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STATE OF NEVADA
COUNTY OF WASHOE

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: **09/12/2008 - 09/19/2008**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *Krista M. Rausse*
SEP 19 2008



Linda Anderson

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1382 NOTICE IS HEREBY GIVEN THAT: Bill No. 1561, Ordinance No.1382 entitled: AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER45 BY CLARIFYING REQUIREMENTS FOR FINGERPRINTING/BACKGROUND CHECKS, AND OTHER MATTERS PROPERLY RELATING THERETO. (Bill No. 1561) PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled Ordinance are available for public inspection and distribution at the office of the County Clerk of Washoe County, at her office in the County Courthouse in Reno, Nevada, 75 Court Street, Reno, Washoe County, Nevada; and can be found on the County Clerk's website, www.washoecounty.us/clerks. Such Ordinance was proposed on August 19, 2008 and passed and adopted at a regular meeting of the Washoe County Board of County Commissioners on September 9, 2008, by the following vote of the Board of County Commissioners: Those Voting Aye: Robert M. Larkin Jim Galloway Bonnie Weber David Humke Kitty Jung Those Voting Nay: None Those Absent: None This ordinance shall be in full force and effect from and after September 19, 2008, i.e., the date of the second publication of such ordinance by its title only. IN WITNESS WHEREOF, The Board

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of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 594316 Sept. 12, 19, 2008

SUMMARY: An ordinance amending Washoe County Code Chapter 45 by clarifying requirements for fingerprinting/background checks, and other matters properly relating thereto.

BILL NO. 1561

ORDINANCE NO. 1382

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 45 BY CLARIFYING REQUIREMENTS FOR FINGERPRINTING/BACKGROUND CHECKS, AND OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Section 45.480 of the Washoe County Code is hereby deleted.

SECTION 2.

45.111 Department designated licensing authority for foster care; investigation and fees.

1. The department is hereby designated as the licensing authority for Washoe County pursuant to NRS 424.016.

2. Any person or business engaged in providing foster care in Washoe County must be licensed by the department pursuant to state law and regulations adopted by the Division of Child and Family Services of the Department of Human Resources of the State of Nevada.

3. Each applicant for a license to conduct a foster home, prospective employee of that applicant or person who is licensed to conduct a foster home, or resident of a foster home who is 18 years of age or older must submit to the sheriff a complete set of fingerprints and written permission authorizing the sheriff to forward those fingerprints to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation.

NRS 239B.010 provides that the county may request of and receive from the Federal Bureau of Investigation information on the background and person history of any person who has applied for a license as required by statute or local ordinance which it has the power to deny.

NRS 424.030 provides that no person may conduct a family foster home or group foster home without receiving a license from the licensing authority.

4. The department as the licensing authority for Washoe County may charge each person investigated pursuant to NRS 424.031 in advance for the reasonable cost of that investigation.

5. Any fees for fingerprinting and submission to the central repository and the federal bureau of investigation may be paid by

the department on behalf of an applicant for a foster care license.

[§2, Ord. No. 1187]

SECTION 3.

45.113 Fingerprinting prospective adoptive parents; department paying fees for special needs children.

1. Pursuant to NRS 127.281, a prospective adoptive parent who is subject to an investigation by the department must submit as part of the investigation a complete set of his/her fingerprints and written permission authorizing the department to forward those fingerprints to the central repository for Nevada records of criminal history for submission to the federal bureau of investigation.

2. The department as the licensing authority for Washoe County may charge each person investigated pursuant to NRS 127.281 in advance for the reasonable cost of that investigation.

3. Any fees for fingerprinting and submission to the central repository and the federal bureau of investigations may be paid by the department on behalf of an applicant to adopt a special needs child.

[§4, Ord. No. 1187]

SECTION 4.

45.325 Fingerprints and background information required.

1. Every child care facility licensee, applicant, or employee as defined in this chapter shall submit to the sheriff upon request a:

(a) Complete set of fingerprints and a written authorization for the sheriff to forward the fingerprints to the central repository for Nevada records of criminal history for submission to the federal bureau of investigation for its report; and

(b) Written statement providing any background information requested by the sheriff, including any prior criminal conviction, to enable the sheriff to conduct an appropriate investigation.

2. The reasonable costs of any investigation or local police records review done by the sheriff pursuant to this section shall be the responsibility of the child care facility employee and shall be paid to the sheriff in advance.

3. The sheriff may charge a child care facility employee a reasonable fee or service charge in addition to any other fees or service charges specified in this code where the circumstances mandate a more extensive investigation than is normally required. A list of fees set by the sheriff for criminal background checks shall be posted in a place of clear public view.

NRS 239B.010 provides that the county may request of and receive from the Federal Bureau of Investigation information on the background and person history of any person who has applied for a license as required by statute or local ordinance which it

has the power to deny.

NRS 432A.175 provides that every applicant, licensee and employee of an applicant or licensee, and every resident of a child care facility shall submit a complete set of fingerprints and written authorization to forward the fingerprints to the Federal Bureau of Investigations.

[§7, Ord. No. 740]

[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 19 day of August, 2008.

Proposed by Commissioner Hunke

Passed on the 9th day of September, 2008.

Vote:

Ayes: Larkin, Weber, Hunke, Galloway, Jung

Nays: NONE

Absent: NONE



Robert M Larkin

Chairman
Washoe County Commission

Dorey L. P. A. Chief Deputy
County Clerk

This ordinance shall be in force and effect from and after the 19th day of September, 2008.

P:\Civil\ORD\45.480 FINAL
PAL/Aug 7, 2008