



OUTDOOR FESTIVAL LICENSE APPLICATION

**1001 EAST 9TH STREET, BUILDING A
RENO, NEVADA 89512**

**(775) 328-3733
www.washoecounty.us**

OUTDOOR FESTIVAL LICENSE GENERAL PROCEDURES

Definition: "Outdoor festival" means an assembly of 1,000 or more persons on any 1 day of the event gathered together for any purpose, at any location, other than a permanent building or permanent installation that has been constructed for and will accommodate the number of persons gathered therein

1. **APPLICATION.** Complete the form in ink. This application is for events with attendance over 1,000 persons (spectators and participants) on any one day of the event. There is a \$1,000.00 nonrefundable application fee. Applications will be returned if the application fee is not included. Three paper copies of the application plus an electronic pdf file (memory stick or DVD) of the application must be turned in at least **90 days** before the event. The application must include all required forms.
2. **APPLICATION DEADLINE.** All applications must be submitted at least **90 days** in advance of the event.
3. **LICENSING REQUIREMENTS.** An outdoor festival license is required on any public or private lands in the unincorporated area of Washoe County except for lands managed by the Washoe County Regional Parks and Open Space; and, state, trust, tribal, and federal lands. All events must meet land use/regulatory zone requirements before the license will be issued. For information on land use/regulatory zone requirements, call (775) 328-6100 with the parcel number(s) of the event.
4. **BONDS.** The outdoor festival license will not be issued until the applicant has agreed to hold harmless, and has submitted evidence of sufficient insurance to indemnity, the County of Washoe, and their employees, agents and contractors for any and all liability for damages, injury, loss or expense caused or occasioned by reason of an act, or failure to act on the part of the applicant, the sponsoring organization, their agents and employees throughout the event. Additional bonds or letters of credit may be required.
5. **FEES.** The license fee for an outdoor festival is \$350.00 per day plus any booth fees if applicable. If the event is a carnival, circus or tent show the daily license fee is \$300, to a maximum amount of \$4,200, plus booth fees if applicable.

BOOTH FEES			
1-4 booths	\$ 25	50-59 booths	\$ 300
5-9 booths	\$ 50	60-69 booths	\$ 350
10-19 booths	\$ 100	70-79 booths	\$ 400
20-29 booths	\$ 150	80-89 booths	\$ 450
30-39 booths	\$ 200	90-100 booths	\$ 500
40-49 booths	\$ 250	More than 100 booths	\$ 500 plus \$5 for each booth in excess of 100

6. **INVESTIGATION.** The Sheriff's Office shall conduct a criminal history inquiry of the applicants (to include partners and corporate officers). Fingerprint impressions may be taken and submitted to the Nevada Central Repository for criminal history records and the Federal Bureau of Investigation. Fingerprint impressions will be taken after the application is turned in and deemed complete. A local police records check may be substituted for the criminal history inquiry for applicants with prior approved outdoor festival license(s) for the same type of event.
7. **CONDITIONS.** All pre-event conditions imposed by the Washoe County Board of County Commissioners (BCC) for the outdoor festival license must be met before the license will be issued.
8. **APPROVALS AND AGENCY SIGN-OFFS.** The application will be reviewed by the appropriate agencies, to include Building and Safety, the District Attorney's Office, Engineering, Health District, fire agency, the Sheriff's Office, and other agencies as appropriate. The application will be approved by the BCC at a public hearing.
9. **ISSUANCE OF LICENSE.** The outdoor festival license will be issued after all fees have been paid and all required pre-event conditions are met. The outdoor festival license must be displayed prominently at the event and must be available for inspection. This license is valid only for the event authorized and not for any other event.

