, the written report is insufficient.

SECTION 26. Section 65.260 of the Washoe County Code is hereby amended to read as follows:

65.260 Use, form, contents of written reports of accidents, incidents. Reports to heads of departments pursuant to subsection 3 of section 65.240:

1. Shall be for the confidential use of the department involved, the county safety officer, the county risk manager, the county safety committee and the county manager.

2. Shall be for use in accident prevention, loss control and such disciplinary action as may be warranted against the employee involved.

3. Shall be submitted in such form as may be prescribed by the county risk manager.

4. May include estimates of vehicle, property and liability losses as well as information sufficiently detailed to disclose, with reference to the accident or incident, its cause, the conditions then existing and the persons and property involved.

SECTION 27. Section 65.270 of the Washoe County Code is hereby amended to read as follows:

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

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

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

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

SECTION 28. Sections 65.280 to 65.330, inclusive, of the Washoe County Code are hereby repealed.

Proposed on the 11th day of June, 1985.

Proposed by Commissioners Board.

Passed on the 16th day of July, 1985.

Vote:

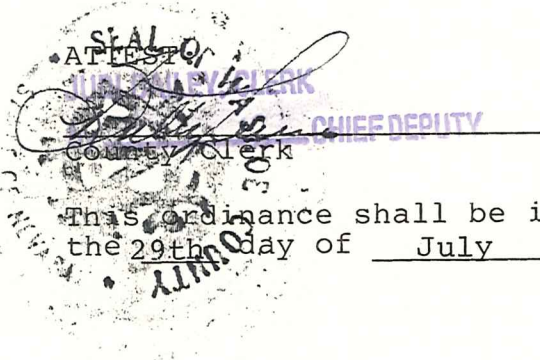
Ayes: Commissioners: Lillard, McDowell, King, Williams

Nays: Commissioners: None

Absent: Commissioners: Ritter



Chairman of the Board


SEAL OF
COUNTY CLERK

COUNTY CLERK
JUL 29 1985

This ordinance shall be in force and effect from and after the 29th day of July, 1985.