

RENO NEWSPAPERS INC

Publishers of

RENO GAZETTE-JOURNAL

955 Kuenzli St. P.O.Box 22000 RENO, NV 89520 PHONE: (775) 788-6200  
Legal Advertising Office (775) 788-6394

PLEASE STAMP & SIGN FOR PAYMENT

- Washoe County
- Comptrollers Office
- PO Box 11130
- Reno, NV 89520

Customer Account #	349008
PO# /ID#	696396
Legal Ad Cost	\$104.06

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:

Ordinance 1194

has published in each regular and entire  
issue of said newspaper on the following  
dates to wit:

April 11, 18, 2003

Signed: *Julia Ketcham*

Subscribed and sworn to before me this

APR 23 2003

*Tana Ciccotti*

PROOF OF PUBLICATION

**NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO. 1194**

NOTICE IS HEREBY GIVEN  
THAT: Bill No. 1374, Ordinance No. 1194 entitled

"AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AMENDING PROVISIONS OF CHAPTER 30 RELATING TO GAMING WORK PERMITS TO MAKE GAMING WORK PERMITS COMPATIBLE WITH STATE LAW FOR STATEWIDE GAMING WORK PERMITS AND MAKING PERMISSIVE THE COUNTY LIQUOR AND GAMING BOARD'S REGULATION OF GAMING WORK PERMITS; BY PROVIDING CONDITIONS UNDER WHICH THE COUNTY LIQUOR AND GAMING BOARD MAY CEASE REGULATING GAMING WORK PERMITS DEPENDING ON WHETHER THE CITY OF RENO OR CITY OF SPARKS, OR BOTH CITIES, STOP REGULATING GAMING WORK PERMITS IN THEIR RESPECTIVE JURISDICTIONS AND IN SUCH EVENT, PROVIDING TRANSITION PROVISIONS TO TURN OVER SUCH REGULATION TO THE STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO."

was adopted on April 8, 2003 by Commissioners Humke, Galloay, Shaw and Weber. This ordinance shall be in full force and effect from and after April 18, 2003.

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.

AMY HARVEY,  
Washoe County Clerk and Clerk of the Board of County Commissioners  
No. 696396 April 11, 18, 2003

APR 25 2003

TANA CICCOTTI  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 02-74259-2 - Expires May 16, 2006

SUMMARY: An ordinance amending Washoe County Code by making permissive the regulation of gaming work permits by the county liquor and gaming board and by making provisions in chapter 30 relating to gaming work permits compatible with state law for statewide gaming work permits.

BILL NO. 1374

ORDINANCE NO. 1194

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AMENDING PROVISIONS OF CHAPTER 30 RELATING TO GAMING WORK PERMITS TO MAKE GAMING WORK PERMITS COMPATIBLE WITH STATE LAW FOR STATEWIDE GAMING WORK PERMITS AND MAKING PERMISSIVE THE COUNTY LIQUOR AND GAMING BOARD'S REGULATION OF GAMING WORK PERMITS; BY PROVIDING CONDITIONS UNDER WHICH THE COUNTY LIQUOR AND GAMING BOARD MAY CEASE REGULATING GAMING WORK PERMITS DEPENDING ON WHETHER THE CITY OF RENO OR CITY OF SPARKS, OR BOTH CITIES, STOP REGULATING GAMING WORK PERMITS IN THEIR RESPECTIVE JURISDICTIONS AND IN SUCH EVENT, PROVIDING TRANSITION PROVISIONS TO TURN OVER SUCH REGULATION TO THE STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE LIQUOR AND GAMING BOARD OF THE COUNTY OF WASHOE DOES ORDAIN:

SECTION 1. Chapter 30 of the Washoe County Code is hereby amended by adding thereto the provisions set forth in Sections 2 to 3, inclusive, of this ordinance.

SECTION 2.

30.431 Purpose and intent; permissive regulation of gaming work permits.

1. The 2001 Nevada Legislature approved A.B. 466 making various amendments to the gaming laws of the State of Nevada. Section 13 of A.B. 466 amended NRS 463.0197 to provide for statewide work permits. Section 16 of A.B. 466 amended NRS 463.335 to provide, in part, that an applicant must file his application for a work permit with the licensing authority of the city in which he resides if that city requires a work permit, and if the city does not require such a permit, the applicant shall file his application with the licensing authority of the county in which he resides, if that county requires a work permit. That provision goes on to provide that if the county does not require such a permit, the applicant shall file his application with the state gaming control board.

