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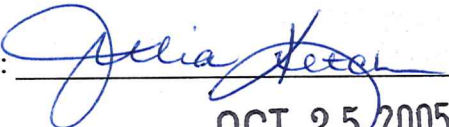
STATE OF NEVADA  
COUNTY OF WASHOE

ss: Julia Ketcham

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 referenced below has published in each regular and entire issue of said newspaper between the dates: **10/14/2005 - 10/21/2005**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed:



**OCT 25 2005**



**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1275 NOTICE IS HEREBY GIVEN THAT: Bill No. 1454, Ordinance No. 1275 entitled, An ordinance amending the Washoe County Business License Code at Chapter 25 by adding thereto provisions that require license applications, information and fees for tent shows, theme parks and permanent exhibitions, and that require registration cards for tent shows and theme parks; adding a definition for tent shows, and including tent shows, theme parks and permanent exhibitions in other definitions; revising provisions regarding event performance security review and approval; adding provisions regarding state massage therapist licenses; revising and adding provisions regarding fees charged for written exams and practical exams conducted by massage board members; adding provisions to compensate massage board members for conducting and grading exams but not for board service; revising provisions to disband the massage board on July 1, 2007; adding provisions to expire valid massage therapist permits on July 1, 2007 and not issue new permits after that date; and providing other matters properly relating thereto. was adopted on October 11, 2005 by Commissioners Galloway, Larkin, Sferrazza, and Weber. Commissioner Humke was absent. This ordinance shall be in full force and effect from and after October 21, 2005. 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, and can be found on the County Clerk's website, [www.washoecounty.us/clerks](http://www.washoecounty.us/clerks). AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 134982 October 14, 21, 2005

SUMMARY: An ordinance amending Washoe County Code regarding tent shows, theme parks, permanent exhibitions, massage board member compensation, massage board examinations, state massage therapist licenses, and expiration of massage therapist permits on July 1, 2007.

BILL NO. 1454

ORDINANCE NO. 1275

AN ORDINANCE AMENDING THE WASHOE COUNTY BUSINESS LICENSE CODE AT CHAPTER 25 BY ADDING THERETO PROVISIONS THAT REQUIRE LICENSE APPLICATIONS, INFORMATION AND FEES FOR TENT SHOWS, THEME PARKS AND PERMANENT EXHIBITIONS, AND THAT REQUIRE REGISTRATION CARDS FOR TENT SHOWS AND THEME PARKS; ADDING A DEFINITION FOR TENT SHOWS, AND INCLUDING TENT SHOWS, THEME PARKS AND PERMANENT EXHIBITIONS IN OTHER DEFINITIONS; REVISING PROVISIONS REGARDING EVENT PERFORMANCE SECURITY REVIEW AND APPROVAL; ADDING PROVISIONS REGARDING STATE MASSAGE THERAPIST LICENSES; REVISING AND ADDING PROVISIONS REGARDING FEES CHARGED FOR WRITTEN EXAMS AND PRACTICAL EXAMS CONDUCTED BY MASSAGE BOARD MEMBERS; ADDING PROVISIONS TO COMPENSATE MASSAGE BOARD MEMBERS FOR CONDUCTING AND GRADING EXAMS BUT NOT FOR BOARD SERVICE; REVISING PROVISIONS TO DISBAND THE MASSAGE BOARD ON JULY 1, 2007; ADDING PROVISIONS TO EXPIRE VALID MASSAGE THERAPIST PERMITS ON JULY 1, 2007 AND NOT ISSUE NEW PERMITS AFTER THAT DATE; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Section 25.0255 of the Washoe County Code is hereby amended to read as follows:

25.0255 Business license fees for specific businesses.

1. Except as otherwise provided herein, all fees and charges for licenses or permits shall be paid in advance in lawful money of the United States of America at the time application therefor is made to the license division.

2. Every person who engages in, conducts or maintains any business, trade, calling, industry, occupation or profession listed in this section in the county, outside of the limits of incorporated cities and towns in the county, shall pay for and obtain a license to carry on such business according to the following schedule:

(a) Animal shows consisting of exhibitions of domestic or large animals: \$65 for a license valid for a maximum of seven consecutive days.

(b) Christmas tree sales: \$65 for a license valid between Thanksgiving Day and December 31.

(c) Garage and/or yard sales: \$65 for a license valid for no more than 31 days in a calendar year.

