

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

SUMMARY: Amends WCC Chapter 25 (Business Licenses, Permits and Regulations) by amending certain provisions relating to medical provisions in outdoor festivals, the definition of private investigator, home business licensing relating to cottage food operations, and providing other matters related thereto.

BILL NO. 1701

ORDINANCE NO. 1520

An Ordinance amending the Washoe County Code at Chapter 25 (Business Licenses, Permits and Regulations) by amending certain provisions relating to providing emergency medical services at outdoor festivals with 2,500 or more persons in attendance, amending the definition of private investigator, and amending home-based business development standards to allow for cottage food operations. Recommendations include providing other matters properly relating thereto.

WHEREAS:

- A. The Board of County Commissioners desires to amend the Washoe County Code at Chapter 25, County Business Licenses, Permits, and Regulations, to incorporate new provisions created by the 2013 Legislature, and providing other matters related thereto;
- B. Business Impact Statement. Business Impact Statements are regulated within NRS 237.030 through 237.100, inclusive, but under NRS 237.070, the provisions do not apply when changes are required by state statute and the local government does not have the ability to impose less stringent standards.

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

25.307 Licensing condition: Medical licensing conditions for outdoor festival of 2,500 or more people attending.

1. Applications for an outdoor festival having 2,500 or more people in attendance on any single day shall submit written evidence of having obtained Washoe County Health District approval of the provision of emergency medical services as required by NRS 450B. The applicant shall comply with all conditions given by the Health District.

25.323 Definitions. As used in sections 25.323 to 25.349, inclusive, unless the context otherwise requires:

1. "Consultant" means a person who engages in the business of furnishing advice on the proper methods and equipment for the providing of security and protection for persons and property.

2. "Dog handler" means any person who, for compensation, handles, supplies or trains dogs for the protection or safety of persons or property.

3. "Intern" means a person who is involved in the study of polygraphic examinations and their administration.

4. "Private Investigator's Licensing Board" means the board created by chapter 648 of NRS. "P.I.L.B." refers to the Private Investigator's Licensing Board.

5. "P.I.L.B. licensee" means a person licensed by the P.I.L.B. pursuant to chapter 648 of NRS.

6. "Polygraph" means an instrument or electronic or mechanical device which records or measures physiological effects of psychological stimuli to permit the examiner or intern to form an opinion concerning the veracity of statements made by the person examined.

7. "Polygraphic examination" means the procedure by which an examiner or intern renders his expert opinion as to the veracity of statements made by the person examined.

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8. "Polygraphic examiner" means a person who by virtue of his education, training and experience, is capable of conducting a valid and reliable polygraphic examination.

9. "Private investigator" means any person who for any consideration engages in business or accepts employment to furnish, or agrees to make or makes any investigation for the purpose of obtaining, including, without limitation, through the review, analysis and investigation of computerized data not available to the public, information with reference to:

(a) The identity, habits, conduct, business, occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation or character of any person;

(b) The location, disposition or recovery of lost or stolen property;

(c) The cause of responsibility for fires, libels, losses, accidents or damage or injury to persons or to property;

(d) A crime or tort that has been committed, attempted, threatened or suspected, except an expert witness or a consultant who is retained for litigation or a trial, or in anticipation of litigation or a trial, and who performs duties and tasks within his or her field of expertise that are necessary to form his or her opinion;

(e) Securing evidence to be used before any court, board, officer or investigating committee; or

(f) The prevention, detection and removal of surreptitiously installed devices for eavesdropping or observation.

10. "Private patrolman" means a person engaged in the business of employing and providing for other persons watchmen, guards, security guards, patrolmen, uniformed traffic-control officers, bodyguards or other person for the purpose of protecting persons or property, to prevent the theft, loss or concealment of property of any kind or to investigate the theft, loss or concealment of property he has been hired to protect.

11. "Process server" means a person who engages in the business of serving legal process within this state.

12. "Repossessor" means a person who engages in business or accepts employment to locate or recover personal property

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which has been sold under a conditional sales agreement or which is subject to any other security interest.

25.4425 Development standards. All home-based businesses shall comply with the provisions of this section, unless modified by the board in accordance with section 25.4426. If more than one home-based business is licensed at a single address, the provisions of this section apply to the combination of all home-based businesses licensed at that address.

1. Location and size. The use of the dwelling for the home-based business shall be clearly incidental and subordinate to its use for residential purposes. The home-based business may be conducted in the principal dwelling or permitted detached accessory structure associated with a residential use provided that the business area does not exceed thirty-three (33) percent of the gross floor area of the principal dwelling. When conducted in a garage, the home-based business shall not eliminate the use of the garage as a parking space for a car.

2. Storage. There shall be no outdoor storage for more than 72 hours of materials, equipment, supplies, or solid waste used or associated with the home-based business nor shall goods or merchandise be displayed in a manner so they are visible from outside the dwelling.