2. The county regulates gaming work permits through its liquor and gaming board with licensing authority, as that term is used in Nevada Gaming Commission Regulation 5.100, residing in the sheriff. It is the purpose and intent of sections 30.431 to

03-398

30.510, inclusive, to make the regulation of gaming work permits in the county by the liquor and gaming board permissive. Therefore, pursuant to sections 30.431 to 30.510, inclusive, the liquor and gaming board may regulate gaming work permits. If the City of Reno, or the City of Sparks, or both cities determine that it or they will no longer require gaming work permits, then the liquor and gaming board, may cease regulating gaming work permits by no longer enforcing section 30.435 to 30.510, inclusive. In such event, the liquor and gaming board through the sheriff will notify the state gaming control board of such action and the board and the sheriff will provide whatever reasonable assistance may be necessary to ensure an orderly transition of regulatory authority to the state gaming control board. Such assistance includes, but is not limited to, turning over all information to the state regarding current gaming work permittees and pending applications in the sheriff's possession.

### SECTION 3.

#### 30.487 Gaming work permit records.

1. The following information is presumed confidential and shall be used or disseminated by the sheriff in accordance with subsection 2 and 3:

(a) Information contained in an application for a gaming work permit while an investigation is pending;

(b) Thumb and fingerprint impressions of the applicant;

(c) Information received from a check of local police records or from the Central Repository of Nevada Records or the Federal Bureau of Investigation regarding a criminal history background check of an applicant or holder of a gaming work permit;

(d) A list of all persons to whom work permits have been issued or denied; and

(e) Other records compiled by the sheriff regarding an applicant or holder of a gaming work permit.

2. The sheriff may use or disseminate the information listed in subsection 1 as part of a criminal investigation, judicial proceeding, or administrative proceeding, or in the proper administration of sections 30.431 to 30.510, inclusive, and as otherwise specifically authorized by law. The sheriff shall disseminate the information only to authorized representatives of criminal justice, judicial, and administrative entities.

3. Any record of the sheriff that shows that the applicant or holder of a gaming work permit has been convicted of a crime in another state must show, if the information is available, whether the crime was a misdemeanor, gross misdemeanor, felony, or other class of crime as classified by the state in which the crime was committed. In a disclosure of the conviction, reference to the classification of the crime must be based on the classification in the state where it was committed.

4. Any provision of this section which is inconsistent with or in conflict with any requirement of the Gaming Control Act, NRS

463.335, NRS 463.120 or NRS 179A.100, shall be deemed superseded by such provision.

SECTION 4. Section 30.422 of the Washoe County Code is hereby amended to read as follows:

30.422 Employment of unauthorized personnel prohibited.

1. It is unlawful for any licensee to employ or allow to be employed any gaming employee, as defined in section 30.435 or NRS 463.0157, who does not hold a current, valid work permit issued by the appropriate licensing authority in accordance with NRS 463.335.

2. In addition to criminal sanctions, a violation of this section is grounds for revocation or suspension of a gaming license.

3. In any proceeding to revoke or suspend a gaming license on the basis of an alleged violation of this section, a defense of good-faith belief by a licensee shall not be accepted or considered if the licensee refuses to testify under oath in any related civil or criminal proceeding that the employee produced a facially-valid work permit and that the licensee had a bona fide belief that the permit was valid.

SECTION 5. Section 30.435 of the Washoe County Code is hereby amended to read as follows:

30.435 Definitions; current law. As used in sections 30.435 to 30.510, inclusive, unless the context otherwise requires:

1. "Gaming employee" has the meaning assigned to it under NRS 463.0157.

2. "Permanent work permit" means a gaming work permit that meets the requirements of Nevada Gaming Commission (NGC) Regulations 5.101 to 5.108, inclusive, or a gaming work permit issued before January 1, 2003 that is not a temporary work permit. A permanent work permit remains subject to expiration, revocation and suspension pursuant to the applicable provisions of NRS 463.335, the NGC regulations and sections 30.435 to 30.510, inclusive.

3. "Temporary work permit" means a gaming work permit issued by a licensing authority as set forth in NGC Regulations 5.100 to 5.108, inclusive, and which, by definition, is valid for no more than 120 days from the date of issuance.

4. "Work permit" means both a temporary work permit and a permanent work permit.

5. All references to the Nevada Revised Statutes and Nevada Gaming Commission regulations shall be to then current version of said statutes and regulations.

SECTION 6. Section 30.455 of the Washoe County Code is hereby amended to read as follows:

30.455 Form of work permit; expiration; possession of work permit; duty of licensee.

1. The liquor and gaming board may require pursuant to sections 30.431 to 30.510, inclusive, that no person shall be employed as a gaming employee, or serve as an independent agent if he is a resident of this state, unless such person is the holder of a valid work permit issued by the state gaming control board, or pursuant to sections 30.435 to 30.480, inclusive.