OUTDOOR FESTIVAL LICENSE

Materials required for submittal

_____ Fees – check(s) made payable to “Washoe County”

Application fee

_____ \$1,000 non-refundable application fee

Daily fee(s)

_____ \$350 daily fee plus appropriate booth fees

Carnival, circus or tent show fees

_____ \$100 daily fee (maximum of \$1,400) plus appropriate booth fees

_____ Three packets plus an electronic pdf file (memory stick or DVD). Each packet shall include the completed application and event plan. The event plan must include:

_____ Site plan showing the arrangement of all facilities; including ingress, egress, parking and camping; and,

Detailed explanations for:

_____ Security and fire protection

_____ Water supply and facilities

_____ Sanitation facilities

_____ Medical facilities and services

_____ Vehicle parking

_____ Vehicle access and on-site traffic control

_____ Communication system

_____ Illuminating the premises (if applicable)

_____ Camping (if applicable)

_____ Cleanup and rubbish removal plan and cost estimates to return the event site to its pre-event condition

_____ Certified copies of articles of incorporation filed in Nevada (if applicable)

_____ Copy of partnership papers (if applicable)

_____ Insurer Information and copy of insurance policy specific to event (copy must be furnished prior to the issuance of the license), History of similar events, and Vendor list

Submission Materials (continued)

- _____ Property ownership affidavit and permission to conduct event signed by each property owner(s) and notarized (separate form for each property owner)
- _____ Statement of Assets
- _____ Statement of Liabilities
- _____ Personal history of all applicants (to include corporate officers and partners)
- _____ Names and addresses of any person contributing, investing or having an expected financial interest greater than \$500 in producing the event
- _____ Names and addresses of any person expected to provide, for consideration, services or activities ancillary to or in conjunction with the event
- _____ Release of claims and authorization to release information signed by each applicant (to include corporate officers and partners) and notarized
- _____ Insurance, Hold Harmless & Indemnification Requirements signed by applicant
- _____ Waiver and Consent to Extend Mandated Public Hearing Date signed by applicant

OUTDOOR FESTIVAL LICENSE APPLICATION

(Requires a non-refundable \$1,000 application fee)

Application date: _____

Applicant Information

Applicant's name: _____

Mailing address: _____

Street or PO Box

City

State

Zip code

Phone: _____ (Business) _____ (Home) _____ (Cell)

Email: _____

All applicants, to include corporate officers or partners must complete a personal history form

Is the applicant a(n): Corporation Partnership Individual

If a corporation or a partnership, list corporate officers or partners:

Name

Address

Title

Name	Address	Title

Event Information

Name of Event: _____

Date(s) of Event: _____ Hours of operation: _____

Location of Event: _____

Assessor Parcel Number(s): _____

Description of Event: _____

Name of the designated event representative who will be on-site during the event and who has authority to bind the applicant: _____

Will an admission fee be charged for your event? Yes No

If yes, amount and type of fee(s): _____

When will fee be collected? Pre-sales At entrance

Approximate number of participants and other persons: _____

Approximate number of customers and spectators: _____

Approximate maximum number of persons on any one day of the event: _____

Will food and/or beverages be served? Yes No

(all food and beverage vendors must have the appropriate Washoe County Health District permits)

Will alcoholic beverages be served? Yes No

(all intoxicating liquor vendors must be individually licensed with Washoe County Business License)

Will there be live music? Yes No

OUTDOOR FESTIVAL LICENSE
AFFIDAVIT OF PROPERTY OWNERSHIP
and/or PERMISSION TO CONDUCT EVENT

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, _____ being duly sworn, depose, and say that I am an owner* of property involved in this outdoor festival and I do hereby:

(check appropriate box)

Affirm that I am an applicant for the below named proposed outdoor festival and also own the property or properties on which the event will be conducted

OR

Affirm that I give permission to the applicants for the below named proposed outdoor festival to conduct the event on the following property or properties which I own:

Assessor Parcel Number(s): _____

Proposed Outdoor Festival: _____

Signed _____

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public in and for said county and state

My commission expires: _____

*Owner refers to the following. Please mark the appropriate box.

