

ORDINANCE NO. 34

AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATING, MAINTAINING AND ADVERTISING OF CHILD CARE FACILITIES, PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE OPERATION OF CHILD CARE FACILITIES; PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF; AND OTHER MATTERS RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

Section 1. Definitions. For the purpose of this ordinance:

( a ) The term "person" shall include the plural thereof and shall mean any individual group, society, association, partnership or corporation.

( b ) The term "child care facility" shall mean any place, home or institution or establishment in which one or more children under the age of 16 years not related by blood, adoption or marriage to the person maintaining the place, home, institution or establishment, are received and cared for or maintained for any period of time for a compensation or consideration.

( c ) The term "Director of Welfare" shall mean the Director of the Washoe County Welfare Department.

[ Book "P", p. 563 (2-20-1946) ]

Section 2. Unlawful to operate facility without permit. It shall be unlawful for any person to establish, operate, maintain or advertise any child care home unless such person shall possess or hold an unrevoked permit issued by the County of Washoe in conformity with the provisions of this ordinance.

[ Book "P", p. 563 (2-20-1946) ]

Section 3. Unlawful to place child in unlicensed facility. It shall be unlawful for any person having the care, custody, control or guardianship of any child under the age of 16 years to place such child in a child care facility operated or maintained by any person who does not possess or hold an unrevoked permit issued by the County of Washoe in conformity with the provisions of this ordinance.

[ Book "P", p. 563 (2-20-1946) ]

Section 4. Application for permit: Contents. Application for a permit for a child care facility shall be made to the Director of Welfare, in triplicate, upon forms provided for such purpose. Each application shall contain the following information:

( a ) Name and address of applicant.

( b ) Address of premises to be issued a permit.

( c ) Name and address of person to be in charge of home.

( d ) Number of persons to be employed in operation of home.

( e ) Maximum number of children to be accomodated at any one time.

( f ) Statements from a licensed physician as to the health of all members of the household.

[ Book "P", p. 563 (2-20-1946) ]

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**Section 5. Disposition of application copies.** The duplicate copy of each such application shall be transmitted by the Director of Welfare to the County Clerk of Washoe County and the triplicate copy shall be retained by the applicant.

[ Book "P", p. (2-20-1946) ]

**Section 6. Issuance of permit.** A permit shall be issued by the Director of Welfare to any applicant, upon approval of the application therefor. The Director of Welfare shall not approve any application for a permit until he shall receive favorable written recommendations from the Washoe County Health Department, The Sheriff of Washoe County, the Chief of the Fire Department and the State Division of Child Welfare Services.

[ Book "P", p. 563 (2-20-1946) ]

**Section 7. Duties of Sheriff.** The Sheriff shall inform the Welfare Director, in regard to any such application, of the police record or general reputation of the applicant or person to be in charge of child care facility, if such as would cause him to believe that the applicant is not a proper person to be entrusted with the care of children.

[ Book "P", p. 563 (2-20-1946) ]

**Section 8. Duties of fire chief.** The Chief of the Fire Department shall inform the Director of Welfare in regard to any such application where, in his opinion, the condition of the premises to be authorized as a child care facility will constitute a hazard to the safety of any child that might be entrusted to the applicant.

[ Book "P", p. 563 (2-20-1946) ]

**Section 9. Duties of health officer.** The Washoe County Health Department shall review all physicians' reports concerning the health of applicants or persons in charge of, or employed in, any child care facility. The Health Department shall further investigate or cause to be investigated the premises upon which the child care facility is to be maintained and shall be satisfied that such premises are provided with adequate and proper facilities to care for the number of children specified in the application and shall be satisfied that the applicant or the person in charge of such child care facility is free from infectious, contagious or communicable disease and is mentally fit to operate such a child care facility and report its findings to the Director of Welfare.

[ Book "P", p. 563 (2-20-1946) ]

**Section 10. Unlawful to exceed maximum number of children permitted.** It shall be unlawful for any operator of a child care facility to have therein more than the maximum number of children specified in the permit granted.

[ Book "P", p. 563 (2-20-1946) ]

**Section II. Register: Contents.** It shall be unlawful for any operator of a child care facility to conduct same without keeping and maintaining a register which shall be provided by the Washoe County Welfare Department. Every such operator must

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obtain and enter in the register kept and maintained by him the following information:  
 Name of child; birthplace; sex; date of birth; religion of parents; date received; father's name; father's address; mother's name; mother's address; guardian's name; guardian's address; received from; address; amount board per week; paid by; health of child when received; record of health of child while in the child care facility; date of child's removal; reason for removal; by whom removed; address; and agreement in writing signed by the parent or guardian authorizing the license to secure emergency medical care for the child placed with licensee by such parent or guardian and agreeing to pay for such emergency medical care.

Such register shall be open to inspection by the Director of Welfare, his representatives, or any city, county or state peace officer.

[ Book "P", p. 563 (2-20-1946) ]

Section 12. Physical examinations of employees, children. It shall be unlawful for any licensee to employ any person in the operation of any child care facility unless such person shall have furnished to the Washoe County Welfare Department a certificate from a physician approved by the Health Department showing that that person has submitted himself to a physical examination; such certificate must show that such person is mentally and physically fit and free from any infectious, contagious or communicable disease. It shall be unlawful for any licensee to accept any child in any child care facility without first receiving a written report signed by a duly licensed physician showing such child to be free from infectious, contagious or communicable diseases.

[ Book "P", p. 563 (2-20-1946) ]

Section 13. Examination of licensee, employees. The Health Department may require the licensee or any employee of the licensee to submit to a physical examination at such times as it may require and if the licensee or any employee of licensee is at any time found to be physically or mentally unfit or to be suffering from any infectious, contagious or communicable disease, the Director of Welfare may recommend revocation of the permit of such licensee.

[ Book "P", p. 563 (2-20-1946) ]

Section 14. Inspection of facilities. The Director of Welfare, or any of his authorized agents, is hereby empowered to enter upon the premises of any child care facility to inspect the same and all accommodations and facilities connected therewith and if he finds any conditions to exist which shall be detrimental to the health and welfare of any child or children accommodated in such child care facility, he shall be empowered to revoke such a permit.

[ Book "P", p. 563 (2-20-1946) ]

Section 15. Appeals. Applicants for a permit to operate a child care facility as well as such persons whose permit to operate such a facility has been revoked may appeal to the Board of County Commissioners, at any of its regular meetings, from any adverse ruling of the Director of Welfare.

[ Book "P", p. 563 (2-20-1946) ]

Section 16. Penalty. Any person violating any of the terms of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500, or by imprisonment in the County Jail for not more than 6 months, or by both fine and imprisonment.  
[ Book "P", p. 563 (2-20-1946) ]

Section 17. Effective date. This ordinance shall be in effect from and after its passage and approval.  
[ Book "P", p. 563 (2-20-1946) ]

Section 18. Repeal. County ordinance Number 2 entitled "An Ordinance Regulating the Establishing, Operating, Maintaining and Advertising of Child Care Facilities; Providing For The Issuance of Licenses and the Collection of Fees Therefor; And Providing Penalties For The Violation Thereof" is hereby repealed.  
[ Book "P", p. 563 (2-20-1946) ]

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