2. Until July 1, 2003 when the state adopts a uniform gaming work permit in accordance with NGC Regulation 5.101, and so long as the liquor and gaming board so requires pursuant to sections 30.431 to 30.510, inclusive, the sheriff shall prescribe the form of the gaming work permit which must include:

- (a) The legal name of the gaming employee;
- (b) A photo image of the gaming employee;
- (c) The date the work permit expires as measured pursuant to subsection 3 hereof; and
- (d) A work permit identification number.

3. Unless otherwise denied or objected to by the state gaming control board, or suspended or revoked by the state gaming commission, a permanent work permit shall expire on the fifth anniversary of the permittee's birthday, measured from the birthday nearest the date of issuance or renewal. If the date of birth of a permittee is on February 29 in a leap year, for the purposes of this section, his date of birth shall be deemed to be on February 28. A permanent work permit issued before January 1, 2003 shall expire on the expiration date set forth on the permanent work permit, unless otherwise revoked.

4. Every gaming employee shall keep his work permit on his person or immediately available for inspection at all times while working as a gaming employee.

5. Every gaming licensee shall, before employing any person as a gaming employee, ascertain that such person holds a valid work permit issued in accordance with state gaming commission regulations, or if applicable, the provisions of section 30.435 to 30.510, inclusive, and shall cause his employment records to reflect the same.

SECTION 7. Section 30.465 of the Washoe County Code is hereby amended to read as follows:

30.465 Applications; fees.

1. An applicant must file a work permit application with the sheriff, unless the liquor and gaming board has determined that it will no longer require such permits.

2. The application for a work permit shall be on a form prescribed by the state.

3. All applications shall be accompanied by written verification of employment provided by a gaming licensee.

4. Each application shall include, without limitation, the statement regarding child support required by NRS 244.33506 and NRS 463.3351 and the applicant's social security number, in accordance with NRS 244.33507 and NRS 463.3354.

5. The applicant for a gaming work permit will be charged a fee not to exceed \$75 to cover the actual investigative and administrative costs related to processing an application for such a permit. The applicant must pay the fee upon filing the application with the sheriff.

SECTION 8. Section 30.470 of the Washoe County Code is hereby amended to read as follows:

30.470 Screening of work permit applicant.

1. When an applicant files a work permit application with the sheriff, the sheriff shall screen the applicant to determine if the applicant is eligible for a temporary work permit. The screening process shall include:

(a) Review of the application to ensure that it has been properly completed;

(b) Confirmation of the applicant's identity by means of a government issued photo identification;

(c) An attempt to confirm the applicant's current mailing address through inquiry of the applicant;

(d) Review of all criminal records maintained by the sheriff which are permissible to use to determine the eligibility of the applicant for a work permit;

(e) Confirmation through the Nevada Criminal Justice Information System as to whether or not there is any outstanding warrant for the applicant's arrest; and

(f) Confirmation that the applicant executed an authorization to allow the sheriff to conduct an investigation of the applicant's criminal history and to obtain criminal records. When conducting a review of criminal records pursuant to subsection (1)(d), the sheriff may conduct a review of the criminal records maintained by the central repository for Nevada which are permissible to use to determine the eligibility of the applicant for a work permit.

2. The sheriff shall deny a work permit application if the sheriff determines during the screening process that the applicant has:

(a) Purposely failed to disclose, misstated or otherwise misled the sheriff with respect to any material fact contained in the application;

(b) Been convicted within the last three years of petit theft, larceny, fraud, embezzlement, insufficient fund-checks, or any other misdemeanor theft-related crime, or any crime related to the possession, use or transportation of narcotics or possession of narcotics related paraphernalia;

(c) Been convicted within the last eight years of a crime which is a felony or gross misdemeanor in this state or an offense in another state or jurisdiction which would be a felony or gross misdemeanor if committed in this state;

(d) Been convicted of any offense involving or related to gambling, to include larceny related offenses committed against a gaming establishment; or

(e) Has any criminal charge pending which is a felony in this state or an offense in another state or jurisdiction which would be a felony if committed in this state.

Criminal case dispositions gathered pursuant to the screening process set forth in subsection (1), or disclosures made by the applicant on his work permit application, may be relied upon by the sheriff to make denial determinations. In the event the disposition of a criminal case remains unknown despite the screening process, the sheriff shall not rely on that case to deny a temporary work permit.