- OWNER/JOINT OWNER
- CORPORATE OFFICER/PARTNER
- POWER OF ATTORNEY (Provide copy of Power of Attorney)
- AGENT (Notarized letter from property owner giving legal authority to agent)
- LETTER FROM GOVERNMENT AGENCY WITH STEWARDSHIP

OUTDOOR FESTIVAL LICENSE STATEMENT OF ASSETS

As of _____, 20____

(Describe fully and indicate assets pledged)
(If additional space is required, attached supporting pages or documents)

Current Assets

Cash on hand _____	\$ _____
Cash in safe deposit box _____	\$ _____
Location of Box	
Cash in _____	\$ _____
Name, Bank and Branch	
Cash in _____	\$ _____
Name, Bank and Branch	
Accounts and notes receivable (describe nature of receivable and when due)	
_____	\$ _____
_____	\$ _____
Other current assets	
_____	\$ _____
_____	\$ _____

Investments

Stocks, Bonds, etc (Market value) (If close held corporation, furnish current balance sheet)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
Investments, other than stocks and bonds	
_____	\$ _____
_____	\$ _____
_____	\$ _____

Fixed assets

Real estate (Give location, description and fair value of each parcel)	
_____	\$ _____
_____	\$ _____
_____	\$ _____

Other assets

Automobiles and other personal property	
_____	\$ _____
_____	\$ _____
_____	\$ _____

Total Assets	\$ _____
---------------------------	-----------------

Print Name

Signature

Date

**OUTDOOR FESTIVAL LICENSE
RELEASE OF CLAIMS**

(complete a separate form for each applicant, to include corporate officers and partners)

The undersigned has filed with Washoe County Business License an application for outdoor festival license. In consideration of the assurance by the Washoe County Board of County Commissioners that no vote on said application will be taken except after a deliberate, intensive and thorough investigation of the undersigned, including but not limited to a criminal history inquiry, associates and finances, the undersigned does for himself, his heirs, executors, administrators, successors and assigns, hereby release, remise and forever discharge the County of Washoe, Washoe County Board of County Commissioners, Washoe County Sheriff's Office, and Washoe County Business License from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the undersigned ever had, now has or may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to the undersigned application.

AUTHORIZATION TO RELEASE INFORMATION

As an applicant for an outdoor festival license with Washoe County Business License, I am required to furnish information for use in determining my qualifications. In this connection, I authorize release of any and all information of a confidential or privileged nature.

I hereby release you, your organization and others from liability or damage, which may result from furnishing the information requested. This release will expire 180 days after the date signed.

I, the undersigned, having read this release and authorization and understanding all its terms, execute the release and authorization voluntarily and with full knowledge of its significance.

IN WITNESS WHEREOF, I have executed this release/authorization at _____ on the _____ day of _____, 20_____.

Printed name of applicant

Signature of applicant

Subscribed and sworn to before me this _____ day of _____, 20_____

Notary Public in and for said county and state

My commission expires: _____

OUTDOOR FESTIVAL LICENSE
INSURANCE, HOLD HARMLESS AND INDEMNIFICATION REQUIREMENTS

Pursuant to Washoe County Code section 25.303, any applicant for a Washoe County outdoor festival license must ensure the following requirements are met to the satisfaction of the Washoe County Risk Management Division before the outdoor business license may be issued.

INDEMNIFICATION & HOLD HARMLESS

As respects acts, errors or omissions relating to the event, APPLICANT agrees to indemnify and hold harmless the COUNTY, its officers, agents, employees, and volunteers from and against any and all claims, demands, defense costs, liability or consequential damages of any kind or nature arising directly or indirectly out of the event or any activity leading up to, during, or following the event, excepting those which arise out of the sole negligence of the COUNTY.

APPLICANT further agrees to defend the COUNTY and assume all costs, expenses and liabilities of any nature to which the COUNTY may be subjected as a result of any claim, demand, action or cause of action arising out of the negligent acts, errors or omissions of the APPLICANT or its agents concerning the event.