3. Traffic. The home-based business use is limited to only one (1) employee vehicle, either on the property or on the residential street in front of the property. In order to protect the visual aspects of the residential neighborhood, no more than two (2) parking spaces can be created for off-street parking relative to the home-based business. Any need for parking generated by the home-based business use shall be met off the street and other than in a required front yard.

4. Truck deliveries and pick-ups. Truck deliveries and pick-ups to a licensed home-based business in residential neighborhoods shall be limited to: a) daily delivery or pick-up by federal or private mail and express package delivery service, and b) two (2) deliveries or pick-ups of products or materials per week by vehicles with no more than two (2) axles and not in excess of sixteen-thousand (16,000) pounds gross unladen weight. Deliveries or pick-ups shall be permitted between sunrise and sunset.

5. Business vehicle. The vehicle used for the home-based business may involve one (1) vehicle for delivery of materials

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to or from the property, not to exceed eight-thousand (8,000) pounds gross unladen weight and no larger than two (2) axles. A single vehicle used in conjunction with a mobile business or a single vehicle limousine service is permitted. A single accessory utility trailer up to 24 feet in length is permitted, provided it is parked off the street, regularly used off-site in the conduct of the home-based business, and not used solely for storage or advertising.

6. Employees. Employees shall be limited to those persons who reside at the property and one (1) non-resident assistant or employee. Off-site employees are permitted so long as they do not report for work at the property.

7. Visitors and customers. Visitors and customers shall not exceed three (3) business related visitors/customers per day or present at any one time. If the home-based business is the type in which classes are held or instruction given, the director of community development may approve up to six (6) students to be present at any one time if (s)he finds that the additional students will not generate additional motor vehicular traffic, or noise or vibrations emanating from the premises.

8. On-site sale of services and/or merchandise. There shall be no sale of services and/or merchandise to customers on the property except artist's originals, services or merchandise individually made to order on the premises.

9. Off-site sale of services and/or merchandise. Merchandise and/or services which are not "artist's originals" or "individual made to order" may be constructed on-site. The sale of this merchandise may only transpire at an off-site location.

10. Advertising. There shall be no public advertising which calls attention to the fact that the dwelling is being used for business purposes, except when required by the State of Nevada. Telephone listings, or any other advertising of the business, shall not include the dwelling address. The name, telephone and purpose of the home-based business may be advertised on not more than one (1) vehicle which is operated by the resident or residents of the dwelling in conjunction with the business. The home address may appear on business cards, letterhead and invoices when the home address is also the business address.

11. Annual inspection. All home-based businesses may be required to submit to an annual inspection by relevant county officials for safety and compliance purposes.

12. Types of businesses not allowed. Automotive and equipment use types, as defined by section 110.304.25(d) of county code; commercial preparation of food except as authorized in NRS 446 and/or the Washoe County Health District for cottage food operations; business related to or involving explosives; beauty parlors; barber shops; liquor sales or distribution; undertaking and funeral parlors; medical and dental clinics, hospitals; adult characterized businesses, as defined by section 25.047; and, ambulance or related emergency services are prohibited.

Passage and Effective Date

This Ordinance was proposed on 10-8-13 by Board Member Weber.

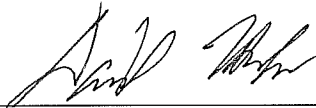
This Ordinance was passed on 10-22-13.

Those voting "aye" were Humke, Weber, Benkbigler & Hartung

Those voting "nay" were none.


Those absent were Jung.

Those abstaining were none.



David Humke, Chairman  
Washoe County Commission

ATTEST:



Nancy L. Parent  
Nancy Parent, County Clerk

This Ordinance shall be in force and effect immediately upon the date of the second publication of such Ordinance as required by NRS 244.100(2)(c).

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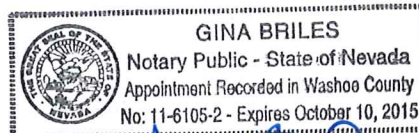
STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation 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: **10/26/2013 - 11/01/2013**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: \_\_\_\_\_

*K. Peniston*



*[Handwritten signature]*

NOV 6 2013

## Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1520 BILL NO. 1701 NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on October 08, 2013 by Commissioner Weber and was passed and adopted without amendment at a regular meeting held on October 22, 2013 by the following vote of the Board of County Commissioners: An ordinance amending the Washoe County Code at Chapter 25 (Business Licenses, Permits and Regulations) by amending certain provisions relating to providing emergency medical services at outdoor festivals with 2,500 or more persons in attendance, amending the definition of private investigator, and amending home-based business development standards to allow for cottage food operations. Recommendations include providing other matters properly relating thereto. (Bill No. 1701) Those Voting Aye: David Humke, Bonnie Weber, Marsha Berkbigler and Vaughn Hartung, Those Absent: Kitty Jung This Ordinance shall be in full force and effect from and after November 1, 2013. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title

1520 ✓

only. DATED October 23, 2013 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No. 18753 Oct 26, Nov 1, 2013

**LEGALS**      **LEGALS**

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WASHOE COUNTY ORDINANCE NO. 1520  
BILL NO. 1701**

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