(d) Outdoor community event or outdoor festival, other than a tent show or circus: \$350 for a daily license, plus the fees set forth in subsections 2(i) and 2(j) if applicable.

(e) Pumpkin patches: \$65 for a license valid from October 1 to November 5.

(f) Rental, leasing or sub-leasing of commercial or industrial property, or of three or more residential units on one parcel of land: \$75 for an annual license for the first year of business. Thereafter, if the gross receipts from the business are \$100,000 or greater, then the business shall pay the renewal fees according to the master business license fee schedule. If the gross receipts from the business are less than \$100,000, then the business shall pay the minimum renewal fee rate on the master business license fee schedule.

(g) Seasonal firewood sales that comply with section 110.310.50 of this code and are not part of a permanent permitted use: \$65 for a license valid for 90 days between September 1 and March 31.

(h) Solicitations by charitable organizations: \$75 for a license valid for a maximum of ninety consecutive days.

(i) Temporary sales or service, no booths: \$65 for a license valid for 31 days per calendar year.

(j) Temporary sales or service, with booths: \$65 plus the following booth fee for a license valid for 31 days per calendar year:

- (1) 1 - 4 booths, \$25.
- (2) 5 - 9 booths, \$50.
- (3) 10 - 19 booths, \$100.
- (4) 20 - 29 booths, \$150.
- (5) 30 - 39 booths, \$200.
- (6) 40 - 49 booths, \$250.
- (7) 50 - 59 booths, \$300.
- (8) 60 - 69 booths, \$350.
- (9) 70 - 79 booths, \$400.
- (10) 80 - 89 booths, \$450.
- (11) 90 - 100 booths, \$500.

(12) More than 100 booths, \$500 plus \$5 for each booth in excess of 100.

(k) Theme parks and permanent exhibitions: \$100 for a daily license, to a maximum total fee of \$1,400; plus the fees set forth in subsections 2(i) and 2(j) if applicable.

(l) Tent shows, carnivals, and circuses: Except as provided in subsection 6 of this section, \$300 for a daily license, to a maximum total fee of \$4,200, plus the fees set forth in subsections 2(i) and 2(j) if applicable.

(m) Utilities: Fees are set forth in section 25.026 and sections 25.500 to 25.505, inclusive.

3. If a license fee includes a fee for booths, the sponsor of the business shall pay the fee for booths as part of his license fee. Nothing in this section prohibits the licensee from renting booths to unlicensed persons for compensation.

4. Licenses issued pursuant to this section may not be renewed.

5. Upon written application from any executive officer of any local post or unit of any national organization of ex-servicemen, acting in his official capacity, a license shall be issued without charge for a tent show or circus for not to exceed 2 weeks in any calendar year, if the local post or unit is to participate in such show or the proceeds thereof. This exception shall not apply to the fees set forth in subsections 2(d) and 2(e), if applicable.

6. As used in this section:

(a) "Carnival," "circus," and "tent show" have the meanings ascribed to them in section 25.263.

(b) "Temporary sales or service" means any business which engages in the sale of any new or used good, product or commodity or any business which provides any service or combination of any service and any good, product or commodity. The term includes an auction, farmer's market, flea market, sidewalk sale, distressed merchandise sale, any sale made or service rendered (or any combination thereof) as part of any outdoor festival, outdoor community event, tent show, circus or carnival, and traveling merchants, solicitors, peddlers, hawkers, and merchants of all kinds.

[§2, Ord. No. 817; A Ord. No. 827; A Ord. No. 1125, 1138, 1260]

SECTION 2. Section 25.0451 of the Washoe County Code is hereby amended to read as follows:

25.0451 Applications.

1. Except as provided in subsection 4 below, when chapter 25 or 30 requires a person to have a work permit before engaging in an occupation, that person shall make application on a form provided by the sheriff and pay any fees or service charges

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associated with the work permit to the sheriff. The sheriff shall approve or deny the application. The sheriff shall refuse to accept any incomplete application.

2. When chapter 25 requires a persons to have a registration card before performing a solicitation for a charitable organization, operating a carnival, circus, tent show, or theme park, conducting a flea market, or engaging in any other occupation that person shall make application on a form provided by the sheriff, who shall approve or deny the application. The sheriff shall refuse to accept any incomplete application.

3. Each application shall include, without limitation, the statement regarding child support required by subsection 1 of NRS 244.33506 and the applicant's social security number, in accordance with NRS 244.33507.