INSURANCE REQUIREMENTS

The COUNTY requires that the APPLICANT purchase General Liability Insurance as described below against claims for injuries to persons or damages to property which may arise from or in connection with the event by the APPLICANT, its agents, representatives, or employees. The cost of all such insurance shall be borne by the APPLICANT.

APPLICANT shall maintain coverage and limits no less than \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, the general aggregate limit shall be increased to equal twice the required occurrence limit, to apply separately to this event.

Any deductibles or self-insured retentions must be declared to and approved by the COUNTY Risk Management Division prior to the event. The COUNTY reserves the right to request additional documentation, financial or otherwise prior to giving its approval of the deductibles and self-insured retention and prior to issuing the license. The COUNTY Risk Manager prior to the change taking effect must approve any changes to the deductibles or self-insured retentions.

APPLICANT shall provide the COUNTY with a certificate of insurance that identifies the COUNTY, its officers, agents, employees and volunteers as additional insured's.

NOTE: A certificate of insurance complying with the provisions stated above is not required with the outdoor festival license application, but must be furnished prior to the issuance of the license.

I hereby agree to the all of the provisions stated above:

_____	_____
Name of Event	Date(s) of Event
_____	_____
Applicant's name (printed)	Applicant's signature

Date: _____

OUTDOOR FESTIVAL LICENSE

Memorandum for:

Office of the Washoe County Clerk
1001 East 9th St. Bldg A – 1st Floor
Reno, Nevada

Subject: Waiver and Consent to Extend Mandated Public Hearing Date before the Washoe County Commission for Outdoor Festival License Application

Nevada Revised Statutes (NRS) 244.3544 and Washoe County Code (WCC) section 25.277 require the County Clerk to set a public hearing date before the Washoe County Board of County Commissioners for an outdoor festival license application no later than 30 days after the application is deemed complete and application fees are received. These two regulations also require that specific County agencies review the application and provide written reports to the Board of County Commissioners, to include recommendations on the license and conditions if appropriate.

The mandated review by County agencies on the license application is of utmost importance to both Washoe County and the applicant, to ensure that the festival is conducted in a manner that protects public health, safety and welfare. To this end, the undersigned license applicant agrees to waive the 30 day public hearing time limit imposed by NRS 244.3544 and WCC section 25.277.

As the undersigned license applicant, I agree to extend the required Board of County Commissioners public hearing date to occur no more than 90 days after the application is deemed complete and application fees are received, and no less than 15 days prior to the date when the outdoor festival is proposed to commence.

Attest:

License Applicant

Signature

Date

Printed Name

Representing

**OUTDOOR FESTIVAL LICENSE
(Outdoor Festivals)
WASHOE COUNTY CODE CHAPTERS 25 & 110**

EXTRACT FROM WASHOE COUNTY CODE CHAPTER 25

25.013 Definitions. (extract, definitions for Outdoor Festivals only)

14. "Outdoor festival" means an assembly of more than 100 and less than 1000 persons on any 1 day of the event gathered together for any purpose, at any location, other than a permanent building or permanent installation that has been constructed for and will accommodate the number of persons gathered therein.

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

25.263 Definitions. As used in sections 25.263 to 25.305, inclusive:

1. The terms "outdoor festival" and "outdoor festival" have the meanings ascribed to them in section 25.013.

2. "Carnival" means a traveling business providing commercial entertainment consisting of sideshows, concessions, rides, games of chance, and other amusements. When held outdoors, a carnival is a type of outdoor festival or outdoor festival.

3. "Circus" means a traveling business providing commercial performances by acrobats, trained animals, clowns, jugglers, and others within a tent or arena. When held outdoors or in a tent, a circus is a type of outdoor festival or outdoor festival.

4. "Tent show" means a traveling business providing music, lectures, or entertainment in a tent, and is a type of outdoor festival or outdoor festival.

[§4, Ord. No. 1099; A. Ord. No. 1138]

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

1. An outdoor festival including, without limitation, an outdoor circus, carnival, or other outdoor entertainment event for 1000 or more persons on any one (1) day of the event for which an outdoor festival license is required pursuant to sections 110.310.15 and 110.310.20 inclusive.