3. The sheriff may use discretion in applying the criteria for denial set forth in subsection (2) in limited circumstances. This discretion may be used by the sheriff in applying the criteria for denial only when the applicant holds a valid work permit issued before January 1, 2003, has continuously worked as a gaming employee since the issuance of the permit, and the criteria for denial requires a denial of a new work permit based upon an event that occurred and was previously disclosed prior to the issuance of the work permit currently held by the gaming employee.

4. Except when the screening process is suspended pursuant to subsections (5) or (6), the sheriff shall obtain a complete set of fingerprints of the applicant and forward them to the central repository for Nevada records of criminal history and the Federal Bureau of Investigation. The investigation need not be limited solely to consideration of the results of the report concerning the criminal history of the applicant.

5. If the sheriff determines during the screening process that there is an outstanding warrant for the applicant's arrest, the screening process shall be suspended, the applicant shall not be charged a fee as prescribed in section 30.465, and a temporary work permit shall not be issued.

6. If the sheriff determines during the screening process that an applicant is not in compliance with a court order for child support, the screening process shall be suspended, the applicant shall not be charged a fee as prescribed in NRS 463.335(2), and a temporary work permit shall not be issued.

SECTION 9. Section 30.475 of the Washoe County Code is hereby amended to read as follows:

30.475 Issuance of temporary work permit; review by state gaming control board.

1. When an applicant submits a work permit application to the sheriff and the applicant is deemed eligible for a temporary work permit after screening is completed in accordance with section 30.470, the sheriff shall issue the applicant a temporary work permit.

2. Upon issuance of the temporary work permit, the sheriff shall notify the applicant of the following:

(a) The temporary work permit is valid for no more than 120 days from the date of issuance;

(b) The state gaming control board may object to the issuance of the temporary work permit at any time within the 120-day period; and

(c) If the state gaming control board does not object to the issuance of the temporary work permit within the 120-day period, it shall become a permanent work permit and expire on the expiration date set forth on the permit.

3. If the state gaming control board has notified the sheriff that the state gaming control board objects to the issuance of a work permit during the 120-day time period, the sheriff shall immediately repossess the temporary work permit.

SECTION 10. Section 30.480 of the Washoe County Code is hereby amended to read as follows:

30.480 Denial of temporary work permit upon failing screening process.

1. When an applicant submits a work permit application to the sheriff and the applicant is deemed ineligible for a temporary work permit after screening is completed in accordance with sections 30.470 to 30.475, inclusive, the sheriff shall not issue the applicant a temporary work permit. The sheriff shall notify the applicant of the criteria for denial relied upon in making such determination and that he may request the state gaming control board to review the denial in the manner prescribed by law no later than 10 days after receiving notice of the denial.

2. If the state gaming control board determines that the criteria for denial was not properly applied by the sheriff and the applicant is eligible for a temporary work permit, upon notification to the sheriff of the state gaming control board's determination, the sheriff shall issue a temporary work permit to the applicant.

3. Failure of the applicant to seek review of the sheriff's determination that he is not eligible for a temporary work permit pursuant to this section shall be deemed to be an admission that the denial is well founded and such failure precludes administrative or judicial review.



SECTION 11. Section 30.485 of the Washoe County Code is hereby amended to read as follows:

30.485 Review of holder of gaming work permit; grounds for suspension or revocation of gaming work permit; appeal to Nevada Gaming Control Board.

1. So long as the liquor and gaming board is requiring work permits pursuant to sections 30.431 to 30.510, inclusive, the holder of a gaming work permit is subject to review at any time for continued compliance with the provisions of sections 30.435 to 30.510, inclusive.

2. Except as provided in section 30.470(3), a gaming work permit issued under section 30.435 to 30.510, inclusive, may be suspended or revoked by the sheriff at any time for any reason that constitutes grounds that would warrant denial in the first instance.

3. In accordance with NRS 244.33507, the sheriff shall suspend any gaming work permit issued if the board receives a copy of a court order providing for such suspension for failure to pay child support.

4. If the sheriff suspends or revokes a gaming work permit, the holder thereof shall be advised in writing of the reason or reasons therefor and may appeal to the state gaming commission for a hearing in the manner prescribed by law.

[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 25th day of March, 2003.

Proposed by Commissioner Sferrazza.

Passed on the 8th day of April, 2003.

Vote:

Ayes: Commissioners Humke, Galloway, Shaw and Weber

Nays:

Absent: Commissioner Sferrazza

[Signature]  
Chairman  
Washoe County Commission

ATTEST:

[Signature]  
County Clerk

This ordinance shall be in force and effect from and after the 18th day of April, 2003.