4. The provisions of sections 25.0452 to and including 25.0459, do not apply to gaming work permits. Gaming work permits are governed by the provisions set forth in sections 30.431 to 30.510 of this code.

[§32, Ord. No. 1138, A Ord. No. 1193]

SECTION 3. Section 25.227 of the Washoe County Code is hereby amended to read as follows:

25.227 Definitions. As used in sections 25.227 to 25.2625, inclusive, unless the context otherwise requires:

1. "Client" means any person who receives a massage under such circumstances that it would be reasonably expected that money would be paid or other consideration given therefor.

2. "Employee" in relation to employment in a massage establishment means any person who renders any service in connection with the operation of a massage business and receives compensation from the operator of the business or from patrons.

3. "Massage" means and includes any method of treating the superficial parts of a client's anatomy for medical, hygienic, exercise or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands, any instrument or by the application of air, liquid or vapor baths of any kind, where the treatment is performed under such circumstances that it would be reasonably expected that money will be paid or other consideration given therefor.

4. "Massage business license" means the license attaching to the business and is separate and distinct from the permit required of individuals actually performing the services.

5. "Massage therapist" means any person who actually performs a massage under a Washoe County massage therapist permit or a State of Nevada massage therapist license.

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[Part §1, Ord. No. 316; A Ord. Nos. 353, 423, 497, 605, 975, 1138, 1182]

SECTION 4. Section 25.229 of the Washoe County Code is hereby amended to read as follows:

25.229 Massage business license required.

1. Except as provided in section 25.259, it is unlawful for any person to operate, manage or maintain a business wherein massages are performed unless he holds a valid massage business license issued pursuant to the provisions of this Chapter.
2. A massage business license shall be issued for a specified location and shall authorize the performing of a massage at the location specified in the license and on an out-call basis under such conditions as will insure the legitimacy of such out-call massages.
3. A massage establishment business license allows for an establishment to be used for the purpose of massage and does not license or permit any individual to perform such massage. Massage therapist permits or licenses for individuals are separate and distinct from massage establishment business licenses.

[Part §25, Ord. No. 306; A Ord. Nos. 522, 605, 1138, 1182, 1235]

SECTION 5. Section 25.238 of the Washoe County Code is hereby amended to read as follows:

25.238 Board of massage examiners; creation; composition; replacement; meetings; examinations; recommendations; compensation; disbanding on July 1, 2007.

1. There is hereby created the board of massage examiners to be composed of five regular members who shall be residents of the county. The board of massage examiners shall consist of five persons to be appointed by the board. Each appointee shall be a licensed massage or body work therapist or other licensed professional in a related field. The terms shall be for 3 years.
2. No board of massage examiners member shall serve more than three consecutive terms unless the board approves additional terms for that person.
3. The board of massage examiners shall meet at least once every quarter, with additional meetings as necessary to be called by the chairperson.
4. The board of massage examiners shall conduct an examination of all applicants for a massage therapist permit, which examination shall consist of a written test and a

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practical examination unless the applicant is exempt from all or part of the test. The written examination shall test the applicant's knowledge of anatomy, kinesiology and physiology, massage technique and practice and of state and county laws (including health and any other laws, rules or regulations the board may determine applicable to the practice of massage). The practical examination shall consist of the actual performing of massage services. An applicant will be limited to three attempts at each portion of the examination in any twelve month period.

5. The board of massage examiners shall grade and assess the examination and make its recommendation to the license division.

6. Except as provided herein, the board of massage examiners shall serve without compensation. Each board member shall receive \$15 for each written examination conducted and graded, and \$30 for each practical examination conducted and graded. The board member shall attest to the examination(s) on a form provided by the business license division. Compensation shall be paid directly to the board member after verification by the business license division of the examination and grading.

7. The board of massage examiners shall be disbanded on July 1, 2007, at which time licensing of massage therapists in the County shall be wholly assumed by the State of Nevada Board of Massage Therapists, but the County shall continue to administer massage business licenses as set forth in this Chapter.

[S3, Ord. No. 605; A Ord. Nos. 692, 827, 1051]

SECTION 6. Section 25.239 of the Washoe County Code is hereby amended to read as follows:

25.239 Massage business license and massage therapist permit issuance; investigation of suitability for license and for permit; grounds for denial and revocation; permits not issued after July 1, 2007.