2. An outdoor festival. The license is in addition to any administrative permit granted pursuant to section 110.310.15.

[§5, Ord. No. 1099; A. Ord. Nos. 1138, 1260]

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

[§6, Ord. No. 1099]

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

[§7, Ord. No. 1099]

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

1. Unless authorized to do so by Washoe County, conduct, operate, participate in, or provide supplies or services to an event for which a license is required under section 25.265 for which a license has not been issued, or to continue to conduct, operate, participate in, or provide supplies or services to such an event for which a license has been suspended or revoked.

2. Except for advance ticket sales by mail or similar means, to sell tickets or admit persons to an event for which a license is required under section 25.265 for which a license has not been issued, or to continue to sell tickets or admit persons to such an event for which a license has been suspended or revoked.

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

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

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

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

[§8, Ord. No. 1099]

25.272 Outdoor festivals; license required; application; fees; approval or denial; revocation; unlawful acts.

1. The provisions of this section and the provisions of sections 25.010 to 25.445, inclusive, apply to an application for a license to hold an outdoor festival.

2. No outdoor festival shall be held or conducted unless the sponsor has first obtained a business license pursuant to this section. An outdoor festival with more than 300 and less than 1000 persons on any one (1) day of the event shall also obtain an administrative permit pursuant to section 110.310.20.

3. Application for a license to conduct an outdoor festival shall be made to the license division on forms designated by the license division and shall be accompanied by a nonrefundable application fee of \$50 and any other business license fees as set forth in this chapter, which may be refunded in accordance with this chapter if the application is denied or withdrawn. The application shall require the same information required under section 25.273. For those events requiring an administrative permit pursuant to section 2, the license application shall suffice for the administrative permit application and no additional fees are required for filing the administrative permit application.

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

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

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

[§165, Ord. No. 1138]

25.273 Application and fee.

1. An application to conduct an event for which a license is required under section 25.265 must be made in writing to the license division on forms provided by the division. The license division must receive a complete application at least 90 days prior to commencement of the event. No application shall be processed until the application is deemed complete by the license division. Except as provided in subsection 4, the license application must be accompanied by:

(a) A nonrefundable application fee of \$1,000 for a license required pursuant to subsection 1 of section 25.265, and

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

2. The application shall contain:

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

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

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

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

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

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

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

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

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

(j) A statement covering the history of all similar events conducted, operated, or promoted by the applicant in any location including, at a minimum, event names, types, dates, locations, and permits issued.

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

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

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

4. 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.

[§9, Ord. No. 1099; A. Ord. No. 1138]

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

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

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

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

[§10, Ord. No. 1099]

25.276 Investigation.

1. Upon receiving the notice of the application as provided for in subsection 3(b) of section 25.273, the sheriff shall conduct a criminal history background check of the applicants in accordance with section 25.023 to determine whether cause for denial exists. The reasonable costs of the investigation shall be the responsibility of the applicant and shall be paid to the sheriff in advance.

2. The sheriff shall also conduct an investigation of the history of similar events operated, conducted, or promoted by the applicant to determine the truthfulness of the facts submitted by the applicant and to determine whether those events would have met the standards for outdoor festivals set forth in sections 25.263 to 25.305, inclusive.

3. For a second or subsequent application by an applicant, and provided that the applicant, owner, officer and/or director have not changed, the license division or the sheriff may waive the requirements of subsection 2 of this section and modify the requirements of subsection 1 of this section as follows:

(a) At the discretion of the Sheriff, a criminal history records check need not be processed in accordance with section 25.023, but the Sheriff shall review local police records including, without limitation, warrants and warrants to determine whether cause for denial exists.

[§168, Ord. No. 1138; A. Ord. No. 1383]

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

1. The license division must consult with the county clerk and set the application for public hearing at a regular meeting of the board to occur not more than 30 days after the application is deemed complete.