1. As used in this section, the term "applicant" shall mean:
  - (a) The applicant, if an individual;
  - (b) Any of the officers and directors, if the applicant is a corporation;
  - (c) Any of the partners, including general and limited partners, if the applicant is a partnership; and/or
  - (d) The manager or other person principally in charge of the operation of the business, if the applicant is a partnership or a corporation.

2. Upon receipt of a completed application by the license division, the sheriff shall commence his investigation in accordance with section 25.023.

3. Upon receipt of a complete application for a massage



business license or for a massage therapist's permit and after completion of the investigations required by this section, the license division shall issue or deny the license or permit.

4. Good cause exists for the denial of an application for a massage business license for the reasons listed in subsection 1 of section 25.018 or any of the following reasons:

(a) The applicant has been convicted within the past ten (10) years of the following crimes:

- (1) Fraud.
- (2) Prostitution.
- (3) Solicitation.
- (4) Rape (sexual assault).
- (5) Indecent Exposure.

(b) The applicant has had a massage business license, massage therapist permit or other similar permit or license denied, revoked or suspended for any of the causes stated in subsection 4(a) by this county or any other state or local agency within 5 years before the date of the application; or

(c) The applicant is under the age of 18 years.

5. Good cause exists for the denial of an application for a massage therapist permit for the following reasons:

(a) The applicant has been convicted within the past ten (10) years of the crimes stated in subsection 4(a) or the applicant is under the age of 18 years.

(b) Does not meet the educational requirements set forth in sections 25.2623 and 25.2625, as applicable.

(c) Has had a massage business license, massage therapist permit, or similar license or permit denied, suspended, or revoked within the last five years by Washoe County or any other state or local agency.

6. The license division may revoke or refuse to renew a massage business license or a massage therapist's permit for any reason that would constitute grounds for denial in the first instance.

7. After July 1, 2007, the County shall no longer issue massage therapist permits, all of which shall automatically expire on July 1, 2007 and shall thereafter be administered by the State of Nevada Board of Massage Therapists.

[Part §25, Ord. No. 306; A Ord. Nos. 522, 605, 827, 975, 1138, 1235]

SECTION 7. Section 25.243 of the Washoe County Code is hereby amended to read as follows:

25.243 Fees.

1. The fee for a massage business license shall be as set forth in section 25.025 of this code.

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2. The initial and annual fee for a massage therapist permit shall be \$32.

3. The fee for the written examination conducted by the Board of Massage Examiners shall be \$15.

4. The fee for the practical examination conducted by the Board of Massage Examiners shall be \$30 each examination.

5. Members of the board of massage examiners shall be exempt from the fee requirements of this section.

6. After July 1, 2007, all fees as set forth in subsections 2 through 5 inclusive of this section shall be rescinded.

[§12, Ord. No. 605; A Ord. Nos. 692, 1138, 1182, 1235]

SECTION 8. Section 25.244 of the Washoe County Code is hereby amended to read as follows:

25.244 Unlawful acts.

1. It is unlawful for a massage therapist or employee of a massage business to intentionally massage, touch or fondle the genital or anal area of any patron or the breasts of a female patron.

2. It is unlawful for a person to perform a massage under the auspices of a massage business unless that person holds a valid massage therapist's permit pursuant to sections 25.262 to 25.2625, inclusive or a valid massage therapist license issued by the State of Nevada Board of Massage Therapists.

3. It is unlawful for a person to perform outcall massage unless the person holds a valid massage therapist's permit pursuant to sections 25.262 to 25.2625, inclusive or a valid massage therapist license issued by the State of Nevada Board of Massage Therapists.

4. It is unlawful for the holder of a massage therapist's permit or license to perform a massage at a location not authorized by their employer's business license.

5. It is unlawful for the holder of a massage therapist's permit or license to allow the genital area of male and female clients or the breasts of female clients to be uncovered at any time. The genital area of male and female clients and the breasts of female clients shall be covered by a sheet, towel, or other opaque clothing at all times. If the genitals of male or female clients or the breasts of female clients become uncovered, physical contact between the permittee or licensee and the client must cease until the covering is restored.

6. It is unlawful for a massage therapist to perform a massage on a person under the age of 18 unless the person is accompanied by a parent or guardian.

7. It is unlawful for the holder of a massage business license to allow any of the acts enumerated in subsections 1 to

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7, inclusive, of this section.