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

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

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

[§11, Ord. No. 1099; A. Ord. No. 1138]

25.279 Review procedures: Events for more than 100 but less than 1,000 persons. After an application for an event listed in subsection 2 of section 25.265 is submitted with required fees and deemed complete by the license division, the license division must review the application, following substantially the same procedures set forth in sections 110.808.30 to 110.808.45, inclusive, for administrative permits. The director of community development or, where applicable, the board of adjustment must approve the issuance of a license with conditions or deny the application.

[§12, Ord. No. 1099; A. Ord. No. 1138]

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

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

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

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

4. The applicant or any person associated with the applicant as a partner, director, or officer has been convicted within the past ten (10) years of any of the following crimes:

(a) Involving the presentation, exhibition or performance of an obscene production, motion picture or place, or of selling obscene matter;

(b) Involving lewd conduct;

(c) Involving the use of force and violence upon the person of another;

(d) Involving misconduct with children; or

(e) Involving illegal use of controlled substances or dangerous drugs.

5. The applicant or any person associated with the applicant as a partner, director, or officer has a history of conducting similar events that would not meet the standards established in sections 25.263 to 25.305, inclusive.

[§13, Ord. No. 1099; A. Ord. No. 1138]

25.283 Issuance of license, posting, fee.

1. To make a determination that the conditions of license approval have been met, the license division must receive from the applicant proof of compliance with each condition imposed under section 25.277 or 25.279. Such proof must:

(a) Include executed contracts or agreements with all providers of required services and facilities, or other evidence approved by the director of community development;

(b) Where the sheriff, district health officer, director of community development, fire chief, or other officer has determined the condition, include the written approval or acknowledgement of that person; and

(c) Be received by the license division at least 5 working days prior to commencement of the event.

2. Upon a determination by the license division that the conditions of license approval have been met, and that all applicable fees and deposits have been paid, the license division must issue a license specifying the name and address of the licensee, the kind of festival licensed, and the dates and hours for which operation is authorized. The licensee must post the license in a conspicuous place upon the premises where the event is conducted.

3. The board hereby delegates to the director of community development the authority to determine whether an applicant has met the conditions of license approval. The applicant or his agent may appeal a decision of the director under this subsection in substantially the same manner as set forth in section 110.808.45 for administrative permits.

[§14, Ord. No. 1099]

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

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

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

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

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

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

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

[§15, Ord. No. 1099]

25.287 Suspension and revocation of outdoor festival or outdoor festival license: Procedures.

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

A license issued under section 25.283 is also subject to immediate suspension by the license division or sheriff when any of the causes listed in section 25.285 exist.

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

3. Whether initiated by petition or otherwise, the procedures for suspension and revocation shall be those set forth in sections 25.0380 through 25.0387, inclusive, except as follows:

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

(b) The license division may modify the time schedules set forth in subsections 4 and 6 of section 25.0381 if the event is scheduled to commence before the hearing would be held, or request a special hearing pursuant to NRS 244.090 if the event has not commenced and reasonable notice is possible. [§16, Ord. No. 1099; A. Ord. No. 1138, 1336]

25.289 Licensing conditions: Generally.

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

2. Conditions imposed under subsection 1 of this section shall be imposed pursuant to Washoe County's general police power as necessary under all the circumstances for the protection of the health, welfare, safety and property of local residents and persons attending festivals in the county, and may include, without limitation, the conditions specified in sections 25.291 to 25.305, inclusive.

3. The licensee must meet conditions imposed under this section at the licensee's expense. [§17, Ord. No. 1099; A. Ord. No. 1138]

25.291 Licensing conditions: Police protection. A licensee must employ sheriff's deputies or other police protection, to include private security firms or agencies, as necessary for the public health, safety, and welfare. The sheriff shall determine the numbers and types of officers or security personnel necessary to preserve order and protect persons and property in and around the place of the festival. [§18, Ord. No. 1099]

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

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

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

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

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

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

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

(f) Trash receptacles;

(g) Removal of trash and refuse;

(h) Emergency medical treatment facilities; doctors, nurses, and other aides needed to staff such facilities; and medical supplies, drugs, ambulances and other equipment, considering the expected attendance, expected ages of attendees, duration of planned events, possibility of exposure to inclement weather and outdoor elements, and availability of other facilities; and

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

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

3. Where flush-type water closets cannot be made available for the persons in attendance, the district health officer may allow the use of portable chemical toilets, which shall be emptied and recharged as necessary pursuant to procedures established by the district health officer. [§19, Ord. No. 1099]

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

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

- (a) Adequate parking space for persons attending by motor vehicle;
- (b) Adequate ingress and egress to festival premises and parking areas, including necessary roads, driveways, and entranceways to insure the orderly flow of traffic into the premises from a road that is part of or connects with a state or county highway;
- (c) An adequate access way for fire equipment, ambulances, and other emergency vehicles;
- (d) Traffic guards under the employ of the licensee to insure orderly traffic movement and relieve traffic congestion in the vicinity of the event;
- (e) Camping facilities and overnight areas, if necessary, that meet all applicable county and state requirements; and
- (f) Electric illumination of occupied areas, if a licensee will conduct an event after dark or allow persons to remain on the premises after dark.

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

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

[§20, Ord. No. 1099]

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

[§21, Ord. No. 1099]

25.299 Licensing conditions: Fire protection.

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

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

- (a) Shall determine the necessary numbers and types of equipment and personnel required under subsection 1 of this section;
- (b) May determine that an event is proposed in a hazardous fire area;
- (c) Shall approve the suitability of fire guards required to be employed by the licensee; and
- (d) Shall determine the manner and quantity of flammable vegetation and other fire hazards that must be removed.

[§22, Ord. No. 1099]

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

[§23, Ord. No. 1099]

25.303 Licensing conditions: Indemnification and insurance.

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

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

3. The county risk manager shall determine the form, amount and type of evidence of insurance coverage required under subsection 2 of this section.

[§24, Ord. No. 1099]

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; A Ord. No. 1275]

EXTRACT FROM WASHOE COUNTY CODE CHAPTER 110

Section 110.310.15 Allowed Temporary Uses and Structures. Temporary uses and structures shall be subject to all the regulations as would be applied to a permanent principal or accessory use located in the same regulatory zone, except as otherwise provided by the regulations of this article. The following temporary uses and structures shall be allowed as specified by the provisions of this section and Chapter 25 of the Washoe County Code. The duration and frequency of temporary uses is established in this section and Chapter 25 of Washoe County Code. The Director of Community Development may impose additional restrictions on the frequency and duration of a temporary use.

(a) through (c) omitted

(d) Circuses, Carnivals and Other Outdoor Entertainment Events. Excluding activities and events occurring in a permanent entertainment facility, the temporary provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or other similar activities in a tent or other temporary structure. Section 110.310.20, Circuses, Carnivals or Other Outdoor Entertainment Events, provides additional regulations.

(e) through (o) omitted

Section 110.310.20 Circuses, Carnivals or Other Outdoor Entertainment Events. A circus, carnival or other outdoor entertainment event may be permitted in all regulatory zones for a period not to exceed ten (10) days. Adequate parking and restroom facilities shall be provided for the expected attendance. An event that will have a combination of between three hundred (300) and nine hundred ninety-nine (999) participants and spectators on any one (1) day of the event shall obtain an administrative permit prior to the event. An administrative permit or outdoor festival license shall not be required for events held at or in facilities designed for such events. These facilities include auditoriums, convention facilities, stadiums and parks, but does not extend to ancillary support areas, such as parking lots, if the event is to be held on or in those ancillary support facilities. An event that will have a combination of more than one thousand (1,000) participants and spectators on any one (1) day of the event shall obtain an outdoor festival license as specified in Chapter 25 of the Washoe County Code, instead of an administrative permit.