[§1, Ord. No. 668; A. Ord. Nos. 1138, 1182]

SECTION 9. Section 25.253 of the Washoe County Code is hereby amended to read as follows:

25.253 Supervision. A massage business licensee shall have the premises supervised at all times when open for business. A business rendering massage services shall have one person who holds a valid Washoe County massage therapist's permit or a valid state massage therapist's license on the premises at all times while the establishment is open. The business licensee shall not violate, or permit others to violate, any applicable provision of sections 25.227 to 25.2625, inclusive. The violation of any such provision by an agent or employee of the business licensee constitutes a violation by the business licensee.

[Part §25, Ord. No. 306; A Ord. Nos. 522, 605, 1138]

SECTION 10. Section 25.259 of the Washoe County Code is hereby amended to read as follows:

25.259 Exemptions.

1. The licensing or permit requirements of this Chapter do not apply to:

(a) Any licensed health and care facility as defined in NRS 449; or

(b) Any licensed provider of health care as defined in NRS 629.031 where the performing of massages is an adjunct of providing health care; or

(c) Any person providing services under the direction and supervision of such licensed provider in conjunction with the providing of services by an exempted facility; or

(d) Barbers or cosmetologists holding a valid state license or certificate while lawfully carrying out their particular business or profession at the location of their county business license.

(e) Any person performing non-massage bodywork, including without limitation Reflexology, Ortho-Bionomy®, Polarity Therapy, Reiki, Cranio-Sacral Therapy, Feldenkrais, Jin-Shin, and Healing Touch.

(f) Any person performing bodywork which does not meet the definition of massage under 25.227.

(g) Any person performing other bodywork modalities approved by majority vote of the Board of Massage Examiners.

2. The permit requirements of this Chapter do not apply to any person holding a valid state massage therapist license.

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[Part §25, Ord. No. 306; A Ord. Nos. 522, 605, 692, 1138]

SECTION 11. Section 25.262 of the Washoe County Code is hereby amended to read as follows:

25.262 Requirement for massage therapist permits; terms; exceptions; expiration on July 1, 2007.

1. No person may be employed by a massage business as a massage therapist unless he holds a valid massage therapist's permit issued by the license division or a valid state massage therapist license.

2. A massage therapist's permit is valid for one year and may be renewed, provided the holder complies with the permit issuance requirements of section 25.239 and the educational requirements of section 25.2623.

3. After July 1, 2007, the County shall no longer issue massage therapist permits, all of which shall automatically expire on July 1, 2007 and shall thereafter be administered by the State of Nevada Board of Massage Therapists.

[§153, Ord. Nos. 1138, 1182, 1235]

SECTION 12. Section 25.305 of the Washoe County Code is hereby amended to read as follows:

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 license division shall determine the type and amount of performance security required under subsection 1 of this section.

[§25, Ord. No. 1099]

SECTION 13. Section 25.384 of the Washoe County Code is hereby amended to read as follows:

Carnivals, Circuses, Tent Shows,  
Theme Parks, and Permanent Exhibitions

25.384 Definitions. As used in sections 25.384 to 25.3905, inclusive:

1. "Carnival" has the meaning ascribed to it in subsection 2 of section 25.263.

2. "Circus" has the meaning ascribed to it in subsection 3 of section 25.263.

3. "Tent show" has the meaning ascribed to it in subsection 4 of section 25.263.

4. "Commencing operation" means to engage in the operation of a carnival, circus, tent show, theme park, or permanent exhibition pursuant to sections 25.384 to 25.3905, inclusive.

5. "Employee" means a person:

(a) Employed in any capacity by the owner or operator of a carnival, circus, tent show, theme park, or permanent exhibition.

(b) Operating a concession that is operated as a traveling business in conjunction with a carnival, circus, tent show, theme park, or permanent exhibition.

(c) Employed by the operator of a concession that is operated as a traveling business in conjunction with a carnival, circus, tent show, theme park, or permanent exhibition.

[Par 35, Ord. No. 306; A. Ord. No. 497, 1138]

SECTION 14. Section 25.385 of the Washoe County Code is hereby amended to read as follows:

25.385 Registration card required; additional investigation may be required.

1. Prior to the commencement of a carnival, circus, tent show, or theme park in the unincorporated area of the County, the owner or operator of the carnival, circus, tent show, or theme park shall obtain a registration card from the sheriff in accordance with sections 25.0451 to 25.0459, inclusive. The registration card is valid for the period of time the carnival, circus, tent show, or theme park is in operation in the unincorporated area of the county or for 30 days, whichever

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period is shorter.

2. For an owner or operator of a carnival, circus, tent show, or theme park who has not previously been investigated by the sheriff, the license division or the sheriff may require a criminal history background check as set forth in subsection 3 of section 25.0455, to determine whether cause for denial of the registration card exists.

3. No registration card shall be issued to an owner or operator of a carnival, circus, tent show, or theme park who:

(a) Has been charged with the commission of a crime and his arrest is sought by a law enforcement agency of this or any other state.

(b) Would pose a physical threat to the safety of the carnival or circus patrons.

4. The sheriff shall investigate the applicant and shall make a report thereon to the license division, favorable or otherwise, upon completion of the investigation.

5. The requirements of this section are in addition to and do not preclude a separate requirement for a license issued by the license division pursuant to this chapter.

[\$224, Ord. No. 1138]

SECTION 15. Section 25.3904 of the Washoe County Code is hereby amended to read as follows:

25.3904 Information to be furnished by owners, operators of carnivals, circuses, tent shows, theme parks, or permanent exhibitions.

1. Prior to commencement of any carnival, circus, tent show, theme park, or permanent exhibition in the unincorporated area of the county, the owner or operator of the carnival, circus, tent show, theme park, or permanent exhibition must submit to the license division:

(a) A schedule of the locations where, and dates on which, the carnival, circus, tent show, or theme park will be appearing during the next 6 months following its performance in the county.

(b) A list of the names, social security numbers, and dates of birth of all employees.

2. The list required in subsection 1(b) shall not include employees of businesses that are separate and distinct from the traveling carnival, circus, tent show, or theme park and have valid business licenses issued by the City of Reno, the City of Sparks, or Washoe County.

3. The requirements of subsection 1 are in addition to and do not preclude a separate requirement for a license issued by the license division pursuant to this chapter.



4. The information furnished by the carnival, circus, tent show, theme park, or permanent exhibition owner or operator shall be maintained in a manner presumed to be confidential by the license division for use pursuant to a judicial proceeding or when the license division or its agents deems it necessary to communicate with the owner or operator of the carnival, circus, tent show, theme park, or permanent exhibition when that person is outside the boundaries of Washoe County.

[Part §35, Ord. No. 306; added by Ord. No. 497; A. Ord. No. 1138]

SECTION 16. Section 25.3905 of the Washoe County Code is hereby amended to read as follows:

25.3905 License required for carnivals, circuses, tent shows, theme parks, or permanent exhibitions.

1. It is unlawful for any person to engage in the business of a carnival, circus, tent show, theme park, or permanent exhibition in the County without first securing a license therefor.

2. Prior to commencing operation of any carnival, circus, tent show, theme park, or permanent exhibition, the owner or operator must obtain a license issued by the license division pursuant to sections 25.384 to 25.3905, inclusive. If held outdoors in the unincorporated area of the County, the owner or operator must also obtain a license pursuant to sections 25.263 to 25.305, inclusive.

3. The license division will not issue a license for the operation of any carnival, circus, tent show, theme park, or permanent exhibition without the following:

- (a) Completed application; and,
- (b) If held in the unincorporated area of the County, a copy of a valid registration card from the sheriff for the owner or operator; and,
- (c) If held in the unincorporated area of the County, information required in section 25.3904.

4. The location for a carnival or circus must be approved by the license division before any license is issued.

5. Prior to commencing operation of any carnival, circus, tent show, theme park, or permanent exhibition in the County, the owner or operator shall pay for and obtain a license to carry on such business according to the following schedule:

- (a) If held within the limits of incorporated cities or towns in the County, \$50 for a daily license, to a maximum total fee of \$700.
- (b) If held in the unincorporated area of the County, the fees set forth in subsection 2 of section 25.0255.

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6. Upon written application of any executive officer of any local post or unit of any national organization of ex-servicemen, acting in his official capacity, a license for a circus or tent show shall be issued without charge for not to exceed 2 weeks in any calendar year, where the local post or unit is to participate in such show or the proceeds thereof.

[Part §28, Ord. No. 306; A Ord. Nos. 522, 566, 827, 1138, 1260]

[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 13th day of September, 2005.

Proposed by Commissioner Sferrazza.

Passed on the 11th day of October, 2005.

Vote:

Ayes: Galloway, Larkin, Sferrazza & Weber

Nays: (None)

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Hunke

Bonnie Weber

Chairman  
Washoe County Commission

Amy Harvey  
County Clerk

This ordinance shall be in force and effect from and after the 21st day of October, 2005.